

*Leave of Absence*

*Friday, September 02, 2011*

**HOUSE OF REPRESENTATIVES**

*Friday, September 02, 2011*

The House met at 10.00 a.m.

**PRAYERS**

[MR. SPEAKER *in the Chair*]

**LEAVE OF ABSENCE**

**Mr. Speaker:** Hon. Members, I have received communication from the Opposition Chief Whip, Miss Marlene McDonald, advising that Mrs. Patricia McIntosh, Member for Port of Spain North/St. Ann's West, has asked to be excused from today's sitting of the House. The leave which the Member seeks is granted.

**PAPERS LAID**

1. Statement of the President under section 9(1) of the Constitution setting out the specific grounds on which the decision to declare the existence of a State of public Emergency was based. [*The Minister of National Security (Sen. The Hon. Brig John Sandy)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Diego Martin Regional Corporation for the nine-month period ended September 30, 1998. [*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 Diego Martin Regional Corporation for the year ended September 30, 1999. [*Hon. W. Dookeran*]
4. Second report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the San Fernando City Corporation for the year ended September 30, 2003. [*Hon. W. Dookeran*]
5. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the San Fernando City Corporation for the year ended September 30, 2004. [*Hon. W. Dookeran*]
6. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Princes Town Regional Corporation for the year ended September 30, 2006. [*Hon. W. Dookeran*]

*Papers Laid*

*Friday, September 02, 2011*

7. Errata re: the Report of the Auditor General of the Republic of Trinidad and Tobago on the public accounts of Trinidad and Tobago for the financial year ended September 30, 2010. [*Hon. W. Dookeran*]
8. Audited financial statements of the Water and Sewerage Authority for the year ended September 30, 2006. [*Hon. W. Dookeran*]

*Papers 2 to 8 to be referred to the Public Accounts Committee.*

9. Audited financial statements of Youth Training and Partnership programme (YTEPP) Limited for the financial year ended September 30, 2008. [*Hon. W. Dookeran*]
10. Audited financial statements of Caribbean New Media Group Limited for the financial year ended December 31, 2009. [*Hon. W. Dookeran*]
11. Audited financial statements of Export-Import Bank of Trinidad and Tobago Limited for the financial year ended December 31, 2010. [*Hon. W. Dookeran*]
12. Audited financial statements of Business Development Company Limited for the financial year ended September 30, 2010. [*Hon. W. Dookeran*]
13. Annual audited financial statements of Trinidad Nitrogen Company Limited for the financial year ended December 31, 2010. [*Hon. W. Dookeran*]
14. Audited financial statements of Trinidad and Tobago Mortgage Finance Company Limited for the financial year ended December 31, 2010. [*Hon. W. Dookeran*]
15. Annual audited financial statements of the Telecommunications Services of Trinidad and Tobago Limited for the financial year ended March 31, 2011. [*Hon. W. Dookeran*]
16. Audited financial statements of Palo Seco Agricultural Enterprises Limited for the financial year ended September 30, 2010. [*Hon. W. Dookeran*]
17. Annual audited financial statements of Lake Asphalt of Trinidad and Tobago (1978) Limited for the financial year ended September 30, 2008. [*Hon. W. Dookeran*]
18. Annual audited financial statements of the National Broadcasting Network Limited for the financial year ended December 31, 2009. [*Hon. W. Dookeran*]

*Papers Laid*

*Friday, September 02, 2011*

19. Annual audited financial statements of the National Broadcasting Network Limited for the Financial Year ended December 31, 2010. [*Hon. W. Dookeran*]
20. Audited financial statements of the Deposit Insurance Corporation for the year ended September 30, 2010. [*Hon. W. Dookeran*]
21. Audited financial statements of accounts of the Caribbean Industrial Research Institute (CARIRI) for the year ended September 30, 2010. [*Hon. W. Dookeran*]
22. Non-consolidated financial statements of Trinidad and Tobago Electricity Commission as at December 31, 2009. [*Hon. W. Dookeran*]

*Papers 9 to 22 to be referred to the Public Accounts (Enterprises) Committee.*

23. Administrative report of the National Enterprises Limited for the fiscal year ended March 31, 2010. [*Hon. W. Dookeran*]
24. Annual report of the Central Bank of Trinidad and Tobago for the year ended September 30, 2010. [*Hon. W. Dookeran*]
25. Administrative report of the Ministry of Sport and Youth Affairs for the fiscal year 2007-2008. [*The Minister of Sport and Youth Affairs (Hon. Anil Roberts)*]
26. Administrative report of the Ministry of Sport and Youth Affairs for the fiscal year 2008-2009. [*Hon. A. Roberts*]
27. The Administrative report of the Ministry of Tourism for Fiscal Year 2010. [*The Minister of Tourism (Hon. Dr. Rupert Griffith)*]
28. Administrative report of the Tourism Development Company Limited for fiscal year 2010. [*Hon. Dr. R. Griffith*]
29. Administrative report of the Zoological Society of Trinidad and Tobago for fiscal year 2010. [*Hon. Dr. R. Griffith*]
30. Administrative report of the Telecommunications Authority of Trinidad and Tobago for fiscal year 2010. [*The Minister of Public Administration (Hon. Carolyn Seepersad-Bachan)*]
31. Defence (Rates of Pay and Allowances) (No.2) Regulations, 2010. [*Sen. The Hon. Brig John Sandy*]

*Papers Laid*

*Friday, September 02, 2011*

32. Defence (Rates of Pay and Allowances) Regulations, 2010. [*Sen. The Hon Brig. J. Sandy*]
33. Administrative report of the Seafood Industry Development Company (SIDC) for financial year 2009-2010. [*The Minister of Trade and Industry (Hon. Stephen Cadiz)*]
34. Ninety-first report of the Salaries Review Commission of the Republic of Trinidad and Tobago. [*The Minister of Housing and the Environment (Hon. Dr. Roodal Moonilal)*]
35. Ninety-second report of the Salaries Review Commission for the Republic of Trinidad and Tobago. [*Hon. Dr. R. Moonilal*]
36. Ninety-third report of the Salaries Review Commission for the Republic of Trinidad and Tobago. [*Hon. Dr. R. Moonilal*]
37. National Protected Areas Policy of the Government of the Republic of Trinidad and Tobago for 2011. [*Hon. Dr. R. Moonilal*]
38. Annual report of the Princes Town Regional Corporation for the period 2007–2008. [*The Minister of Local Government (Hon. Chandresh Sharma)*]
39. Annual report of the Princes Town Regional Corporation for the period 2008 –2009. [*Hon. C. Sharma*]
40. Annual report of the Princes Town Regional Corporation for the period 2006 – 2007. [*Hon. C. Sharma*]
41. Administrative report of the Ministry of the Attorney General for the Fiscal Year 2008 – 2009. [*Hon. Dr. Moonilal*]
42. Civil Proceedings (Amdt) Rules, 2011. [*Hon. Dr. R. Moonilal*]

**ORAL ANSWERS TO QUESTIONS**

**Immigration Detention Centre  
(Executive Director Post)**

1. **Dr. Keith Rowley** (*Diego Martin West*) asked the hon. Minister of Justice:

With respect to the post of Executive Director Immigration Detention Centre, could the hon. Minister state:

- (a) Was the post advertised?
- (b) What are the qualifications/requirements for the post?

- (c) Who were the applicants interviewed and when did the interview take place?
- (d) Who was the person selected and hired for the job?
- (e) Was the person selected an applicant for the job and was this person interviewed?
- (f) What are the emoluments and prerequisites attached to the post?

**The Minister of Justice (Hon. Herbert Volney):** Mr. Speaker, the post of Executive Director, Immigration Detention Centre, Ministry of Justice, was advertised in the *Sunday Express* dated November 14, 2010.

The qualifications/requirements for the post are as follows: BSc degree in social sciences; MSc degree in human services, with a concentration in organizational management and leadership; a minimum of 10 years' experience at a supervisory or managerial level, at least two of which must be a senior administrative level at a correctional reform and transformational environment.

The following six persons were interviewed for the position on December 06, 2010: Julie Carrington, Franklin Ali, Richard Ramoutar, Esther Knights, Michael Jogie and Arthur J W Augustine. Mr. Franklyn Ali was selected and hired for the job. He was an applicant and was interviewed on December 06, 2010.

The terms and conditions attached to the post have not yet been finalized by the Chief Personnel Officer. Mr. Ali is in receipt of an interim salary and allowances as follows, pending finalization of negotiations with the Chief Personnel Officer: a monthly salary of \$20,000; a duty allowance of \$3,000 and a transport allowance of \$2,200.

**Dr. Rowley:** Mr. Speaker, supplemental. Did any or all of the applicants meet the requirements as requested in the invitation?

**Hon. H. Volney:** Mr. Speaker, so far as I was told, the group was shortlisted, and I could reasonably assume that they would have met the requirements.

**Dr. Rowley:** Mr. Speaker, notwithstanding the Minister's assumption, is he prepared to tell the House today that the person selected and put in the post has 10 years' experience in management and the required two years in a correctional reform and transformational environment?

**10.15 a.m.**

**Hon. H. Volney:** Mr. Speaker, that would have to be the subject of a further question but I can reasonably assume, given the standards at the Ministry of Justice, that that person would have so qualified.

**Dr. Rowley:** Mr. Speaker, would the Minister give the assurance that the request for applicants to subscribe and conditions set by the Ministry of Justice were met and persons who were selected did in fact meet those requirements and that persons who were qualified were not overlooked? Would the Minister give this House the assurance today?

**Hon. H. Volney:** Mr. Speaker, given what I have been provided I can give the House that assurance.

**Carenage Fish Market/Waterfront Development  
(Construction Project)**

**2. Dr. Keith Rowley** asked the hon. Minister of Food Production, Land and Marine Affairs:

Could the hon. Minister state:

- (a) Whether the Government has abandoned the construction project for the Carenage Fish market and Waterfront Development in Carenage?
- (b) What is the last date any work was done on this site?
- (c) Who was the contractor on site and what moneys are outstanding to the contractor as at June 30, 2011?
- (d) When will work recommence at the site?
- (e) What is the new date for completion of the project?

**The Minister of Trade and Industry (Hon. Stephen Cadiz):** Mr. Speaker, answer to question No. 2, part (a) of the question; the Government has not abandoned the construction of the Carenage Fishing Market and Waterfront Development Project in Carenage.

Answer to (b): the Carenage Fishing Market and Waterfront Development Project is currently 48 per cent complete. Construction work on this project was actually suspended, Mr. Speaker, in February 2010, due to the unavailability of funds. The Ministry's limited capital programme allocation for fiscal 2011 has made it impossible for the Ministry to continue construction work on the project.

Answer to part (c), the contract was awarded to a company known as Montex Trinidad Limited on September 30, 2008 at a contract sum of \$16,000,560,671.60. To date, the total sum paid to the contractor is \$8,459,092.20. Currently there are no moneys outstanding to the contractor.

Answer to part (d): It is anticipated that construction work on this Carenage Fishing Market and Waterfront Development Project will recommence during fiscal 2013.

Answer to part (e): In May 2011 dialogue commenced between the National Self-help Commission Limited and the contractor Montex Trinidad Limited to develop a revised scope of works to allow for the completion of a portion of the facility to be used by the fisherfolks of Carenage as well as the costing. After an evaluation is done a completion date would be set.

**Dr. Rowley:** Just a clarification, Mr. Speaker. Is the Minister saying that a project of \$16 million of which \$8 million has been spent, a project underway that for fiscal 2011 into 2012, no allocation would be made to complete that project and that we have to wait, skipping a fiscal year into—2013 to complete a project that has been half finished by February 2010? Do I not understand that?

**Hon. S. Cadiz:** Mr. Speaker, the project was stopped in February 2010 due to the unavailability of funds. So since 2010 that project has been stopped, and therefore it is a simple case of when the money is available that is when the project will recommence, and right now the availability of those funds we do not project to be until 2013.

**Mr. Roberts:** Ask Piggott why it stopped.

**Dr. Rowley:** Mr. Speaker, could the Minister tell us if this Government that has found it so difficult to find \$8 million to finish an ongoing project that has been abandoned at 40 percent completion, whether this Government has started any new projects during the period of its existence? Could the Minister answer that please?

**Mr. Speaker:** That is a new question.

**Hon. Stephen Cadiz:** Mr. Speaker, I agree with you, that is a new question. The only this I would say is that here it is in February 2010, during that fiscal year, the money ran out. How could you start a project, run a project? Mid-way into the project the funds ran out, and therefore in 2010 the funds were no longer available and to be able to find a new allocation; again that will be a new question.

**Mr. Roberts:** “Ask Piggott nuh”.

**Mr. Speaker:** Let us continue please.

**REGIONAL HEALTH AUTHORITIES (AMDT.) BILL 2011**

Bill to amend the Regional Health Authorities Act [*The Minister of Health*]; read the first time.

**STATE OF EMERGENCY  
(BASIS FOR DECLARATION)**

**The Minister of National Security (Sen. The Hon. Brig John Sandy):** Mr. Speaker, I beg to move, the following Motion standing in my name:

Be it resolved that the House take note of the Statement by the President under Section 9(1) of the Constitution setting out the specific grounds on which the decision to declare the existence of a State of Public Emergency was based.

**Sen. The Hon. Brig J. Sandy:** Mr. Speaker, I wish to thank you most sincerely and honourable Members for allowing me the opportunity in this august Chamber to present this statement by His Excellency the President of the Republic, in respect of the declaration of a state of emergency in Trinidad and Tobago.

In this regard Mr. Speaker, I respectfully beg your leave to read Legal Notice No. 162, Republic of Trinidad and Tobago No. 08 of 2011.

“Legal Notice No. 162

Republic of Trinidad and Tobago

By His Excellency Professor George Maxwell  
Richards, T.C., C.M.T., PH.D., President  
and Commander-in-Chief of the Republic  
of Trinidad and Tobago.

**A PROCLAMATION**

Whereas it is enacted by:

- (a) section 8(1) of the Constitution that the President may, from time to time, make a Proclamation that a state of public emergency exists; and
- (b) section 8(2) of the Constitution that a Proclamation made by the President shall not be effective unless it contains a declaration that the President is satisfied that action has been taken or is immediately



*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

threatened by any person, of such a nature and on so extensive a scale as to be likely to endanger the public safety.

Now, therefore, I, GEORGE MAXWELL RICHARDS, President as aforesaid, in pursuance of the powers conferred upon me by section 8(1) of the Constitution hereby declare that:

- (a) I am satisfied that action has been taken or is immediately threatened by persons or bodies of persons of such a nature and on so extensive a scale as to be likely to endanger the public safety; and
- (b) a state of public emergency exists in the Republic of Trinidad and Tobago.

Given under my Hand and the Seal of the  
President to the Republic of Trinidad and  
Tobago, at the Office of the President, St.  
Ann's, this 21st day of August, 2011."

Mr. Speaker, in May 2010 the people throughout this great nation gave the Government of the People's Partnership a clear mandate, by way of overwhelming support, to govern Trinidad and Tobago.

That came as a result of what our Prime Minister, the Hon. Kamla Persad-Bissessar, aptly describes as "approximately 8 years where the people of this virtual land saw the erosion of its safety and security."

Mr. Speaker, our people for the past 8 years were prisoners in their own homes left cowering for fear of being shot, robbed, raped or kidnapped by rogue elements in our society.

Our beloved citizens have gone so far as to imprison themselves behind bars; bars of burglar proofing and have implemented self-imposed curfews, because of a runaway crime rate.

Our citizens over that period have lived on the edge, gingerly walking on eggshells because of the murder, mayhem and madness occurring outside their doors.

Additionally, Mr. Speaker, there was the element of the brain drain. Our scholars preferred, out of safety, to live and work in other countries offering their skills and expertise which were sorely needed in Trinidad and Tobago. Mr. Speaker, what is even more devastating and embarrassing is the fact that in those 8 years very little was done to alleviate and dispel the mounting fears and

*SoE (Basis for Declaration)*  
[SEN. THE HON. BRIG. J. SANDY]

*Friday, September 02, 2011*

concerns of our people. We were left to accept that daily gun battles in our city streets, (like some old cowboy town, where innocent lives are taken), were just part of the norm and part of our daily way of life. Our citizens were constantly living in nauseating fear.

On each and every birthday, each and every anniversary, each Christmas Day and every other significant event in the lives of our citizens, they are now forced to relive the awful pain and memory of previous years' murders of their loved ones who are no longer around to celebrate their love and achievements.

Mr. Speaker, even a relative of mine every Easter morning she weeps in memory of her dear son who was murdered innocently because he was in the wrong place at the wrong time. Our colleagues on the other side refused to accept the reality that they had lost the war on crime, and that the criminal elements in our society had the upper hand and was every day, gaining ground and slowly, but surely, taking control of our nation.

Mr. Speaker, even as our country's international image was sullied and tarnished by our rising murder statistics, this did not awaken them to the reality that alternative measures were necessary to ensure a depletion of our serious crimes. Homicides in particular got out of hand and, quite to the contrary, the Government of the People's Partnership did not and will not follow in its predecessor's footsteps. [*Desk thumping*]

From the commencement of our tenure, the Government of the People's Partnership has always held to the view that public safety is paramount, and this nation cannot continue to be held to ransom by criminals and gangs, who no longer see human life as a thing of beauty and something to be cherished.

**10.30 a.m.**

Mr. Speaker, it is a mere 0.003 of our population that continues to harass our nationals and visitors in this country. Mr. Speaker, we hold national security as a very serious issue. This Government remains guided by Pillar No. 3 of the seven pillars for sustainable development, titled "National and Personal Security, Human Security for Peace and Prosperity". That pillar identifies our objectives for reduced crime and the fear of crime: diminish gang warfare, restrict the use of unlicensed firearms, improve road traffic management, improve customer service delivery, enhance public trust and confidence, engender community patriotism and reproduce family values and virtues.

Mr. Speaker, fear of crime. At present, the situation allows our citizens to move much more freely than existed over the past eight years. Simple situations like functions at home are invaded by criminals; even wakes are invaded by criminals and they rob people. Gatherings in your own home, people are wary of doing that, vehicle theft which changed over the years, and you are now kidnapped in your vehicle because they want to get the keys so that they can do other things. Most times people hold their home keys with their vehicle keys; strange noises disturb people while at home; all these contribute to the fear of crime; children's freedom to go out, to have fun as youngsters, to enjoy their youth; that as well, has been curtailed; reintroduction of family values and virtues; family life, respect for each other are some of the basic tenets of life.

Mr. Speaker, each decision that this Government has taken to date, therefore, has required us to comprehensively explore the pros and cons to make determination that given all the circumstances would not only fulfil our objectives as a caring and responsible Government, but must be taken with the best interest of all of our citizens at heart. We feel confident that we have been doing just that. We hear the detractors, we are cognizant of the naysayers and the cynics, but we continue to keep our eyes on the goal; a safer and more secure Trinidad and Tobago for citizens and visitors alike. [*Desk thumping*]

Mr. Speaker, as the Government of this country, we must also take all necessary steps to ensure that while we uphold the rights of our citizens we do not compromise the security of this country. This is a fine line that we must guard assiduously and we intend not to cross. With that said, let me assure the public and indeed you as well that the Government of the People's Partnership has their best interest at heart and we will not take any action that could be detrimental to this country and the people who live in it. [*Desk thumping*]

Additionally, it is our responsibility to ensure the safety and security of all our citizens. The People's Partnership Government, over the past 15 months in office, has started to treat with the challenges plaguing this country. We are committed to returning Trinidad and Tobago to our law-abiding state acknowledging that at times drastic measures may be required.

The Constitution of the Republic of Trinidad and Tobago embodies in its entirety the fundamental rights and freedoms to which citizens are entitled. Key among these are:

- the right to life, liberty and security of person;
- the right to enjoy property and not to be deprived of it except by due process of law;

*SoE (Basis for Declaration)*  
[SEN. THE HON. BRIG. J. SANDY]

*Friday, September 02, 2011*

- the right to equality before the law and protection of the law;
- freedom of movement;
- freedom of conscience and religious belief and observance, among other rights.

These rights, Mr. Speaker, cannot be infringed upon except in accordance with due process and the People's Partnership continuously demonstrates that it is a Government committed to due process. Justification for a state of emergency: Mr. Speaker, a state of emergency cannot be exactly defined; however, it connotes a state of affairs that demands drastic action. The country has been witnessing within recent times the tragedy of multiple murders and an upsurge in gang-related violence. Over the space of 76 hours there were 11 murders and as of August 21, 2011, there were 260 homicides for this year which carried with them tears of those who lost their loved ones.

The National Security Council having had extensive deliberations on this grave situation, together with available intelligence, determined that it would be in the best interest of the country to recommend to His Excellency the President, that a state of public emergency be declared.

Power to declare state of public emergency: Mr. Speaker, the procedure for declaring a state of emergency is stipulated in the Constitution and according to the Constitution it is the President of the Republic of Trinidad and Tobago who has the power to declare via a proclamation that a state of public emergency exists. This power is vested in him by virtue of section 8 of the Constitution. A proclamation declaring that a state of public emergency exists shall only be effective if the President has satisfied himself that:

- “(a) ...a public emergency has arisen as a result of the imminence of a state of war between Trinidad and Tobago and a foreign State;
- (b) ...a public emergency has arisen as a result of the occurrence of any earthquake, hurricane, flood, fire (or) outbreak of pestilence or of infectious disease, or other calamity whether similar to the foregoing or not; or
- (c) ...action has been taken, or is immediately threatened, by any person, of such a nature and on so extensive a scale, as to be likely to endanger the public safety or to deprive the community or any substantial portion of the community of supplies or services essential to life.”

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

Mr. Speaker, within three days after making the proclamation declaring that a state of public emergency exists, the President is required to deliver to the Speaker of the House of Representatives a statement setting out the specific grounds on which this decision was made. The Leader of the House in consultation with the Speaker is then required to fix a date for a debate on this statement as soon as practicable, but no later than 15 days from the date of the proclamation. After having declared that a state of public emergency exists, the President has the power to make regulations for the purpose of dealing with the situation. For the avoidance of doubt, the Constitution specifically gives him the power to make regulations for a detention of persons. This is critical given the nature of the right that is being infringed and the legal principle that dictates that any deprivation or infringement of one's constitutional rights must be by clear, expressed and unambiguous language. He may also issue orders and instructions for the purpose of exercising any power conferred on him or any other person so authorized.

Pursuant to his emergency powers under the Constitution the following pieces of legislation were enacted:

- A Proclamation—Legal Notice 162 of 2011 with effect from August 21, 2011;
- The Emergency Powers Regulations, 2011—Legal Notice No. 163 of 2011 with effect from August 21, 2011; made by the President pursuant to his powers under section 7 of the Constitution;
- The Emergency Powers Curfew Order, 2011—Legal Notice No.164 of 2011 with effect from August 22, 2011 made by the Commissioner of Police pursuant to his powers under Regulation 4 of the Emergency Powers Regulations, 2011, which identified the boroughs of Port of Spain, San Fernando, Chaguanas and Arima and the municipal areas of Diego Martin and San Juan/Laventille to be under the curfew from the hours of 9.00 p.m. to 5.00 a.m. daily.
- The Emergency Powers (Amdt.) Regulations, 2011—Legal Notice No. 171 of 2011, with effect from August 27, 2011, made by the President pursuant to his powers under section 7 of the Constitution.
- The Emergency Powers Seizure of Property Order, 2011—Legal Notice No. 172 of 2011, with effect from August 28, 2011, made by the President pursuant to his powers under regulation 3(1) of the Emergency Powers Regulations, 2011 of the Constitution.

*SoE (Basis for Declaration)*  
[SEN. THE HON. BRIG. J. SANDY]

*Friday, September 02, 2011*

Mr. Speaker, this is not the first occasion in the history of our country that circumstances have warranted the declaration of a state of public emergency. Some of the notable periods of emergency in the past are as follows:

- November 1961—pre-election violence with the People’s National Movement and the DLP;
- March 1965—the Industrial Stabilisation Act and the arrest of CLR James;
- April 1970—the Black Power uprising;
- October 1971—Industrial tensions, the Badger oil strikes after Opposition boycott and the PNM winning the election by a landslide in 1971;
- June 1977—BWIA postal workers strike, the Prime Minister at the time fired all the pilots and declared a state of emergency;
- July 1990—attempted coup d’état in Trinidad and Tobago;
- August 1995—House Speaker placed under arrest.

Mr. Speaker, over the years of rising criminal activity in our land there has been a series of calls for a state of emergency to be declared in Trinidad and Tobago. People like Mr. Desmond Allum, Ken Gordon readily come to mind. Among the Gordon Committee’s “Recommendations for arresting the escalation in serious crime and criminal behavior, June 16, 2003”—was the recommendation that stated and I quote:

“We are of the view that it is necessary at this time to assume Emergency authority so that special measures may be put in place. We therefore recommend the declaration of a State of Emergency for a period of one month.”

At the time, Mr. Speaker, the serious crimes recorded for the preceding year 2002 was 16,610 with 171 of them being homicides. In 2009 this escalated to 22,170 serious crimes of which 506 were murders. Instead of heeding the recommendation from the committee established by the then Prime Minister, they engaged in a series of failed crime-fighting plans. Mr. Speaker, there was “Anaconda”, failed; there was “Anaconda 2”, failed; then there was a 30-day plan when the then Minister Chin Lee declared “I’m going after the big fish as well”.

**Hon. Member:** Failed!

**Sen. The Hon. Brig. J. Sandy:** That was in 2003, failed. Then there was the “Weed and Seed”, failed; and the “Richplain Model for Laventille” in 2007, failed; followed by “Operation Restoration”, failed. All dismal failures.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

Mr. Speaker, the People's Partnership came to the people of Trinidad and Tobago with a plan to diminish crime in our land using a multi-pronged approach, inclusive of suppression, intervention, prevention and rehabilitation. To date, we have had some degree of success in several areas.

**10.45 a.m.**

Mr. Speaker, from CAPA, the Crime and Problem Analysis branch of the police service; serious crimes: 2006; 19,582; 2007; 19,675; 2008; 20,583; 2009; 22,170; 2010; 19,925 and 2011 up to July 31, 9,972. [*Desk thumping*]

As a responsible Government, we opted not to harbour or entertain the criminal elements and gang leaders. We did not consider an invitation to Crowne Plaza for breakfast or the plural of breakfast, but we considered, and not to Crowne Plaza but to Carrera. Indeed you will recall, Mr. Speaker, that the former Prime Minister confessed that he met the leader of the failed coup attempt for 1990 three times at his party's headquarters. Unlike my predecessor, Mr. Speaker, I believe that crime fighting is the purview of the government. This is what the population voted for. We are here to work with the police and all law enforcement agencies to reduce crime.

As Minister of National Security I cannot blame the spate of crime on the police, I take full responsibility. On March 15, 2005, the former Minister in a press release said Government is not responsible for fighting crime—police fight crime. This may be so, but we as a responsible government, we need to put things in place and this is exactly what we are doing. [*Desk thumping*]

Mr. Speaker, our strategy is long term. Our social programmes are integrated with our crime fighting strategies, since we believe that we must win the war on the long term. Unlike the former Prime Minister who at a family day on May 20, 2005, said crime is temporary; we do not share that view. On the morning of Monday, July 11, 2005, the front page of the *Newsday* read, and I quote:

“PM Manning promises security net over Trinidad and Tobago”.

Mr. Speaker, a few hours later a bomb went off in down town Port of Spain injuring 14 people. The very next day the *Newsday* carried a headline:

“Bomb rocks city”.

On October 17, 2005, former Prime Minister Manning says that “Mr. Big” is responsible for the bombings. He said that he had information but not evidence, he knew who “Mr. Big” was.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

**Hon. Members:** Ahhhh.

**Sen. The Hon. Brig. Sandy:** It would be informative for us if he would share that information. [*Desk thumping*] Mr. Speaker, on August 21, 2011, innocent citizens were hiding from the criminals. Less than two weeks after, the criminals are now hiding from our law enforcement officers. [*Desk thumping*]

That, Mr. Speaker, is our objective; to take back our cities, take back our streets, take back our communities, and take back our beloved nation from the criminals. [*Desk thumping*] Hard talk is not our strategy, hard action is. [*Desk thumping*] Accordingly, Mr. Speaker, let us work together to rebuild our land with this God-sent opportunity that has been given to us to cleanse our society. [*Desk thumping*]

Mr. Speaker, we saw the demoralization of the police service with the establishment of the Special Anti-Crime Unit of Trinidad and Tobago. Hard-working police officers, putting their lives on the line out there fighting the criminals, were so demoralized by the fact that others who were not as willing to face the criminals as they were, were sent to SAUTT and given an extra \$5,000. We have excellent patriots in our police service. [*Desk thumping*] To have remained in the service and continued to work as hard and as dedicated as they did and continue to do, they must be patriots of renown. Adding to that demoralization, Mr. Speaker, when you have a Prime Minister removing those dedicated police officers and soldiers from providing security for him it gives the impression that we are discarded and we are no longer required and this is what was done to our police service and defence force.

Mr. Speaker, our murder victims—and over the past 12 days we have been hearing allegations of race. The fact of the matter remains; let us look at our murder victims. In the year 2006, of the 390 people murdered 228 were of African descent; in 2007, of the 391 murdered 308 were of African descent; the year 2008, of the 547 murders 427 were of African descent; in 2009, of the 506 murdered 383 were of African descent; in 2010, of the 473, 320 were of African descent. Of the total of 2,307 murdered since 2006, 1668 were of African descent. This, Mr. Speaker, is 72.3 per cent.

Mr. Speaker, I make the point to argue that we must recognize that it is people looking like me who are being murdered. People who look like me, mothers like my mother—God rest her soul—who are out there weeping and crying more than any other race for their sons and in some instances for their daughters as well.



Let us look at the prison. Mr. Speaker, in 2006, of the 2,678 prisoners 1,532 were of African descent, 57 per cent; 2007, of a total of 2,726 incarcerated persons, 1,464 of African descent, 54 per cent; 2008, 3,012, total of African descent 1,610, 54 per cent; 2009, of a total of 1,886, 1,076 of African descent, 57 per cent; 2010, of 2,412, 1,300 of African descent; 54 per cent; 2011 up to August, 1,734 of which 890 are of African descent, 51 per cent.

Mr. Speaker, when we see our accused being led away or led to court, in most instances they are people who look like me, with their heads bent hiding from the cameras. We must stop that. This is why I am appealing to my brothers and sisters to stop that. As far as suppression is concerned, there are more officers on the streets and in the communities today. Our community policing is not for some police officers, it is extended to all police officers as we are partnering with communities developing trust by living the Trinidad and Tobago Police Service motto “To protect and serve with pride”. We are building human resources capacity and we are starting in August with the plan in place and with the first batch of recruits being taken into the academy to ensure that every year we 800 students and police officers graduate from the academy. [*Desk thumping*]

We have returned our former police officers to desk duties to ensure that we have younger police officers out on the beat to do their work. We have placed surveillance bays which are being utilized as we speak by law enforcement along our highways. We have upgraded our CCTV capabilities. We have introduced traffic wardens. Under legislation—the Bail (Amdt.) Act, the Anti-Gang (Amdt.) Act, the Anti-Terrorism (Amdt.) and FIU (Amdt.) Bills, Trafficking in Persons Act, Interception of Communications Act, Firearms (Amdt.) Act. Our Private Security Network Commission which carries 22 of our private security companies assisting us and I want to pay tribute to them for the assistance given to us particularly over the past 12 days. We have established a border blanket of air, land and sea, with our air assets, our coast guard assets and we intend, Mr. Speaker, to establish marine moorings and not OPVs to waste time up the islands but to protect in the first instance Trinidad and Tobago. [*Desk thumping*]

We have established our National Security Operation Centre. We have looked at our intervention and prevention aspects, to give exploited young men and woman in Trinidad and Tobago opportunities to live longer and take care of their parents in their old age. We have too many youngsters dying and leaving their parents. We have too many fatherless children. There is an instance of one of our—some years ago in San Juan one of our “community leaders” who died and left 15 children behind. Who is going to take care of them, Mr. Speaker? One community leader with 15 children—now deceased.

*SoE (Basis for Declaration)*  
[SEN. THE HON. BRIG. J. SANDY]

*Friday, September 02, 2011*

**11.00 a.m.**

Mr. Speaker, our Outreach Programme; our Community Patriotism Initiative, where we are appealing to our youngsters to compete in sport and culture and not guns and violence; our Concerts of Hope last Christmas contributed handsomely to that initiative. We encourage parents, fathers in particular, to come to the fore and be mentors for their sons. In that respect, in June this year when we held our Father's Fair, while our friends on the opposite side continue to say that they are prepared to assist—I wrote each and every one of the Members of the Opposition, inviting them to come to the Father's Fair, to bring fathers from their respective constituencies and bring their sons along. I asked fathers all over the country to come, and I asked them specifically. I wrote to each of them—not only did they not give the courtesy of a response—they did not attend; not one of them—and now they are talking about males and what males are doing and what males are not doing. And they want to help? Please!

Our Mentorship Programme: to date we have screened some 44 more potential mentors in Trinidad and we are in the process now of completing psychological testing of potential mentors. We are finalizing contractual arrangements for similar activities in the Tobago. Over the past few weeks we have had mentee programmes, 24 of each in five camps; two female camps, three male camps, and you would be amazed at the results with those youngsters. We are asking them to assist, because it is something for all of Trinidad and Tobago.

Our Positive Adolescent Network which is referred to as our Panyard Initiative, was conceptualized as a nexus between the panyard and youth to help them develop life's social skills, and we know that discipline is inculcated through music, especially when youngsters hear themselves and recognize what they can do. Sometime ago the Ministry of National Security donated musical instruments to some youngsters in the Beetham area and we went to hear them play, and it is amazing the discipline that was inculcated because of that music and what they had learnt to do in such a short space of time.

Our NASPRO initiative, the National Adopt-a-School Programme initiative, which is a commitment of time where we are asking particularly those who had attended those schools to return and give of their time to the youngsters, to nurture them; it is all part of a nurturing of our youngsters so that they can grow up to be citizens of Trinidad and Tobago who can contribute.

We have also looked at our model for sustainable development and crime prevention, which allows us to go into communities, using our joint services

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

centres and getting constituents and key players and key stakeholders to assist us in developing communities; all part of our community patriotism effect as well. In this regard, the Ministry of National Security has had the help of the Ministry of Health, the Ministry of Sport and Youth Affairs, the Ministry of Community Development, the Ministry of Education, Ministry of the People and Social Development, “Planning”, “Gender Affairs”, and a number of other ministries, to assist our communities in developing themselves.

Having done all of those areas, we looked at, as well, our prisons, and there are a number of programmes being established and run in our prisons to ensure, in particular, that when our inmates are released, they come into our society and they are accepted, and because of the training and development while incarcerated, they are now contributory citizens of our Republic of Trinidad and Tobago. [*Desk thumping*] All those areas we have put in place and I am proud to say that we are seeing results.

The following is a statement dated August 23, 2011 by the President under section 9 (1) of the Constitution, setting out the specific grounds on which the decision to declare the existence of a state of public emergency were based, and I quote:

“The country has been witnessing within recent times the tragedy of multiple murders and an upsurge in gang-related violence. During the period 19—21 August, 2011, there were 11 murders. As of August 21, 2011, there are two hundred sixty murders for this year. Our criminal intelligence gathered by national security agencies shows that the escalation in violent criminal activity is linked to recent success of the police in certain drug trafficking and interdiction exercises, which led to the seizure of large quantities of drugs with a street value of several million dollars. Drugs of a street value in excess of twenty million dollars were seized in just one raid on August 16, 2011. There is the real risk of reprisal and retaliation by gangs that will compromise and will continue to compromise and endanger public safety, law and order. Innocent citizens going about their daily business have lost their lives as a result of the actions of these gangs merely being at the wrong place at the wrong time.

The present unprecedented escalation of murders and other serious acts of violence and lawlessness warrant the adoption of more decisive and stronger action to ensure the safety of the public. There is urgent need to address this threat to public safety and the upsurge in violent crime in the shortest possible time.

*SoE (Basis for Declaration)*  
[SEN. THE HON. BRIG. J. SANDY]

*Friday, September 02, 2011*

The majority of these murders are occurring in specified geographical areas across Trinidad and Tobago, often committed by members of criminal gangs or persons involved in the drug and arms trades. The statistics from the police service reveal that the murders are disproportionately occurring in certain geographical areas where these gangs are based.

As a consequence of these events and facts, I am satisfied that the nature and extent of these events endanger public life and safety to an extent that warrants the declaration of a state of public emergency.”

Mr. Speaker, prior to the decision to declare a state of emergency in Trinidad and Tobago on August 21, 2011, there were a number of drug busts by the police, culminating with a \$22 million seizure of cocaine at the Piarco International Airport on August 16. These seizures initiated a series of senseless and brutal killings which saw 11 murders being committed in three days. Innocent, law-abiding citizens, like you and me, were being slaughtered for simply being at the wrong place.

Together with this development was the receipt of information and assimilation of intelligence from our natural security agencies around midday on Sunday, August 21, 2011 that prompted me, as Minister of National Security, to request of the hon. Prime Minister and head of the National Security Council, that she convene a meeting of the said Council as a matter of urgency so that I might share the information in my possession.

The meeting was convened the said afternoon, with extensive debate and discussion before options were recommended by the Council. Later that evening, a similarly extensive debate ensued at an emergency meeting of the Cabinet where those options were examined in further detail, considering all the pros and cons before the decision to seek concurrence of His Excellency the President of the Republic to have a state of emergency declared.

I wish to state for the information of my colleagues on the other side and, indeed, for the benefit of the national community, that there is no way in the world would I make such a decision with respect to recommending an option as bold as the declaration of a state of emergency had I not given it tremendous thought and consideration myself. I have been fortunate to be exposed to military leadership training at every level, from junior command as a corporal to formation command at general rank level, and one of the persistent consistencies at every stratum is the requirement to complete what is referred to as a military appreciation or estimate or a combat appreciation or estimate. This method

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

requires the commander at every level to think things through, as it were, before making a decision. You are required to examine all negatives and positives that affect your decision and the implications thereof. I have used this as a matter of course as an integral element on a daily basis in respect of decision-making. The “what if” and the “so what” concepts are most applicable in this regard, as you weigh the pros and cons of each option.

I wish to state categorically that were I to be faced with a similar challenge, with similar intelligence at my disposal and with similar attendant variables, I would be inclined to make a similar recommendation. I remain confident that the decision taken by the Government of Trinidad and Tobago was the correct one. [*Desk thumping*] Had we not taken that decision and averted what was about to happen in this country, we would have been regarded as an irresponsible Government. Mr. Speaker, 1990 would have been a Christmas party compared to what could have happened had we not taken that decision. The loss of innocent lives, the brutality and mayhem that would have ensued and the ruthless killings would have made 1990 look like a garden party.

I am a patriot and my only purpose here is to contribute to the development of my people and my country. [*Desk thumping*] That is why I have said on more than one occasion in this honourable House that if my colleagues on the opposite side claim victory for diminishing and eventual eradication of crime, it does not bother me. That is least of my concern. My principal concern is the eradication of crime regardless of who claims victory for it. In the other place I made the same point. But what is strange, however, is that you have been there for eight years and you are claiming that it is only now that what you have put in place is beginning to bear fruit. I humbly submit that serious crime began to subside in Trinidad and Tobago following the measures applied by the People’s Partnership Government. [*Desk thumping*]

The Government feels vindicated in taking this bold step in the interest of our citizens, including Members of the Opposition as well. For the first time in several years there have been comparatively limited reports of serious crime over a two-week period. As a result of this decision, citizens have been spared the reports of murders emblazoned across the country's daily newspapers. As a result of this decision, most of our citizens have been sleeping comfortably at night. As a result of this decision, our evening newscasts have not been characterized by mothers and families weeping over their murdered relatives. As a result of this decision, there is a resurgence of family life. As a result of this decision, the fear of crime has subsided.

*SoE (Basis for Declaration)*  
[SEN. THE HON. BRIG. J. SANDY]

*Friday, September 02, 2011*

Regardless of what our critics say, the fact that there were minimal serious crimes in 12 days, is irrefutable, [*Desk thumping*] pleasantly phenomenal and comforting to law-abiding citizens, as well as those involved in criminal activity. This is the message I am attempting to leave with those involved in criminal activity, to remind you that the actions of your Government might have saved your life as well. [*Desk thumping*]

**11.15 a.m.**

We are weary of seeing mothers in particular, sisters, brothers, fathers in tears mourning the loss of their loved ones, some of whom are involved in criminal activity with the knowledge of those same loved ones. Is that what we want for our brother, our son? I do not think so.

Mr. Speaker, please allow me to share with this august Chamber a few details of some of the successes to date of the operations of our brave law enforcement personnel during the past 12 days. Firearms seized, 24—and I wish to add, prior to this State of Emergency being declared, there was an operation to rid Trinidad and Tobago of all firearms and we were doing it quite silently for fear of awakening those out there. During that period prior to the state of emergency being called, there were 231 seizures of arms in Trinidad; [*Desk thumping*] suspects arrested: gang related, 366, drug related, 216, homicides, 30.

Mr. Speaker, however, to a number of our naysayers who wish to use the number of arrests of gang members and shielders of firearms as yardsticks to measure success on this initiative, I beg to differ. If the law enforcement agencies had made but one arrest, if they had confiscated one firearm, I would still proclaim that this state of emergency was a resounding success. [*Desk thumping*] When I consider the mayhem and bloodshed that could have attended a number of our law-abiding citizens, some of whom could easily have been close relatives to our friends on the other side, I remain confident that this Government took the right decision in declaring a state of emergency, as I am convinced that we prevented a crisis of unprecedented proportions.

I wish to commend our police officers, other members of the protective services [*Desk thumping*] including the prison services, the fire service, and indeed our defence force for their dedication to duty. I also wish to thank members of the public for the inconveniences, though notwithstanding, to cooperate with our law enforcement officers to ensure the success of this initiative.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

The Government of the People's Partnership will leave no stone unturned to ensure that peace, security and safety return to our beloved country of Trinidad and Tobago. Mr. Speaker, I beg to move. [*Desk thumping*]

**Dr. Keith Rowley** (*Diego Martin West*): Thank you very much, Mr. Speaker. Mr. Speaker, as we meet in this Chamber today maybe we should reflect on how much we think we are in control, and in fact we are not. When we did meet here the last time, the intention was that we would not meet here again for quite some time, and we would meet in another place for probably another two or three years, but as circumstances developed we are now here and we are here not to debate the issues of the last election, not to debate the comments of former Prime Minister Manning, not to debate the policies of the PNM that were adjudicated upon by the population last year May, not to deny that Trinidad and Tobago has a serious crime problem. I do not know that any Member of this House on any side—in fact, I have not heard one citizen attempt to deny that we do have a serious problem with crime in Trinidad and Tobago. What I have heard are a lot of points of views as to how we should treat with it, how successful your efforts have been and more recently. How this Government has gone about to treat with it.

I really bristle at any thought coming from any serious persons, especially a national office holder who would try to imply that anything I say or do is in defence of the criminal element, or the conduct of any individual who is in breach of the law of Trinidad and Tobago.

There are a few of us in this House who have had personal experience with life-threatening actions on the part of criminals; I am one of them. My colleague from Naparima, I think he lost a son, was it? Mr. Speaker, I had, at an earlier time, to confront a dagger-wielding bandit in my bedroom at 1 o'clock with a pregnant wife. I know what criminals can do, and I know the effect that criminal threats or actions can have. So I would not take seriously any comment from anybody that anything I say or do in my public or private life is in defence of or support of anybody engaged in criminal conduct, and I do not knowingly associate with crooks.

This is the Parliament, I want to draw to the attention of the people of Trinidad and Tobago, many of whom think that life is a Carnival, and one continuous fete and take for granted the fact that we are where we are today as a result of some permanent "must happen". It is how we conduct ourselves, especially in public affairs that the country would be secure, not just for the month or week or the next news item, but for the everlasting future.

*SoE (Basis for Declaration)*  
[DR. ROWLEY]

*Friday, September 02, 2011*

There are people in office today who are quite happy to govern this country—quite happy without a Parliament, and without a Constitution. Quite happy; they probably would not say so, but those are the facts. Had we not been here, the Parliament, we are told, would wait until they fix down the road. We are here as a result of a state of emergency and of course that state of emergency has stripped us of our fundamental rights guaranteed under the Constitution, those are the facts.

We are here in this Motion to treat with the statement of the President, and I dare say, the President's statement is in fact a synopsis of what the Government told him. So let us not make any interpretation that these are the President's assessments based on information that he gathered on his own. This is in fact what the Government told the President, and the President was convinced and he went along as he is required to do, satisfy himself that there was a need for a state of emergency.

The Government has a duty to protect the country from the criminal element—no argument with that, statistics about what we have been through no argument about that. A requirement to respond to those who choose crime as a way of life, the Government managing the State's agencies that is part of their job, and that is why we need to examine just by way of questioning the Government. And it is this Government we are questioning on this Government's action in the 15<sup>th</sup> month of its life. So all this talk about what the PNM do, and what the PNM did not do, I do not agree with that.

The people in office, Minister of National Security, we hold our authority on the basis of having been selected by the people under a law called Representation of the People Act. And everybody who serves in this House, all 41 of us, in fact represent the people. And when we deliberate, we deliberate on behalf of the people, and when we take decisions, that is how the people want their business dealt with. That is why we were surprised by the Government's announcement on Sunday August 21, that it will move to have a "limited" state of emergency. That was the announcement declared in Trinidad and Tobago, and the first question that came to my mind is where did that come from? It certainly did not come from the manifesto campaign of the Government where crime was a big issue. In the last general election the PNM's failure to eliminate crime was in fact a political issue, probably the biggest one. Those in office now never offered a state of emergency as a response that was in the cards since 2003.

The Ken Gordon Committee recommended that since 2003, so it was known to them. So when they put their programme in place to campaign in 2010, it was



known and not chosen as an option. When they put forward the 120-day plan, it was not there as an option. And up until August 20, 2011, it was not put to this country as an option. And as we the people of this House determine do we treat with gang violence, the drug dealing, the gun running and the homicides that run from that, this Parliament, the people's representative, the people's power, decided how we would treat with it.

This document in my hand here—to which no reference has been made by Minister of National Security—is the Parliament's response to all the gang and crime problems that he sought to synopsise. [*Desk thumping*]

I take no issue on the content of his presentation and nature of the problem we are seeking to address, but I tell you, Mr. Speaker, we in the Opposition, we of this Parliament, and I will tell you who they were Members of a committee—a Joint Select Committee of this House and the other place—got together on behalf of the people, to pass a particular piece of legislation to deal with a particular problem as outlined by the Minister. And up until August of this year I thought that is where this country was going as authorized by the people as authorized by the Parliament. The committee was: Mr. Anand Ramlogan, Chairman, who happens to be the Attorney General; Mr. Prakash Ramdhar, MP who happens to lead a party in the coalition; Mr. Herbert Volney, a former High Court Judge; Mr. Stephen Cadiz an activist who led street demonstration when he was out of politics; Mr. Jairam Seemungal, a new Parliamentarian; Mr. Subhas Panday, an experienced practitioner in the court, experienced parliamentarian; Brig. John Sandy, coming from the military. Mr. Speaker, I wish to speak in silence. I do not want to be disturbed by that gentleman.

**Mr. Speaker:** Member for D'Abadie/O'Meara, I would like to allow the Leader of the Opposition to be given the same respect as the hon. Minister of National Security was given when he made his presentation. Anyone who is not interested in listening, I would excuse you to go to the lounge, and take two hours and then return, but whilst a Member is on his legs, I would ask Members to observe Standing Order 40(a), (b) and (c). Please, hon. of the Opposition. [*Desk thumping*]

**11.30 a.m.**

**Dr. K. Rowley:** I thank you very much for your protection, Mr. Speaker, and that I get my minutes in injury time. So, seven members of this 12-man committee were Government Members. The same people who are here today will come here and defend the state of emergency as the panacea to the crime that we are seeking

*SoE (Basis for Declaration)*  
[DR. ROWLEY]

*Friday, September 02, 2011*

to deal with. Seven members were Government, three were Opposition—my colleague on my right, the Member of Parliament for Port of Spain South; my colleague on my further left, the Member of Parliament for Diego Martin North/East; and a Senator from the other place, Sen. Fitzgerald Hinds—and from the Independent Bench, Sen. Corinne Baptiste-Mc Knight and Sen. Elton Prescott SC.

Mr. Speaker, you could not want a better committee of the House. That committee put forward recommendations to the House, and contrary to the proposal that we should go by way of a state of emergency for a month, as advanced by the Ken Gordon Committee in 2003, this committee of the Parliament recommended to the House that a law be enacted to make—

*[A cellphone rings]*

**Mr. Speaker:** Just one second. All Members inside the Chamber and strangers in the gallery, if you have a cellphone switch it off, please. Switch it off! We will take no further disturbance as it relates to cellphones ringing whilst a very critical national debate is in progress.

Thank you much. Continue, hon. Member.

**Dr. K. Rowley:** Thank you very much, Mr. Speaker. This committee met throughout January and February of 2011, and by May 23, 2011 the outcome of that was that for the first time in Trinidad and Tobago membership in a gang, criminal conduct surrounding any aspect of gang involvement, was made illegal in Trinidad and Tobago. No other government had that power because the Parliament, the evolution of our response to the crime, brought us to that point. So in 2011, having dealt with the matter in parliamentary committee and in the Parliament, we came in May to say that is how we will proceed. This Act, the anti-gang legislation—in Recommendation 14:2, the committee recommended this to the House. The committee further recommended that an “aggressive public education campaign be implemented as promised, and with haste, to ensure that members of the public are informed about the legislation and the penalties applied for violation thereof.”

The reason the committee made that unusual recommendation that the Government should move in haste to inform the public, is that we did something which went even beyond the recommendation of a state of emergency. We gave certain powers to the State under the Anti-Gang Act which we as a Parliament believe, if enacted, if enforced, would be the effective way to treat with the criminals involved in the matters that were described by the Minister of National

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

Security. Of course, the Government did no such thing. Interestingly enough, Mr. Speaker, while this was the position of May, we have arrived at a point where we now have anti-gang legislation, and I will give you a little flavour of what the legislation involves. But interestingly enough, the proclamation of that legislation—this draconian anti-gang legislation—took place on August 12th and to come into effect on the 15th. It says:

“Now, therefore, I, GEORGE MAXWELL RICHARDS, President as aforesaid, do hereby appoint the 15th day of August, 2011, as the date on which the Anti-Gang Act, 2011 shall come into operation.

Given under my Hand...on the 12th ...”

So after the Parliament addressed this issue, detailed a pathway, enacted the law that should be put into force by parliamentary consensus unanimous—the President signed that on August 12th to come into effect on August 15th—the Minister of National Security comes here today and tells us that he disregarded all of that. One week later he decides to tell his colleagues the thing to do in this country is to declare a state of emergency, [*Desk thumping*] something that formed no part of the discussions.

Mr. Speaker, I went through the Minutes of all the meetings that took place, and my colleagues on this side who were part of the committee will tell you that during the discussions as to how we treat with those criminal miscreants who have chosen crime as a way of life, and the way of gangs, drugs, firearms and whatever, that at no point in there did we decide that the way to go in treating with this country’s problem was a state of emergency.

So the question I am asking: where that came from? Today we are told we know where it came from. It came from retired Brig. John Sandy, who seemed to have the temerity to come here and tell us that we must accept his recommendation because he is a man who weighs, who measures and who thinks before he acts. I want to know if he is the same man from the National Security Council who did all those things and then told the Prime Minister to appoint Reshmi Ramnarine [*Desk thumping*] as head of the SSA. I want to know if all those considerations for which he praised himself and presented himself as this deliberator who makes not a step without carefully seeing how thin the ice is, and who has disregarded the Parliament’s effort, who has not given one week—not even one week—of the Anti-Gang Act to be put into force, but recommended to his Prime Minister and his colleagues that we put this country through a state of emergency because the PNM did not do it, because the PNM had no courage, and we are doing it. [*Interruption*]

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

**Miss Mc Donald:** Nonsense!

**Dr. K. Rowley:** Mr. Speaker, this has absolutely nothing to do with who has courage and who does not have courage, who big and who bad. This has to do with recognizing that there are always options in conducting public business. And because of the series of downsides that are associated with a state of emergency, the PNM took the position—and this Government too, I daresay, up to August 20, 2011 decided that a state of emergency was not the way to go. It was because the Government got caught in its own propaganda web that it sought to get itself out by invoking a state of emergency. [*Desk thumping*] I will tell you how it happened. It was the Minister himself, today, who told us that there was an upsurge in crime. If you look at the curve you will see the growth in crime from the Panday government era when it started to grow away from 100, it went up and up to 500 and change. We do not argue with that. We lived there. We know that. That is a fact. I do not deny that. But then he himself said to us that for 2010/2011 we were seeing a turning down of that.

Mr. Speaker, the Government cannot argue from both sides of its neck. The Government cannot have it both ways. You cannot be engaged in a public relations campaign saying that there is in fact a downturn in criminal conduct, a downturn in homicides, seeking to take credit for it as a new government, promoting an aggressive PR campaign and, while that is so, you then say that the circumstances are such that they warrant a state of emergency. [*Desk thumping*] How can you do that?

Mr. Speaker, I will not waste much of few minutes with the folly of statements that the PNM did nothing about crime. I want to remind you that there were two arms to the crime of assault on the people of Trinidad and Tobago in recent times. One was kidnapping and the other was homicides. The criminals were coming at us. There was a time on every single news item you had to listen to hear who got kidnapped today, because kidnapping had become a regular feature in Trinidad and Tobago. The government of the day confronted that, and today kidnapping is no longer viewed as a clear and present threat. [*Desk thumping*] So, where is the story that the government did nothing about crime, when in fact kidnapping had been so comprehensively dealt with? Do you know how it was dealt with, Mr. Speaker? It was dealt with by sustained, effective police action. [*Desk thumping*] When the kidnappers sat and planned to kidnap us in this country there was no Anti-Kidnapping Squad in this country. [*Interruption*]

**Miss Mc Donald:** That is right.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

**Dr. K. Rowley:** But in response to kidnapping as a threat and as a problem, the government responded through the police force by strengthening and improving policing and we dealt with the kidnappers. [*Desk thumping*]

**Miss Cox:** SAUTT

**Dr. K. Rowley:** The homicides—of a similar nature, it is not you or I or the teachers or the nurses or the doctors who will deal with the homicide issues. It has to be the police. It does not matter how much the Government praises itself for no crime, no murders in the last two or three days; at the end of the day, on a sustained basis to protect and serve us, it will be the police service at work doing policing work that will protect Trinidad and Tobago.

All that has happened there, Mr. Speaker, is that while the Government, seeing the downturn in criminal conduct in the country and anxious to take credit, as it always does—I have never seen a government that spends so much time trying to take credit as this one. [*Desk thumping*] While the Government was engaged in this campaign of taking credit for the downturn in criminal conduct in the country, some criminals went to Arima and “shoot up” Arima. Up until that point, Arima was not viewed as the hot spot. There were other areas in the country which were better known for that kind of misbehaviour. But these criminals, choosing their time and place, went to Arima, and lo and behold the Government was confronted with a need to act in a situation where seven persons were shot, four died, and before they could think about that, in another area in the country two or three more persons were killed. Eleven persons were killed in three days. I daresay that was the basis for the Government declaring a state of emergency. [*Desk thumping*] No other!

I do not know why they have difficulty in speaking the truth. Tell the country that. There would have been no questioning of your motives. But instead of doing that—when I said that the Government panicked in the face of that—no, no, no—next thing we know is that the Government found itself against the background of not using the measures of the anti-gang legislation, which the Parliament gave the Government the power to do. In wanting to escape the embarrassment it has found itself in, by campaigning and taking credit for a downturn in crime and then you had an upsurge which the Prime Minister called a “spike”, the Government decided to choose the option of going for a state of emergency.

Then to justify it, they fed it to the media; so by Tuesday morning, on one radio station for about two hours, the population was being exercised in fear that the real reason—they cannot tell us the real reason. But the real reason is that

*SoE (Basis for Declaration)*  
[DR. ROWLEY]

*Friday, September 02, 2011*

some container load of guns came in and it disappeared, so the army needs emergency powers to go out and look for these guns. That was fed to the media by the Government. It took the Minister of National Security himself to come out and put paid to that and say it is not true because he knew the effect that it would have on people who try to—what is this; that the country has a container of arms lost in Trinidad and Tobago? That was part of it.

The next thing we knew, Mr. Speaker, the Government was telling the country that the state of emergency was to avert some “crisis” known only to the Government. Today we are in the Parliament, the Minister of National Security has gotten up and spoken at length on all matters and, as he sat down he has left the country to think there was a crisis of no determinate nature, known only to him and his close friends, but the country has lost its fundamental rights and freedoms in a state of emergency. [*Desk thumping*]

**11.45 a.m.**

He does not take this Parliament seriously enough to want to tell the Parliament what is the nature of that “crisis”. Identify the “crisis” to us, but no. He reminded me of one of his, I almost said his colleagues—he reminded me, as he spoke and sat down there, of Colin Powell. Remember George Bush’s Powell who was sent to the UN. When George Bush made his decision to enter Iraq or to want to go to war with Iraq for political reasons, he decided to send Powell to the UN, and Powell very unconvincingly but very loyally went to the UN and told the world that Saddam Hussein had weapons of mass destruction, and that the American government had the information. The Americans entered Iraq, Powell lost his self-respect, and they are still fighting in Iraq, and the rest of the world is paying for that.

Today, only he knows what this crisis is; a crisis which he cannot tell the Parliament anything about. A state of emergency has been declared in this country. We are today under a state of emergency and the Minister of National Security cannot tell the Parliament any shred of evidence, he cannot present us with even a scenario as to what is this thing that they protected us from which only they know, and the Prime Minister, in addressing the nation, went out of her way to tell the country that it is a limited state of emergency. “Where did that come from?”

The first question I asked when I heard that was: what is a limited state of emergency? It took us two days in this country to understand that it was not a limited state of emergency. In their attempt to deceive, what they sought to do,

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

and tell the country, is that the entire country is under a state of emergency and certain parts are under curfew. What is wrong with the English language? What difficulty they have with the English language? What difficulty they had? Why was it so difficult for the Prime Minister to tell the country that we, Trinidad and Tobago, are under a state of emergency and under that state of emergency, certain areas will be “curfewed”; that did not happen. Instead, what happened is that we were told it is a “limited” state of emergency, and people were led to believe that this was the Government’s response to the advice that they were getting from some quarters because many people in this country had opinions. We all have opinions.

Some people feel that crime in this country is the preserve of some type of people, some location of people, some kind of action, and there are those who feel that the thing to do is to lockdown those areas and that will treat with the crime, but that did not form part of the final position of the Parliamentarians who chose to deal with criminals who reside in those hotspots or outside the hotspots; did not form part of that. So we have to keep asking where that came from.

I have no doubt that there are people in the Government, in the country, some of them in the Cabinet—I see one of them staring at me right now—who believe that the problems this country faces have to do with identifying particular persons, stereotype them, stamp on them, wire them around with barbed wire and throw dry grass over the fence. There are those who—[*Inaudible*] [*Desk thumping*] But this is a free country and people are free to have their points of view, but it is the option that the Government chose; it is the option.

Mr. Speaker, nobody in the Government, when I raised the matter—when the Opposition raised the matter, why is it we are having a state of emergency when we gave the Government an Anti-Gang Act to do exactly what the Government is doing now? I would have been most surprised if the Government had not responded vigorously to the development in August. But what is the option of the response? The Prime Minister says I do not understand the legislation. What that implies is that for the Anti-Gang Act to work, it requires a state of emergency. Absolute nonsense! Absolute nonsense! That is what the Government is saying; this legislation says no such thing. When it was passed into law and the offences were created, we amended other legislation. We amended the Bail Act; we amended the Firearms Act; we amended from other subsidiary pieces of legislation meaning that when they come together, the provisions of the Anti-Gang Act would give you the results you require.

*SoE (Basis for Declaration)*  
[DR. ROWLEY]

*Friday, September 02, 2011*

Mr. Speaker, if you go through the anti-gang legislation, you would see that it provides for a number of actions which include acting without warrant. I want the Government to tell us—because the Minister has not told us—what aspect of the current arrangements in terms of the actions you have taken so far, would not have been possible without a state of emergency: police detaining people? Police raiding people? Police finding firearms? Police finding ammunitions? Police detaining gang members for being in a gang? Because the only way a warrant was required to use this Anti-Gang Act was if the gang leader was in a dwelling house, because you had the option under the Anti-Gang Act to pick up a gang leader or a gang member without warrant except in a residence. If the person was in a residence at the time you wanted to pick them up, you have to have a warrant, but if you met them anywhere else, anywhere else in the country, no warrant. And if you are picking up people—I may be wrong, I have heard it said that I am wrong, I may be wrong but I presume that of the 800 or 900 people that you have picked up [*Interruption*] 1,100, right—of the 1,100 people who have been picked up, that you have picked them up based on information available to the police.

I assume that that is a logical conclusion, that they have been picked up because of information you have, and if you had that information, knowing, saying to you, that they belong to gangs and he is the gang leader or she is the gang leader, then you tell me what power the Emergency Act gave you and that you did not have that power under the Anti-Gang Act. You tell me, Mr. Speaker. Ask the Government to tell the country, the information you had on the people you picked up, why you could not pick them up under the provisions of the Anti-Gang Act. Why did you need a state of emergency to augment that power? Tell me that; tell the country that.

The danger, Mr. Speaker, is this, that because the Government has married the Anti-Gang Act with a state of emergency, they have created a situation in the country now which the Parliament never intended. The Parliament never intended for persons to lose their fundamental rights and freedoms while at the same time, being subject to any police constable being able to pick you up and say, okay, you are a gang leader, you belong to a gang and you are guaranteed four months in jail. That was never the intention of the Parliament. I want the Government to tell this country that what I am saying is not true. You show me in the discussions and the deliberations of the Anti-Gang Committee's deliberations that that was part of the discussion.

This Anti-Gang Act was meant to stand on its own with support legislation elsewhere. It is this Government that now marries it and in the words of its own member, Subhas Panday, who was a part of this committee, by marrying the



*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

Anti-Gang Act with a state of emergency, “we have created a toxic cocktail”, which is the basis on which innocent people can be abused in this country. That was never the intention of Parliament. It is not going to end there, Mr. Speaker.

We know that the Government will take credit for the “lull” and that is the Prime Minister's word, because we keep asking, having taken this surprising measure of a state of emergency, what is the objective. So far, the only answer to that from the Prime Minister has been that we will get a “lull” in the crime situation; and “lull” it would be.

Mr. Speaker, so far, I have to take it that the Minister gave us the full story. He has not been able to tell us here today that one person has been detained under the order of the Minister under the emergency powers. My understanding from the public news reports and the Government's press conferences is that all the persons detained have been detained as identified in situations where policing and police action could always have been brought to bear. Pick them up for warrants. Persons wanted on warrants; that is police work. That is normal police work. You do not need a state of emergency to pick up somebody on warrants. Shut down an area and raid; police work all the time. That happens all the time. Persons whom you believe belong to a gang, as of August 15, you had the power to pick up such persons. Persons whom you believe are gang leaders, you had the power as of August 15 to pick up such persons. Tell us what did this state of emergency give you that you did not have before.

Every single person who has been picked up and has been charged, they have been charged based on information which would have allowed them to have been picked up and charged outside of a state of emergency. There is not one person that I know of as I am talking to you now, who is in custody, unless the Government is hiding information, there is not one person I know of who is in custody now on the basis of some national threat, and that person is not charged or is not to be charged under one of these Acts, and he is just charged by virtue of the emergency powers.

That means a day will come when the Government's agency—the police officers will have to go to court and lead evidence against all these people. I sincerely hope that the evidence is there, and we are already seeing what is happening in the court. The police will have to go to the court—and thank God for the separation of powers—the police will have to go to the court and produce the evidence to the independent benches to tell the court, we have this evidence that Mr. X, Mr. Y, Mr. A and Mr. B is a gang leader, is a member, is a criminal of some kind, and the court will adjudicate there.

*SoE (Basis for Declaration)*  
[DR. ROWLEY]

*Friday, September 02, 2011*

The Attorney General's understanding of this is, you know what, pick them as you see them; pick them up as you meet them, we will deal with the law later. Our position is that is not what the Parliament intended. Parliament's understanding was not that we fight crime to create a "lull" and then down the road, either one or two things could happen. Either the police will go to court with the evidence to get these people convicted and incarcerated—if that evidence is not available—I hope it is not the intention to get police officers to go to court and perjure themselves against people, and I hope that it is not that you picked them up for a little "lull" and they will all walk at the end of the period of mandatory incarceration. So we will wait and see how it plays out. Let us not praise ourselves yet, let us wait and see how it plays out.

Mr. Speaker, one of the problems we have had with the policing in this country is that over time, the police in Trinidad and Tobago have lost the trust of a large portion of the population, and that made policing increasingly difficult, and in fact, there were current elements within the police service, and we had numerous examples of that. When the crime scourge took place as part of the response of the existing Government to dealing with the crime scourge and the problem in the police service, the Special Anti-Crime Unit of Trinidad and Tobago (SAUTT) was formed, and that unit was made up of officers who were bona fide officers under the authority of the defence force or the police service.

They were put to focus on the problem and it was their involvement, working with the police, that brought an end to the kidnapping problem—the same problem that they say nothing was done about. And it is the same SAUTT that was focusing by way of its Homicide Intelligence Task Force (HITF), on homicides generated from gang activity. Members on the other side referred to SAUTT as the "illegal SAUTT"; so illegal that they have been in office since May last year and they have done nothing to make it legal. It has functioned for 15 months under them, but I am now advised that as of August 31<sup>st</sup> the very people who have been most effective in confronting through their special arrangements in SAUTT to deal with the murderers, the killers, the shooters, those people are now to be sent home, or have been sent home; as of August 31<sup>st</sup>. That was the country's Independence message. I hope that the Government will tell this country how that is going to affect the crime-fighting efforts positively.

### **12.00 noon**

I am advised, Mr. Speaker, that as of now, there are SAUTT officers who are directly involved with court matters involving 68 murders; persons incarcerated,

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

some of them among the more notorious of the criminals that we have had in recent times. SAUTT officers are involved.

I understand that there are another 61 situations involving murderers, where paper committals are underway, or, in fact, work is in the pipeline involving SAUTT officers. So, I am talking about 120 murders where people have been identified, in some cases, before the court, and I am told that these SAUTT officers who have been sent home, have been given no directions as to what their involvement will be or is likely to be, in these matters. So, now we have to ask: how are these matters are proceeded with? Are we to expect that people would walk out of the court because of want of prosecution? How are the witnesses to be managed to go to court? This Government have taken a political dislike for SAUTT and started off by dismissing the head. The Prime Minister herself led that charge, accusing Brigadier Joseph of spying on her; fired him from the airport—on the way—she was going somewhere. In the court, or wherever they are quietly dealing with admission of wrongdoing on the part of the Government; and I am sure the Government will have to pay for their behaviour, but the bottom line is that SAUTT was beheaded.

I heard that Minister speak about demoralized. If any unit in this country was demoralized, it was the SAUTT that was demoralized and they are the ones who had been dealing with the gangs and homicide creators. So, in one breath the Government speaks about police being demoralized, fighting murderers, fighting crime, and look at the action against SAUTT.

I heard the Minister say, Mr. Speaker, in his exuberance this morning, OPVs are a waste of time. They are not wasting time with OPVs. I want to ask the Minister, whose advertisement is this? There is an advertisement that was put out on August 26<sup>th</sup>. On August 26<sup>th</sup> this advertisement was the newspaper, and it came from the Minister of National Security; the Ministry that he heads. He, this morning, told us about OPVs being a waste of time. Listen to what is on the newspaper on August 26<sup>th</sup> under the Ministry of National Security:

“Request For Information”

**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.*

**Dr. K. Rowley:** Thank you very much, Mr. Speaker. So, while the Prime Minister earlier on said that they were cancelling the OPV contracts, because we are not fighting drug dealers and gunrunners in the sea, we are fighting criminals in the streets, that's the Prime Minister's position, the Minister of National Security today is telling us that OPV is a waste of time, in the papers of August 26<sup>th</sup>, there is an advertisement:

“Request for Information”

The Government of Trinidad and Tobago is interested in acquiring Patrol Vessels of proven design for the Trinidad and Tobago Defence Force (Coast Guard). The Patrol Vessels are intended for operations in the territorial waters and Exclusive Economic Zone around Trinidad and Tobago and for regional operations in the Southern Caribbean. These operations would include Search & Rescue, Law Enforcement and Humanitarian operations based on Government's Directives, Agreements and Treaties with neighbouring islands.

The desired vessels should be cost-effective, multi-mission platforms for use in the tropics, with long-range command and control capability, and built to a recognized Classification Society standard.”

Mr. Speaker, we will not be fooled by the tomfoolery of the Minister. Any patrol vessel that is designed to work outside the 12 mile limit is an offshore patrol vessel. [*Desk thumping*] And, insofar as the requirement is that the vessel must work in our territorial waters and our exclusive economic zone, you are talking about going 200 miles out. [*Desk thumping*] The fact that the Minister could be there fulminating now, and asking me where it says OPVs—Mr. Speaker, I want to dismiss the puppetry of the Minister of National Security. [*Desk thumping*]

**Mr. Speaker:** Please, please. Hon. Leader of the Opposition, I do not think you should refer to an hon. Member as a puppet or puppetry. I think that is not parliamentary and I do not think—it is imputing proper motives to the hon. Member, and I would ask you not to go that route. You have better skills in your eloquence in seeking to describe matters. Please!

**Dr. K. Rowley:** Mr. Speaker, I mean no offence to the Member. If I offended him by so describing, I withdraw that. But, I would not be fazed by his attempt at pretending not to know. The only difference in this advertisement, and the request for proposals on the last occasion, is that on this occasion, they are asking for proven design. This is the Gary Griffith story.

When they opposed the purchase of the last batch of OPVs, the argument was that those vessels were first in class and, therefore, we should not buy any new model. What this Government is saying is, if they are going to buy a car now, they do not want the new model; they want last year's model as a proven design. That is what they are saying. That is the only difference here. But, in terms of where the vessel would work, he just said a moment ago, they are not wasting time on the Caribbean, but the request is for regional operations in the Southern Caribbean. You are fooling no one.

And while he is doing that, Mr. Speaker, if he was honest—I take that back—if he was forthright—they would have told us what is happening with the arbitration over the cancellation. [*Desk thumping*] Tell us. Because, in the same manner he got up here today and was asking us, trust me, believe me, accept me, they cancelled the last order for OPVs. We told them they are creating liabilities for the country, they will go to arbitration. They are in arbitration now and they are facing two options: one, take the vessels, or two, pay compensation. That is what the Government of Trinidad and Tobago is facing today. They have not got a leg to stand on in the arbitration. And while that is going on, they are inviting proposals to buy the very said things that they refused to accept from the last order. That is how the country is being run.

For those who cannot understand a state of emergency. Here we have a state of emergency in Trinidad and Tobago, the police are required; every man on deck. I came from Tobago on Tuesday night; the emergency was announced on Sunday night, effective Monday, I am coming through the airport on Tuesday night—a whole brigade of policemen going abroad to play sport. What kind of state of emergency we could have in Trinidad and Tobago where you do not call back every policeman to his post to police the country? If it is so serious and so dangerous and this crisis that you averted and you would not tell us what it is—you would not tell us what this crisis is but it is so serious as to warrant suspension of our fundamental rights and freedoms, but off to New York go a police football team, a police basketball team, a police athletics team and a police shooting team. Does that sound to you like a state of emergency? Does that sound to you like this country is in dread and its police officers are required; every man to his post? I would tell you one thing, they did very well in New York. I think they probably won the march past. [*Laughter*]

More importantly, I want to address this matter of the Commissioner of Police, because we on this side took objection to the employment of a foreign Commissioner of Police. The Government supported the employment of a foreign

*SoE (Basis for Declaration)*  
[DR. ROWLEY]

*Friday, September 02, 2011*

Commissioner of Police. Here it is, when the Member for Chaguanas West in particular spoke, I distinctly recalled his contribution, he said let us give it a try because the foreigner will bring to us a whole batch of goodies that he described. If I had his *Hansard* I would be able to list all the goodies that the foreigner would bring to us as Commissioner of Police. Today, history would show that on August 18, a spike in the crime that caused the Government to declare a state of emergency, took place. People were killed in Arima. The headline in the newspapers was “Massacre.” The Commissioner of Police left the country on August 19. If it was so serious to warrant a state of emergency, suspension of our rights and freedoms, curtailing all kinds of political, social and union activity, why was the Commissioner of Police allowed to leave the country? The two things cannot be right. It is either it was not viewed as serious or the Commissioner of Police was irresponsible, because as head of thousands of men under arms who are supposed to be on the job to fight the crime, you cannot be out of the country. The Government cannot approve that and then tell us that you suspended the Constitution because it was so serious, but you approve the Commissioner of Police’s absence from the country during the exact period.

While I am talking about that, where is the Deputy Commissioner of Police? The Police Service Commission has asked about Deputy Commissioner Ewatski. As I speak to you now, I do not know where he is. I have no idea where he is. While we are under a state of emergency, under curfew, the second most senior officer whom we have paid handsomely, way above market rates in Trinidad and Tobago—today I am saying that we have paid our Commissioner of Police to bring something to us here in Trinidad and Tobago. We have paid a Deputy Commissioner of Police to bring something to us. In this moment of emergency they have brought absolutely nothing to the table.

The Police Service Commission is today publicly asking and talking about requesting and getting from the Commissioner of Police some kind of response. There has been no new input into our crime fighting by the foreign importation that we have had, none. What we have had is a state of emergency and the Commissioner of Police is a spokesperson for the Government who are now talking about how many guns we picked up, how many people on warrant, how many—PR. That is not what we expected from a high-priced foreign Commissioner of Police. As a matter of fact, today I declare that office redundant and I look forward to the day when it will end, because it has brought nothing to the table. Because, if when we objected we were told that what the foreign Commissioner of Police would bring to us was a state of emergency, then the

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

country would have known that we do not need a foreign Commissioner of Police to police us under a state of emergency. We do not need that. [*Desk thumping*] That was not the expectation. The expectation was for modern policing; a cut above anything that we could have put here in Trinidad and Tobago. We are not seeing it. We have not seen it. What we have seen is a Minister of National Security calling for a state of emergency and we are getting policing by press conference and paying \$1 million a year for that. That is not what we expected and that is not what we want.

**12.15 p.m.**

Mr. Speaker, when you look at the provisions of the regulations, the Prime Minister went out of our her way to deliberately use the word “limited”, either inadvertently or otherwise, to tell us that the action was limited, it was not widespread, it was limited. And you ask yourself if any thought process about limiting the effects of the state of emergency went into the thinking, why then do we have these provisions in the regulations?

In the definition I do not know where the gang leaders hold their meetings, I do not know where they plan their crime, but the Government—in the Emergency Powers Regulations:

“meeting” means any assembly or gathering of persons called together or held for the purpose of the transaction of matters of public interest or for the discussion of such matters or for the purpose of the expression of views...” I do not know how many gang members get together to express views of national interest.

“public march” means “any march or procession in a public place comprising...(wholly)...pedestrians, vehicles...or bicycles...” I do now know how many marches gang leaders held in this country or intend to hold.

“public meeting” means “any meeting held out of doors”;

“public place” means...street, public park or garden...any open (space) or enclosed space to which, for the time being, the public have or are permitted to have access whether on payment or otherwise:.

When I read this, Mr. Speaker, I discovered that I might have broken the law, because I had, in my constituency on Independence Day, an All Fours match and the public was there. I realize that I might have been in breach of this.

*SoE (Basis for Declaration)*  
[DR. ROWLEY]

*Friday, September 02, 2011*

Mr. Speaker, the Government, in choosing to go by way of a state of emergency, knew that the subject of crime fighting is one which will get support from virtually everybody in this country. So that motive guarantees support. Having a tool that the Parliament gave it the Government refused to use that tool, because that tool limits the Government's action to the perpetrators. In this country our understanding of our jurisprudence is that I am not responsible, or to be held responsible for my cousin's or my brother's action. The perpetrators of crime, they are responsible, they are to be identified, and they are to be surgically removed. That is what the Parliament expected. Not that you would blanket the whole area, pick up innocent and guilty and use a state of emergency at a time when the Government was having difficulty with the population accepting the Government's policies and programmes.

So what the Government did, was to invoke a state of emergency with powers and arrangements that ensured that union activities are curtailed and suppressed, assured that political activity is suppressed [*Desk thumping*] and ensured that—the very police that they are praising, about being patriots, it was the same police who were expressing their concern and dissatisfaction with their employer and attempted industrial action. That is the climate in which the Government declared a state of emergency. And I have no doubt that the Government's considerations would have been driven by what would happen under a state of emergency over and above treating with criminals, because they had the issue of responding to the unions' agitation, the issue of responding to political response to their actions, and the issue of treating with the police dissatisfaction. All of those things they have thrown cold water on for the time-being under a state of emergency, [*Desk thumping*] because the Government is always driven by political considerations and survival.

From the day this Government got elected it has not stopped campaigning, it has not stopped praising itself, [*Desk thumping*] it has not stopped demonizing the PNM, and the state of emergency just happens to have been a tool that can give them the benefits that they think they have.

Mr. Speaker, the target is a "lull"; I have no doubt that we will have a "lull". I will be the happiest person if the "lull" is permanent, but crime fighting cannot be a "lull", criminal conduct does not disappear. I heard the Minister of National Security made the most—he made the most outstanding finding: he has said that in the last seven days, family life in Trinidad and Tobago has been improved. I do not know whose window he has been peeping through, but he is now in a position to declare after a few days of emergency, that family life has been restored in Trinidad and Tobago. Speak for yourself!



*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

Mr. Speaker, in a situation where we are talking about a limited state of emergency, limited, listen to clause 3(2)(a) Powers of:

“censorship and the control and suppression of publications, writings, maps, plans, communications and means of communication”;

Now which gang leader making publications, making maps, plans, photographs, monograms? Those provisions have to deal with a different kind of situation and, therefore, if you were limiting the state of emergency to the fight against gangs, drugs and firearms, this would have been removed as a regulation.

And then you go on to say, Mr. Speaker: that you are required to notify the police of your movement, so freedom of movement except for the permission given in writing by the Commissioner of Police, the grant of which shall be in his discretion, no person shall hold or take part in any public march or in any public meeting.

Who is that aimed at? Which gang? Which gang do you expect to engage in a public march on in a public meeting? I tell you, Mr. Speaker, [*Crosstalk*] that attracted the Government’s attention, because they realized that clause 7 is aimed at the labour movement and it is [*Desk thumping*] aimed at the political directorate .

So today as we meet here I call on the Government to excise those regulations [*Desk thumping*] In the event that they use their majority to pass an extension, I call on the Government to excise from these regulations all provisions that automatically have nothing to do with crime fighting, and are aimed at other targets. Tell us that you are serious, tell us that you are focusing on the criminals. You have already blanketed the country, put half under curfew, put the whole country under emergency as a result of the behaviour of a few. Do not now deny the rest of the country their rights under the Constitution where it is absolutely not essential to have a provision to prevent public march and public meeting, because the gang leaders may organize their gangs and march. I would think that if the gang leaders organize their members it would make it easier to pick them up in “grappe”, they want them to be dispersed, but this is not aimed at gangs, it is not aimed at criminal conduct. This is aimed at political inconvenience and disturbance. [*Desk thumping*] That is what it is aimed at.

Mr. Speaker, they have a habit of always coming here and trying to cast aspersions on the PNM [*Ooooooh*] I want to remind you all and when you get up and talk about criminal association, today I heard him single out meetings between the Leader of the PNM and Bakr. I want to remind you, you are a UNC

*SoE (Basis for Declaration)*  
[DR. ROWLEY]

*Friday, September 02, 2011*

Minister. The Minister of National Security is a UNC Minister. The first month, week or possibly the first day the UNC saw the corridors of power in this country, the first guest in the prime minister's office was Abu Bakr, in case you did not know. And he should know because he was a senior person in the defence force and I am sure they had defence intelligence, and would have told him that one of Mr. Panday's first visitors to his prime ministerial office was Abu Bakr.

And secondly, I want any of you over there to get up and tell me, Mr. Speaker, that the PNM right, PNM guilty of talking to persons who are presumed to be involved in crime in their community? Okay fine! You show me one person who the PNM put up for election who is a criminal! Show me one! It is the UNC that made a habit of putting up known criminals as UNC candidates. [*Desk thumping*] In pristine, tranquil Tobago he put up Barrington Thomas; Barrington Thomas was a candidate in Tobago for the UNC. In Trinidad, Sean Bill Francis notorious, Sean Bill Francis; [*Desk thumping*] he talks about mentoring and fathering, he wanted to mentor the people of Laventille under Sean Bill Francis. He asked them to vote Sean Bill Francis into office as an office holder carrying out public duty, and these are the people who carry the UNC flag. Do not come and try to fool "nobody" in this country; the record is there.

And I saw the Prime Minister commenting with great aplomb about the holding of "Robocop". I wonder if she knew that last year when there was the land grab in Cashew Gardens that this Government managed that "Robocop" was right there present and available, he was the spokes-person on television and off television. [*Crosstalk*] And while others were put off parcels of land for housing, it was "Robocop" who said he had to get acreage for agriculture. And I could—

**Mr. Speaker:** I understand that "Mr. Robocop" has been arrested, and I think that we should allow the Judiciary to deal with that, and I would allow the Parliament to deal with parliamentary business. In other words, Standing Order 36(2) makes it very clear that if something is sub judice we should not really, in any way, prejudice any outcome at a judicial level involving any Member. So I would ask us to be very cautious as we proceed along those lines. Continue, hon. Member.

**Dr. K. Rowley:** Thank you, Mr. Speaker. I guess you know something I do not know, I do not know that "Robocop" is before the court. But anyway I was not dealing with "Robocop" per se, I was dealing with the hypocrisy of the Government [*Desk thumping*]. And while I am on that score, Mr. Speaker, I understand that the Prime Minister is due to meet the young lady who misconducted herself on the Internet. And I understand that she is doing that

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

today, and I would simply want to ask her while she is doing that, whenever she meets with the young lady, I would like you to increase the population of persons whom she would scold for their conduct on the Internet. Because this—Mr. Speaker, I dare any Member on the Government side to read what Barrington “Skippy” Thomas posted on the Internet. Barrington Thomas happens to be on the public payroll; he is an officer receiving public moneys, and I understand that he is an adviser to the Minister of the People and Social Development. He is in fact [*Crosstalk*] the communications officer for URP, and I defy any Member of the Government to read in this Parliament every word of what he has posted on the Internet. So if in fact we are talking about screening and dealing I simply say that no person, no person who holds public office in this country should so conduct himself. And today I ask the Government, what do you intend to do about this? [*Interruption*] I will give you a copy and you will read it when it is the time. But I defy any of you to read it in this House.

Mr. Speaker, our argument is that yes, we have a crime problem in this country. Our argument is that there are mechanisms for dealing with it that do not involve a state of emergency. The Parliament looked at all the pros and cons, saw the possibilities and chose a pathway. That pathway involves strong legislation and provisions under the Anti-Gang Act, this Government chose not to invoke the provisions of that Act. The Act came into force on August 15, 2011 the Government turned its back on those provisions and instead declared a state of emergency on August 21, 2011. The Government has, therefore, misled the Parliament, the Government has, therefore, oppressed the weakest in society. Many persons have lost their jobs and their earnings in the last few days, many businesses are struggling, because all the businesses that work evening into night have been subjected to serious losses. The Members of this House can laugh, because they do not know what it is to not have a pay packet. Many people are in fact affected.

**12.30 p.m.**

It was our argument in this Parliament, that the joint committee of the House where 29 Members voted for—I can tell you, Mr. Speaker, if we go the way of the Anti-Gang Act, we can get the benefit of treating with the criminals while not creating unnecessary hardship for the rest of the people. The Government chose to disregard the hardship of others and chose an option that guarantees no long-term benefits; guarantees no sustainability; brings about short-term gains and may in its doing create a situation for the police which will make it extremely difficult for them, after the emergency, to establish the kind of trust that they were trying to

*SoE (Basis for Declaration)*  
[DR. ROWLEY]

*Friday, September 02, 2011*

build. That trust is required if the police are going to be effective because police, without the support of the population; police without the trust to convert information to evidence; evidence to conviction; conviction to punishment; we are swimming against a current in this crime matter. We will not be able to permanently remove the scourge of crime in our country without an effective police service and if we use the police as a political tool.

Having said that, I want to end on this note. There are some people in the Government today who believe that once you are in office you are allowed to change your position; but the bottom line is that those persons are in fact making decisions for the State, for the people, and a decision like this emergency may not and probably would not have considered the downsides and the negatives for those who are hurt. It would have considered the political benefits. It would have considered the fight against crime.

I want to quote for you, Mr. Speaker, a writer who wrote the following, it is called, "Manning's knee-jerk crime plan". This was when the government announced how it would treat with the kidnapping scourge and was coming to the Parliament to do the bail amendment.

The writer says:

"The headline grabber was the 'no bail for kidnappers' strategy."

So, that person opposed the no-bail strategy. And he went on to say:

"This knee-jerk legislative reaction to what is admittedly a frightening problem is one that must be cautiously studied. The erosion of human rights and the enlargement of State power (that can later be misused and abused) normally take place in the height of a crisis, with the full support of the people, because rational thought is overwhelmed by panic and fear."

That is Anand Ramlogan, the Attorney General of Trinidad and Tobago. So, he talks about misuse and abuse. The Minister today invoked a crisis, one that he has not identified; but we are told that we are in a crisis and there are a lot of people in the country who are supporting it. Mr. Ramlogan said it is normally done with the full support of the people because rational thought is overwhelmed by panic and fear.

He goes on to say that the way you operate this matter, we see this happening every day in the courts; you can be in, in the morning and you gone to make a jail with no evidence.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

He goes on to say:

“It’s almost as if you are presumed guilty, rather than innocent. In effect, politicians could use it to remove and incarcerate political opponents from society...”

**Mr. Speaker:** Hon. Member, your time is up, but I will give you a few seconds to just tie up.

**Dr. K. Rowley:** So, he is agreeing with me that political consideration could be brought to bear by the users who want to deal with political or union opponents. He went so far to say:

“It is a serious thing for the State to deny an accused bail in circumstances where the backlog of criminal cases in the magistrates’ court...means that an innocent man could be jailed for several years...”

“The problem is not the lack of law, but rather the lack of penetrating policing...”

Mr. Speaker, the Attorney General, in 2004, was saying nothing that I have not said today. The only thing is that he has changed his position from this to invoke a state of emergency to fight street crime.

We saw people in London burning and looting. They did not invoke that for the worst gang problem we know about in West Los Angeles. They did not declare a state of emergency there. In Detroit, in Chicago; all over the world where there are gangs, we do not know that the method of dealing with gangs is a state of emergency.

**Mr. Speaker:** Hon. Member—

**Dr. K. Rowley:** Mr. Speaker, we ask the Government to use the tool that the Parliament gave and stop invoking a state of emergency, which is unnecessary.

Thank you, Mr. Speaker.

**The Minister of Works and Transport (Hon. Jack Warner):** Thank you, Mr. Speaker. I am quite sure that by now this House is used to the histrionics of the last speaker and, generally, the other side.

I want to begin where the last speaker ended. The last speaker made a big ado about nothing. In fact, he made a big ado about the Anti-Gang Act and he said the Anti-Gang Act should have been the Act used and we should do what is being done now by using the Anti-Gang Act.

*SoE (Basis for Declaration)*  
[HON. J. WARNER]

*Friday, September 02, 2011*

Let me tell the last speaker that the Anti-Gang Act is not a crime plan. It was never designed to be a crime plan. The Anti-Gang Act is a specific piece of legislation to deal with a specific issue and it is not a holistic crime plan. It is as simple as that. To come to this House and pretend that the Anti-Gang Act can do what it is not intended to do is pure mischief. [*Desk thumping*] It is, in my humble view, an attempt to deceive this House and I am a bit disappointed because, if anybody knows better, the Leader of the Opposition knows better or should know better. It was never designed to be that.

I repeat: it is not a holistic crime plan. And you spent more than half your submission in talking about an Act which was not designed to do the things that a state of emergency is doing and can do.

Mr. Speaker, I make the point that there is a whole battery of arsenals that we have. [*Interruption*] Thank you very much, Sir. A plethora of arsenals that we have, of which the emergency is just one. I will go back to a lot of them in the time allotted to me today.

I quote: “The Government invoked a state of emergency to fight street crime.” I want to put it on record. That is not true. The emergency has been invoked—I want to quote even the Prime Minister yesterday—“because of the spike in the drug trade”, which our intelligence told us has the potential for public disorder. Therefore, with a \$22 million drug bust and the potential for public dishonour, the intelligence that was given to us is that is the way we must go and any responsible government would do just that.

Let me go back to some of the points raised—I will do it quickly—by my learned friend. [*Interruption*] I am in Parliament, so I will say learned. [*Interruption*] The Opposition leader, Member for Diego Martin West, began by asking the question: “How should the Government treat with it?” He said that this Government is not governing the country or words to that effect.

I remind him that it was the PNM which, for eight months, governed this country without even a Parliament. For eight months, there was no Parliament. For about six years, no local government election and nothing was wrong with that; but it is good to come here this morning and parrot about democracy to the public, to the Parliament Channel, to the Chamber and that is the level of hypocrisy I find difficult to accept.

Mr. Speaker, the last speaker also said that the Government has a duty to protect the country from the criminal element. I agree with you; but having said so, let me ask you now: what did the PNM do to protect the country from the

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

criminal element when they were there for eight years? Between 2000 and 2010, when they were there, what did they do? I am putting forward that in that period the PNM did nothing. Let me give you some statistics quickly because I want to answer the speaker and let him understand where we are.

From January 01, 2003 to July 30, 2011, there were 163,173 reported serious crimes, 128,171 unsolved. That same period, Mr. Speaker, that is January 01, 2003 to July 30, 2011, almost all of which was the PNM, 119,000 reported minor crimes, 52,900 unsolved. I am saying, therefore, that of 282,000 reported crimes, 181,000 were unsolved. Is that not disorder? What did the PNM do for eight years? They did nothing.

I want to make the point also that when one is talking about crime, one cannot talk about crime from May 24. One must talk about crime from the turn of the century, when the PNM, for almost 10 years in the 21st Century, were the ones who held the reins of government in this country. [*Desk thumping*] Therefore, it is, of course for me, not sensible to talk about crime beginning from May 24. I would like to put forward the view that we must talk about crime when we began, from 2002, as you will see later on.

Mr. Speaker, I want to make the point also that I heard the speaker say that when they were in the government they represented the people; all the people and I were shocked because when I look around I see them wearing the balisier, I asked whom they represent. Not me! Not the Member for Chaguanas West, because while we wear black, white and red, we represent the entire country. [*Desk thumping*] When you wear your balisier ties, you cannot come here and posture and say: we represent the people; all the people and this is good governance. That, again, is untrue.

I repeat: we wear our red, white and black on our shoulders, hats, coats and so on. I go further and make the point that if there were no state of emergency, what should we have had? As of yesterday morning, September 01, I am advised that there a total of 11,043 persons were arrested: gang related, 366; homicides, 30; drug related, 216. [*Interruption*] That is correct. How could the Anti-Gang Act work under these conditions? Other serious offences, 181; outstanding warrants, 228; on enquiries, 38; and so on. How could this have worked, Mr. Speaker, with the Anti-Gang Act? How could it have worked with that? [*Interruption*] The fact is, normal police work—I will come to that just now.

*SoE (Basis for Declaration)*  
[HON. J. WARNER]

*Friday, September 02, 2011*

**12.45 p.m.**

Mr. Speaker, all I am saying to you today is that it is again—it is—I do not want to say, Let me be careful now. But let me say, it is deception at its highest—let me be particular because I want to be very particular—to come to this House and say the Anti-Gang Act could have done what the state of emergency is doing. It is, for me, deception personified. Therefore, I want to say again it is not correct for one who is an alternative prime minister. [*Interruption*]

**Dr. Moonilal:** What? Who is that?

**Hon. J. Warner:** Yes. That is his objective, that is his goal, that one day in 2050 he wants to be, of course, the Prime Minister, when all of us have died.

**Hon. Member:** “Nah, nah, nah.”

**Mr. J. Warner:** So I say therefore it is deception at its highest to come here and say the Act can do what the state of emergency is doing. It does not make sense. Mr. Speaker, he also says that the Minister of National Security—and I will end my debate by telling you how lucky this country is to have a Minister like that. [*Desk thumping*]

I will end by telling you not an HR consultant, not a club man, not an entertainer, I will tell you who he is because apparently you do not know, but that is for just now. Mr. Speaker, he says there is a downturn in criminal conduct but we, of course, are not happy and we should not have the state of emergency because he says—I want to quote a past Minister—that we have a decrease in the increase.

Mr. Speaker, I want to tell him that we decided, based on the intelligence received, to call the emergency because of the fact that—and I will give you some figures—the brutality and severity of the murders became unparalleled. Mr. Speaker, we had this, of course—I will come to you just now—because of the crimes which were taking place. The drug bust, I am saying again, our intelligence told us that the drug bust of \$22 million would have led to murder and mayhem as the Minister said. But no, what we should have done was waited until we had murder and mayhem—[*Crosstalk*]

**Dr. Moonilal:** Or children died.

**Hon. J. Warner:**—when, of course, the streets were flowing with blood and then, of course, act because that is how the PNM acted. I will come to that just now. [*Desk thumping*]



**Dr. Moonilal:** That is what they would have done.

**Hon. J. Warner:** And worse yet, Mr. Speaker, worse yet, to say we panicked. We, of course, spread rumour of the container of guns. We fed that to the media. Mr. Speaker, we did not have to do that. This Government is not irresponsible and I want to make the point that citizens throughout the country, generally speaking, the citizens are thanking us for the peace of mind they now enjoy. Mr. Speaker, the thanks that we receive on a daily basis for the peace of mind which they cannot quantify, they thank us for that.

Mr. Speaker, the citizens know that it will come with sacrifice. They know that, they know it comes with inconveniences, they know it will hurt their pockets, but they do not mind because they are prepared to make the sacrifice, and I repeat, for the peace of mind they enjoy. Therefore, to talk about the state of emergency was passed and we had to spread rumours and so on does not make sense.

He said again it should have been passed to avert some crisis. I am making the point again, it is the kind of fallacious thinking which the PNM had for eight years that the crisis had to first occur, and I will come to that just now. Just now I will tell this House for eight years how many persons, and businessmen and groups begged the government, begged the last Prime Minister, begged the Minister of National Security to hold a state of emergency. I will tell you about the Ken Gordon report where Ken Gordon gave 26 recommendations, they took 24. Two they did not take, one of which said call a limited state of emergency. If it is the first time you hear the term Ken Gordon said it too, “a limited state of emergency”. The PNM, Mr. Speaker, stood in their shoes and they wondered, they wondered, they did nothing. To come here and now posture, it is not fair, it is not correct.

But, more than that, Mr. Speaker, I want to make the point that he says the country has lost its “fundamental rights”. Mr. Speaker, that is not true. [*Crosstalk*]

**Mr. Imbert:** What? It has not?

**Hon. J. Warner:** The country has lost its “fundamental rights”,

**Mr. Imbert:** It has not lost it?

**Hon. J. Warner:** “But listen nah. Stick break in yuh ears”; listen. I will tell you, Mr. Speaker, that is not true. First of all let me say, Mr. Speaker, that the laws of this country, the frame of the Constitution and the Constitution to give the Government of the day the right to use this as a mechanism to preserve public order. This! [*Crosstalk*]

**Mrs. Persad-Bissessar:** That is right; we acted within the Constitution.

**Hon. J. Warner:** What we did was to act within the Constitution. [*Desk thumping*] Nothing we have done has been outside of the Constitution. But more than that, I want to say that under the emergency that we have, the rule of law is not suspended. Mr. Speaker, you cannot be arbitrarily thrown into jail and lost in jail as happens in some other countries. Mr. Speaker, you have to be charged; you are still entitled to a trial. Of course, the State has to prove its case against you. Mr. Speaker, you are tried on the evidence. Therefore, I am saying detention is not arbitrary. Therefore, I am saying also that based on what is happening now, you even have a right of appeal.

Mr. Speaker, people have been charged under the Anti-gang Act, they have been charged under laws pertaining to drug possession, they have been charged under firearms and ammunition laws, they have been charged under outstanding warrants, they have been charged for violating the curfew order and so on. I am saying the 1,100 persons who are there are persons whose rights have not been violated. Therefore, I do not accept the point made by the last speaker about how we acted. That is what the frames of the Constitution envisaged. No fundamental rights have been lost. [*Crosstalk*]

**Mr. C. Imbert:** What?

**Hon. J. Warner:** [*Interruption*]—yes. Mr. Speaker, the Minister of National Security in his submission—I want to remind you, I want to tell you one more time: the rule of law in this country has not been suspended. Right? [*Crosstalk*] You inferred to that in your submission. It has not been suspended. [*Crosstalk*]

**Mrs. Persad-Bissessar:** Do not worry with him.

**Mr. Roberts:** You keep going. Do not worry with him.

**Hon. J. Warner:** Mr. Speaker, he kept asking several times why the state of emergency, why is it and so on. I wondered, of course, if he was not listening to the Minister. I want to repeat again, the Minister said in his submission it was, of course, recommended by him so as to protect this country from murder and mayhem. Those were his exact words, from murder and mayhem! I will tell you how many murders took place under the PNM just now. I am telling you if you had passed it then, how many lives would have been saved today.

**Mrs. K. Persad-Bissessar:** That is right.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

**Mr. J. Warner:** But they did not have the guts to do it. [*Desk thumping*] It took a woman to do what a man could not do. [*Desk thumping*] Right. I would not say more on that Member for D’Abadie/O’Meara. [*Crosstalk*] And of course, you know what is even bad—thank you—what is even worse, imagine all this criticism we are hearing this morning, it is that government of which the Leader is a member that used a state of emergency to lock up a Speaker for five days. [*Crosstalk*] [*Desk thumping*] If anything that cried shame on a government, that did.

**Mr. A. Roberts:** Shame!

**Mr. J. Warner:** That was to preserve democracy?

**Mrs. K. Persad-Bissessar:** “Yeah right.”

**Mr. J. Warner:** Yes. You sat down in a government and took part in that and coming now to tell us here that we ought to save a country. You passed a law—you have called emergency to protect a man. We passed it to protect a country. [*Desk thumping*]

**Mr. Speaker:** Member for Chaguanas, we refer to hon. Members of Parliament by the constituency they represent and we can talk about a man, maybe outside, but whilst we are here, the hon. Member for San Fernando East, please.

**Mr. J. Warner:** Thank you, Mr. Speaker, for reminding me who the man is. Thank you very much.

You passed a law to protect the Member for San Fernando East, and we passed a law to protect a country. All right? Again, thank you, Mr. Speaker. My apologies.

The question was asked also by the last speaker, what did the state of emergency give, which, of course, we did not have before. I cannot understand it. I mean, I am amazed sometimes. I am amazed sometimes at the kinds of questions, which are being asked by people who should know better. The question is, what did the state of emergency give you, which you did not have before? I will tell you what it gives us. It gives us—it gives the country and the Government the right to remove some of the obstacles that have delayed the police in their work. It gives the Government the right to empower the army to supplement the manpower of the police on the ground. It gives the country and the citizens a chance to keep the streets clear so that the innocent people would be out of danger and the streets would be less crowded, and the protective services

*SoE (Basis for Declaration)*  
[HON. J. WARNER]

*Friday, September 02, 2011*

can do their work and spot criminals. It minimizes the movement of criminals. You want me to continue? Because unless somebody's head is hard, this is—I mean, this is clear-cut. What did it give you, you did not have before. And most of all, it give us peace of mind, which you cannot quantify; which you cannot quantify; peace of mind. So they ask the question, which just does not make sense.

I go further and tell you that you can look at the country over the last few days, last two weeks, and you will see that the country is now, not in a state of disorder. It easily could have been in that state if the Minister of National Security had not recommended the emergency that we have today--easily; because the drug bust could have led to that. That is what he said.

Let me just give you some more figures that will tell you, of course, what is happening out there, since, of course, Member for Diego Martin West, apparently you do not know what is happening out there. In fact, Member for Diego Martin West, you are such a patriot—on Independence Day when people were out looking at the Independence celebrations and so on, you were playing golf in Trincity. Right. You were playing golf in Trincity. That is the kind of example that we have to show our young people. And, Minister, your mentoring programme would have a tough time with that kind of example. One would have expected that the Leader of the Opposition would have been at the Savannah looking at the parade, protective services and so on, but, no, he was golfing. And I am saying again, those are the kinds of things I cannot understand. It is the hypocrisy that is bad. But more about that later, Mr. Speaker.

Mr. Speaker, throughout the last two weeks there has been a kind of effort on the other side to bring in the race bogey. They made the point that, of course, only young black males have been arrested. They referred to people who have been locked up on Nelson Street; they talked about people in Laventille and so on. They talked about people in Port of Spain and Diego Martin and they said only black people have been arrested, and this Government is racial and so on. Because you see, Mr. Speaker, whenever the members of the PNM have an issue, the first thing they turn to is race.

Mr. Speaker, let me show you something. Mr. Speaker, when the PNM identified the hot spots, this, Mr. Speaker—[*Interruption*]

**Mr. Speaker:** He has been granted permission. [*Desk thumping*]

**Hon. J. Warner:** Yesterday when you were sleeping I wrote the Speaker and asked for permission, and he asked me to see it, I brought it for him to see it, and

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

he gave me permission. When you all were sleeping yesterday and playing golf, I did that.

So this, Mr. Speaker, is the map which the PNM under Martin Joseph identified as hot spots. Look at the map. Look at it here. Look at the hot spots here:

Diego Martin

Port of Spain

Caroni

Arima

Sangre Grande

San Fernando

Look at it here—PNM—are these not the same spots?

“Look the map for the Government here!” The very same spots! Where is the racial profiling? These are the very same spots that you have identified six years ago. [*Desk thumping*] Look it here! [*Shows map*] [*Desk thumping*] The only difference here is that you did not take down the islands, we took down the islands. [*Desk thumping*]

**1.00 p.m.**

**Dr. Moonilal:** And they had a reason for that!

**Hon. J. Warner:** And I know the reason why they did not go down the islands, but I would not say it here, but we took it down the islands. And you talked about racial profiling!

I would have expected—Mr. Speaker, yes the Minister is right. There is a preponderance of Africans in the jails—in the prisons and in the courthouses and so on, and what we should do, as leaders, is to find out the root cause for this and how we can help them. That is what we should do. We should not, on one hand, come here very sanctimonious and so on, and ask a question when Nicki Minaj used some expletives in the stadium and then take a 14-year-old girl and parade her as if she is correct by being abusive to the Prime Minister.

**Dr. Moonilal:** Shame!

**Hon. J. Warner:** How could we, on the one hand come in the Parliament and bring a Motion—a question, on Nicki Minaj that she was obscene and so on—and

*SoE (Basis for Declaration)*  
[HON. J. WARNER]

*Friday, September 02, 2011*

then take a 14-year-old girl and use the little girl to help to further our political career? It just does not make sense.

**Dr. Moonilal:** Shame! [*Interruption*] [*Crosstalk*]

**Hon. J. Warner:** Have we, as leaders, told those very same young black males, “don’t” wear their pants on their buttocks? Have we told them that? Have we told those very young males, “Don’t” go into a life of crime, but to take their books and do their studies and so on and be role models? Have we done that? What we have done, consistently in the PNM, we have become apologists for the young black males who have chosen a life of crime. We have done that, and I will show you how, particularly, the last Prime Minister did that consistently for years.

In fact, when “Fresh”—Kerwin “Fresh” Phillip—was murdered, I am advised that when they opened his mobile phone, he had the private number of the last Prime Minister. I am advised of that! I am making the point to you, therefore, guys that the time has come, let us stop being apologists for young black people. [*Desk thumping*]

**Hon. Persad-Bissessar:** Face reality!

**Hon. J. Warner:** I understand where you all are. I know when you look on that side and you see the composition, you know you feel you have a right to support black people. I, too, have a right to do the same, but I tell them and beg them to go to church—leave a life of crime and do not, of course, indulge in things which are not legal and lawful. Let us tell them that collectively—together—and do not come here to apologize for them. The time to call a halt is now!

I am coming back now to the main issue with the last speaker, because the fact is, I am making the point that we must stand and be counted. If you want to help black people, young black people, let us stand and be counted, and do what the Minister is saying. Let us mentor them, let us talk to them and let us not come here and apologize for them and pretend that we love them so much.

Mr. Speaker, at the end of the day, if we do not do what is right, there will be a high price to pay by all of us, and I do not think that this country can stand that price that we shall pay.

**Mr. Speaker:** Hon. Members, I have been advised, because of the time that we may have to conclude this debate in order to ensure that we get home safely before the curfew hours, I am suggesting, with your indulgence that lunch is available. Members who are desirous of having lunch can stream out and have

their lunch and come back, and the debate will continue. Similarly, for tea, you can stream out and have your tea and come back so the debate is going to be uninterrupted. I just wanted to let you know. Continue hon. Minister of Works.

**Hon. J. Warner:** Thank you, Mr. Speaker. Now that I know that I have some time I will slow down. I was going a mile a minute, because I wanted to get so many things in.

Mr. Speaker, the last speaker, the Member for Diego Martin West, also asked the question about timing, why now? Mr. Speaker, I ask the question—*[Interruption]* Well, if you did not ask it, I believe you did, all right! Instead of saying—why now, if not now, when? Mr. Speaker, and I am saying, what is the size of the drug shipment that must come into the country before we act? Is it two kilos, 10 kilos, 2 million or 22 million? How big must it be before we act, Mr. Speaker? Mr. Speaker, what is the calibre size of the gun that the police must seize before we act? Furthermore, what is the murder figure we must have or we must wait for before we act? Is it 200, 300 or 547? How many more before we act? Mr. Speaker, who has to be murdered before we act? One of them on that side, on this side or on both sides? Who, Mr. Speaker? I make the point, Mr. Speaker, I ask the question, when is a good time? Is it Christmas, Carnival, Corpus Christi or Republic Day? From 2003 to present, the PNM did not have the will or the guts to call a state of emergency. *[Desk thumping]* The country was begging for it. This country was begging for it! You did not have the “guts” to call it. We have done that! And I say to you, when is the time?

Mr. Speaker, a better time to call this emergency would have been 2003 when the first call was made for it or 2004, 2006, 2007 or 2008. You did not do it, and we do it now. Do you remember this picture? *[Newspaper in hand]* We came here with several Bills and Acts and so on. This is picture of the Prime Minister—watch her face; a mother, a grandmother and a Prime Minister! Watch her face! Do you know why? You did not support the Death Penalty Bill. Look it here! Look it here!

**Dr. Moonilal:** You talk and talk and talk!

**Hon. J. Warner:** You want this and you want that. This is what you want! You want this and you want that, and the Government could not get your vote at all. Whatever you asked for we gave you. Look it here! So, therefore, you do not want any hanging Bill; you do not want any state of emergency; what do you want?

**Mrs. Persad-Bissessar:** Public disorder!

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

**Hon. J. Warner:** That is what you want! No hanging Bill, no state of emergency. I ask you again, what do you want? Is that how you want us to govern? Mr. Speaker, and then to say that the SAUTT workers were sent home! I want to tell you again, the SAUTT workers, those who were qualified, were sent back to the police service and to the defence force. [*Desk thumping*] But those foreign guys you brought from away—

**Mrs. Persad-Bissessar:** Retired foreigners!

**Hon. J. Warner:**—who feted in Maracas and who played and so on were sent back to England.

**Mrs. Persad-Bissessar:** One hundred million dollars! [*Interruption*]

**Hon. J. Warner:** Tell the public that! Mr. Speaker, 50 foreigners, \$100 million! And we must keep that! You are talking about the Deputy Commissioner of Police being a foreigner! You brought 50 English foreigners here. [*Interruption*] We did not tell you “boo”, take your foreigners. We said go back home—and you are talking about SAUTT. I cannot accept the fact, therefore, that you are quarrelling because we sent back SAUTT.

You said we on this side took objection to a foreign CoP. Well, I want to tell you something. Let me read for you some information which, of course—could you get if for me on my BlackBerry, please? I am going to tell you some information which I got here from the *Hansard* of who supported the foreign CoP. It would shock you to know who supported the foreign CoP. “We on this side took objection to a foreign CoP.” Those are your words. I want to say it is the PNM who rejected Mr. Stephen Williams.

**Mrs. Persad-Bissessar:** That is right!

**Hon. J. Warner:** It is the PNM who rejected Stephen Williams. [*Desk thumping*] It was the Member for Diego Martin North/East who came here and put forward a submission against Stephen Williams. I sat there in awe wondering, of course, what they were doing. Listen! Those who voted for Stephen Williams, hear! Ramesh Lawrence Maharaj SC, Mrs. K. Persad-Bissessar, Dr. R. Moonilal, Dr. T. Gopeesingh—

**Mrs. Persad-Bissessar:** Yes!

**Hon. J. Warner:** “Well all yuh say yes nah!” [*Laughter*]—Mr. V. Bharath.

**Hon. Members:** Yes.

**Hon. J. Warner:** S. Panday.



*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

**Hon. Members:** Yes.

**Hon. J. Warner:** Miss M Panday.

**Hon. Members:** Yes.

**Hon. J. Warner:** C. Sharma.

**Hon. Members:** Yes.

**Hon. J. Warner:** H. Partap.

**Hon. Members:** Yes

**Hon. J. Warner:** N. Baksh.

**Hon. Members:** Yes.

**Hon. J. Warner:** Voted for Stephen Williams.

**Dr. Moonilal:** Local!

**Hon. J. Warner:** Look who voted against Stephen Williams, the local! Those who voted against Stephen Williams, the local man, hear! [*Interruption*] Colm Imbert.

**Mr. Roberts:** No!

**Hon. J. Warner:** Karen Nunez-Tesheira.

**Mr. Roberts:** No. [*Interruption*]

**Hon. J. Warner:** Kangaloo.

**Mr. Roberts:** No.

**Hon. J. Warner:** Abdul-Hamid.

**Mr. Roberts:** No.

**Hon. J. Warner:** Dumas—Rennie Dumas.

**Mr. Roberts:** No.

**Hon. J. Warner:** Joseph Ross.

**Mr. Roberts:** No.

**Hon. J. Warner:** Peter Taylor.

**Mr. Roberts:** No.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

**Hon. J. Warner:** Swaratsingh.  
**Hon. Members:** No.  
**Hon. J. Warner:** Parsanlal.  
**Hon. Members:** No.  
**Hon. J. Warner:** P. Beckles.  
**Hon. Members:** No.  
**Hon. J. Warner:** M. Mc—you too? M. Mc Donald.  
**Mr. Roberts:** Noooo! [*Interruption*]  
**Dr. Moonilal:** Voted against Stephen Williams!  
**Hon. J. Warner:** You too? [*Laughter*] Gary Hunt.  
**Hon. Members:** No.  
**Hon. J. Warner:** E. Le Gendre.  
**Hon. Members:** No.  
**Hon. J. Warner:** Amery Browne.  
**Hon. Members:** No.  
**Dr. Moonilal:** Look him! Look him!  
**Hon. J. Warner:** Amery Browne voted against Stephen Williams.  
**Dr. Moonilal:** Local! Local!  
**Hon. J. Warner:** He voted against local Stephen Williams! Hear again! S. Callender, D. Cox!  
**Hon. Members:** Oh!  
**Dr. Moonilal:** Shame!  
**Hon. J. Warner:** Donna Cox, Alicia Hospedales.  
**Hon. Members:** No.  
**Hon. J. Warner:** R. Joseph.  
**Hon. Members:** No.  
**Hon. J. Warner:** N. Hypolite.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

**Hon. Members:** No.

**Hon. J. Warner:** J. Regrello.

**Hon. Members:** No.

**Hon. J. Warner:** A. Roberts, I. Ojah-Maharaj and, therefore, the Motion was negated.

**Dr. Moonilal:** Who was absent?

**Hon. J. Warner:** Absent!

**Dr. Moonilal:** Who run and hide?

**Hon. J. Warner:** Absent, Keith Rowley.

**Hon. Members:** Oh! [*Desk thumping*]

**Dr. Moonilal:** “He hide!”

**Mrs. Persad-Bissessar:** That is the hypocrisy of the PNM!

**Hon. J. Warner:** And they come here to talk about foreign CoP! I mean it cannot be right. I am saying to you it is the PNM who put in train the procedure for the selection of a foreign CoP. It is you who was against Stephen Williams, and you are coming to tell us now about that? I will tell you what. That was the era when everything was foreign, from Chinese labour to Chinese contract to Canadian, Mr. Big, Calder Hart. Everything was foreign, so I could understand, of course, the vote, in any case, though I do not agree with it. And, of course, the one that was most laughable is that we called the state of emergency to curtail the labour union activities. Well, I tell you, that was the biggest laugh of all.” Nothing that we have done here so far in the emergency, in any way at all’ has curtailed the activities of the labour movement. They could fast for three days if they want or six days or nine days. That does not stop them. They are meeting. That does not stop them. We do not have to do that.

At no point in time I got the impression, Member for Diego Martin West, that the labour union movement had national appeal in what they were asking for. I did not get that impression. In fact, for me, I thought that they were looking for a way out, and that this gave them an exit as it were. I get that impression. Why do we have to call a state of emergency for the labour movement? Why? You have insulted the intelligence of this House. I will tell you furthermore—[*Interruption*]

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

**Mrs. Persad-Bissessar:** “Who lock up union people protesting?” Who locked up David Abdulah who is in this Government?

**Hon. J. Warner:** I am asking you here, who “beat up” the labour movement? I have it here, Prime Minister. Who beat up the labour movement? Who beat them up? Who had Abdulah on his pants and on his toes and so on? Who did that? Not we, you all did that.

**Mrs. Persad-Bissessar:** That is the hypocrisy of the PNM.

**Hon. J. Warner:** When you went to try to fall in love with them afresh, they ran you and say, “Don’t come here”. You forgot that is what Mr. Roget said. Roget said he “doh” want the PNM. [*Interruption*] I am leaving this piece for you. He said so. “He do not want the PNM”, but you come here to posture, we of course, against the labour movement and we do not like the labour movement. The labour movement in this country will never like the PNM. They prefer to go alone, but they know “rock bottom” that we on this side here will always love them. [*Desk thumping*]

From time to time, we would disagree, but the labour movement and the people’s Government will never be disagreeable. Never! [*Desk thumping*] You see, we cannot match the hypocrisy of the PNM. The PNM hypocrisy about labour knows no bounds, it is unparalleled and, therefore, I am saying to you, do not come to this House with this talk about the labour movement. I have not started my submission as yet. I am still answering you. [*Laughter*] You said we have never stopped campaigning; we have never stopped praising ourselves. I say yes. I do not know about my colleagues but you see me, I plead guilty to that. I have never stopped campaigning and never will, and I am in Chaguanas West. I have never stopped praising myself. Do you know why I never stopped campaigning and why I never stopped praising myself? It is one of the sure ways of keeping the PNM from coming on this side. [*Desk thumping*]

**1.15 p.m.**

Why stop campaigning? We will campaign for the next five years, and if you do not like it, then lump it. That is our style. I do not understand; if that is what we do, so be it.

Mr. Speaker, last but not least, you talked about Barrington Thomas. Every time I come to a debate here, Member for Diego Martin West, you try to mislead this House. You told this House that Barrington Thomas was a member of the Ministry of the People. You said he was working for Dr. Glenn Ramadharsingh,

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

and that he was getting public funds. Let me tell you, first of all, that Barrington Thomas is not working in the Ministry of the People. He is a supervisor in the Unemployment Relief Programme (URP). Again, he is not the communications officer of the Minister of the People. So you were wrong to say that. Let me say again, Barrington Thomas is not the communications officer of the Minister of the People, nor is he the advisor, nor is he anything. If you want to correct it, I will give you a chance, because this is the second time. The last time I was here, you said that the Attorney General went to New York, Miami and so on, and you were wrong. We come here again, and you got it wrong again. “De man working URP.” There is where he works at \$3,000 a month. You said he was highly paid, and so on and so on. [*Interruption*]

**Dr. Rowley:** Communications officer.

**Hon. Member:** You cannot believe anything he says now.

**Hon. J. Warner:** Do you want to beg pardon?

Having said so, I tell you again that the time is coming when we must be able to believe what you say in this House, but I am getting some difficulty doing so. [*Interruption*] Oh yes, that is correct. I remember that the Prime Minister has matters before the Integrity Commission. I want to talk hard, but he is not listening. Of course, we know there is no matter. At the end of the day, the public will judge you guys by what you do, what you say and what you do not do.

Let me come to my major issue with you, because it is time for me to leave you alone and tackle the people’s business. [*Laughter*] I am sorry I have to take so much because you talk, you talk—anyhow, let me not say it.

Over the past two weeks, the people of this country have been able to sleep soundly at nights. They wake up and they are not bombarded with brutal killings of any kind. For the past two weeks, in the morning newspapers you do not see the gore and the blood and the horror of the past. It is the first time in 10 years that the people of this country have felt this kind of relief. I make no apologies at all. I say thanks to Mrs. Kamla Persad-Bissessar. [*Desk thumping*] Thanks to the Prime Minister on my left, who has the guts and the courage to do what is right. Sometimes you have to do what is right, if even it is not popular. Luckily for us this time, the Prime Minister did what was right and what is popular. [*Desk thumping*]

Walk the land of this country, go over this country and talk to people, and the very rights they say we have transgressed, ask the people how happy they are.

*SoE (Basis for Declaration)*  
[HON. J. WARNER]

*Friday, September 02, 2011*

They are enjoying the freedom; they could exhale once again. This Government took a strong and bold step. This Government took a tough decision to protect the people.

Since 2003, there have been several calls for a state of emergency. The calls came from citizens of this country, the business community and the victims of crime. They begged the last regime, the last government, for a state of emergency. They begged them to implement curfews to stem the tidal wave of crime, but the PNM did not listen. The PNM with their Balisier ties, who represented the people, they said, did not listen. Instead of putting criminals on the run, they hugged them up; they took them to expensive hotels and fed them. *[Interruption]*

**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. A. Roberts]*

*Question put and agreed to.*

**Hon. J. Warner:** Mr. Speaker, the citizens of this country are thanking us, and thanking the Prime Minister particularly, for this peace of mind. In fact, on Wednesday the Prime Minister came out of the car spontaneously and went to talk to the crowd. She was mobbed. Any Prime Minister who calls a state of emergency and gets that kind of hugging and mobbing from some of the people, it tells you what the people think of the emergency. She was hugged and kissed by all. She did not stay in the car and have her foreign security protect her; she came out the car, spoke to the people and they hugged her. The peace of mind we have given them, they are thanking us for it. They know it comes with a sacrifice. They know it comes with inconveniences. They know it would hurt their pocket a bit, but the people do not mind, because they understand that you cannot put a price on life. You cannot put a tag on life.

I am going back to some notes I have here. I heard the last speaker use a word and I cringed just now. The Member for Diego Martin West said, and I quote:

Criminals went and shoot up Arima. Eleven persons were killed in three days and we panicked.

As a Prime Minister in the year 2050, if criminals go Arima, shoot it up and kill 11 persons, that is not a cause for panic? That is normal behaviour? That is collateral damage, rational behaviour? Life is made cheap. One life that is lost, is one life too many. That is why the Minister said that if one gun has been

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

recovered, that is one gun too many. That is what he said, but again, it is collateral damage. For a person who is aspiring to be Prime Minister to say, "Some criminals go and shoot up Arima", as if that is "no big ting", something has to be wrong. You cannot be so flippant with people's lives; you cannot be. Therefore, the people of the country are prepared to give up some rights to keep their freedom to move about and to assemble.

In 2003, the people of this country were prepared to make the same sacrifices they are making now. They were prepared to do that, but that was 3,432 murders ago. Mr. Speaker, 3,432 murders ago, the people of this country were prepared to give up what they have given up right now, and if the government had the guts to do that, 3,000-plus persons would have been alive today. At least, all would not have died then, but no attempt was made to help the people.

There is a campaign of fear about this emergency, which I will not go into because time is against me, but this campaign is just to create mischief. I am sure my other colleagues when they speak would deal with that, because the fact is that will not succeed. They made such statements as: the Constitution is suspended, that is not true; rights are suspended; not true. You will hear them coming here to parrot it, but it is not true. Expanded powers for the police, and so on; they say all these things to frighten people.

**Dr. Rowley:** Who said that?

**Hon. J. Warner:** I heard somebody talking about a totalitarian state. Mr. Speaker, in this day and age, in this country, citizens do not have to fear under this Government any totalitarian state. Under this Government, of which all of us here are Members, our citizens have no cause to fear any totalitarian state. In fact, in my view, they came closer to one when they were in power, than now. Therefore I do not understand why they are trying to incite fear, which, of course, is an offence under the state of emergency. They are trying to incite fear so that somehow you would come and possibly arrest them. That is what they want, Mr. Speaker.

You do not mind if I tell this joke? Under a state of emergency when people do not get a little attention, they go crazy. There was a guy, I will not call his name, when they had the last state of emergency in 1970, and he had a bull horn. He went to Point Fortin and was saying, "This is the voice of the revolution; this is the voice of the revolution." He went all over Point Fortin saying that, hoping to get arrested. The police passed, watched him and "buss one long steups". Up to today he has not recovered. [*Laughter*]

*SoE (Basis for Declaration)*  
[HON. J. WARNER]

*Friday, September 02, 2011*

There are people who love attention when there is an emergency, and they say all kinds of nonsense hoping to attract attention. I could imagine that there may be some on the other side who are doing just that. As people who are elected to this House, let us desist from that, gentlemen. Under the emergency, some restrictions are imposed, but people do not lose their rights.

I want to again say that the rule of law is not suspended. I want to remind you, by the way, this Government does not lock up people; the police and the army do. We allow them to do their work. Therefore, do not get the impression that this is a government which goes on the street and locks up people. We do not do that. The army and police do their work, and the courts decide. What we do here is provide the framework that the law agencies would have to use.

Mr. Speaker, about the hot spots, which I showed just now, I have not gone to them, but let us look at some statistics. Leader of the Opposition, this will help you; you will learn something from this. From January 01, 2011—July 01, 2011 there were 239 murders. Port of Spain division had 69, northern division had 49, western division had 23; therefore, out of 239 murders, three police divisions alone had 149 murders. In other words, as we heard from the Minister, in three divisions out of nine, three alone had 59 per cent. The small arms survey of 2009 showed where there were 29 gangs from San Juan to Port of Spain alone. That is what the survey showed. From January 01, 2003—January 01, 2011, there were 3,403 murders. In Port of Spain alone, there were 900 murders. In the northern division there were 683 murders; from January 01—January 31, western division, 455. So therefore three police divisions had 2,038 murders, or 60 per cent; three out of nine. And you are saying that these hot spots we have called, we have done so based on racial lines?

In 2008, gang killings amounted for 70 percent of the 530 plus murders; gang killings.

**1.30 p.m.**

Mr. Speaker, I want to go further. It was the PNM—I want to say again, it was the PNM who named the crime hot spots in the country, which I showed just now. It was the PNM who did that, not we and therefore, I want to keep making the point, it is not correct to come here and talk about racial profiling. It was the PNM who coloured certain areas red; who called for danger zones in the country and, therefore, I am saying, what the intelligence sources were when they were in power, are the same sources we have today that are telling us, the only difference is they did not act.



**Mrs. Persad-Bissessar:** They did nothing!

**Hon. J. Warner:** They did nothing, we have acted, that is the big difference. [*Desk thumping*] That is the big difference. They had a Prime Minister who spoke about collateral damage, we have one who called for a state of emergency. They had a Minister of National Security who said, of course, he could not do anything. Right! We have one who has acted, [*Desk thumping*] has acted, and what is the intension of the emergency, what is our aim, what is our objective?

I will tell you what it is. Broadly, it is to save lives, generally, but the objectives are to get the gang members and leaders. “Get them” as the aid, “go after them!” Dismantle the gangs, dismantle the drug network, get the guns, reduce the crime rate and bring back public safety. Those are our objectives, and we make no apologies for that whatsoever. None whatsoever! What are our objectives of the emergency? Since you did not know, I would tell you. Get the gang members and leaders; dismantle the gangs; dismantle the drug network; get the guns; reduce the crime rate and bring back public safety. [*Desk thumping*]

And we on this side make no apologies whatsoever for that! None whatsoever! And in doing so therefore, I am saying, we are acting in the public’s interest, and you could see, Mr. Speaker, for almost two weeks, there was a peace and calm in the country, and therefore there is no price one could pay for that.

Let me make the point that there is the belief that we in Trinidad and Tobago are unique you know, that we are the only country, we are the only country in the world that would pass that emergency so as to bring back public safety and public order.

In Ireland, Mr. Speaker, in 2010 the Irish government passed a state of emergency to curb the upsurge in gun crimes. Mr. Speaker, in Tunisia, the same thing, they did this, and the whole point is that—I did not have time to go through all the research—but if you do the research you will see all over the world today that governments are having backbone for the first time, they are acting.

If you want to even look at the London riots that lasted a few days. What did David Cameron say? You know what David Cameron said? Do not even want to call a state of emergency. He said, I will tell you what he said because you know, hear what he said, I quote David Cameron. He says, Prime Minister David Cameron, Prime Minister of England, hear what he said alternative Prime Minister in the year 2050—2050, not 2015. I quote Prime Minister Cameron; he said: “This is not about poverty, it is about culture, a culture that glorifies violence, shows disrespect to authority and says everything about rights but nothing about responsibilities.”

*SoE (Basis for Declaration)*  
[HON. J. WARNER]

*Friday, September 02, 2011*

That is the Prime Minister. He said, “We will not let a violent few beat us, we will not put up with this in our country, we will not allow a culture of fear to exist in our streets and we will do whatever it takes to restore law and order and rebuild our communities.” And we here, we will do whatever it takes to bring back public order in this country. [*Desk thumping*] And we do it of course, very legally, whatever it takes, whatever legal measures are at our disposal, we shall use them within the ambit of the Constitution, we shall use them, to bring back public safety and public order. And no amount of histrionics, no amount of posturing will allow us to veer from our paths; we shall not change course, we shall maintain the course because it is the correct thing to do.

Mr. Speaker, the last government acknowledged the presence of criminal gangs in this country. The last government said, Mr. Speaker, that since 2001 there were criminal gangs in this country. In fact, the term about gangs and gang violence and so on was brought in here by the last government, the PNM government.

Mr. Speaker, police intelligence and records show an escalation in gangland violence and murders and the escalation began 2001—2002 and it coincided with the appointment of Mark Guerra to the specially created post of the national advisor to the URP programme. You talking about Barrington Thomas, let me tell you, Mark Guerra was appointed to the specially created post of national advisor to the URP programme. [*Interruption*] Mark Guerra, in September 2002—“where him?”—Prime Minister Manning met with gang leaders at the Ambassador Hotel. The meeting was held because an attempt was made to appoint former flying squad officers to supervise the URP. PM Manning reversed the decision after he met with gang leaders which included Mark Guerra and Kerwin “Fresh” Phillip. Mark Guerra campaigned with the PNM and was photographed walking in Laventille with Mr. Manning in 2002. Two other meetings were held in the next few weeks—again at the Ambassador Hotel and at the Rose Foundation in St. James—to broker a deal among gangs.

A summit was held at Crowne Plaza in September 2006—attended by over 20 persons [*Inaudible*] that does not say that is correct. Mark Guerra, Mr. Speaker, for the record—the man appointed to the post of national advisor—Mark Guerra was a reputed gang leader—the Laventille Don—he was killed in March 2005. Mark Guerra who Mr. Manning appointed was a reputed murderer and assassin—“you hear meh?” Mark Guerra had built a personal empire on criminal exploits, Mr. Speaker. He earned as much as \$150,000 a month from ghost gangs schemes with NHA and URP—at the time it was NHA, and URP—you were not there yet.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

**Dr. Moonilal:** You were not Minister of Housing them.

**Hon. J. Warner:** You were not there as yet.

**Hon. Persad-Bissessar:** You were not there yet.

**Hon. J. Warner:** You were not there as yet. I looked in the records but did not see your name, so you were not there.

Mr. Speaker, Mark Guerra owned a \$1 million-dollar 7 Series BMW a \$250,000 SUV and this was known to the government of the day. In fact the *Guardian* on December 27, 2008, gave all of this Mr. Speaker.

Mr. Speaker, Kerwin Fresh Phillip was also hailed as a hero by the PNM government. They called him a peacemaker. Mr. Speaker, September 17, 2007, *Newsday* reports, “Fresh had been given the government contract”—you talking about Barrington—” Fresh had been given the government contract to build a health centre at Charford Court, at the time when he had arms and ammunition charges pending in court. What Barrington has pending in court? Nothing!

**Dr. Moonilal:** Where all yuh recruiting from, jail?

**Hon. J. Warner:** At “Fresh’s” Funeral father Jason Gordon, a former parish priest of Gonzales, Belmont, said and I quote, “There were five warring factions in the area and, five murders in six weeks”. The priest said so. What did you do? What did you do? You stayed in your shoes and you wondered, did nothing.

Mr. Speaker, in June 2005, the former Minister of National Security, Martin Joseph said there were 60 criminal gangs with 600 persons in membership. What did he do? Nothing!

Mr. Speaker, January 2008, the same man, Martin Joseph said, there were 86 gangs with 1,290 to 1,720 members, *Newsday* January, 26, 2008. What did Joseph do?

**Hon. Persad-Bissessar:** Nothing!

**Hon. J. Warner:** Nothing, Mr. Speaker.

**Hon. Persad-Bissessar:** What did the PNM do?

**Hon. J. Warner:** April, 2011, the present AG said that the data had shown that the gangs had increased to 100, what did we do, Mr. Speaker, we called a state of emergency. [*Desk thumping*]

Mr. Speaker, January 1 2009, the former Deputy Commissioner of Police, Gilbert Reyes, said school children as young as 14 years old were joining criminal

*SoE (Basis for Declaration)*  
[HON. J. WARNER]

*Friday, September 02, 2011*

gangs—14 years old—and even today when they are 14 years old and they are cussing the Prime Minister they are being taken by a Member of Parliament to go by a lawyer.

**Dr. Moonilal:** Shame!

**Hon. J. Warner:**—by a lawyer—14 years old 2009, January 1, 2009.

Mr. Speaker, *Newsday*—front page—May 8, 2008 headline—“Gangs in primary schools”. The principals of Sacred Heart Boys’ RC School and Richmond Street Boys’ Anglican school report to the police, I quote: “The students of both schools had formed gangs and walked around with knives, pen-knives and the protractors from the geometry sets and fought each other”—on the streets—“on the Brian Lara Promenade, Duke Street, St. Vincent Street and Abercromby Street.” What did you do? At 14; if at 14 you had nipped it in the bud in 2009, we would not be here today. [*Desk thumping*] We would not be here today. What did you do?

**Hon. Persad-Bissessar:** Nothing!

**Hon. J. Warner:** And then talking about young black males! If anything you could do to young black males I ask you today, to go out and help them to turn from a life of crime. If nothing else you could do, you do that.

Mr. Speaker: “Teachers flee as pupil ‘war’ erupts in schools”, *Express*, November 27, 2007. Mr. Speaker, teachers, a principal of secondary school had to flee for their lives when fighting erupted among several gangs on the school compound. What was done, Mr. Speaker? Nothing! You think you could have a Minister of Education like Dr. Tim Gopeesingh and gangs fighting in secondary schools and nothing is being done? And nothing is being done? You think so?

Mr. Speaker, this reign of terror did not begin today. The reign which we have inherited—like Clico,—began years ago, and I am saying that we are where we are because they stood in their shoes and wondered—did nothing. Mr. Speaker, I mean I would not go into all the people who get kidnapped and yet “Mr. Big” is still at large. Where is “Mr. Big”, Mr. Speaker? And do not even believe that the bandits, the criminals, are respecters of persons you know. They of course went so far as to kill the bodyguard of ANR Robinson. No respecters of persons. What was done? Down on the Caura river—where you have little I line—on January 6, 2008, the *Express* headline, “Bandits terrorize Caura river limers”. What has been done? Nothing!

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

Four gunned down in 2009 in a factory in Diego Martin. A factory in Diego Martin owned by the husband—of the last Minister of the Foreign Affairs—in her husband’s factory four persons gunned down in Diego Martin. What was done? Nothing! How nearer must it come home? How nearer must it come home before it hurts all of us? How much nearer? Shootings, Mr. Speaker, include even babies. Baby Zion was used as a shield by his father—both of them were gunned down. A JP, 80 years old, again gunned down.

So, Mr. Speaker, it goes on and on. WPC Sutherland and her family—her husband, daughter and a family friend were all executed in 2007. A Woman Police Constable executed, her husband, her daughter a friend, what more had to be done for this to be called?

So, I am saying, Mr. Speaker, this country was in a state of emergency long before we declared it two weeks ago. What happened is that the PNM refused to accept the fact, and even after Prime Minister Manning said he was baffled, and Mr. Martin Joseph admitted that he was overwhelmed, nothing was done, Mr. Speaker.

Travel advisories were reporting almost daily, saying do not come to Trinidad. In the UK they were saying do not come. In the US they were saying do not come. Canada was saying do not come; Australia was saying do not come; New Zealand was saying do not come. They called here not Port of Spain but “Port of Shame”. “Port of shame!” What did you do?

**Hon. Persad-Bissessar:** Nothing!

**Hon. J. Warner:** What did you do? And you want us to sit here and do nothing, and to do like you, twiddle our toes and do nothing. Well two things you would not see, that and God’s face because we shall act, and act strongly. [*Desk thumping*]

**1.45 p.m.**

Mr. Speaker, under the PNM this country became the ninth most homicidal country in the world. We were the ninth in the world. A country of 1.3 million people, per capita, we were the ninth in the world. Is that the claim that we want for this country? Is that the legacy of the PNM? That is the PNM legacy! It must not be our legacy. It must not be, Mr. Speaker. [*Desk thumping*] Therefore, we shall fight it wherever it rears its head.

Mr. Speaker, in closing I want to say as a Member of Parliament, as a Member of the Cabinet, as chairman of one of the political parties in the People's

*SoE (Basis for Declaration)*  
[HON. J. WARNER]

*Friday, September 02, 2011*

Partnership, I would have failed if I did not mention the work of the industrious and courageous men and women in the police service and in the army and other sectors of the protective services who battle the odds each day and help us to make our plans succeed. The guys in the protective services are the ones who, during this emergency, toil against the elements to make us safe and to make us feel safe, and while the last speaker did not thank them, I will not take my seat without thanking those guys in the protective services who have served us. [*Desk thumping*] All of them must be commended.

The Commissioner of Police, as foreign as he is, his assistance and the whole police leadership and the army leadership must be singled out. Mr. Speaker, all of them from head to toe, rank and file, we thank all of them. [*Desk thumping*] Coming on the heels of the Independence awards I must say that they are all deserving of national recognition. Mr. Speaker, to our own Minister of National Security, Brig. John Sandy, the man who heads the entire process, the man who came from the background of national security, the man who inspires all through his experience and competence, he too must be complimented for his drive in making his and this nation safe. [*Desk thumping*]

Mr. Speaker, when we deliberated on the appointment of a national security minister, we knew we had to go beyond the precedents set by the former administration, the PNM. The PNM appointed a party secretary and then a night club owner as Minister of National Security. We knew that we could not win this battle if we had followed their pattern and, therefore, we felt that we had to find one with the exposure to matters of national security with the will, the way and the wisdom to lead us.

Mr. Speaker, Sen. The Hon. Brig. John Sandy is that person and today I want to congratulate him for his efforts and his role in making this country a safe place. [*Desk thumping*]

I want to now finally end by saying the Prime Minister has said publicly that the image of crying mothers and weeping children is one that concerns her the most. I want to also end by crediting the Prime Minister for taking a bold step to bring back law and order in the land; Prime Minister your determined effort drives us all, [*Desk thumping*] and particularly drives me. To the people of this country, some of whom—

**Miss Cox:** [*Inaudible*]

**Hon. J. Warner:** You know if I had more time “eh”—may have been inconvenienced for one reason or the other by certain restrictions in terms of

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

mobility, I want to say to the people of this country, thank you for understanding and your support. [*Interruption*]

Mr. Speaker, I thank the people of this country and, Mr. Speaker, I thank you, the state of emergency has now, for me, become a state of resurgency.

**Miss Donna Cox** (*Laventille East/Morvant*): Thank you very much, Mr. Speaker. I am happy to speak on this Motion with regard to the declaration of a state of emergency and the grounds under which this declaration was made.

Before I begin I just want to say that the Member for Chaguanas West came with his notes and whatever he wanted to say he ascribed it to the Leader of the Opposition, the Member for Diego Martin West, and the PNM. The Member for Diego Martin West, a lot of the information that he said, the PNM did not say that, you have your notes, quote from your notes and it comes from you not the PNM, and I would like to move on from there.

Mr. Speaker, the declaration of a state of emergency is a short-term solution to a long-term problem. It is a remedy; a remedy which is a stopgap. The institution of a state of emergency is the most drastic measure available to a country in a state of crisis. If it is misused it will become trivial to the country and the wrong message would be sent to the international community. This statement is not made to downplay the importance of the crime situation in Trinidad and Tobago, but to highlight the fact that resolving our crime situation is not an overnight affair.

Some of the most advanced countries in the world took about 25 years to bring their crime situation under an acceptable level and key to achieving their goal was the reengineering of their police service and the creation of additional law enforcement agencies to work along with their police service.

Mr. Speaker, given this basic concept, the institution of the state of emergency sent some disturbing signals to us. The signals sent include that it was not well thought out by the Government nor was it well planned by the security forces. As a consequence, the following issues are apparent: the initial plan of operation was not cohesive and it was not well executed. The objectives of the state of emergency were not clear and it is still not clear; the tactics do not give any insight as to what is the overall strategy of the Government and, consequently, there is rampant confusion in the execution of operations. Clearly there is a lack of clarity between the political objectives and the law enforcement objectives.

Mr. Speaker, the basic fact that all operations now taking place are part of normal policing, then, I still ask the question, what is the reason for the state of

*SoE (Basis for Declaration)*  
[MISS COX]

*Friday, September 02, 2011*

emergency? For example, the Member for Chaguanas West stated that 1,142 persons were arrested: 366 gang related, 30 homicides, 216 drug related, 181 other offences and 28 outstanding matters; 38 for some other reason. But, Mr. Speaker, when you look at these arrests these could be done under normal policing and the Anti-Gang Act, so we still would like to know what is the reason for the state of emergency?

Mr. Speaker, there is also an insensitivity to people's livelihood which is not in keeping with the need to get support from the public. There is an arrogant posture from the Government where the state of emergency is concerned. Most important, however, is the fact that borderline criminals are being housed with real criminals who are really hard-core criminals, which should not take place, because at the end of the day this would not reduce our criminal population, it would only serve to increase it.

Mr. Speaker, the President's statement under section 9(1) of the Constitution which stated during the period, and I quote:

“The period August 19 to 21, there were 11 murders, the seizure of large quantities of drugs and the risk of reprisal and retaliation by gangs”.

This was part of the initial justification for the state of emergency. Mr. Speaker, the Monos Island drug bust netted \$700 million and there was no reprisal from gangs to date. This Government sees it fit to call a state of emergency on a \$22-million drug bust. [*Desk thumping*]

With regard to the homicide rate in Trinidad and Tobago, the downward trend started in 2008 when the Homicide Investigative Task Force was formed under SAUTT. If this Government is concerned about the increasing homicide rates, why did they close down this task force, a unit which was making arrests and providing evidence against gangs in Trinidad and Tobago? They cannot be serious! [*Desk thumping*] The Minister of National Security made the comment that for eight years little was done to alleviate and to dispel the mounting fears of our citizens. The Member for Chaguanas West stated that Martin Joseph did nothing and what did the PNM do to protect the country; the PNM did nothing. I would like to speak to many ill-informed persons including those on the Government side, who said that the PNM administration did nothing with regard to crime. That is furthest from the truth.

The Member for Diego Martin West already spoke about the PNM's role in reducing kidnappings so I would not go there. But in order to effectively reduce crime a multi-pronged approach must be developed and the answer does not lie in



*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

the declaration of a state of emergency. I have many good friends who are police officers and I just want to say that the police have been working very hard and there are police officers who are really committed to their jobs. But it is a fact that the reason that we are in a state of emergency is mainly due to the fact that the Trinidad and Tobago Police Service and the criminal justice system in Trinidad and Tobago are corrupt and inefficient in some ways.

Mr. Speaker, the PNM government recognized that crime and capacity building were not an overnight affair. It was recognized that the Trinidad and Tobago Police Service drastically needed reforming while maintaining law and order and draconian steps were needed in terms of its structure and conditions of service and this was being done by the PNM administration. The PNM government spared no resources in ensuring that staff—civilian and uniformed officers—received required training in various areas. A provost was hired to ensure that new recruits received proper induction training. Officers received the required in-service training and specialized training. Over 4,000 police officers were trained in crime-scene first responders courses, crime-scene investigation level I and II, crime-scene technician, basic interviewing and surveillance skills, courtroom skills, and the Police Training Academy was modernized, not only physically, but also a new curriculum was introduced with an emphasis on modern policing techniques. The Policing for People Model Station Programme was introduced, although the Government adopted it and renamed it Policing for the 21st Century, but that is all right.

Mr. Speaker, the Repeat Offenders Programme was introduced and this unit was responsible for tracking gangs in Port of Spain and environs. After being disbanded, gang activity went up in those areas and the unit had the benefit of an experienced senior gang officer from Chicago. They are saying that the PNM administration did nothing. And I continue.

**2.00 p.m.**

Mr. Speaker, the state of emergency is seriously tackling gang members and we have not been told why an entire unit of such importance was disbanded. This is the Repeat Offenders Programme Unit. Was it wise to disband an entire unit because of a few rogue officers?

Mr. Speaker, the blimp. The airship surveillance platform was introduced by the PNM—this was also done away with, with this UNC-led Government—which dealt with a lot of intelligence gathering. The blimp—this airship—provided information not only to the police service but to all the law enforcement

*SoE (Basis for Declaration)*  
[MISS COX]

*Friday, September 02, 2011*

authorities, Mr. Speaker. What has replaced it? What has replaced the blimp? The PNM Government enacted several pieces of legislation in an effort to ensure the strengthening of the legal environment against crime. Some of them included the Police Service Act, DNA Act, Evidence Amendment Act, Kidnapping Act and Proceeds of Crime Act. If you check the *Hansard* record you will realize that we were met with stern opposition from this UNC-led coalition when they were in opposition, okay. In passing these Bills just check the *Hansard* record to show when we were trying to get these Bills passed to deal with the crime situation they did not support us and if you check the *Hansard* you will see the abuse—[*Desk thumping*]  
—you will see the number of abuses and so on that were hurled at us when we were trying to deal with legislation to deal with crime.

Mr. Speaker, there was also the omnibus package which included the Bail (Amdt.) Bill and Anti-Gang Bill, PNM Bills which was brought into this House inclusive of their draconian measures. This PNM administration introduced many social programmes. I understand there were comments about the PNM Government not doing anything for the youths. There were many, many social programmes, not only under national security, but they were under other Ministries too and I would name some today. MILAT and MYPART.

Mr. Speaker, MILAT and MYPART are military led programmes which were introduced. These programmes utilize a two-pronged approach to education which focus on attitudinal as well as academic and technological development and caters for young people between the ages of 14 and 25 years. Early intervention and prevention minimize negative risk factors and enhance the positive factors in the lives of the youths. I am informed, Mr. Speaker, that the military is to be pulled from this programme and it is to be removed from the ambit of the Ministry of the National Security. This is a programme which teaches the youths another way of life and steers them away from crime, yet this Government brought a state of emergency because they felt that the gangs were rising. We are seeing here now that they are trying to dismantle a programme which seeks to steers the youths away from crime. How serious could they be? How could we trust the fact that they brought the state of emergency for the reasons given, Mr. Speaker? Lord, help us!

The PNM administration introduced the CSP (The Citizen Security Programme) which targets 22 at-risk communities. As a matter of fact, the CSP operates in three areas under the constituency of Laventille East/Morvant; my constituency. This programme is a grass-root programme that is aimed at the reduction of crime and violence by getting to the heart of a community problem and bringing

solutions that are community led and driven and focuses on youths between the ages of 17 and 24. There are many other youth programmes that the government, the PNM-led administration instituted and this was to deal with crime, Mr. Speaker, like the HYPE and MuST and CCC programmes, the expansion of the Trinidad and Tobago Cadet Force was another initiative. The Mentoring Programme for Youths at Risk, Mr. Speaker. The Apprenticeship Training Programme of the Fire Service. The On-the-Job Training Programme. These are just some of the programmes that the PNM-led administration initiated and most of these were to steer youths from a life of crime and to give them an alternative life style. Yet we are hearing that the PNM administration did nothing.

Mr. Speaker, the PNM administration recognized that the location of Trinidad and Tobago means that it is a transshipment point for drugs to North America and Europe. As such, a comprehensive plan to stop the flow of guns, drug and ammunition was being operationalized. Mr. Speaker, the coast guard's naval assets consisted of a 360 degree radar system, two coastal patrol craft, 14 fast interceptor craft, six fast patrol craft. These contributed to the seizure of large amounts cannabis and cocaine. The three offshore patrol vessels, of which the Member for Diego Martin West spoke, would have assisted greatly in stemming the flow of guns and drugs into the country and these assets were being developed based on intelligence provided by the nation 360-degree radar system and local and regional air surveillance yet we did nothing. These were further supported by the airship helicopters and fixed-wing aircraft. They were all equipped with modern avionic communication links and forward looking infrared systems that allow for the integrated support with land and sea-based access.

Mr. Speaker, 550 CCTV overt and covert cameras were installed to assist law enforcement in the fight against crime. The Minister of National Security spoke about the Crime and Problem Analysis Unit. That was instituted under the PNM administration. This was established to favourably enhance the technical capacity of law enforcement. The surveillance and police personnel were trained by mapping experts from US and Canadian institutions. It must be noted that the police officers in developed countries are utilizing this said approach in their fight against crime.

Another initiative of the PNM government was a comprehensive review of the Defence Act, Chap. 14:01 A committee headed by Justice Ulric Cross reviewed the entire Act and presented to the National Security Council clause by clause. And the PNM government recognized that there needed to be a strategic shift of the defence force from defending the nation to securing the nation. Mr. Speaker,

*SoE (Basis for Declaration)*  
[MISS COX]

*Friday, September 02, 2011*

the then Minister of National Security, Martin Joseph, had some difficulty at the time to get the then head of the defence force to buy into that strategic shift, from defending the nation to securing the nation.

Mr. Speaker, I wish to suggest to the Minister of National Security that he check out this Act which was reviewed, and actually the reviewed Act was sent to the then Attorney General to look at the section entitled “Aid to Civil Authorities” which provided parameters under which the defence force would operate. So, Mr. Speaker, when they want to play a blame game about crime I am confident that the PNM administration did a lot. The efforts employed over the past years were sustainable and would have reaped benefits in the years to come. I understand that people would be impatient where crime is concerned, I understand the impatience. But, I must reiterate that many developed countries took a while to get their crime to an acceptable level. The UK took 40 years and the US 30 years. I want to speak today on behalf of the constituents of Laventille East/Morvant. I understand the Member for Chaguanas West spoke about us speaking on behalf of certain persons, I am speaking on behalf of the constituents of Laventille East/Morvant, who happen to look like me Minister of National Security. Many of my constituents were abused and manhandled by the security forces under the state of emergency.

Mr. Speaker, the Government said they have intelligence about the gang members and gang leaders. If they do, then why do we need a state of emergency to pick them up. Under normal law there could have been joint army and police patrols, police could search premises, could arrest, could conduct roadblocks and so on. And under the anti-gang law the police and the defence force could have arrested and so on without a warrant; they could go after gang leaders and so on, and if you know whom you are looking for go for them. If they have intelligence then move in and arrest them. But you do not have to arrest a whole community. So it is clear that they do not know whom they are looking for. You do not move into a community and arrest—I understand in some parts of Beetham there are only ladies there, only women, Mr. Speaker, because they took all the men. No state of emergency is needed. The state of emergency clearly is needed to legitimize abuse and wrongful arrest of persons. There are many persons who are being arrested and they are not criminals. That is a fact. There are many people being arrested who are not criminals and have not been involved in criminal activities, Mr. Speaker. Many of them are victims of their environment. [*Desk thumping*]

The police are just going to some people's homes or persons liming on the block and picking them up and throwing them in vehicles like if they are dogs. That is what is happening, all right. The point is I want to make it very clear that I am in no way condoning criminals or criminal activities. I cannot afford to condone that. Mr. Speaker, I am from Laventille, my mother still lives in Laventille, I have family in Laventille and I do not want anything to happen to them, because I am always there. I am not condoning criminal activities. If you are involved in criminal activities, pay the price, but fairness must take place, we must be fair to persons. We cannot just go in a block and see people hanging out, do not know anything about them, but because they happen to be living in an area, they are taken and they are gone with. I will give some examples, Mr. Speaker.

Many people are being bullied by police and soldiers. Some of them, the law enforcement authorities, seem to be wild and they need to be tamed. I want to tell the Minister of National Security to tell the Commissioner of Police to sort out his officers first before he could talk about sorting out who is who in the zoo of the persons who are held by the police. They need to sort out the police officers first—*[Interruption]*

**Dr. Rowley:** And tell him it have no zoo here.

**Miss D. Cox:**—before he could talk about sorting out persons in the zoo of persons that they held.

**Dr. Rowley:** “They damn fast”!

**Miss D. Cox:** The officers need to be more humane and considerate with conducting their searches. Imagine, Mr. Speaker, they have their dirty dogs trampling on people's bed.

**Miss Mc Donald:** Imagine!

**Miss D. Cox:** Dirty dogs trampling on beds. That is the kind of behaviour that is going on in some areas. We need to be honest about that we need to do something about it. It is real disrespect; that is disrespect to the highest level, that you go into people's house and have those dirty and smelly dogs trampling on people's bed.

**Miss Mc Donald:** “They eh ketch a big fish yet. Only guabin and sardine.”

**Miss D. Cox:** Mr. Speaker, imagine a footballer from Beetham was taken. Keon Quow, a former National under 20 footballer who now plays with W-Connection. He was arrested under the anti-gang law. No criminal record. The

*SoE (Basis for Declaration)*  
[MISS COX]

*Friday, September 02, 2011*

residents and his coach are saying that he is not involved in a gang. What was his crime? His crime is that he lives in Beetham. How fair could that be? How fair could that be? No connection to gang and criminal activity and because they went in to Beetham and they just saw him and went with him.

The unfair thing about it is when they are charge under the Anti-Gang law automatically there is no place for bail for four months. So an innocent person being charged under the anti-gang law does not have any rights where bail is concerned until after four months. So this footballer, now charged under this law who was just picked up because he lives in Beetham, how fair could that be? Another young man from Beetham was arrested also. The police interrogated him and they demanded that he tell them the whereabouts of certain persons. When he did not provide them with the information that they wanted, they said, “come with us”; grabbed him and took him down and charged him under the anti-gang laws also.

### **2.15 p.m.**

These are some of the things that are happening. On Sunday I was on my way to church. I diverted to Beetham Gardens where a contingent of soldiers was there clearing out the scrap iron areas and the dealers were there looking on; a lot of families were there looking on also, so I wanted to find out what was happening because I really did not know what was going on. I spoke to the officer in charge. I understand that they were given instructions to clear out the area. My concern is—okay, the plan is to clear out the area; they took the persons’ metals which are their livelihood, with no information as to where they were taking them; if they were going to be compensated; no information of that sort was given to them at the time. They just had to stand there and see what they worked for all these years—as a matter of fact, I spoke to one and he said he was in that business there for 20 years; he was involved in dealing with scrap iron for 20 years and there was no information forthcoming. It was only after I spoke to many persons, including the head of the regiment—when I called he was at a meeting and they called back and told me that they would be dealing with compensation. But this did not come up at all. It only came up later in the day at a press conference when they spoke about compensation for them. But I must say concerning the compensation—

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

**Hon. Member:** On what basis?

**Miss D. Cox:** I will tell you on what basis. After I have my business for so many years, you come and take all my stuff and go with it. Let me tell you what came up. An order came out afterwards, and it is Legal Notice, No. 172 which states:

“Where the scrap metal is taken possession of, it may be dealt with in any manner considered necessary during the period of emergency. The court is to decide the amount and manner of payment of compensation in relation to the claimant.”

Could this ever be fair, that these persons here, their method of livelihood right now; it is as though all of them are not working; school is opening on Monday and they just took all their stuff and went with it under a state of emergency. First of all, when they went, they had no information as to compensation. I mean, if you have things to do and you have intelligence—because you know every reason now is intelligence, eh—then you need to at least say something to them and say, “Well, listen, we would be taking your stuff; we would be taking it there”, and let them sign for what you went with, and so on. Nothing like that took place. Are they going to be compensated for trauma? Because recently I was reading the newspapers and I understand that the farmers were going to have some trauma compensation. Are we going to do that for the scrap iron dealers also, Minister of National Security? Any trauma compensation?

Security officers are saying now that iron was being used to make homemade guns. I would like to know since the state of emergency was declared, how many homemade guns were netted so far. Seeing that you all have intelligence, I want the proof. If you are saying—

**Hon. Member:** Illegal.

**Miss D. Cox:** The farmers were illegal also. I would like to know—*[Interruption]* What was there belonged to them and they need to be compensated, illegal or otherwise. They were there for 20 years and more and what is there belongs to them, and they need to be properly compensated. There is no excuse to just go and move persons’ things because they are illegal. When the HDC bulldozed the farmers’ crops, and they were there illegally? Why are they being compensated? *[Desk thumping]* The crops belonged to them; they planted them, so why now you are saying the scrap iron dealers are illegal? What happen, they have no rights? It does not belong to them? The scrap iron belongs to them. That is unfair. Where is the trauma compensation also, if that is the case? It cannot be

*SoE (Basis for Declaration)*  
[MISS COX]

*Friday, September 02, 2011*

one rule for Peter and one for Paul! It cannot be! It has to go across the board. According to the Member for Oropouche East: one rule for Peter and one for Harripaul.

I would like to know how many homemade guns—because we are saying that guns are being manufactured. How many have you netted so far since the state of emergency? When you check the records, how many homemade guns are being used now anyway? Seeing that you have left our borders open for guns and ammunition to come in, you do not need any homemade guns again. You have left our borders open. Okay?

**Miss McDonald:** Readymade guns come in.

**Miss D. Cox:** How many homemade guns are being used at this point in time?

The Government was boasting about catching a “big fish” in the Hyatt. That same person was awarded a contract by the Government on August 23 this year, Member for Chaguanas West. That “big fish” that was caught in the Hyatt was awarded a contract by this UNC Government on August 23, and it is the same day that the men checked into the Hyatt. So they went to celebrate. He was charged under the anti-gang law. Then if he is a gang leader or a gang member, what does it say about the Government in its fight against crime and their intelligence, according to them? What does it say about their intelligence when contracts are being awarded to gang leaders? What does the Government think they going and take the money to do, buy bread?

There are other known gang leaders awarded CEPEP contracts too, recently, and I would like the Minister of National Security to get his intelligence to check on that. CEPEP contracts are being awarded under this administration to gang leaders and gang members, and I will be speaking about that at a later date, but get the intelligence on that too.

I want it to be clear, I do not support criminals; I do not support criminal activities, or any of us on this side, because crime is a serious scourge on our land and we must be rid of it. We support any move to rid the country of crime, but it must be sustainable; it must be fair and it must be legal. It must go across the board. It is not one rule for one and one for another.

Many mothers, grandmothers, in my constituency informed me that they do not know where their children are. Many persons are being arrested and they are being given the runaround by the police when they seek to find out the whereabouts of their children. I would like to appeal to the Member for Siparia,



the hon. Prime Minister, as a mother and a grandmother, to instruct the police to cooperate with the mothers and grandmothers out there who are crying and want to know where their children are, because not all who is detained by the police are criminals, and we need them to find out about their whereabouts.

Under the Geneva Convention, Articles 69, 70 and 71, international norm dictates how prisoners of war should be treated. Our youths arrested are not prisoners of war and the Geneva Convention, Articles 69, 70 and 71, tell you about how prisoners of war should be treated. They have basic rights as to how they should be treated and with regard to communication with their family members. Under this state of emergency our youth are being herded like goats—and I say, goats—and led to be slaughtered because of the fact that they do not have any rights under the anti-gang law where bail is concerned. We need to remember that a person is innocent until proven guilty, and that is in the Constitution of Trinidad and Tobago.

Due to the declaration of the state of emergency a large number of persons were arrested. Well, we just heard the figure of 1,143 persons arrested and, therefore, most of them would be in the prison system or in the police stations. So at the moment there are 11 inmates to a cell at Golden Grove Prison and this impacts on the human rights of prisoners, and this is something that needs to be looked at. I am aware that there is not enough room in the prison system, and in the remand yard there is an area of cells called the “bull pen” which houses about 15 persons, no beds; probably sleeping on mats and so on, and this is really not a good thing for persons.

The President of the Prison Officers Association stated in the *Guardian* of August 28 that he was concerned about prisoners entering the system as they are faced with an overcrowded situation which would place a further burden on the system. There is the possibility of riots in prison when it is overcrowded and gang leaders can also plan their next course of action in the prison. Detainees and seasoned criminals are not supposed to be in the same cells. I understand that the premises of a People’s Partnership supporter are being prepared to hold those arrested, so we wait to find out the name of that person.

Of course, I heard the Minister of National Security refer to the rehabilitative programmes in the prisons, but we know that because of the overcrowding it will surely affect the rehabilitative programmes in the prison. The Government should be cognizant of the fact that there may be health issues arising in the prisons, not just for prisoners, but the prison officers are also very concerned about it. Golden

*SoE (Basis for Declaration)*  
[MISS COX]

*Friday, September 02, 2011*

Grove and Port of Spain prisons do not have the human resources and facilities to effectively supervise the inmates at the prison, so we have to be aware of that and be careful that there is not a riot in the prison.

The Government is boasting every day about the number of arrests made since the state of emergency. Every day, “we have so and so amount”. We still want to know: why these arrests were not made before? I am still concerned about that. Why did this not happen before? With all this intelligence that they had, why did we need a state of emergency? Why? Because we want to beat up people, abuse people, run in people’s houses, trample, carry your dogs; do whatever? A lot of the things that are being done, as I said before, could be done under normal policing, so I am concerned about that.

The Minister of National Security spoke about his relative’s son who happened to be in the wrong place at the wrong time. Well, this is the same thing that is happening to persons under this state of emergency. Once they happen to be in the wrong place or live in the wrong place, they are being taken down, Minister of National Security, and I expect you to be concerned about that, Sir.

I am just looking at some of the areas that the Minister would have spoken about. I have a serious problem with the fact that he spoke about people who look like him who are in prison and who are the ones being killed, based on statistics, and so on, and I am trying to figure if that is why the law enforcement authorities were given permission to mash up people who look like you and people who look like me.

### **2.30 p.m.**

I would like to know if that is the reason, because I have a serious problem with that—the stereotyping of individuals, because of how they look. And Member for Lopinot/Bon Air West do not talk in the back there, because if you were not in this House, if you were in the Beetham at that time, you would have been taken because you look like me. [*Desk thumping*] You are well qualified.

How many importers of firearms and drugs were arrested under the state of emergency? How many importers? Because that is very important. Taking the little boys around the place and going with them is one thing. I want the statistics on the importers of firearms, and the importers of ammunition and drugs. Where are the statistics on that? What about the persons financing these operations, are they being held? As a matter of fact, their area is probably not under the map—the map that was shown to us by the hon. Member for Chaguanas West, and as I

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

Speak about the map, Member for Chaguanas West you raised the map and spoke about the PNM map. It is not the PNM's map, it is the police who did that map. You raised a map and spoke about the areas, and the police, and the PNM. This is not the PNM's map, it is that of the police. Not because you all are involved in the running of what is happening in the police service you think we were you know, all right. We did not do the map. It is based on the information the police had, the police did the map. So do not stand up here and say it is a PNM map. It is not a PNM map, it is the police.

As I am speaking about people in certain areas like—and I speak for my constituency always, because they voted resoundingly for me and that is why I am here today. Not because people are from certain communities—we must remember that they may not be involved in criminal activities, but if they are then they must feel the brunt of the law. If that is the case then we agree.

Everyone is entitled to fairness under the law, and I cannot stand here and see injustice taking place in certain sectors of the society. I cannot stand here and shut my mouth, and not defend persons especially unfairness taking place in certain sections of the society. I will not be muzzled as many people in Trinidad and Tobago are today. I realize all of a sudden the emancipation support committee has finally found their voice, but I still want to know where is Makandal Daaga, where is he? At the end of the day, I will not be muzzled, but I know that there are many people who are muzzled for positions, for ambassadorial postings and different things, so they do not speak any more. But I am here to speak, and I will speak on behalf of the people of Laventille East /Morvant. [*Desk thumping*]

It is a fact, that all of us want to see the back of crime in Trinidad and Tobago, but at what cost to the society. And it is clear that the relationship between law enforcement authorities and communities by the end of this state of emergency will be totally destroyed. Many people of course who may be law-abiding citizens are being stereotyped as criminals, and the impression given—and I can tell you in the constituency of Laventille East/Morvant that certain communities seem to be the source of all evil in Trinidad and Tobago and these perceptions must not be allowed to continue.

We on this side support any initiative in the fight against crime but why did the Government choose this method, which has so much negative and far reaching effects on the people of Trinidad and Tobago, and from my observation more so on certain sectors of the society, and as according to the Minister of National Security people who look like me.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

**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. McDonald*]

*Question put and agreed to.*

**Miss D. Cox:** I know the truth offends. Members of the Government the truth offends, but I will take my thirty minutes; fire today. You know I just want to remind the Government that we have a state of emergency, but why I am a bit confused is because you see a lot of the institutions of national security, which would have assisted greatly in the fight against crime, were dismantled by this Government and for no good reason, no good reason. And I just want to state what these areas are: the dismantling of SAUTT, and the firing of Brig. Peter Joseph; the grounding of the blimp, and you know why they grounded the blimp, because when they were in Opposition they criticized the blimp right through, but you know sometimes we need to put away our pride. We thought this was the case, that is not the case now, well okay then, let us keep it. [*Interruption*]

**Dr. Rowley:** Intelligence gathering.

**Miss D. Cox:** Cannot tell you, that is serious security matters, but your national security persons will know about the capacity and capabilities of the blimp and know that this should have been kept. The dismantling of the Repeat Offenders Gang Unit. This was very, very effective. I could talk for Laventille East/Morvant, very effective, because the whole gang situation in Laventille East/Morvant started to subside. I can talk for my constituency and I am saying that I know that they worked very much in that area—they dismantled that. The cancelling of the OPVs as alluded to before, the dismantling now taking out MILAT and MYPART out of the military arm and watering it down, really it is not a good thing.

Some parents came to me Minister of National Security and I told them I will plead with you on their behalf, because some of the problems that they have are not merely education; they are very happy about the discipline aspect because it is mainly youths at risk in the MILAT and MYPART programmes and the discipline aspect is what they like and they are happy for the protective services, the defence force being there and assisting them. They are very, very concerned and they really would like the programmes to stay under national security. They have spoken very highly of the persons in the military who conduct these programmes, and the parents—I am pleading on their behalf, that these programmes stay under

Ministry of National Security. It is not just academic, but it is also the disciplinary aspect for the youths. It is also an area where you steer the youths away from crime and of course, we would have saved a lot of persons from joining a gang, just by being in the programme. I am also aware that many persons who left the MILAT and MYPART programmes entered the army, because they saw a different side of life just by being there, and therefore, it would help save our society. And that is why I am saying that the approach to crime is supposed to be multi-pronged. We are supposed to take everything into consideration including our youths and our youth programmes because we must start with the youth.

The Government would do well to appreciate that the most effective deterrent to crime is the quick capture and conviction of criminals, and of course, the detection rate in the police service of criminals and so on is very low, and that is something that needs to be worked on. The detection rate is low and we must work on the detection rate. Just rushing in and holding people, and going with them without proper evidence is not going to help, because later on in the next few months most of those persons without evidence will be back out on the streets, and there might be serious reprisals for that because there is a lot of bitterness that has taken place, and the innocent persons—some of them will not come out and take it as easily as you think they will.

I want the Government to remember that the most effective deterrent is the quick capture and conviction of criminals, which requires criminal intelligence and capacity. The capacity that the PNM Government put in place but Members of the UNC coalition dismantled. A hasty decision to impose a state of emergency on the nation of Trinidad and Tobago, is just not enough to rid our country of crime in the long term, and I urge this Government really, really you need to look for the big fish—the really big fish, and stop looking for people who look like me, because they are not all criminals. I thank you. [*Desk thumping*]

**The Minister of Education (The Hon. Dr. Tim Gopeesingh):** Thank you very much, Mr. Speaker, for allowing me the opportunity to join in this debate today which we consider a historic debate, because today's debate will really record for posterity, the fact that the for the first time in our country's history the people got a Government and got a Prime Minister who demonstrated that for once we can act in the best interest of our country.

The adoption of decisive and stronger action to ensure the safety of our citizens is demonstrated by our Prime Minister and the People's Partnership Government. This country knew there came the need or an urgent need to address

*SoE (Basis for Declaration)*  
[HON. DR. T. GOPEESINGH]

*Friday, September 02, 2011*

the threat to the public safety of our people and the upsurge in violent crime in the shortest possible time. We cannot wait, we must not wait, and we did not wait.

There is the question being asked on the other side, why did we call a state of emergency? The Member of Parliament for Tabaquite as our Minister of Foreign Affairs and Communication had over the last two days published on the newspaper facts that the country should know, and one of the paragraphs released by the Government Information Service the question is asked and the answer is being given to the general population, and we are giving it through the Parliament as well.

The State of Public Emergency was declared in response to security intelligence that demonstrated a clear and present threat to the public's safety. As a direct result of the State of Public Emergency members of the protective services are now further equipped to enhance their response to increased levels of crime. I will elaborate on this in a while.

The present escalation in murders and other serious acts of violence and lawlessness warrants the adoption of more decisive and stronger action to ensure the safety of the public. The Member of Parliament for Diego Martin West, most of his contribution alluded to the fact that the anti-gang legislation if properly used, would have been able to deal with the situation, and there would have been no necessity to come to a State of Emergency.

Of course, he did not deny that Trinidad and Tobago has a serious crime problem and that the crime problem began to escalate from the time they came into power in 2002. He was debating on how we should treat with this issue and how we should conduct our affairs on this issue.

#### **2.45 p.m.**

He indicated that it is not for us to talk about the issue of the last election or the Prime Minister's statement at that time—Mr. Manning—but it is important for us to understand where we are today. We did not reach this way today all of a sudden. Mr. Speaker, it was a matter of nine years. When the last PNM administration took office in 2002 we all knew the crime statistics, and the number of murders was less than a hundred per year. From the time they came into power the murder rate began to escalate. I believe my colleague, Minister Sandy, would have given the figures, but from 2002—2009—in eight years—we had 2,868 murders. One murder is too much far less 2,868 young men, some children and women who were gunned down and their blood spilled on the streets.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

Mr. Speaker, in addition to that, kidnappings were on a rampage and in 2005 there were 58 kidnappings for ransom. In 2003 there were 51; in 2004 there were 28; in 2006 there were 17; and in 2008 there were 11. It took you nine years to deal with a situation of kidnapping, and at the end of nine years you still did not deal with the criminal elements or the number of murders in this country. In 2009 there were 509 murders; in 2010—we took over the latter part of the year, half of the year—there were 485 murders. Already we were seeing a decline.

Mr. Speaker, the failure of the last administration and questioning us on where we are going now, I do not think anyone on that side who belongs to that last administration has the moral authority to question this People's Partnership Government as it relates to the work that we are doing on crime. They do not have the moral responsibility or the moral authority.

Mr. Speaker, I must give what is happening today the perspective of what we have been made to inherit. We inherited a situation where from as early as 2002, Mr. Howard Chin Lee in his unlamented tenure as Minister of National Security spoke about crime plan. Crime plan obviously got a bad name and it only became worse and worse. The sorry history for the period from 2002 basically to 2009 has been littered with a number of initiatives from the last administration. All failed, which we have now inherited, and we have to deal decisively, precisely and urgently with it. *[Interruption]*

**Mrs. Gopee-Scoon:** Jump to the point.

**Hon. Dr. T. Gopeesingh:** So they had Anaconda, Baghdad, Weed and Seed Policing for People, Strategic Crime Control Seminars, community policing, police reform legislation, police service transformation—you even went on to say you have model stations—community leader peacemaking—where are the community leaders?—gang suppression, area lockdown, mobile post, crime and justice commission, Inter Agency Task Force, multiple police special units in multiple uniforms.

*[Mr. Deputy Speaker in the Chair]*

Mr. Deputy Speaker, may we welcome you on behalf of the People's Partnership Government *[Desk thumping]* on your first sitting in the distinguished Chair as Speaker of the House of Representatives. From the applause on both sides, we welcome you very sincerely and we wish you well—*[Interruption]*

**Mr. Manning:** Stop trying to—*[Interruption]*

**Hon. Dr. T. Gopeesingh:**—in your Chair. *[Laughter]*

*SoE (Basis for Declaration)*  
[HON. DR. T. GOPEESINGH]

*Friday, September 02, 2011*

Mr. Deputy Speaker, I gave these projects and initiatives of the last administration to show that whatever they did and whatever they tried—we remember the Minister of National Security in those days coming to the Parliament, time and time again, speaking about a new plan and a new major initiative, and yet still the crime rate went higher and higher every year. He would speak from the management language and the management perspective that it needs management and this is what needs to be done, but, at the end of it all, in the eight years, we had 2,868 murders.

What about serious criminal offences? From 2006—2010 there were 101,935 serious offences in five years. So from 2006—2010 at least 101,000 people had serious offences committed against them in five years? So at a situation in this country there is scarcely any home in this country that has not been affected by some degree of criminal element and criminal activity in people's homes and in the privacy of their homes. One hundred and one thousand people were affected by serious criminal offences and 2,868 murders. How long could we have allowed this state to continue?

They had personnel upon personnel. They had the Minister of National Security, Howard Chin Lee; the Minister of National Security, Martin Joseph; they had the Attorney General, John Jeremie fighting; then Stephen Mastrofski—with \$83 million spent on Stephen Mastrofski and Edward McGuire. The Prime Minister at that time, the Member for San Fernando East, knew about these—Jeffrey P. Snipes—the country heard about these—John B. Gould and Steve Henry. All of these people were brought in by the last administration and were not able to effect any significant improvement in the activity. In fact it got worse.

The Ministry of National Security had one of the largest budgets over the last few years. They had over \$4 billion. They averaged that they spent over \$4 billion on a yearly basis and could not have dealt with the criminal activity. We now as a People's Partnership Government have to work assiduously and smart to be able to deal with what we have inherited: a state of lawlessness, a state of disorder in almost every aspect of life, driving on the highways, jaywalking and praedial larceny. Almost every single area of life that became very lawless in this country.

Over a number of years we saw a number of agencies coming into Trinidad to help deal with it, but what did they do? You had Scotland Yard. As the Member for Chaguanas West indicated, a number of Scotland Yard officers were brought in, and during the time they remained here almost \$100 million was spent on their presence in Trinidad. Do you know what was ironic? They contributed very little in the detection of crime. Most of the work was done by our own local police, and



*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

here it is today the Member for Diego Martin West questioning that this Government brought in a foreign Commissioner of Police costing \$1 million. But you brought in more than 50 FBI officers costing this country more than \$100 million and made no significant impact upon the crime situation.

I heard some stories that when they went to the homes of kidnapped victims, some of these officers were sitting in the back eating meals while the local police were dealing with the matter and getting the thing sorted out. [*Interruption*]

**Dr. Rowley:** Please! Please! It sounds unbelievable—[*Inaudible*]

**Hon. Dr. T. Gopeesingh:** Yes, that was the situation.

**Dr. Rowley:** It sounds unbelievable.

**Hon. Dr. T. Gopeesingh:** Let me speak about this now as I am on the point about the foreign commissioner of police. Mr. Deputy Speaker, it was that administration who said that we must go through a system of choosing the commissioner of police. Do you remember there was a time when they said that the Opposition—we are now the Government—at that time was not cooperating with the Government and they began to incite that the community and the people must go to the Members of Parliament and tell them that they must support the Government in the pieces of legislation? A while ago I heard the Member for Laventille East/Morvant saying that we did not support the last administration in the fight against crime.

Mr. Deputy Speaker, Prime Minister Manning at that time led a team with two other members—I think the Attorney General, John Jeremie and the Minister of National Security, Martin Joseph—and on the Opposition side included our now present Prime Minister and three or four other people. They sat with the Government at that time to say that we will work with you to deal with the crime situation, and we decided then that we will support the Government at that time in the Bills that they were bringing out on crime. They were supported in three pieces of legislation: the Constitution (Amdt.) Bill, the Police Complaints Authority Bill and the Police Bill. We supported them on that side when they were in Government.

**Mr. Manning:** What year was that?

**Hon. Dr. T. Gopeesingh:** That was just after you make your decision that you wanted to work together. That was around 2006/2007. That was around the time.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

**Mr. Manning:** When were they approached?

**Hon. Dr. T. Gopeesingh:** You approached them, I believe, just a few months before that.

**Mr. Manning:** 1999.

**Hon. Dr. T. Gopeesingh:** No, you did not approach them before 1999. Mr. Deputy Speaker, they were given the support for the three pieces of legislation, and in that Police Bill the Government at that time said that we must go through a process of selecting the Commissioner of Police. They went through a whole range of processes to select the Commissioner of Police. The first time they went through the process to select a Commissioner of Police—obviously there were international people—it took more than a year. The process was so confused and convoluted that it took more than a year to select a commissioner, even with Mastrofski, Penn State University, and all of them.

When they came up with the Commissioner of Police, they decided that they did not want him because it came up in the end that the Commissioner of Police was going to be Stephen Williams. They rejected their own person who was selected, and their own process and, today, they have the audacity to come and tell us and tell this country that this Government, the People's Partnership Government, is supporting a foreign Commissioner of Police.

**3.00 p.m.**

It is their process that brought in the foreign Commissioner of Police and we respected that, we are a respectful Government; we respected the process as against them who disrespected their own process. So it brought up the Commissioner of Police, Mr. Gibbs, and Mr. Gibbs has been working, and we have independent institutions in this country that can deal if Mr. Gibbs is not performing or if he is performing, and they would evaluate the performance of Mr. Gibbs. This is under the Constitution; it is constitutionally enshrined. The Police Service Commission can deal with that but the mess that they have left us with criminal elements in this country and this criminal activity, how could we have just gone on as usual when things were glaring before our eyes—11 murders; \$20 million in drug bust and violent crimes were taking over this country with machine guns that were not more than 15 months old being found in this country. How could we as a responsible Government sit down? How could the Prime Minister, Hon. Kamla Persad-Bissessar, lead a Government and she allow this to continue? We had to act, Mr. Deputy Speaker.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

We had to act because in response to security intelligence that demonstrated a clear and present threat to the public safety—public safety in response to security intelligence that demonstrated a clear and present threat to the public safety. Mr. Deputy Speaker, they tend to want to make a big issue of it—“it is depriving people of their constitutional rights and their freedom, and people’s freedom and movement are at stake and we are an oppressive Government”. The Member for Diego Martin West spoke about “we are oppressing the business community”.

Mr. Deputy Speaker, what about the rights of citizens enshrined in the constitution; a right under 4(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;”

What about the law-abiding citizens that the right of the individual to life, liberty and security when on a daily basis—*[Interruption]* Certainly.

**Dr. Rowley:** Mr. Deputy Speaker, congratulations. I am very grateful to my colleague for giving way and I did not want to interrupt him, but I really would like if you can assist me. Is there any information that you can provide to this House, and, by extension, the national population, to make that link between the drugs at Piarco and this blood that was going to flow in the streets in the city? Could you give us any information to make that link? Because our understanding is that the drugs were in transit for trade to go out of the country, as normally happens; the suitcases were intercepted at Piarco—you are making a link. Is there any information that you can share with us to make that link between those two positions?

**Hon. Dr. T. Gopeesingh:** I am sure, you, Member for Diego Martin West, you are a very senior Member of this House with more than 25 years’ experience in Parliament, and you now happen to lead the Opposition, and I am sure your anxiety is to one day lead this country. That is your anxiety and that is what—you are in Opposition and you want to happen.

But the question is with a state, with responsibility on the shoulders of a Minister of National Security and a Prime Minister and a Government, do you expect that the Government and the Minister of National Security with information that is critical to solving some of the rampant and violent criminal activities can make this information a major public information, Member for Diego Martin West? So you have a trump in your hand to hang the jack but you will show your ace early on; you cannot do that. You cannot do that. *[Interruption]* I will engage you.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

**Dr. Rowley:** Thank you in the spirit of—but, on the other hand, it is quite possible—maybe not likely, maybe not the case—it is quite possible that you do not have that information and you are just pretending. [*Crosstalk*]

**Hon. Dr. T. Gopeesingh:** I think that is a whimper of your imagination—

**Dr. Rowley:** No, I am just asking.

**Hon. Dr. T. Gopeesingh:**—and I think you better disabuse yourself of that thinking.

**Dr. Rowley:** Okay.

**Hon. Dr. T. Gopeesingh:** And the Minister of National Security and the Government in time will give more and more information to the general population of what is happening. You know that a drug situation in any particular country does not occur there, just in that country. There are people who bring in the drugs; there are transshipment people; there are people from outside who will want to destabilize certain things in your country; there are people who have interest—

**Hon. Member:** Political interest.

**Hon. Dr. T. Gopeesingh:** Yes. There are a number of issues why people involve themselves in this drug business. And long ago, we used to think that the pyramid of the drug business was the people on top, and many people speak about the white-collar criminals; it is not only there alone. That pyramid now was extended to the base here, you are seeing the big fish, and from what we have been able to discover and give to the population, a number of the big fishes are not at the lower but at the base of the pyramid.

**Dr. Rowley:** Give me a break! Big fishes at the base?

**Hon. Dr. T. Gopeesingh:** Yes, you have seen them. Mr. Deputy-Speaker, it is important for us to speak when they talk about what we have done with the blimp, and what we have done with the “Eye in the Sky” and so on. That Government had at its beck and call, the Israeli radar system but they used it at the time for the wrong purposes, instead of going after the criminals and getting the information about the criminals. They had the blimps, they spent so much money on and when they brought the blimps down, they found that the blimps were not suited to the atmospheric conditions of Trinidad and Tobago. You remember that, Mr. Deputy Speaker? The blimps were not suited to Trinidad and Tobago and were suited to a

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

different climate, and the whole country knew that. They brought the “Eye in the Sky” and the “Eye in the Sky” was blind; it could not see. The “Eye in the Sky” could not see.

They had everything: helicopters, coastal patrol boats, cars, jeeps, SUVs, better guns, body armour, and then the hon. Prime Minister at that time said from the ashes of all of the above, yet another crime plan is rising. The then Prime Minister, Patrick Manning, announced at that time that the plan was yet to be named; its author, however, was former Canadian Major General, Cameron Ross—three million; pursuing a reengineered career as a Security Consultant. The Prime Minister at that time must have been promoting what he called the “Ross Crime Plan”, a major initiative he said on CNC3 describing it as a restructuring of our own security arrangements.

So, Mr. Deputy Speaker, he was optimistic but he was putting his optimism under cautious restraint, and he added “but we would see”; all of Trinidad and Tobago saw. We were left cynical by their succession of promisingly titled crime failures, and this is what we have inherited, Mr. Deputy Speaker; we have inherited these.

Mr. Deputy Speaker, two of their speakers on that side, the Member for Diego Martin West and the Member for Laventille East/Morvant spoke about the training, increased training of police officers and so on during their time. Most of Trinidad and Tobago know that between 2006—2009, only 211 new police officers graduated from the Police Academy Induction Programme. In four years, 211 police officers graduated. Since the Minister of National Security has taken over, I understand that the academy has almost doubled that figure with almost 390 graduating in our short 15 months. And with the new intake model and plan implemented by our People’s Partnership Government, that figure will be doubled to approximately 800 graduates annually.

Mr. Deputy Speaker, you know why I brought that up? For years they knew that the police service did not have the human resource capacity as was required. They were supposed to have around 7,600 police officers. They knew and continued to operate with 5,900 police officers—1,700 less than what was required. Not so Minister of National Security—1,700 less? But they on that side were the ones who stopped the training programme; they stopped the training of police officers, and we had 5,900; and if you divide the 5,900 into three shifts and those on time-off, you will see at any time, you have only about 1,300 or 1,400

*SoE (Basis for Declaration)*  
[HON. DR. T. GOPEESINGH]

*Friday, September 02, 2011*

police officers available. Then you had a significant number of them in administration. So you could have decided to move some of these people from that administration and put them onto the streets.

You know what this state of emergency has allowed us to do? We have close to 5,000 more officers from the protective services—the regiment, defence force—5,000 more officers. We know that the police have the ability to stop and search, and to go for warrants and so on; but you understand now—in fact, the Member for Laventille East Morvant seems to have been a stranger to the important information about—I believe she has a fundamental lack of knowledge of the law where she said that the defence force people—if I am correctly quoting her—can arrest. But the defence force people cannot arrest; everyone knows that.

How could you get those 5,000 hands on board to give some extra support and hand in helping to reduce the criminal activity that became violent and intense? The 5,000 officers could now move into, search and stop and search and deal with. So, you could imagine what you all were never interested in doing, bringing more hands on deck, and for years you knew that they were short. We saw the opportunity as well for having 5,000 more pairs of hands and eyes on movement of people to be able to assist to reduce this criminal activity.

You went on to criticize us on our movement with SAUTT. Your administration knew for a long time that SAUTT was operating illegally. You had no legal basis for the operation of SAUTT. We debated that many times in the House of Representatives; we questioned you on it. At one time, you were spending over \$400 million to have 83—I believe at that time—83 or 93 officers in SAUTT with the Special Action Task Force and the Inter-Agency Task Force and so on, and you were paying some of these officers \$5,000 more.

You said that you were going to bring legislation to ensure that SAUTT became legal so that they would have the same rights as police officers working under the Commissioner of Police.

### **3.15 p.m.**

In SAUTT, they did not have this right to arrest people and they could not go to court and give evidence in court. They could not have done that. You continued that for years, four to five years, having these 93 or whatever receiving “\$400 and something million” per year, separate, because each one of your members of SAUTT was getting \$5,000 more than the normal police officers. You come today to say that what we are doing is demoralizing the members of SAUTT. How could we be demoralizing the members of SAUTT when there were 5,500 police officers

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

seeing that some of their colleagues were getting \$5,000 more per month, \$60,000 more per year? Who would be demoralized; not the 5,500 police officers who were sitting there seeing some of their colleagues getting \$60,000 more per year? How long would you have allowed that to continue? Included in that was the “50-something people” from abroad, the FBI and Scotland Yard. Obviously, they did not make a difference to it.

We said, as a Government, we would want to regularize SAUTT. In an effort to regularize and position SAUTT to effectively support strategic and tactical operation responses, we took the decision to establish a steering committee to oversee the restructuring of SAUTT, review the operations of SAUTT, make recommendations and report to the Minister of National Security on the outcome of the review, with such recommendations to be submitted for the consideration of Cabinet and undertake a comprehensive report on its operations.

Mr. Deputy Speaker, that committee did meet and the committee made the recommendations that SAUTT be disestablished as of August 31. When Members from the other side say that SAUTT members were sent home, they were not sent home, they were sent back to the police service where they belonged in the first place and they were sent back to the defence force where they belonged in the first place. They were not sent home. Who were sent home were the 50 officers who were receiving \$100 million—we could have paid more salary for the police officers working throughout Trinidad and Tobago; the 5,900 police officers. They were getting \$100 million more. That money could have gone for them. *[Interruption]*

**Dr. Browne:** What about the CSI officers, Minister? Thank you for giving way.

**Hon. Dr. T. Gopeesingh:** I am sorry. I cannot answer that. I am not in a position to answer that question because I am not knowledgeable about it, so I cannot pretend to be knowledgeable about something and give you an answer that I am unable to at this time. I am sure some of my colleagues would probably be able to do that.

Mr. Deputy Speaker, this People’s Partnership Government, when we came into power under the astute leadership of Mrs. Kamla Persad-Bissessar, knew that crime was number one in this country; a number one problem. In our manifesto, we showed where—I believe I have it somewhere here—that we have to deal with it and we went about purposefully to deal with it and we began to implement a number of measures, which have proven to be relatively successful.

*SoE (Basis for Declaration)*  
[HON. DR. T. GOPEESINGH]

*Friday, September 02, 2011*

Some of the measures that we came in with very early—we know that we have to pass a number of pieces of legislation—one was that we passed the Interception of Communications Bill. That Bill provided a legislative framework for the interception of communications. We passed the Anti-Gang Bill and the Bail (Amdt.) Bill. These Bills made provision for the suppression of associations created for unlawful or criminal purposes and for the better protection of the public.

We passed the Firearms (Amdt.) Bill, 2010. This Bill amended the Firearms Act to increase the penalties for certain offences involving a firearm or any prohibited weapon as defined by the Act. As you see, purposeful in our decision to move forward in fighting this criminal activity we passed the Firearms (Amdt.) Bill, the Anti-gang Bill and the Interception of Communications Bill.

We passed the Miscellaneous Provisions (Remand) Bill. This Bill increased the period in which a magistrate can remand an accused person with regard to both summary and indictable matters. This will have the effect of reducing the frequency of court hearings, thus reducing the time and cost involved in taking prisoners to and from court; another measure to help in the reduction of the criminal activity.

We introduced the Evidence (Amdt.) Bill. That Bill seeks to revive the common law doctrine of recent complaint. The Bill also proposes to extend the use of video-recorded evidence to encompass all criminal proceedings and to allow for the admissibility of the video-recorded statements of both accused persons and witnesses even where witnesses are absent at the trial. We saw for too long, all these vans with prisoners speeding down the highway to reach to the courts and spending millions of dollars to take prisoners to court and some of the prisoners' matters were not even being dealt with. We made arrangements and provisions where these matters could be dealt with by the Evidence (Amdt.) Bill. The Minister of Justice will probably speak more about that.

We introduced the Trafficking in Persons Bill, 2011. This Bill provides the legislative framework to suppress and punish trafficking in persons, especially women and children.

We banned the use of cellphones while driving by passing the Motor Vehicles and Road Traffic (Mobile Devices) Regulations, 2010. Another major initiative of the hon. Prime Minister and our Government is that we initiated payment of a nontaxable special allowance of \$1,000 to all serving officers of the police service. Is that demoralizing the police service? Is that demoralizing them? We



*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

established the Private Security Network Commission to transmit relevant information for appropriate law enforcement action to the police service, through a dedicated communications network, consisting of the more than 20,000 additional pairs of eyes and ears from 14 accredited private security companies. We began to enlist the support and assistance of the private security firms, which are now assisting the officers in their daily movement in this state of emergency.

You had almost five or six years to bring on formally a Commissioner of Police and a Deputy Commissioner of Police. You never did it. You took years to bring about all the areas related to it and you had an acting commissioner for almost four years; extension upon extension, upon extension of time for an acting Commissioner of Police. Do you all remember that? This Government, within 15 months, in fact within the first six months, brought on a Commissioner of Police. We recruited a Commissioner of Police and a Deputy Commissioner of Police.

**Mrs. Gopee-Scoon:** Where is he?

**Hon. Dr. T. Gopeesingh:** Right here. Last night the Member for Tabaquite was there. We had an untenable situation where this country was without a Commissioner of Police and a Deputy Commissioner of Police for a long time. In fact, when you looked at all the deputy commissioners of police positions all of them were acting; the state of actors. Do you know why? You have to ask the question: what was the rationale for it? Was there a decisive reason for the last administration to have them acting and acting and acting? Was it to do their bidding whenever they wanted, and why were these positions not confirmed? Why was a Commissioner of Police position not confirmed and the Deputy Commissioner of Police not confirmed? That went on for years, and you all say that you have authority to talk about crime and criminal activity and want to talk about this People's Partnership Government who has been here for 15 months, and we are now doing something for crime since we started for the last 15 months and we are moving purposefully?

You have no moral authority to speak about anything related to this, because you know that this was one of your major failures. This is why 450,000 people voted you all out and they voted for us to take decisive action on the crime situation. This is what we are doing. We are ensuring that the safety and the right of the individual to life, liberty and security of the person and enjoyment of property are protected.

As the Minister of National Security said .003 per cent of people in this country, criminals, are holding the other—almost 99 per cent of this population

*SoE (Basis for Declaration)*  
[HON. DR. T. GOPEESINGH]

*Friday, September 02, 2011*

held behind bars and unable to move freely and all of us are affected. You on that side are affected, we on this side; the entire population has been affected. They are tired. They want to breathe. They want to exhale. They want to feel comforted. They want to have a sense of psychological belief that when they go to sleep at night they are fine and when you walk on the streets you are fine.

I have walked around the savannah for years. I still do. Many of us do it. We do not have a security officer with us. I do not have to have a vest on me. My colleague from Barataria/San Juan does as well. Those of us who live in the north do as well; some of us.

**Mr. Deputy 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. W. Peters*]

*Question put and agreed to.*

**Hon. Dr. T. Gopeesingh:** Thank you very much colleagues on both sides for allowing me the opportunity to continue some discourse on this. Member for Diego Martin North/East, I would give way to him. He wants to ask.

**Mr. Imbert:** I thank the Member for giving way. I have heard the statistic quoted, both by yourself and by the Minister of National Security. It takes different shapes and forms depending on who is speaking. You have said .03 per cent. The Minister said .03 per cent. Could you clarify exactly what it is?

**Hon. Dr. T. Gopeesingh:** Member for Diego Martin North/East, you are working on semantics. That is a matter for [*Crosstalk*]—listen, the question is 2,800 people have been murdered in eight years and over 101,000 people have had serious criminal offences against them in a five-year period under your administration. The situation is, we cannot allow that to continue. Four hundred and fifty thousand people voted for us to make a change to that situation and this is what Prime Minister Kamla Persad-Bissessar and her team on this side will continue to do. Do not raise “semanticism” about that.

Do you know what is another important issue that we must let the population know about our movement to fight crime? The Member for Laventille East/Morvant said about the state of emergency is not a stopgap measure. We accept that. We know it is not a stopgap measure. It is, at this moment, helping us to develop more and more intelligence, faster intelligence and to deal with the increase in criminal activity and violent crimes. She said resolving our crime

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

situation is not short term. We are all aware of that. I have been able to enunciate a number of actions that this Government has taken to indicate that we are not dealing with it in a short term. We have a medium-term and a long-term plan for dealing with this. The Minister of National Security has indicated on two previous occasions a holistic approach. He has indicated—I do not have the information before me but that was discussed in Parliament on two occasions when the Minister of National Security gave his plans and his workings, some of which he enunciated today.

It is the very first time in our history as a country of an allocation in the Appropriation Bill that the police service has been afforded the autonomy for its own budget, and the Commissioner of Police was appointed accounting officer of the police service.

**3.30 p.m.**

So if it is \$4 billion given to fight crime with the defence force, the Commissioner of Police now has the ability and the financial ability to move and deal with things as is necessary, and that he sees absolutely necessary. So it is no longer a matter of bureaucracy to stymie the work of the Commissioner of Police.

They spoke about the OPVs. The OPV matter, Mr. Deputy Speaker, is sub judice; it is before an arbitration and the matter is being dealt with, and it is not for us to comment much about it; except to say that one important thing is that the one that they had decided to purchase has no ability to have any type of automatic firing systems, because [*Crosstalk*] [*Interruption*] that was—yes, yes, well this is what—I do not want to delve into more of it, but the courts will decide on it eventually, that matter is before arbitration, and the arbiters will decide that. [*Crosstalk*]

They went on. The Member for Diego Martin West spoke about “businesses are oppressed in this country by the state of emergency”. Mr. Deputy Speaker, the business community has come out loud and clear over the last two weeks [*Interruption*—no PR—to say that we understand that a certain degree of sacrifice is necessary for us to regain our sanity, our ability to move around freely and to experience a situation where we know that we are not going to be mowed down. The business community has been supporting it, you see them everyday speaking about it and it is written in the newspapers. Today, Mr. Deputy Speaker, the *Business Guardian*, “Big businesses back state of emergency”. They have come out in strong support of what the People’s Partnership Government has done, Mr. Deputy Speaker.

*SoE (Basis for Declaration)*  
[HON. DR. T. GOPEESINGH]

*Friday, September 02, 2011*

Today, as well, one of the leaders, one of the largest business magnates in this country Mr. Sabga has come out and said strongly that he supports the state of emergency. In fact the person who heads the movement for the team that has been discussing with the CPO for the police, Mr. Anand Ramessar, came out today and said that he supports the state of emergency.

So when they speak about we are trying to use this state of emergency to get at the trade union movement, and other movements, they are being very deliberately mischievous and trying to put into the minds of the population something that is—it is dirty, it is dirty and they are trying to insight people into believing that what we have done is something against their own freedom, Mr. Deputy Speaker. It is a desperate measure by them.

You know what is ironic, that the Member for Laventille East spoke about the efforts to fight crime by developed countries. They know it is not a short-term measure, and she said that the United Kingdom took 40 years and the United States took 30 years to deal with the crime situation. Mr. Deputy Speaker, so should we wait for 40 years and 30 years to deal with our crime situation? I feel this is a laughable statement, it is laughable that you could even bring up this type of thinking and reasoning, that other developed countries take 30 years and 40 years to bring to some degree of equilibrium to the crime situation and the criminal activity. They had nine years, they did nothing and they failed. The statistics show it and we must not count people's death and people's pain, and families' pain in terms of statistics, Mr. Deputy Speaker, but—you have to do it, to have an objective evaluation of what is going on.

So they had nine years and in 15 short months this People's Partnership Government has come on board and said we are going to deal with this and this we will do, Mr. Deputy Speaker. [*Desk thumping*]

They also went on to indicate that these things could be done under normal policing; under normal policing you still have to go and get your warrants. [*Crosstalk*] Yes, yes. No? But you have violent crimes erupting all around you, you have to deal with the situation as you see fit. And from day to day you will monitor what is going on and appropriately this Government will deal with it and give the country the degree of comfort and satisfaction. The Prime Minister has already stated openly that this Government is reviewing the curfew time. So when this Government decides to move with it, that is a question that will be answered pretty shortly and the time for the curfew will be answered pretty shortly. We are quite aware that almost 40,000 persons in the country are affected in the restaurant business and in those types of industries. Persons working at nights and

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

evenings to earn a livelihood, we are quite aware of that and, therefore we are a Government that is responsible, we are very caring and, therefore, we will do what is necessary to ensure and we listen, and we will do what is necessary to bring about the satisfaction that these persons need. We will bring about the situation where businesses will be back to some degree of normalcy in the shortest possible time.

The Member for Laventille East/Morvant went on to speak—I wonder whether deliberately or not another case of probably deliberate mischievousness—about removing MILAT and MYPART from the Ministry of National Security. MILAT and MYPART need a certain amount of training and people skills, and they have been moved to two other Ministries of Government. I believe it is the Ministry of Science, Technology and Tertiary Education and the Ministry of the People and Social Development. But the Ministry of National Security has an overall responsibility for the programme, and it is not shifted away from the Ministry of National Security at all. So is this another deliberate and mischievous ploy by Members opposite to create a sense of hysteria and to create a sense of—giving people the wrong information, deliberate mischievousness to give false information, Mr. Deputy Speaker?

The Member for Laventille East/Morvant spoke about the re-engineering of the police service. They had 9 years to re-engineer the police service we are doing it now, and we are moving very purposefully on that.

One important area for consideration by the national community and Members of this august Chamber. What is significant when the Member for Laventille East/Morvant spoke about the Monos Island drug bust? She said that there was no reprisal from the Monos Island drug bust. You all would remember that tonnes of cocaine were found down at Monos Island in a home that they said had no owner; there was no owner of the home, so it was as though it never existed? Nobody owned it. So they could not find the owner. Then they found eight little pipsqueaks and they charged those eight little “fellas”, two of them coming from Venezuela, or somewhere. As one of my colleagues said “fry dries”. You know “fry dry” fish, small things, and the big men were never caught. Then you heard about something burned down, a big building burned down on the Churchill Roosevelt Highway. [*Crosstalk*] You answer that question. Was there a connection? So no reprisal, but a big business building was burnt down. Why was it burnt down?

Then there was an increase in the spate of murders subsequent to that. There was a body that was beheaded; somebody was murdered and, the head was

*SoE (Basis for Declaration)*  
[HON. DR. T. GOPEESINGH]

*Friday, September 02, 2011*

decapitated and the body was found on the lawn about 200 yards or metres away from the home of a family of a member of their government. Why was that done? What was the reprisal? And people began to die like flies subsequent to that.

Mr. Deputy Speaker, you remember as well that cocaine was found in the diplomatic pouch, and then they tried to pin it on one of the workers, working in the one of the ministries. Eventually that poor person's case was dismissed against her; it had to go to the Privy Council, I understand. But the persons who were responsible for that movement of that cocaine in that diplomatic pouch, where are they today? The persons who were responsible for the Monos Island drug business, where are they today? Have they been caught under the administration? They are in Opposition now; that is why they are in Opposition.

Then there was another diplomatic bag that was found on the runway, empty, another diplomatic bag was found on the runway empty. It pains me to say, what I am going to say now, but the facts have to be said; it has to be told that on one of the significant piers in Trinidad and Tobago, a captain was found with \$5 million worth of cocaine on one of the piers related to one of the members of government at that time. And they have no moral authority to even question or say anything about this Government, none whatsoever. [*Desk thumping*] You all know the truth, the country knows the truth, and you all know the truth about this.

So they said that this state of emergency is not necessary, and the Member for Diego Martin West says the anti-gang legislation would have taken care of that, and they decided on a massive public education—he knows that public education and education of this thing will take years to inform the national community about what are the consequences of being in gangs, for the persons who are involved in them to understand and really have that solidified in their thinking, so that they will not continue in their conduct. You know, that is a medium to long-term measure, it is no immediate measure to say that the education programme that they discussed in the Anti-Gang Bill should have been used, that is—should know that that is fallacious, that cannot occur.

So tell us: of the 1,143 persons who have been arrested, 366 related to gangs; that would have probably taken care of those people in the gangs. But 216 related to drug offences, would that have taken care of them? No. The anti-gang legislation would not have allowed that. Two hundred and twenty eight related to outstanding warrants; 228 persons who have been accused of criminal misconduct, warrants were out for them and they were roving the streets freely. We picked up 228 of them, the anti-gang piece of legislation would not have allowed us to do that. One hundred and eighty-one related to serious offences, 30

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

related to homicide, Mr. Deputy Speaker, these things, the anti-gang legislation would not in effect just by itself been able to take care of the areas where I have just given you in terms of apprehension and bringing persons forward in criminal conduct.

**3.45 p.m.**

The Member for Diego Martin West, if I am to quote him relatively correctly, said that the Prime Minister said that for the anti-gang legislation, to work we require a state of emergency. The Prime Minister never said that for the anti-gang legislation to work we require a state of emergency.

We have given you the facts related to the reasons and rationale for the state of emergency. It is not because of the anti-gang legislation that we want to use. She was very clear about that. You can go back into the media reports and research it and you will find that what is there is a misquote and misspeaking by the hon. Member for Diego Martin West.

So, Mr. Deputy Speaker, they asked about the Deputy Commissioner of Police. Where is he? The Member for Tabaquite will tell you that last night they were on a programme. So here it is, issue after issue, deliberate mischievousness, designed to give false impressions and wrong information to the national community against this People's Partnership Government.

We are not surprised. This is what they are about on a daily basis—suppressing union and political activity and so on and suppressing the police in their arbitration. The head of the police team that is doing the arbitration now is supporting the state of emergency—and saying that Government is always driven by political consideration.

As the Member for Chaguanas West says, we are in politics. We are a government elected by the people. Each one of you on that side and each one of us is elected by the citizens in our constituency. Is that not politics? And when we collectively decide as a Cabinet and as a government to take a responsible action, that is politics as well. It is not that we are driven by political influence and political will; it is that we ensure the well-being of our citizens; we ensure the safety and security of our people; we ensure that the quality of life that people must enjoy must be there and this is what politics is about. That is why we are here on this side and you are there on that side. We feel we have to do and act in the best interest of all.

*SoE (Basis for Declaration)*  
[HON. DR. T. GOPEESINGH]

*Friday, September 02, 2011*

The Member for Laventille East/Morvant said that what we are doing here is making it difficult for the police to build the trust it needs and we are swimming against a current and we are using the police as a political tool. The people had lost confidence in the last administration and that is why they voted them out. They voted for us with confidence and this confidence that they have reposed in us, they will never be disappointed in it because we are working with them. The trust we continue to build in the population will be step by step. We have already built some significant trust in the population and this state of emergency is undoubtedly bringing about a sense of psychological comfort to the wider population.

We produced a document called *The People's Partnership reporting to you: An Era of Caring has begun*. The national population saw the pages on the centre spread, almost eight pages of the accomplishments of this Government.

There is no doubt that the confidence that was given to us, the confidence of the people voting us into power, continues, and, Mr. Deputy Speaker, there is no question that this state of emergency has made some significant impact, very quickly, and has undoubtedly reduced the criminal activity. There was only one murder in 10 days as far as we understand. Whenever in the history of Trinidad and Tobago, over the last 10 years, have we had a 10-day period when there has been only one murder? And even that is too many.

Mr. Deputy Speaker, from a medical perspective, I can tell you—and my colleague, the Member for Baratavia/San Juan will tell you, as the Minister of Health—that the consultant surgeons and the accident and emergency surgeons are breathing a sigh of relief in the accidents and emergencies of the hospitals. They have very little work now—few stabbings, probably none at all, and no gunshot wounds. One guy came into Accident and Emergency Department a few months ago. He had 24 gunshot wounds to his body and he was alive. The officer had to remove 24 bullets from around his body and luckily for him, no major blood vessel was perforated. The Member for Diego Martin Central will tell you.

**Hon. Member:** And no accidents?

**Hon. Dr. T. Gopeesingh:** It is only within the last two days, unfortunately, two members of our national community lost their lives by motor vehicle accident and we extend our condolences to the families of our citizens who have lost their dear ones in the accident. In the 10 days, have you heard about any major accidents along the highways except for these last two? So, it is affecting life in a multitude of areas.



*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

In concluding, I would say that, in times of trouble, leniency becomes a crime. That fundamental lack of will power to deal with crime in Trinidad and Tobago by the past regime resulted in further crime, which was fatal to so many innocent victims who need not have been victims if justice and the security of law-abiding citizens had been put first and foremost.

Mr. Deputy Speaker, our nation was in serious trouble from the criminal elements and we had to find a way to rescue it. Far from denying citizens their rights, we are ensuring that they are protected and that the rights of the individual to life, liberty, security of the person and enjoyment of property are protected; the equality of all citizens, not just for the criminals, who had a free, rampant reign over our lives and security.

The truth of the matter is that the day you raised your voice in protest, anger and frustration over any crime committed; the day the death of Sean Luke and Tecia Henry and so many other children at the hands of criminals broke your heart; the day you locked your doors and prayed to the Almighty to keep you and your loved ones safe from criminals; the day you held your heads and said, What next? was the day you gave your consent for us as a government to take any measure to protect you and guarantee your constitutional right to safety and security. That is what we are doing and what you know is right.

I thank you very much, Mr. Deputy Speaker.

**Mrs. Joanne Thomas** (*St. Ann's East*): Thank you, Mr. Deputy Speaker. I refer to just two comments from the previous speaker. Firstly, I have just learned a new meaning for the word regularize. The new meaning is "get rid of".

**Hon. Member:** Let us regularize Caroni East.

**Mrs. J. Thomas:** Then I heard the hon. Member boasting about one murder in 10 days. We are in a state of emergency with curfew measures. Is that something to boast about? In a state of emergency with curfew, and the Member is boasting about one murder. What happens after that state of emergency?

Members have voiced about Members on this side not being willing to deal with the crime situation. Our political leader sent out an appeal to meet with Members on that side to come up with solutions for the crime in this country. And what was the response? A slap in the face. When they were there they never did anything, so why should we meet with them? We asked to meet to discuss the situation.

*SoE (Basis for Declaration)*  
[MRS. THOMAS]

*Friday, September 02, 2011*

I am here to represent the Members of the St. Ann's East constituency, especially as it relates to this state of emergency. One of the key things that concerns them is trust for this Government when this Government speaks. Questions were posed to this Government as to whether the state of emergency was an option to deal with the crime and it was blatantly said no. A state of emergency was not an option.

Mere hours after, we heard from our hon. Prime Minister that a limited state of emergency would be instituted; mere hours after that confession was made. Can we trust the Government? I am at the point if they tell me stand up, I "runnin'" for my life. [*Desk thumping*] It is just blatant lies. [*Interruption*] Thank you. Blatant untruths.

Mr. Deputy Speaker, during my school time, I read a lot about the slave trade and I have heard stories; but when I saw on the news how they handled those boys on Nelson Street, I got an appreciation for what my ancestors would have gone through in the slave trade. [*Desk thumping*]

Let me say at the outset, we on this side do not support criminal activity; hence the reason why our political leader requested a meeting with Members on that side for us to sit and work this out. We do not support that and we are concerned for the citizens of this country, hence the reason for our asking for that meeting.

#### **4.00 p.m.**

Mr. Deputy Speaker, I looked at that Ian Alleyne show, that crime watch show, and that is where I saw the video clip of how these boys were thrown into a van. Well it is alleged. Then you saw some of them—two men handcuffed to one pair of handcuffs. Then you saw some of them hooked on to the tray of a van. I said I do not believe this. Some people in my constituency called me. They said, "Joanne, you see this thing; you see how they treating these people?" Your heart just went out.

And one thing that concerns me they just pick up people. So you have where people who look a certain way—and people in this country are now fearful. Because we know these days the young people. We here, we have sons, and all these young people, the way they dress, they all dress similarly. They wear their pants below the hip and some of them wear these vests. People now are scared because they are wondering if my child were to be out there, they could pick up my child and treat him like that just because of the way he was dressed. Because

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

it seems as though the criteria is, you have on your vest and your gold chain and, your pants below your hip and so, you know what I mean, and they would just pick you up. [*Crosstalk*]

These are things that people—and the Members they laugh, Mr. Deputy Speaker, but these are things that are genuinely affecting people. People are truly afraid. They are afraid for their children.

Mr. Deputy Speaker, when we look at the curfew measures the young boys—that is the time you would see them on the community grounds, kicking their “lil” ball, playing cricket—that is now gone. So that freedom is no longer there. Right? No longer there. You probably do not kick ball so that is why you do not understand. [*Crosstalk*]

Mr. Deputy Speaker, we look again at the treatment that is meted out to the citizens of this country. I do not know how many Members would have read the article in the *Guardian* newspaper about Miss Pamela Seeram, of Garth Road in Williamsville, where police went in and ransacked her house twice. [*Crosstalk*]

**Dr. Browne:** That was a callous response.

**Mrs. J. Thomas:** You see on the papers how she is pleading with them. You know what is amazing? The article says, these officers after sat down on her porch and “eat her curry crab and dumpling”. After you treat this woman like this you sit down and eat her curry crab and dumpling? [*Crosstalk*]

**Hon. Member:** That is in the newspaper.

**Mrs. J. Thomas:** That is in the newspaper, is in the article. I am just showing you the effects of the state of emergency on the average citizen. [*Crosstalk*]

**Hon. Member:** Take your time you are going very good.

**Mrs. J. Thomas:** Mr. Deputy Speaker, we look then—particular in my constituency, I have plenty single parent families, mainly the mothers. [*Crosstalk*] Well, I am speaking as I say for my constituents. A lot of these women, the jobs in restaurants and fast food outlets. Some of them have their little businesses. These persons you could say they are now on the breadline. What is to become of the revenue that they would get, most of the people who work nights? For example, on Monday school starts. What about these children, do they have uniforms and books? I know some of the Members on this side, we have tried to assist. In my constituency alone I gave out to 70 children. I gave them school bags and vouchers for uniforms to help some of these same parents. [*Crosstalk*] What I

*SoE (Basis for Declaration)*  
[MRS. THOMAS]

*Friday, September 02, 2011*

am saying—if Members would give me a chance—I am just showing you the effect of this state of emergency on people in my constituency. You may be different. But I have to talk about what affects me; what my constituents are saying. [*Crosstalk*] What will happen to food on the table for these people?

**Dr. Browne:** Hear the callous responses on the other side.

**Mrs. J. Thomas:** You have to forgive me. I have—[*Interruption*]

**Miss Mc Donald:** Standing Order 40, (b) and (c) to be specific. Please allow her the opportunity to speak. [*Crosstalk*]

**Mr. Deputy Speaker:** Hon. Members, let us respect Standing Order 40. And Member for St. Ann’s East if you address the Chair we will have less crosstalk as well. So please all Members let us abide by the Standing Orders. [*Crosstalk*]

**Mrs. J. Thomas:** Thank you, Mr. Deputy Speaker. So my conversation would go this way now. I was speaking about the persons who are affected by the state of emergency. Members may jeer about it and laugh about it, but it is a serious situation. When the day comes, it is normal. Members here have their meals. Do you know what it is for children to be watching their parents—watching most times their mother, no food? Have any of us here ever gone hungry to understand? [*Crosstalk*]

**Hon. Member:** Yeah. I am hungry right now.

**Mrs. J. Thomas:** My point is, Mr. Deputy Speaker, there are serious implications for the average poor person in this country as regards to the state of emergency.

Mr. Deputy Speaker, we look at a woman—again I am speaking on behalf of my constituents—she has a guest house business and normally she would have guests coming in from the Caribbean islands and so. Recently she had a big booking for a group of “Bajans”. Of course, this would have helped her to prepare to get her kids ready for school next week.

Of course, the booking was cancelled. It is not just about being alive, Mr. Deputy Speaker. What is the use? You get up, you cannot eat, and you are alive, you will be dead in a little while.

**Dr. Browne:** True!

**Mrs. J. Thomas:** You know what I mean. So it is about making an honest living. Mr. Deputy Speaker, this state of emergency is really, really affecting people seriously. We look at people’s rights and we know in a state of emergency

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

a lot of your rights are eradicated. For example, the right to equality before the law and protection of the law. The right to respect an individual's private and family life. And I just explained what happened with this particular citizen in Williamsville, what transpired with her. The right to equality of treatment from any public authority in the exercise of their functions. The right to freedom of association and assembly. Mr. Deputy Speaker, Members are saying that the state of emergency is taking care of the crime and so. So is it that our police in Trinidad and Tobago can only be effective in a state of emergency? Is it that? Well then that does not say much for our police. What will happen if and when the state of emergency is lifted?

**Mrs. Gopee-Scoon:** And there is no army to support.

**Mrs. J. Thomas:** As my colleague said, and there is no army to support. "Then we gone back to square one". So what impact did it make? Mr. Deputy Speaker, these are some of the things that really impact my constituents and I am truly, truly concerned about it. The police—the honourable Member mentioned that more police officers graduated. But we just want to make sure that they understand the police are here to protect and serve, protect and serve.

**Miss Hospedales:** That is right.

**Mrs. J. Thomas:** What is happening now, we wonder and you are getting the impression that some, maybe a very few of these police officers are using this opportunity to get back and to settle vendettas that they hold against citizens of this country. I mean in the minority. Right?

Our police service has very dedicated men who are working hard, especially in this time. So Mr. Speaker, I join with my colleagues here. We really do not support this criminal activity, but we believe that the state of emergency was not the option to use. My political leader spoke a lot about the Anti-Gang Bill, you know what I mean. [*Crosstalk*] So there were lots of other options that could have been used. That is why I had to let you know, Mr. Deputy Speaker, how this is affecting my constituents of St. Ann's East. Mr. Deputy Speaker, I thank you. [*Desk thumping*]

**The Minister of Labour and Small and Micro Enterprise Development (Hon. Errol McLeod):** Oh thank you, Mr. Deputy Speaker. There are so many inconsistencies coming from the opposite side. I understood the hon. Leader of the Opposition to have suggested support for the state of emergency insofar as it being a measure providing the conditions to attack crime in a very, very serious and concentrated way. But then there are other suggestions coming from the

*SoE (Basis for Declaration)*  
[HON. E. MCLEOD]

*Friday, September 02, 2011*

opposite side that we should earn the benefit that a state of emergency is supposed to bring, but without having a state of emergency. Eat your cake and have it. It is difficult sometimes to understand them, Mr. Deputy Speaker.

**4.15 p.m.**

On Sunday, August 21, 2010, on the basis of a case made out by a Soldier and a gentleman, [*Desk thumping*] the Cabinet of the Government of Trinidad and Tobago agreed to the recommendation made by the hon. Prime Minister and His Excellency the President, to declare a state of public emergency in Trinidad and Tobago. As a Member of the Government, as a Cabinet Minister, I supported the recommendation of the Prime Minister. [*Desk thumping*] I do not know that on matters of national security, such as this is, that one engages—however democratic one might be—in broad-based, large scale consultation on the tactics and strategies that are to be employed as measures of national security to deal with the issue of crime.

It was a bit of miscommunication and elements in the media exploited that situation and engaged in misinformation which suggested that the leader of the Movement for Social Justice was not consulted, and by extension the Movement for Social Justice was not consulted on the question of our declaring a state of public emergency. I thought that I had put that to rest by setting the record straight. But this morning, an officer of the party in opposition, a PNM officer, a former trade union leader, sought to make more “kuchoor” about the state of emergency being declared, and the position of an element in the coalition, that is the People’s Partnership; a suggestion that there was not the inclusion of that constituency in the People’s Partnership Government and, therefore, there is turmoil in the Movement for Social Justice. There is no turmoil in the Movement for Social Justice. The Movement for Social Justice, on April 21, 2010 and then again on May 24, 2010 and to this day, the Movement for Social Justice continues to be a committed constituent of the People’s Partnership Government. [*Desk thumping*].

Now, that point having been made, I must ask the question, what about that miscommunication? Because it seems that the particular officer of the PNM, using the power of the radio—to use a word by another Member of the PNM who sits in another place—seems to me to be a discombobulated element at large and, perhaps, still suffering from the effects of the democratic action that has been reportedly, taken by the members of that union, which she once led, some two years or maybe three years ago.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

I wish to put on the public record that for 21 years, I led the Caribbean's most powerful and people-oriented trade union, the Oilfield Workers Trade Union, and I retired from that office on June 26, 2008. I said, Mr. Deputy Speaker, I retired from that office. I was not voted out, I was not forced out. I retired quite voluntarily, because I came to the point of understanding that when leaders, however good they may have been—and I think if I can say it myself, that I had been quite a good leader. [*Desk thumping*] Leaders, however, good that they might have been, any time they reside too long in the position of leadership of important institutions and organizations, and they begin to believe that they are bigger than the particular institution or organization, then is when the institution begins to die.

**Mr. Warner:** PNM!

**Hon. E. McLeod:** In other words, I was setting an example for other leaders in Trinidad and Tobago and the Caribbean. I was setting that example. The officer of the PNM, Mr. Deputy Speaker, went on to cry some kind of crocodile tears, "Oh Mc Leod had been such a good comrade and friend, it is sad that he has now turned his back on the workers. What does that have to do with my supporting a measure to bring about peace and tranquility in the society of Trinidad and Tobago? Clearly, somebody is not understanding that. I have not turned my back on workers. I have not sold out any worker. It is not me.

I was not responsible for signing away the jobs of some 35 workers of the Water and Sewerage Authority just a couple years ago. I did not agree with the other side in Government at the time to disturb the jobs of some 2,000 workers employed in Customs and Excise and the Board of Inland Revenue. Remember the "RATT" as we called it, the Revenue Authority of Trinidad and Tobago? And those workers about whom I speak, I think they benefited tremendously from the leadership that had been given to the organization to which I referred. Mr. Deputy Speaker, when the case was presented for a state of emergency there was absolutely no reference to trade union activity that has been ongoing, and it continues to happen.

As a matter of fact, yesterday I was meeting with the members of the Conciliation Team from the Ministry of Labour and Small and Micro Enterprise Development assisting the parties in the T&TEC/OWTU negotiations. Indeed, at 7 o'clock this morning, we resumed our deliberations with both parties to that dispute, and depending on how early you might suspend the sitting today, Mr.

*SoE (Basis for Declaration)*  
[HON. E. MCLEOD]

*Friday, September 02, 2011*

Deputy Speaker, I am likely to go back and meet with those parties, because it is our intention to settle those negotiations in peace, and to the satisfaction of both sides in that particular dispute.

**Mr. Imbert:** Under police guard?

**Hon. E. McLeod:** What did you say?

**Mr. Imbert:** Under police guard?

**Hon. E. McLeod:** “Nah man! No, no, not at all!” Mr. Speaker, those who are crying crocodile tears today for the labour movement and those who had been hovering like carrions—do you know what is a carrion? It is a scavenger; it is a corbeaux. [*Desk thumping*] [*Interruption by Sen. Deyalsingh*] Mr. Deputy Speaker—[*Interruption*]

**Dr. Moonilal:** What madness is this? [*Interruption*]

**Hon. E. McLeod:** Mr. Deputy Speaker—[*Interruption*]

**Mr. Deputy Speaker:** Hon. Members, persons in the sitting gallery and on the sides are not allowed to be speaking in the House whilst a Member is on his feet. Continue.

**Hon. E. McLeod:** Thanks for your protection. Mr. Deputy Speaker, they talk about their support for labour, and labour has feared the worst under them when they were in Government than at any other time, and the records are there. I would just allude to the most recent past insofar as that is concerned.

In 2008, when teachers, through their union TTUTA, we were failing at that time to have a meaningful response to their proposals for a new collective agreement, setting out terms and conditions of employment for our hard-working teachers, and in furtherance of their demands, they engaged in some rest and reflection activities, and the Minister of Education at that time in 2008, approached the Minister of Labour and Small and Micro Enterprise Development to have action taken against TTUTA in accordance as was suggested with the provisions of the Industrial Relations Act.

#### **4.30 p.m.**

The Minister of Labour, Small and Micro Enterprise Development, at that time, could not do other than to advise that the action of TTUTA did not provide for recourse within the Industrial Relations Act.

Before that, the Chairman of the Petroleum Company of Trinidad and Tobago in 2007 sought the intervention by the Minister of Labour, Small and Micro Enterprise Development into so-called illegal industrial action at Petrotrin,



*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

advising that it was the intention of the company to dismiss some 397 identified workers as engaging in illegal industrial action. The might of the Oilfields Workers' Trade Union staved off the action that was invited.

From information that resides in the Ministry of Labour at this time, by application A, No. 16 of 2007, the Minister of Labour and Small and Micro Enterprise Development, in his relationship with the Public Services Association of Trinidad and Tobago, sought and succeeded in having injunctive measures taken against workers employed in civil aviation. It was over a dispute that had to do with a job evaluation exercise. I am trying to identify where the workers and their union's friends really are. I am suggesting that those friends and supporters are not on that side. [*Desk thumping*]

**Mr. Imbert:** On your side?

**Hon. E. McLeod:** That injunction, granted as it was on October 29, 2007, continued in force, and a new administration in October 2010, on the advice of the Minister of Labour and Small and Micro Enterprise Development, instructed that the injunction obtained in that matter be discharged, and it has so since been discharged.

Not only that, *the Minister of Labour, Small and Micro Enterprise Development v the Transport and Industrial Workers' Union*, September 2009, successfully got an injunction against that union, when, over the absence of proper health and safety conditions, the workers and their union engaged in a particular action. [*Interruption*]

[MR. SPEAKER *in the Chair*]

Mr. Speaker, I wish to report to you, on behalf of all the Members of this House, that in your absence the hon. Deputy Speaker did a marvelous job. [*Desk thumping*] We wish to congratulate him.

Injunctive measures were applied against the Transport and Industrial Workers' Union, and it took the People's Partnership Government and its new Minister of Labour, on October 14, 2010, to discharge that injunction against the workers. Moves were made to effect decertification proceedings against one of our major unions, the Communication Workers' Union, in February 2010, and the entire movement came together and fought that off.

In 2007, when unorganized workers in this country sought representation from one or other of the two labour federations on the question of the minimum wage, a promise of a \$1 increase was made as the budget was being presented then. That

*SoE (Basis for Declaration)*  
[HON. E. MCLEOD]

*Friday, September 02, 2011*

\$1 increase was never applied, and we had money then. Foreigners, Chinese, were doing a large number of those jobs that are now done by locals, and which jobs have been affected somewhat by the state of emergency and, more particularly, by the curfew. But has there ever been a state of emergency when ordinary people across the spectrum of our population, did not feel affected one way or the other? I do not know that it can be done otherwise. We are not happy about that, but they were being hypocritical when they got up and talked about that.

So minimum wage earners were promised \$1, and we had money, and the dollar was never given to them. In 2010, with more limited resources than we had in 2007, the People's Partnership Government raised the minimum wage by \$3.50. [*Desk thumping*] So who is against the workers? [*Interruption*]

**Mr. Imbert:** I thought it was supposed to go to \$20?

**Hon. E. McLeod:** Well, you would say anything.

**Mr. Imbert:** You too.

**Hon. E. McLeod:** You did not hear me say \$20.

**Mr. Imbert:** You said \$20; I heard you.

**Hon. E. McLeod:** You did not hear me at all.

**Mr. Imbert:** You said so.

**Hon. E. McLeod:** I am not going to say that you are given to telling lies, it would be unparliamentary, but you must be a stranger to the truth.

**Mr. Imbert:** You said \$20, and everybody "hear" you.

**Hon. E. McLeod:** Mr. Speaker, I thought that I might remind this Parliament and the national community, that we were going to have a conglomeration of Petrotrin, NP, T&TEC and, of course, that would have involved the former Trinmar that was semi stand-alone. We were going to have, as one might describe it, one big, "maco" energy sector, state-owned energy company. That was being seen as a means of introducing improved levels of efficiency and increasing the profitability of that one big entity. But it would have also meant the redundancy of some 3,000 workers in the sector, and workers threatened to take action against those plans. They were looking all over the world for models to be introduced in Trinidad and Tobago, and hardly ever looked inwardly, engaging all our different organizations and stakeholder groups to deal with issues Trinbagonian, in a Trinbagonian interest. Today they can find nothing else but to accuse this Government of anti-labour tendencies.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

It was this Government taking the baton and running with it, having come into office in May 2010, that has since taken measures to effect a decent work policy and programme of action for Trinidad and Tobago; to effect the repeal of the Masters and Servants Ordinance, Chap. 22, No. 5. We have taken action to bring the Maternity Protection Act to international standards, and we are at the last stage now before the Legislative Review Committee, before laying the particular measure in this Parliament.

The other side has talked largely in ways that expose their opposition to the development of the labour movement and workers' interests, as those workers and their unions contribute to the well-being of Trinidad and Tobago.

Mr. Speaker, the labour movement itself, I read in the newspaper, supports the declaration of a state of emergency to deal with crime and activity—

**Mr. Imbert:** Which labour movement?

**Hon. E. McLeod:**—as such crime and criminal activity retard the progress and tranquil way of life that so many of us remember of some years past. So there is no gainsaying really in the fact that on this side of the House we are all supportive of His Excellency's proclamation, with regard to the existence of the state of public emergency in Trinidad and Tobago.

I am sure that on the question of the curfew affecting workers particularly—and I might say this, the captains of major industries were contacted by the Ministry of Labour and Small and Micro Enterprise Development and advised that as it became necessary for them to reorganize their pattern of work and the introduction of new and different shift systems, that they should engage the resident unions in these businesses, where there are such unions existing. Where they had no unions, they should have discussions with the workers employed in those businesses, so that management and labour could be at one with maintaining, as far as one could have maintained, the operations of these businesses, and with the full concurrence of the workers and management involved in these businesses.

**4.45 p.m.**

I wish to report that on the basis of information of that has come back to me as Minister of Labour and Small and Micro Enterprise Development, the unions and their and leadership have cooperated insofar as this state of emergency and curfew measures are concerned, and like quite a few others are also asking us to pay same attention to the adverse effects that some people have suffered and that they

*SoE (Basis for Declaration)*  
[HON. E. MCLEOD]

*Friday, September 02, 2011*

understand that there is hardly likely to be a state of emergency and curfew measures without people being affected one way or the other. I wish to thank you very much, Mr. Speaker, and Members of this House.

**Miss Alicia Hospedales** (*Arouca/Maloney*): Thank you, Mr. Speaker. I am happy to contribute to this debate on the specific grounds on which the decision to declare the existence of a public emergency were based.

Mr. Speaker, today I stand here to say that we are not in support of the state of emergency, and as declared by my colleagues earlier, we do not support criminals, we do not support criminal activity but are making sure that we state clearly that we are not in support of the state of emergency.

I really do not know what the Member for Point-a-Pierre got up and said, and if I wanted to have a history lesson on the labour movement I am sure I would have gone to a class to get that lesson. So, I did not come here to have a history lesson, I came here to hear from you all what your reason is, what is your justification for implementing the state of emergency, for trampling upon people's rights, for restricting people's freedoms; we needed to hear from you Member for Point-a-Pierre what your justification was. But you really did not tell us anything. You did not tell us anything in the few minutes that you stood on your feet. Today we came to this House to hear from the Government what their reason for in implementing the state of emergency is and, Mr. Speaker, we are told that the country has been witnessing, within recent times, the tragedy of multiple murders and an upsurge in gang-related violence. We have been told that during the period 19—21 August, 2001 there were eleven murders, and as at August 21 there were 206 murders for the year, that is what we have been told by the members of the Government.

Mr. Speaker, we were also told that criminal intelligence was gathered and it shows that there was an escalation in violence and criminal activity which they believed or which they presumed has been linked to the recent success of the police in certain drug trafficking and interdiction exercises.

Mr. Speaker, we heard from the Member for Laventille East/Morvant who indicated that there had been passed drug interdiction exercises that did not warrant the calling of a state of emergency.

We have also been told that the drugs with a street value in excess of \$20 million were seized in just one raid on August 16, 2011, and what we have been told as well is that there is the real risk of reprisal and retaliation by gangs that will compromise and can continue to compromise and endanger public safety, law and order.

We have also been told by the Government that the escalation in the murders was also occurring specific geographical areas, and as a consequence they have declared the state of emergency. Mr. Speaker, we have additionally been told via the media that the main reason for declaring a state of emergency was the recent killings that left 11 people dead in three days.

Additionally, we have been told—we have been told so many things and we do not really know what to believe. We have also been told by the Member for Chaguanas West when he stood on this feet, that the state of emergency was due to the spike in the drug trade and not because of street crime. So, Mr. Speaker, we really do not know what to believe here today. One minute they are saying it is because of the spike in gang violence and criminal activity, next minute we are hearing it is because of the spike in the drug trade, so we really do not know. The Members on the opposite side seem to be so confused themselves, they do not have agreements, they do not really understand themselves why they called the state of emergency and they are trying to convince the population that this thing is good for them.

Mr. Speaker, we have been also told that the response was necessary, as I indicated; the response was necessary because of number of the killings, as I said before.

Mr. Speaker, what we have also been told over the last few days was that the state of emergency was called—let me just go back to the first statement that was made—the limited state of emergency and then it was corrected—the limited state of emergency was called because the Government declared war on the criminal elements in this country. That is what we have been told because they declared war they suspended our human rights, and they are going after the criminals.

We have been told by the Prime Minister, we have been told by the Commissioner of Police, we have been told by the Attorney General that they have declared war on criminal elements in the country and we are asking, why was this necessary? Why is the state of emergency necessary? Because you have declared war on the criminal gangs, and as indicated by one of my colleagues earlier, there has been a significant decline in homicides between 2010 and 2011. So the reason that you all have given is not justified.

We have read that one of the reasons that the Government has stated as well is that they are going to hunt down the criminals, and they will take them out. They have declared outright war and they have even threatened these individuals, stating that will take them out and they are going to hunt them down.

*SoE (Basis for Declaration)*  
[MISS HOSPEDALES]

*Friday, September 02, 2011*

Mr. Speaker, one of things I have observed is that there were two declarations of war, one was a very overt declaration of war and one was a very covert declaration of war, and the second declaration of war that I am talking about is their hidden agenda, a declaration of war against the unions. The Member for Point-a-Pierre—I am so ashamed of him, he left the Chamber just when I am raising this point. He left the Chamber. Mr. Speaker, the hidden agenda is a declaration of war on the unions. I want ask some pertinent questions right now. I want to ask, do criminal elements engage in public marches, disseminate information that will lead to disaffection or discontentment among people? Mr. Speaker, do they use megaphones, public address systems to rally crowds of discontent persons?

Mr. Speaker, the Emergency Powers Regulations state that:

“Except with prior permission in writing of the Commissioner of Police, the grant of which shall be in his discretion, no person shall hold or take part in any public march in any public meeting.”

Who is this seeking to prohibit in terms of their freedom to have marches and public meetings? Mr. Speaker, we know it is the unions.

Mr. Speaker, again, they said that:

“The Commissioner of Police may prohibit any such march or procession in a public place if, having regard to the time at which and the circumstances in which the march or procession is held or is to be held, he had reasonable grounds for believing that the holding of such a march or procession may occasion a breach of the peace or public disorder.”

Again, we know what was happening prior to the announcement of the “limited state of emergency” because we know that was clarified later on.

Mr. Speaker, we know what was going to take place, there was going to be a national shutdown and hundreds of workers actually were coming out and they were marching—they were going to march, they had actually started their own public meetings from place to place rallying the support for this national shutdown, and it is quite amazing that these individuals are being compared to criminal gangs or criminal elements. Mr. Speaker as I said there is a declaration of two types of wars.

Again, in Emergency Powers Regulations says that:

“No person shall have in his possession or under his control any document of such a nature that the dissemination of copies there is likely to lead to a breach of the peace or to cause disaffection or discontent among persons.”

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

And we have seen in the past where the unions had actually distributed flyers, rallying the support of its membership and that kind of thing and even persons who were non-members they were also rally to their support as well. Again, this is to target the unions—these regulations are actually to target the unions.

Mr. Speaker, another point is that they said “Any person who orally or otherwise seeks to influence public opinion in a manner likely to be prejudicial to public safety and order or to do any acts or have any article in his possession with a view to making or facilitating the making of such endeavour”, they said that this is not prohibited. “No person shall in any public place or in any vehicle make use of any instrument for the amplification of sound, and as I said no use of megaphones, PA systems, no use of any loudspeakers or any of those things. It says that:

“No person shall, on any premises in his or under his control make use of or cause or permit any person to make use of any instrument for the amplification of sound, whereby reports or statements may be heard from or about such premises by members of public, except with the permission of the Commissioner of Police.”

Mr. Speaker, what we know from this is that they also sought to prohibit the freedoms of the unions.

I want to refer to a document—actually, it is the Inter-American Human Rights Commission; they listed criteria necessary to declare states of emergency. And what the Inter-American Human Rights Commission indicated is that, in order for the requirements of a state of emergency to be legitimate, in order for the cause to be legitimate, there must be at least three requirements.

**5.00 p.m.**

What they said is that the first requirement is that the cause, or the reason, or the justification should be a real or imminent event. They said mere potential dangers; latent or speculative in nature do not warrant the proclamation of a state of emergency. Mr. Speaker, what we have seen here today is mere public declaration and what I would say is mere speculation that the state of emergency was actually because of significant dangers that were pointed out by the Government.

Mr. Speaker, what we would like to ask is whether or not there was a comprehensive analysis done and whether or not the Government can assure us that there was an actual or real threat. What we have are more or less

*SoE (Basis for Declaration)*  
[MISS HOSPEDALES]

*Friday, September 02, 2011*

presuppositions that they called it because of an upsurge in gang violence or spike in gang violence, they called it because of a spike in the drug trade, they called it because of some threats that they were trying to—and now that we are out of the threats, we are all safe, so many things that they have said they have called it for.

Mr. Speaker, we are saying that these individuals, these were just mere presuppositions, they said because of the murders that took place over the three-day period and because of possible reprisals of gangs, and linked to the seizure of drugs over a period of time. The Government cannot justify the suspending of our human rights based on these things.

What the Secretariat of the Inter-American Commission on Human Rights expressed; they said they have concerns regarding the declaration of fictitious states of siege or states of emergency, and we want to safely say on this side that this is a declaration, the Government's declaration of a state of emergency, a fictitious declaration of siege which they have described as those instances which the events alleged to justify the emergency declaration had not actually occurred.

So, Mr. Speaker, what they are saying is that the Government cannot presuppose or cannot state that they think that there are actually going to be reprisals linked to the drugs that were sized and that is why they called the state of emergency, or they think that there is going to be, because the statistic shows otherwise, that there was a decline in the number of homicides. They think that there is going to be an increase in the number of homicides and as a result of that they have declared a state of emergency. As the Secretariat for the Inter-American Commission on Human Rights says, this is a fictitious state of siege and they do not agree with something like that.

Mr. Speaker, they also said in order for a cause to be valid, the reason for a state of emergency to be valid, the situation must also be one of exceptional gravity. The situation must be, Member for Chaguanas West?

**Mr. Warner:** One of exceptional gravity.

**Miss A. Hospedales:** One of exceptional gravity, I am teaching you.

Mr. Speaker, the emergency must threaten the independence of the security of the state party or of the country. Even the actual existence of war may not necessarily constitute such a threat and what they said is that if there is war occurring outside of your maritime borders that does not constitute the calling of a state of emergency. They also said if there is war within your borders and the Government can use—has resources available to it that can be used to fight that



*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

war, there should not be need for the Government to call a state of emergency. Let me read. They said that a simple declaration of war may not always be accompanied by belligerent acts. As with all other public dangers if a national government can confront a war with its ordinary powers, it cannot use the war to declare a state of emergency.

Mr. Speaker, we know that this Government had at its disposal SAUTT, the SIA, the SSA, the blimp and we even know of the cancellation of a contract for specific vessels to man our maritime borders and even those going down the region. But what has the Government done over the last 16 months? They dismantled the SSA, they dismantled SAUTT, they grounded the blimp and we even heard of one point in time where they were actually going to sell the blimp.

Mr. Speaker, we know what happened to those vessels that were supposed to man our maritime borders, they cancelled the contract. We need to ask what is happening with the 360 degrees radar. Is it working? Is it working? Not only that, they had at their disposal the Anti-Gang Bill, they had the Proceeds of Crime Bill, the Bail (Amdt.) Bill, the Firearms (Amdt.) Act and the Interception of Communications Bill, all of this they had at their disposal and they want to tell us that they are justified in having a state of emergency. I would read it for them again. They said the Inter-American Human Rights Commission said that a simple declaration of war may not also be accompanied by belligerent acts, as such, with all other public dangers, if a national government can confront a war with its ordinary powers it cannot use the war to declare a state of emergency and therefore expand those powers. So, Mr. Speaker, we know as well that the Government also has at its disposal the police. I found an article in the *Mirror* dated Friday, August 26 and what it said is that some police officers are saying that they could have done the same jobs of locking down hot spots in the country with the help of the army, carried out searches and made arrests without a state of emergency. [*Desk thumping*]

Mr. Speaker, the state of emergency is not justified. It is not. They also went on to say that things the Government was saying, that gun violence is on the increase and the flow of drugs into the country, they also said that all of these things are happening because of a breakdown in intelligence. You all dismantled the SIA. Intelligence gathering: the slower response to reports of murders, robberies, et cetera. The police officers are also saying that they are demoralized and they do not have the tools to work with, so why not, as part of your crime plan which we have never seen or which nobody knows about, ensure that these officers have the vehicles and all the other things that they need to have in order to ensure that they function properly.

*SoE (Basis for Declaration)*  
[MISS HOSPEDALES]

*Friday, September 02, 2011*

Mr. Speaker, the third thing the Secretariat ascertained is that the facades will not do, only unusually serious cases warrant the proclamation of a state of emergency. [Interruption] Mr. Speaker, the emergency they stated—Member for Tabaquite, I am teaching you. [Laughter]—should be of a serious nature created by an exceptional situation that truly represents a threat to the organized life of the State. [Interruption] Commissioner rapporteur, one of the commissioners on the Inter-American Human Rights Commission, Dr. Martin, indicated in an early report on the subject, that valid cause for the declaration of a state of emergency includes only serious cases that threaten the integrity or existence of the three constitutional elements of the State: the people, the territory and legal order.

Mr. Speaker, one of the things that the Commission stated is that the government of a State—that people need to be careful because the government of a State can of itself be a treat to the organized life of the country. I would hope that we are not going down a path where the Government can of itself be a threat to organized life in this country.

One of the other things that they warned against is the fact that calling a state of emergency inhibits possible abuses which may be more likely to occur as a consequence of the suspension and the Government should guarantee that these abuses are investigated and the persons, officers, whoever it may be, are punished and brought—because of the violation of human rights. Mr. Speaker, the Member for St. Ann's East spoke of a number of examples and as I go on later I would be talking about some more.

Mr. Speaker, there was a statement made by the Attorney General, told the country that in Jamaica the state of emergency worked. I do not know exactly what he meant by the state of emergency worked in Jamaica because what took place in Jamaica in 2010 was not a state of emergency, but a limited state of emergency. I think even more so now the Government is appearing to be more and more confused because they themselves did not even understand the term “limited state of emergency”. They did not understand the term. Mr. Speaker, what we have been informed of is the fact that in 2010, in Jamaica, the Government caused a limited state of emergency to be established in Tivoli Gardens because of public disorder that was taking place in that place, and it was not just because something was occurring and they could not deal with it or there was a spike in crime and they could not manage it. What happened was that the police sought in an effort to capture a particular criminal; there was a clear breakdown of law and order in that particular district and not even the police or the army could have entered and as a result of that the Government felt that they

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

needed to call a limited state of emergency in order to get access to the community and to arrest those persons who were causing or who were responsible for the disorder.

Mr. Speaker, a reporter in the *Daily Nation* of Barbados said, concerning our own state of emergency—his name is Peter Wickham and the newspaper is dated August 29, 2011—concerning our own crime situation or our own state of emergency which the Government called he said:

“A ‘crime spree’ is a most unfortunate development which does threaten public safety but it cannot be argued that a state of public chaos exists in Trinidad and Tobago.”—he said that—“it cannot be argued that a state of public chaos exists in Trinidad and Tobago”—he said that—“police have not been denied entry...as was the case in Jamaica.”

The police were denied entry into the community and as a result of that the government had to declare a limited state of emergency.

#### **5.15 p.m.**

He said, the police had not been denied entry as in the case of Jamaica where the police was denied entry into the community. As a result of that the government had to declare a limited state of emergency.

He said:

“The police have not been denied entry to any location in the country as was the case in Jamaica...there has not been widespread riot or looting as was the case in 1970 (in Trinidad and Tobago) and 1990 respectively.”

There has not been any case of widespread looting and police have full access to every single community in this country. Full access. He said these conditions become even more compelling when one considers the severe dislocation that the declaration has caused to law-abiding citizens. You know somebody asked—I think it was the Member for Caroni East who asked about the impact, what impact this has had or he said the state of emergency has had a significant impact, and Mr. Speaker, it has had a significant impact on the law-abiding citizens whose freedoms and other human rights have been suspended.

Mr. Speaker, he said:

“That these are too numerous to detail here and while was no less inconvenience on previous occasions, the countervailing justification was the existence of public chaos which cannot be argued at this point.”

*SoE (Basis for Declaration)*  
[MISS HOSPEDALES]

*Friday, September 02, 2011*

There has been no public chaos, none whatsoever and the police can enter every single community. So there is no justification, Mr. Speaker, for the State of Emergency.

And he further went on to say:

“The authorities in Trinidad and Tobago would do well to appreciate that the most effective deterrent to crime is the quick capture and conviction of criminals which requires criminal intelligence and capacity...”

As my colleague the Member for Laventille East/Morvant stated, the quick capture of criminals and which requires intelligence and we know what has happened to the intelligence, in Trinidad and Tobago.

Mr. Speaker, I remember when we had the debate on the Interception of Communications Bill, I spoke at length about the informants and how, when there is an intelligence agency established in a nation the informants must be able to trust those they share information with. My colleague for St. Ann’s East talked about Crime Watch. What we have been seeing is that people are now trusting the person who is the host of that particular show to tell him where to find guns and ammunition and giving him privileged information that should have been going directly to the intelligence agencies.

So, Mr. Speaker, what we are seeing happening today is that the tools that the Government had at its disposal they literally dismantled them, grounded them, did whatever they choose to do with them and now they are calling a state of emergency. We cry shame on them, Mr. Speaker, we cry shame on them. [*Desk thumping*]

Mr. Speaker, apart from that, we were told on August 20th by the Leader of Government Business that there would be no state of emergency instituted and that point slipped me until I heard my colleague from St. Ann’s East talk about it; I said, yes. We were told that, Mr. Speaker. But then what happened on the 21<sup>st</sup>? This country was thrown into a state of maximum misinformation. We were thrown into a state, Mr. Speaker, of maximum misinformation not only was a limited state of emergency declared but a maximum state of misinformation; was declared over Trinidad and Tobago. What we can also safely say is that there was a curfew on government’s stability to be honest, to be accountable and to be transparent to the citizens because of the information that has been put in the public by senior Members of the Cabinet not just the Government, senior Members of the Cabinet. These Members went out there and told us a lot of

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

untruth over the last few days. And we say that there has been a curfew declared on the Government's ability to be honest, to be accountable and to be transparent to the people of Trinidad and Tobago. [*Desk thumping*]

Mr. Speaker, we were thrown into a maximum state of misinformation on August 21st when we were told that a limited state of emergency existed or will begin 12.00 a.m.—Monday morning. Yes, Member for D'Abadie/O'Meara, you seem to be in shock, a maximum state of misinformation. This declaration was made publicly without even the President signing or declaring or making the proclamation—let me just take my time. The Inter-American Human Rights Commission also made a point. They stated that one of the criteria for a state of emergency to be valid is that the subject of a declaration of the state of emergency is that legal person or entity possessing the judicial capacity to declare the state of emergency. Based on the Constitution, I mean I read my Constitution, based on the Constitution, as far as I am aware that subject or that person is the President.

Mr. Speaker, we were told that discussions still had to be held with the President. We were also told that the Proclamation was going to the President for signing. This is indeed an insult to the office of the President. You know it really makes you wonder if this Government were to stand before the Inter-American Human Rights Commission to argue their points with respect to their justification, we can almost determine the conclusion; they would not be declared to be on safe ground. Mr. Speaker, they would not be declared to be on safe ground because of the fact that they did not follow all the requirements that were necessary to declare a state of emergency.

So, that was one bit of misinformation that we got. We were also told that the curfew was going to be enforced in hot spots, but we were never told where those hot spots were. So, you could just imagine; I could tell you for the constituency of Arouca/Maloney. On Sunday, probably around ten o'clock I got a text message with a list of the hot spot areas. On Monday a different list that was actually posted in the media. And so on Monday morning a lot of the constituents of Arouca/Maloney were asking how did Arouca, Trincity and Maloney end up on the hot spot list? We were all asking that question. So for an entire day the constituents of Arouca/Maloney were thrown into a tailspin of confusion, because we did not understand how the Government defined a hot spot. We did not know. How did the Government define a hot spot? Mr. Speaker, could you please—how did the Government define hot spots? Those were some of the questions that were being asked.

*SoE (Basis for Declaration)*  
[MISS HOSPEDALES]

*Friday, September 02, 2011*

Another thing that was asked is that what significant factors were used to identify these hot spots? Why we asked those questions, is that, Mr. Speaker, previously under the PNM administration there was a comprehensive study done on hot spot areas in the country. The Ministry of National Security posted over 22 communities, but 22 of those communities came under the Citizens Security Programme.

Mr. Speaker, these are the communities that were listed: Bethel, Bon Accord, Glen Road/Darrel Spring, Tobago. We also had Beetham Gardens, Cocorite, Covigne Road; Diego Martin; Debe Belle Vue Dundonald Hill; Embacadere, San Fernando; Enterprise, Chaguanas; Farm Road, St. Joseph, Gonzales, Belmont, La Romain, San Fernando, Mon Repos/Morvant, Mt. D'or, Champs Fleurs; Never Dirty, Morvant; North Eastern Settlement, Sangre Grande; Patna River Estate; Pinto Road, Arima; Quashe Trace, Sangre Grande; Samaroo Village/Mootoo Lands—*[Interruption]*

**Hon Members:** Quashe

**Miss A. Hospedales:** Thank you for that correction. Sogren Trace, Laventille and St. Barb's. Mr. Speaker, what some people were asking is, if we are saying that you all are targeting the hot spot areas, according to what the Ministry of National Security defined, how come Bethel, Bon Accord, Glen Road/Darrel Spring, Tobago were not on that hot spot list? The entire Sangre Grande area was not listed as well, and Farm Road, St. Joseph.

Mr. Speaker, so in doing that analysis we went back to the conclusion again. How did Arouca, Trincity, and Maloney get on the hot spot list? Residents of Arouca, Maloney remained in suspense for an entire day and it was only until 8.00 on Monday night we were told by an announcement made from the Ministry of National Security that Arouca, Trincity and Maloney were not listed as hot spot areas. That is ridiculous because the entire—a lot of residents were confused, going about asking questions, not really understanding and not getting explanations that were immediately forthcoming. I called the police station and you know what the Arouca Police Station did not even know whether or not we were a hot spot. Just imagine not even the police knew where the hot spot areas are.

So, Mr. Speaker, as I said one hour before the curfew residents came to realize that they were not under hot spot areas. But that did not deter police officers from harassing people because guess what, one hour before a resident found out that we were not listed on the hot spot—Arouca was not listed as a hot spot—he decided

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

to go out and purchase something for his pregnant wife and was jostled and verbally brutalized by the police until tears came to his eyes, because they did not understand that Arouca was not a hot spot area. We saw on television during Crime Watch where residents in Penal and Debe who are not listed in a hot spot area were out having a good time. So we want to know why in areas that were not listed as hot spot areas people have to put themselves under self-imposed curfews.

Another thing I want to talk about is the fact that the Minister of National Security came and he declared that persons who are not living in hot spot areas can go out. Have a street party. He used an example and I remember that distinctly if you are living in Tunapuna and you want to go to El Dorado I would not say to get a drink of juice—[*Laughter*]—because I do not drink alcohol, to get a drink you can walk from Tunapuna and go to El Eorado because that is moving from a non hot spot area to a non hot spot area. [*Interruption*]

**Hon. Brig. Sandy:** I never said that!

**5.30 p.m.**

I have the article here, Sir. The next day what happened; the Commissioner of Police came and declared the whole country under a curfew. And do you know what happened? A resident in the Bon Air area who works in the Piarco airport was coming home a night when police stopped him. He said, “But, Sir, is this not a non hot spot area?” Do you know what the police did? Shouted at him and told him the whole country is a hot spot. So you can imagine that kind of misinformation being passed on to people.

Another example I have to give: in Maracas, St. Joseph, some people decided that they were going to have a parang street party. They were liming in front of a pub, with the party spilling out into the road and they were all chased into the pub and locked in at 2.00 in the morning and the police told them not to come out until 7.00 a.m. These people were not able to go home. So they were misinformed. People were misinformed; thrown into a tailspin of confusion. As I said, Trinidad and Tobago entered into a maximum state of misinformation.

The police and all even believed that the curfew extended to the entire country. Much confusion was created over the last few days. Even today, in the non hot spot areas, guess what is happening. People are rushing home before 9.00 p.m. because they are fearful of being caught on the street by police or soldiers. They are careful because they do not want to be abused. They are rushing home, trying their best to be inside before nine. Not only that. It is causing anxiety and a lot of panic.

*SoE (Basis for Declaration)*  
[MISS HOSPEDALES]

*Friday, September 02, 2011*

Again, to go back to the issue of the limited state of emergency—

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Member for Arouca/Maloney has expired.

*Motion made:* That the hon. Member's speaking time be extended by 30 minutes. [*Miss M. McDonald*]

*Question put and agreed to.*

**Miss A. Hospedales:** [*Desk thumping*] Thank you, Mr. Speaker. Another thing is that, as I said before—

**Mr. Roberts:** Say, “thank you”.

**Miss A. Hospedales:** Thank you very much, Members.

Another thing is the whole idea of the limited state of emergency. That was another aspect of chaos and confusion. One minute it was declared we are under a limited state of emergency and then another minute we are hearing from—I would call them the law lords—that no limited state of emergency ever existed; it was a full-fledged state of emergency. I do not understand how Members of a government who declared that this thing is occurring, can make much a mistake. Not only one, you know. We had the Attorney General, the Prime Minister; we had the Minister of National Security and senior members of national security making the very, said mistake over and over and over again.

The Law Association said to us, “No such thing as a limited state of emergency.” It was a full-fledged state of emergency. They misinformed the general public, causing major confusion. You all need to apologize. Shame on you, Member for D'Abadie/O'Meara! Even one very prominent lawyer, Dana Seetahal SC, said, “Get it right.” The Government needed to get it right. What they are stating to the public was wrong. They needed to tell the people what rights were being suspended. They needed to make sure that their communication was clear. She even highlighted areas where some member of the national security—

**Mr. Speaker:** Members, especially at the Back Bench of the Government, would you permit the Member for Arouca/Maloney to speak in accordance with Standing Order 40 (a), (b) and (c). Continue, hon. Member.

**Miss A. Hospedales:** Thank you for your protection, Mr. Speaker. I honestly felt that when the Members got this very, very long break, that they would have grown up and become very mature individuals. [*Desk thumping*]



*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

Mr. Speaker, even Senior Counsel Dana Seetahal said that the Government needed to get it right. It was not a limited state of emergency but it was actually a full-fledged state of emergency. I do not think that the Members really, really studied the Jamaican experience accurately, because if they did, the Attorney General would not have made reference to Jamaica, stating that Jamaica had a full-fledged state of emergency when, in fact, Jamaica only had a limited state of emergency.

There were a number of comments in the newspapers as well. This is the *Express* dated Tuesday 23, where a number of persons were saying that they disagreed with the state of emergency because they did not believe that it could actually help with the issue of crime. One person said: “No. Criminals can’t kill in the night only. They will come in the day and do the same types of killing.” Another person said, no, he did not believe it will help crime. Most of the crime is committed in the day. Another person said it cannot stop crime in the country. So, Mr. Speaker, not only were some prominent persons in society against it because of the fact that it was not properly justified, but other persons as well.

The other thing that really, really baffled a lot of people was the curfew permits. We were told to go to the nearest police station, so my nearest police station would have been Arouca. We were told to go to your nearest police station and get curfew permits for same-day or entire duration curfew permits. Do you know, when we called the police station they knew nothing about that? They had no information. There was no system in place; nothing in place to issue permits to anyone. Mr. Speaker, as the Member for Diego Martin Central is saying, one particular police station put up a sign, “No curfew permits available.” That is the Chaguanas Police Station. They had no clue that they were supposed to issue curfew permits.

Not only that. There was another article on Friday 26<sup>th</sup> in the *Mirror* that said:

“Cops overwhelmed by requests for curfew permits.

Police Officers say that they have been overwhelmed with requests for curfew permits following the announcement by National Security Minister John Sandy and acting Commissioner of Police Stephen Williams on Monday that citizens require a curfew permit for areas which fall within the curfew period 9 p.m. to 5 a.m. The Police Commissioner’s office has been flooded with applications for permits. And with no arrangements in place, there were vociferous complaints as a result.”

*SoE (Basis for Declaration)*  
[MISS HOSPEDALES]

*Friday, September 02, 2011*

There were no arrangements in place. I do not know how they can declare, “go to your nearest police station for a curfew permit” and there were no arrangements in place. I would want to agree with some people who said that this state of emergency is a knee-jerk reaction; it is a lockdown order that came out of the blue. It was something that they probably just went to bed and got up the next morning and said, “Ay, that is the best thing that we could do.” But it is not the best thing, because people’s rights are infringed; people’s rights are trampled upon and they created mass confusion, as I said, a maximum state of misinformation and I would add confusion to that.

That is what they created in this country, because when people are told one thing, when they go and do it, they are faced with major problems. It is like the people who decided to have the street party, when they decided to do it; they obeyed the command, then they were faced with major consequences, being locked in the bar until 7.00 a.m. Again, these people—all of us—were told, “Go to your nearest police station; get a curfew order if you need to be outside after 9.00 p.m. for a day or for the duration of the curfew. Once you go to your police station you would be able to apply and get it.” But that did not happen.

I found this article in the *Daily Express* dated Monday 28<sup>th</sup>, and what it said is that doctors still have not been issued curfew passes more than a week later after the state of emergency was declared in the country. So after one full week, key people, persons who need to have curfew passes because of the type of work that they do—do you know what they are saying? Doctors who work, for instance, the one-to-nine shift, cannot go home. They have to stay in the hospital all night until 5.00 a.m. because they do not have curfew passes, after one full week. This is really very shameful of the Government.

The other thing is, the Member for Chaguanas West asked, “What did the state of emergency do for you.” I would like to answer that for my constituents. I am sure they will all agree that the state of emergency caused persons who live in the Arouca/Maloney constituency who are not listed as a hotspot area to cause them to place self-imposed curfews. That is what the state of emergency has done for them. It has restricted their freedom of movement, because they are afraid to go outside after 9.00 p.m. They are afraid. He also asked: “What has it done.” It has traumatized families. The Member for St. Ann’s East gave an example of a woman whose house was ransacked twice, and on top of that, the police had the audacity to eat the woman’s crab and dumpling.

Apart from that, there was an article where another family would have been traumatized. They broke down the woman's fence, went into her home, ransacked

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

her home and beat her son with a cutlass named “Beyonce”. Just imagine that. They beat her son to a pulp with a cutlass named “Beyonce”.

That is how traumatized families are. I read in the newspaper—and we even heard of statements being made that families are experiencing a better life. What better life, when families are traumatized? In Arouca/Maloney an entire building block of 64 apartments was ransacked, almost every single apartment. The door of an elderly man was knocked down; kicked down, actually. You know, the Member for Laventille East/Morvant talked about dogs running on people’s bed and all sorts of things. That is exactly what happened in Arouca/Maloney as well. Not only that. How could families be better when sons are being carried away? Eleven young men in the Arouca/Maloney area were carried away by the police, even though they had nothing illegal on them. Nothing was found.

**5.45 p.m.**

They went for tracing, after 24 hours they were released because there was nothing on them. When I called the police, the police said we only took them in for tracing and once they have nothing against their name they would be let go, and that is exactly what happened. But you know the Member for Chaguanas West did not tell us what number of persons were let go. You boasted a thousand something persons have been caught to date, but how many of those persons were let go because there were nothing against their names, they were not charged, they had to be released. How many of those persons Member of Chaguanas West? You did not tell us. You boasted that a thousand something persons were held, but you did not tell us how many of those were released.

**Mr. Warner:** 1.3 million.

**Miss A. Hospedales:** I am asking the Member for Chaguanas West to give me pertinent information and he is joking about it, and saying 1.3 million people were released. This is the kind of disrespect they treat the people of this country with. You all need to apologize, you need to apologize to the people; to the citizens of this country, you need to apologize. [*Desk thumping*]

Mr. Speaker, many of these families, especially the children would have to be counselled because of the level of trauma that they have experienced over the last few days. People are even afraid to walk during the day because they are fearful of what may happen to them when they encounter the police. There was an article in the newspapers about a soldier’s family that was beaten. The wife and daughter were at Master Stone Pub in South Oropouche. Member for Oropouche, the wife and daughter were at this pub and soldiers stormed into the pub and started

*SoE (Basis for Declaration)*  
[MISS HOSPEDALES]

*Friday, September 02, 2011*

beating up the patrons, somebody stepped on the women's ankle, another person was kicked in her face the daughter was dragged and dumped into a van, and just imagine, I am talking about this and the Member for Caroni Central is laughing. This is a serious matter. People's human rights are infringed. And these Members are sitting across there and laughing, just imagine that, shame on you Member for Arima; I did not expect that from you at all. People's rights are being trampled upon and these Members on the opposite side are laughing as though it is nobody's business. So when the woman called her husband who is also a soldier, the husband was very annoyed, and he went to the detention bay or wherever they were being held to try and see if he could get his wife and daughter. These are the kinds of things that are happening across the nation and it is no joking matter. It is no matter for the Members of the Government to be laughing at right now.

Right now this state of emergency that they have declared has caused us citizens of this nation to be living in a dangerous situation, because some people feel that they must crush out the life and rights of others, in order to be safe. This is highly ridiculous. We must be careful not to get comfortable and I am talking directly to the people of Trinidad and Tobago. We must all be careful not to get comfortable with the idea of a state of emergency because throughout the world there are many dictatorships that have used it, and as a result, around the world there are numerous examples. The first step they took was a state of emergency, and then they remained in a state of emergency for 20, 30, 40, years because the people got comfortable with the State of Emergency.

The Government is using the PR to make the state of emergency acceptable, that is what they have done. They have used public relations strategies and gimmicks to make it acceptable to the people of Trinidad and Tobago, and it is something that we need to ensure that we guard against, that this does not continue. The Government's unjustifiable decision is very irresponsible and bankrupt of ideas when it comes to crime and crime fighting, and one person wrote "a failed State failing its people" and before I sit I declare the UNC-A Government is a failed Government failing its people. [*Desk thumping*]

**The Minister of Legal Affairs (Hon. Prakash Ramadhar):** Mr. Speaker, thank you for the opportunity. Let me make it quite clear I know no one on this side who enjoys a state of emergency. This decision was taken by a Government that had to take responsibility because it is an awful thing to take the right to rule without taking the responsibility to govern properly. You ask yourself, how is it from 2002 a murder rate of 150-odd rose to 500-plus in just a few years under the PNM governance without there being any meaningful response to it? You ask

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

yourself then, was this country at peace? Was it at war? Was it that our citizens felt safe? Did we truly have a society or was that the period when the country started to disintegrate, the social fabric started to unravel? We have now come into Government and we have inherited—this is not to cast blame for the sake of casting blame, this is to ensure that we understand how we arrived at where we are.

We have a situation in this country where the people of this nation have actually forgotten what it was like to live in peace, in comfort and in a sense of protection and security even in their own homes. And when you speak about getting too comfortable with a state of emergency maybe we became too comfortable with a state of terror. [*Desk thumping*]

Many of our citizens walk the streets day or night with fear in their hearts, every parent trembles when the phone rings late into the night if there is a child out, to probably hear the worst possible news of robbery. And even in their homes to hear a door open when your child returns brings fear that it may be a bandit with intent to murder. This is a Government—and I want to congratulate the Prime Minister, I will say this openly [*Desk thumping*] that she was willing to take the political risk not for anything other than to serve the nation by protecting its people, by taking a step to signal to the world and more importantly to those criminals amongst us that this Government will not have any more of it.

We have heard the Minister of National Security come and tell you that it is he who asked for a state of emergency to be declared. Are we as a responsible Government to turn our ears and our eyes from the plea of those who we have been given responsibility to protect us? Are we to say that “no, not good enough,” when you have a threat of imminent danger, a clear and present danger to the national interest, to say that we are not going to give you the tools that you require? How could we possibly then be called a responsible Government? And this is what this is about.

You have heard the Minister of National Security, a man of great honour and integrity, stand before you and tell you that based upon the information and intelligence gained by the institutions of State that it was necessary in the judgment of those whom we have to trust if we are a nation and a society to give them what they require and this Government acted on that. That is a very, very healthy thing. Because for far too long our people felt totally disregarded, uncared for, unprotected, and a Government that was looking after itself and its own interest without really caring about the needs of our people. Let me just say for

*SoE (Basis for Declaration)*  
[HON. P. RAMADHAR]

*Friday, September 02, 2011*

the record I am getting the impression when I hear my friends speak that there is lawlessness out there because of the state of emergency, nothing could be further from the truth.

A state of emergency is within the constitutional framework. It allows the security forces certain additional—what shall I say?—powers of search and arrest, and of curfew. Let us understand what a state of emergency is about and when the term is used about a limited state of emergency it must necessarily mean that even though the country itself is under a state of emergency it is limited in terms of the curfew for certain areas. Let not get too complicated about it; it is a very, very simply matter. And when certain hot spots are declared it is because of the intelligence as to where the criminals are, where the bandits are, where the guns may be and that is where you need to focus your attention, and therefore, put a curfew on those areas to ensure that the security forces are given the best opportunity to deal with the clear and present danger. Of course, that may shift because of the mobility during the day of those criminals who may move from one area to the other, and therefore, you may have to declare other areas as hot spots. I do believe that is too complicated to comprehend, but this is what we are dealing with. We are dealing with a very mobile, very small country, and a very mobile criminal element who has shown that what we are dealing with is not just criminality in the common sense, but it has reached to such a point where it is a national security risk, where the very fibre society has started to disintegrate.

When you see murders as in Arima of four, and I remember in Knowles Street in Curepe of five, and there is information that there would be reprisals, I do not want any one of our friends or relatives to be the victim of collateral damage. And I am proud if—at all that if I cannot remember any time in the recent past and certainly in the last decade where there has been only two murders in nine days. Every life statistically that has been saved during that period is something we should be very happy for.

It is easy to speak about the rights of the individual, but if the rights of the society are not protected then there is no individual right. Do we understand what that means? Let me just say it again. If the society itself is unprotected then there is no individual right because the individual rights of the society come from the protection of the Society itself. I want to say as the Leader of the COP that my party has always stood for the protection of individual rights, and I want to tell you that when I hear some of the things in this Chamber I wonder how short our memories are.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

I remember in Richplain Diego Martin, I think it was 2008, a soldier had been murdered, and the military moved into Richplain; and we heard the most awful reports of abuse. And I led, together with Dr. Lincoln Douglas, Nirad Tewarie, Mr. Clyde Weatherhead a small team and we went up into Richplain Diego Martin under machine guns to enquire, under what authority did our military forces move into a civilian population without the declaration of a state of emergency.

The Prime Minister may have forgotten, but let me remind her. In the year 2008 in Barrackpore, soldiers were used [*Interruption*]*—*I think it was, whether they were in power or they were holding office that is the issue. Who was holding power then, was nothing other than the criminals. The military used machinery and actually physically hurt persons there. And then they were charged under common law. The Prime Minister and I, and a few other lawyers represented those persons; there was no declaration of a state of emergency when the military was used. Similarly, in Trinidad and Tobago, in Fyzabad, if the newspaper reports are to believe, the military again used tear gas on a civilian population without the declaration of a state of emergency, under of course, your administration.

So let us not trivialize, let us not demonize, let us not misguide, let us understand what we are dealing with. Having heard the institution of the State, that is through the Ministry of National Security, there is a clear and present danger to this nation,

Why are we, who are speculating, suggesting that this is a ploy? For what? To oppress? Which government in a democracy could possibly want to be labelled with the name of being an oppressor of any one part of the community of the entire nation, knowing that there will be an election in the future? [*Interruption*]

**6.00 p.m.**

**Mr. Imbert:** The UNC.

**Hon. P. Ramadhar:** That is why I made the point that nobody is happy about it, but there are times in the life of a nation when things have to be done. It may not be easy, it may not be simple, but the best things in life are never easy nor are they simple. This is what needs to be done based on the information and the advice of those who have the responsibility.

If we start disrespecting the institutions of state which we have seen for the last generation almost, you would have inherited the circumstances that we now find ourselves in where every child growing up has little respect for law and

*SoE (Basis for Declaration)*  
[HON. P. RAMADHAR]

*Friday, September 02, 2011*

order, because those who were given the authority to lead showed total disrespect for law and order. They showed no sense of commitment to nation, when they saw billions of dollars being stolen through corruption and no response by those who had the responsibility to deal with it. That is why we have inherited—you ask yourself: how did we arrive at where we are today, where a person can take up a gun and go and mow down four and five human beings not necessarily your target, but shall we say, victims as collateral damage, the coldness, the pure evil in that? That just did not happen overnight. It was bred by the circumstances that our children grow up in.

I heard the Member for Chaguanas West speak about Mark Guerra, to hear that he was a supervisor in the URP. [*Interruption*]

**Dr. Gopeesingh:** A national advisor.

**Hon. P. Ramadhar:** A notorious gang leader! There are many others! I will not trouble you with the meetings with Abu Bakr and the former Prime Minister—where affidavits, that are sworn testimony—that deals were cut for political gain; when the same Abu Bakr could have a bus pass—I do not know how easy it was then to get it—and a host of other things. This is what our young people saw and may have contributed to the criminality and lawlessness that we have now to deal with.

The state of emergency is a serious thing and serious things must come from it. It must now be that we will emerge with a new understanding that there could be no right without responsibility. The equation is never complete that if you have rights but you do not have responsibility, then things will always fall because you have to have them balanced. The responsibility is not just in terms of those who govern, but for every citizen of this nation to ensure that we do not contribute to lawlessness.

Now, I have heard statements about going after the small fish and the big fish not being attacked or being focused upon. I do not know why anybody should make that statement. If there is a violent danger the first thing that you will do is to remove the guns, remove the blades and remove the trigger men or the blade holders. In other words, you take the feet off the creature that is creating harm, and at the same time you do your investigations. Do not forget that in this very Chamber we passed legislation empowering the FIU to do these very things. So because you are not hearing about it at this point in time do not believe that it is a one-shot approach dealing only with the young, dealing with the poor. This is dealing with criminals and if you are young, you are poor and you are a criminal,



we will deal with you. Wherever you are, whatever is the colour of your skin—why do we even consider that? I do not believe in discrimination nor will I ever stand for it, but I am hearing now that those who this Government is going after are persons who look a certain way. What madness are we doing? What message are we sending out there?

These are the same communities where over the years we have seen the blood flow, the tears shed and the young being nurtured on that level of violence without response. When Anaconda one and Anaconda two took place, you went into the very areas without the declaration of a state of emergency, brutalized people—because there were many reports that were never controverted without the declaration of a state of emergency—and then we come here to criticize this Government who is doing it lawfully, declared a state of emergency so that you would have your curfew, you would have your enhanced power of search and arrest and, you will also have the legitimate use of the military in support of crime fighting. That is what the state of emergency really is about. So we could sit, we could stand, we could quibble, but the truth is that something had to be done and something is now being done.

I want to ask this question: do we understand that a state of emergency does not mean that the rule of law is suspended?

**Dr. Gopeesingh:** Very good point.

**Hon. P. Ramadhar:** That is why my party yesterday took a decision—others may criticize it—that if ever there is any allegation of abuse—because no soldier or police has any right to physically abuse anyone in their arrest or search unless there was a violent response to them. Those are basic rights that continue. Nobody can be arbitrarily detained without access to the courts. Once you are detained you have access to the court. If you are charged you have access to the court. These are the fundamental rights that continue even during a state of emergency.

Listen, one of our patriots, Fr. Clyde Harvey, made a call to all lawyers to stand forward. I congratulate that effort because if there was an abuse anywhere, then it should be dealt with. How did we ever come to believe that the State could act in upholding law and order without setting the highest example of law and order in the execution of its duty? It is a culture of abuse that has crept in for two generations, I imagine, that we believe that the police could do you what they want, the soldiers could crush you and you have no response. Let the state of emergency be the marking ground that that is not so. It is not legal, and anyone, law enforcement or citizen, who breaks the law will have a consequence to it. Let

*SoE (Basis for Declaration)*  
[HON. P. RAMADHAR]

*Friday, September 02, 2011*

us understand that the politics is the vehicle, the power is the tool, and that is why we use political power to achieve societal change, and if it became necessary in response to the calls of the institutions of state for a state of emergency, then so be it.

This is a nation that has been crying out for a return to law and order. This is a step in that direction, and I want to say as hesitant as I would be to agree to a state of emergency, my feelings alone do not matter. The nation's interest is first and foremost, and let us take it with that understanding. Whatever your personal feelings may be, there is a higher order. I made the point that this Chamber is the highest House in this land and whatever we say here is heard and sometimes acted upon by our citizens, and not all of what we say has been healthy here today. We have to be careful about the consequences of leaders speaking. I heard one of our Members on the other side say today is heat. I want less heat, please, and more light.

We want this state of emergency to bring goodness and not pain. We want it to bring this country together to understand that we on the side of the law—that is all of our citizens—who believe in law and order, that we stand together firm as a state exercising due process to deal with those on the other side. That is the only division I want in this country. I do not want division between PNM, UNC, COP, TOP, whoever. I do not want division in this nation based on the colour of your skin, your gender or any other than whether you are a law-abiding patriotic citizen, and those who decide that they are going to harm this society, it is the time now that we stand—a state of emergency has been declared. His Excellency put his signature to it. Having reflected not just now, but I understand in many of his speeches recently he has been reflecting on the need for this society to take account. [*Interruption*]

**Hon. Member:** Nonsense!

**Hon. P. Ramadhar:** Therefore, what do we do as of today? Do we diminish the potency of what is occurring or do we support it to ensure that the cleansing begins? In your heart and in your conscience you know what is right, not for political expediency. None of us here will stand for that, but for a hard, long battle to save the soul of this nation. That is what we should be here about. Not for political finger pointing only. No! Debate is good, but we must always be about bringing things better. We have spoken about this many times, Member for Martin Diego Martin North/East. That is what this Chamber represents to me and every citizen in this country. I am surprised—the popular support for the state of emergency, when you speak to people from every area, including hot spot areas,

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

these are the very persons whom I personally have spoken with saying that they cannot sleep at nights because bullets going off and that the young—there is a kind of game that goes on to decide how many streets away the bullets went off, whether they should duck or whether they should continue watching their TV. What kind of society do we want them to grow up in? Is it not our responsibility to fix it? On this side we have taken that responsibility.

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

**Mr. Colm Imbert** (*Diego Martin North/East*): Thank you, Mr. Speaker. The contribution of the Member for St. Augustine was full of sound and fury, but very short on details. What we are about here today is debating a statement made by the President under section 9(1) of the Constitution, setting out the specific grounds on which the decision to declare the existence of a state of public emergency were based.

Now, Mr. Speaker, allow me to educate Members opposite—[*Interruption*]

**Hon. Members:** Ooooooh!

**Mr. C. Imbert:**—because I think one of the problems that we have is a lack of understanding of what is going on. In 1990, the then acting President, Mr. Carter, issued a proclamation declaring a state of emergency in the Republic of Trinidad and Tobago. That Proclamation was issued on July 28, 1990. On Friday, August 10, 1990 the then Attorney General, Mr. Smart, moved that the House take note of the statement of the President under 9(1) of the Constitution, setting out the specific grounds and so on, and this was the statement made by the President with respect to the reasons for the declaration of a state of emergency in 1990. It reads as follows:

“At approximately 5.30 p.m. on the 27th of July, 1990, an attack was launched on the Police Headquarters at St. Vincent Street, Port-of-Spain, which resulted in major damage to the building.

At approximately the same time, during a sitting of the House of Representatives, a band of armed men threateningly entered the Chamber of the Red House...and violently seized the Honourable Prime Minister and several members of the Cabinet. Several other parliamentarians, public servants and members of the public were assaulted in the melée or detained. Many of these persons including the Honourable Prime Minister and the Honourable Minister of National Security, were taken hostage by the assailants who took control of the Red House.”

*SoE (Basis for Declaration)*  
[MR. IMBERT]

*Friday, September 02, 2011*

**6.15 p.m.**

“Some of these persons including the Prime Minister sustained personal injuries.”

Notice the detail that the then President felt compelled to go into in order to inform the then Parliament as to the reasons for a state of emergency. Everybody in Trinidad and Tobago knew in 1990 that the Jamaat al Muslimeen had attacked Police Headquarters, burnt it to the ground, stormed the Red House, shot the Prime Minister, et cetera, taken over TTT. Everybody knew that! But for the purpose of the debate on the reasons, the President had the courtesy and the good sense to go into this level of detail.

It continues:

“At approximately 5.30 pm on the 27th July, 1990, another band of armed men forced their way into the premises of Trinidad and Tobago Television at 11A Maraval Road, Port of Spain, where they seized several of the persons and detained them as hostages. These armed men retained control of the television station.

As a consequence of these events, I was satisfied that the public safety was endangered to an extent that warranted the declaration of a state of public emergency.”

I doubt that there was anybody in Trinidad and Tobago, except perhaps the 110 men who stormed the Red House and TTT, who felt otherwise. What is the statement we are debating today?

“The country has been witnessing within recent times the tragedy of multiple murders and an upsurge in gang-related violence. During the period 19 to 21 August, 2011, there were eleven murders. As of 21 August, 2011, there were two hundred and sixty murders for this year.

Criminal intelligence...shows an escalation in violent criminal activity is linked to recent success of the police in certain drug trafficking and interdiction exercises...”

No information, Mr. Speaker, and I do not blame the President; this is what was put to him by the Government. We have heard so many conflicting stories from so many leading Members of the Government with respect to the reasons for this state of emergency.

The Prime Minister has come up with several versions. We heard today another version from the Member for Chaguanas West, the Chairman of their party. We heard another version from the Minister of National Security. We heard a fourth version from the Member for St. Augustine. And I am not sure if the Member for Caroni East gave a reason; I am not sure if the Member for Point-a-Pierre gave a reason. Their contributions were not really dealing with the reason why we are here today. But the Member for Chaguanas West said, and I took notes, that the state of emergency was not—[*Interruption*] for as long as is necessary—that a state of emergency was not called or declared to deal with street crime; that is what he said. He said it was called to deal with an upsurge in drug activity; that is what he said.

What did the Minister of National Security say? He said there were murders. What did the Member for St. Augustine say? He did not really say anything except that we must trust them, we must trust them. I took notes of what he said in terms of how we are to address this matter, how we should approach. He congratulated the Prime Minister sending a signal to the world—and I will be going into that signal in a short while—and the criminals, and he asked a rhetorical question. Are we to say not good enough when the Minister of National Security tells us that there is a clear and present danger? Yes, we are to say that; we are not children and the 1.3 million people in this country are not children. Yes, we are to say it is not good enough; it is not.

You see, Mr. Speaker, I have sat in this Parliament here today and heard the Member for Chaguanas West, a leading Member of the UNC coalition, tell me and the rest of the national community—the people who are listening to this debate—that our constitutional rights have not been taken away. I had to listen to that and the rationale that the Member for Chaguanas West gave, speaking on behalf of the Government, was that the Constitution allows the Government to suspend the constitutional rights of citizens, and because the Constitution allows the Government to do that, our constitutional rights have not been taken away; I had to listen to that. It was a very Orwellian statement; very, very reminiscent of George Orwell's *Animal Farm*—very Orwellian.

Mr. Speaker, we have to listen to that—I have to call it propaganda, what else can I call it. And then when we go to the actual regulations, the regulations that have been made by the President, what do the regulations tell us? What do they tell us in terms of the suspension of constitutional rights, Mr. Speaker? Our right of freedom of association has been suspended. Our right of freedom of movement has been suspended. Our right of freedom of expression has been suspended. Our right to enjoyment of property has been suspended, Mr. Speaker.

*SoE (Basis for Declaration)*  
[MR. IMBERT]

*Friday, September 02, 2011*

You know, what bothers me about this Government is that they take the population for fools because only someone who believes that the entire 1.3 million are a pack of fools will get up in this Parliament and say that the constitutional rights of our citizens have been not taken away, Mr. Speaker. Only someone who believes that our citizens are a pack of fools will say something that like. So, for the benefit of the Member for Chaguanas and his colleagues, let me indicate which constitutional rights have been taken away by the Emergency Powers Regulations, 2011—that have been taken away, Mr. Speaker.

The first one that comes to mind, Mr. Speaker, is the question of freedom of association and that is Regulation 7. It says:

“Except with prior permission in writing of the Commissioner of Police, the grant of which shall be at his discretion, no person shall hold or take part in any public march or in any public meeting.”

And public meeting is defined in the interpretation section of these regulations. A meeting means “any assembly or gathering of persons called together or held for the purpose of the transaction of matters of public interest or for the discussion of such matters or for the purpose of the expression of views of such matters.” A public meeting means any meeting held out of doors, Mr. Speaker. *[Interruption]* No, in due course but not now. I will give way in due course but not now. So, Mr. Speaker, our right to assemble, our right to associate with people of our choice; our right to hold political discussions; our right to have political meetings; our right to discuss anything has been suspended by the Emergency Powers Regulations, 2011.

The next right that has been taken away—I hear “a set of noise” from Members opposite but that would not change the facts—Regulation 13:

“No person shall have in his possession or under his control any document....”

So even these notes that I have written here, where next to the comments made by Members opposite, I have put a notation—not true, untrue, lie, I put that in my notes. *[Interruption]* No, no, I am saying that in my notes—and that is now a document.

So if somebody were to photocopy my notes, the dissemination of copies thereof is likely to cause disaffection or discontent among persons. You know what disaffection is? It means I do not like “yuh”; that is all disaffection means. Discontent—you know what that means—I am unhappy. So that if anybody here

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

on this side were to prepare a discussion paper, just a simple discussion paper, criticizing the actions of the Government in declaring a state of emergency for what we believe to be spurious and frivolous reasons, that document would qualify as a document likely to cause disaffection or discontent among persons because certainly, they would not like it. You see how draconian this regulation is? That once the document is likely to cause disaffection, you are in breach of the regulations.

Let us look at the next one. The next one is even more draconian, Mr. Speaker. Regulation 14:

“No person shall—

(a) endeavour, whether orally or otherwise...”

So what I am doing now, I am probably in breach.

“to influence public opinion...likely to be prejudicial to public safety and order; or

(b) do any act or have an article in his possession with a view to making or facilitating the making of any such endeavour.

(2) No person shall in any public place...make use of any instrument for the amplification of sound...”

I better—[*Member takes off microphone*] Mr. Speaker, I did not get the Commissioner’s permission to use this microphone according to this regulation. So it says:

“No person shall...make use of any instrument for the amplification of sound except with the permission of the Commissioner of Police.”

[*Interruption*] You can make as much noise as you want.

“14. (3) No person shall, on any premises in his occupation or under his control make use or cause or permit any person to make use of any instrument for the amplification of sound, whereby reports or statements may be heard from or about such premises by members of the public, except with the permission of the Commissioner of Police.”

So if I decide to have an indoor meeting in the Maraval Community Centre and I invite the public during non curfew hours—because I can assure you that my constituents are concerned, they have a lot to say about this state of emergency; a lot to say—so I decide to hold a meeting indoors and not outside, but if I decide to use a microphone, I will be in breach of this regulation, and not just me, Mr. Speaker, everybody would be in breach of this regulation.

*SoE (Basis for Declaration)*  
[MR. IMBERT]

*Friday, September 02, 2011*

Now, the Member for St. Augustine told us that there was some clear and present danger. The Minister of National Security told us there was a threat but he cannot tell us what it is. The Prime Minister said—*[Interruption]* Listen, you can make as much jokes as you want, we are about the people's business here; we are not joking here. *[Desk thumping]* Yes, you could say what you want. Yes, I will stay right here.

Mr. Speaker, in 1970, the army revolted and started to march from Teteron leading to a confrontation between the coast guard and the army. In 1970, there were violent protests on the streets. There was an attempted rebellion in 1970 and, as a consequence of that, a public state of emergency was declared in Trinidad and Tobago, and a Proclamation was made by the then Governor General, Arthur McShine, the Acting Governor General,—No. 3 of 1970.

On April 20, 1970, the then Governor General made a Proclamation indicating that he was satisfied that action has been taken, and is immediately threatened by persons or bodies of persons of such a nature, and on so extensive a scale as to be likely to endanger the public safety and to deprive the community or substantial portions of the community of supplies and services essential to life. That was a situation where the army had rebelled—our army in Trinidad and Tobago—1970.

### **6.30 p.m.**

The then Governor General made the Emergency Powers Regulations, 1970. In the these Emergency Powers Regulations, a number of constitutional rights were suspended: the right to freedom of association, the right to freedom of expression, the right to freedom of assembly and the right to enjoyment of public property. *[Crosstalk and interruption]*

Mr. Speaker, can you control the Members opposite for me, please?

**Mr. Speaker:** Yes, I rise to offer the Member for Diego Martin North/East protection.

As I am on my legs, may I advise members in the public gallery that the Parliament intends to sit for a late period and curfew is enforced for all members of the public in the public gallery. My advice to you is to watch the clock very carefully, and at the appropriate time you may take your departure, because we will be here for some time. Passes are available for Members of Parliament, their drivers and all Members of Parliament who would be covering the proceedings of this honourable Chamber, but for members in the public gallery, I am advising



*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

you to watch the clock, and at the appropriate time you are required to take your leave so you would not, in anyway, come into contact with the law enforcement agencies. You may continue, hon. Member.

**Mr. C. Imbert:** Thank you very much, Mr. Speaker. In 1970, the then acting Governor General made the Emergency Powers Regulations, 1970 and these Regulations were 22 in number. I would like to read for you Regulation 7 from the Emergency Powers Regulations, 1970. Regulation 7 from 1970 reads as follows:

“(1) Except with the prior permission in writing of the Commissioner of Police, the grant of which shall be in his discretion, no person shall hold or take part in any public march or in any public meeting.”

Sounds familiar?

Mr. Speaker, in 1970, when we had an armed revolt by our defence force, Regulation 14 read as follows:

“(1) No person shall—  
 (a) endeavour, whether orally or otherwise, to influence public opinion in a manner likely to be prejudicial to public safety...”

In 1970, Regulation 13 read as follows:

“No person shall have in his possession or under his control any document of such a nature that the dissemination of copies thereof is likely to lead to...disaffection or discontent...”

Sounds familiar, Mr. Speaker? Do you know what this Government has done? The Emergency Powers Regulations that were enacted or passed or made by the Governor General in 1970, when the army revolted, they have copied them word for word. They took the 1970 Emergency Powers Regulations; that very seriously addressed matters of sedition, where you have people all over the country holding meetings and marching and protesting and burning, they took those Regulations that were designed to deal with a clear and present danger; the danger of armed rebellion and they have copied them word for word and they are reproduced as the Emergency Powers Regulations, 2011. That is what they have done.

Now, I would like them to tell me: why? If the problem is an upsurge in drug activity or it is street crime, or it some unknown blood bath that was about to take place, if that is what it is and they have not had the courtesy to tell the country, forget us, they have not had the courtesy to tell the country why they have placed

*SoE (Basis for Declaration)*  
[MR. IMBERT]

*Friday, September 02, 2011*

the country under house arrest for the last 12 days or so, why is it necessary in a situation where you claim, you the caring Government of Trinidad and Tobago, that you have to call a state of emergency to deal with gangs, guns, drugs and things like that, why have you repeated these provisions in the 1970 Regulations that deal with public meetings, that deal with public statements, that deal with publication of matters in the media? Why? How does restraining people from holding meetings, restraining people from speaking their minds—I see people over there. You do not understand what is going on. This thing says:

“No person shall—

(a) endeavour whether orally or otherwise to influence public opinion...”

What is the relevance of that in 2011? What is the relevance that?

There are some gangs in hot spots and they have had some terrible murders. As the Leader of the Opposition said, which gang leader and which gang is going to hold a public meeting? Which gang leader and which drug trafficker is going to engage in a public march? Which drug lord is going to be disseminating copies of documents likely to influence public opinion? None! I do not know if it is laziness. I do not know if it is incompetence. I do not know if it is a “vaps” that they just decided to pick up the 1970 Regulations and just copy them word for word and publish them in 2011, when dealing with a completely different situation, which has not even been described or defined properly for us or the national population. I do not know if it is laziness, incompetence or just “vaps”. I do not know what it is.

When you do this kind of thing, when you say that you are declaring a limited state of emergency and then what you in fact do is declare a full-blown state of emergency, where if you talk you run the risk of running afoul of the Regulations; if you criticize the Government’s actions, you run the risk of being arrested and charged under the Emergency Powers Regulations. If you say anything—you have a little house meeting and you talk too loud and the police passing and they could hear you, you run the risk of being arrested and being in breach of these Regulations. Why has the Government inserted these completely unnecessary and draconian and oppressive provisions into the Emergency Powers Regulations, 2011, when you say that what are you are dealing with is an upsurge in drug trafficking and an upsurge in murders?

Which murderer holds a public meeting and says: “I am a murderer” on a microphone and calls the police and says: “I am a murderer. I want to have a public meeting.”? Which band of murderers engage in a public march? Which

band of murderers creates documents and publishes them? This is entirely irrational. You see, when you put these completely unnecessary things into a state of emergency document that is when people start to lose confidence in the process. People must, of right, lose confidence in the process, because they begin to suspect—you all are the Government of this country. You have to be very careful about what you are doing. You could say what you want. The Member for Chaguanas West could get up and say that people's rights have not been infringed, but tell that to the man who is outside at one minute past nine, because he is hustling or his car breaks down, or something like that, and he just happens to find himself outside his gate at one minute past nine and he is shot on sight, according to the Member for St. Joseph, or he is likely to be shot on sight, according to the Member for St. Joseph. Tell that to him; that his rights have not been taken away. Tell that to him. Tell the workers at KFC who lost their job, because they were working on the night shift, that their rights have not been taken away.

I urge the Government, whatever you do, be very careful about what you say, because when you could get up in this Parliament and say that this thing does not affect people and that people's rights have not been taken away, it is a very childish statement. That is the only way I can describe it. Really, it is not going to impress anyone. The people of this country are not fools. They are going to listen and they would say: "Oh ho, that is what he is saying? Oh well, we will deal with that at the appropriate time."

I want to—where is the Member for D'Abadie/O'Meara?

**Mr. Roberts:** Right here.

**Mr. C. Imbert:** You there? Okay. You were asking about states of emergency. You wanted information on states of emergency that have been held for a long time. You posed that question to the Member for Arouca/Maloney. I have some information. It makes very interesting reading.

I have an article here on states of emergency in general and states of emergency that have been held in various countries. Here we have one dealing with Egypt. Egyptians have been living under an emergency law, Law No. 162 of 1958, since 1967. "Yuh could count?" There has been a state of emergency in Egypt for 44 years. The emergency was imposed during the 1967 Arab/Israeli War and reimposed following the assassination of President Sadat. The law has been continuously extended every three years since 1981.

**Mr. Roberts:** That is one law.

**Mr. C. Imbert:** Okay. In Egypt, which we all know about, because Egypt made the news and eventually the citizens of Egypt decided that they had had enough and they chased Mubarak out of the country. Listen to what they have to say. Under the state of emergency in Egypt, police powers are extended, constitutional rights suspended and censorship is legalized. One of the things that is in this Emergency Powers Regulations, which is aimed at gangs, street crime and drug activity, is a provision that allows an order to be made for the censorship and control and suppression of publications. What is that doing in this document? Is it the intent of the Government to engage in censorship and control and suppression of publications? You just cut and paste and take it straight out of the 1970 Regulations, where there was a serious problem with sedition. People were seriously concerned about the effect of seditious material. That is why that was in the 1970 Regulations, but what is it doing in the 2011 Regulations? This caring People's Partnership Government, this grand coalition—*[Interruption]* That is all right. You would get time.

This grand caring coalition has caused a regulation to be made allowing for censorship and control and suppression. Look at the words: "censorship, control and suppression of publications, communication and means of communication." *[Interruption]* "Nah, is all right." In Egypt, constitutional rights were suspended and censorship was legalized. Well, by this regulation you have legalized censorship. Sounds familiar? You are well on your way to an Egyptian situation. The law sharply circumscribes any non-governmental political activity. You understand what that says? It means only the government political party in Egypt is allowed to do anything. That is their state of emergency. Street demonstrations are banned. Non-approved political organizations are banned. Some 17,000 people were detained and the estimates of political prisoners run as high as 30,000. That is Egypt. You want to know.

Let me give you another one, since the Member for D'Abadie/O'Meara and the Government by extension claim not to know. This is closer to home; India. In 1975, Prime Minister Indira Gandhi declared a state of emergency after she was indicted in a corruption scandal. *[Interruption]* Listen. Prime Minister Indira Gandhi of India, in 1975, declared a state of emergency after she was indicted in a corruption scandal and ordered to vacate her seat in the Indian Parliament. By this state of emergency she allowed herself to rule by decree until 1977. She declared a state of emergency in India and ruled by decree for two years. Political opposition was heavily suppressed during the emergency. Civil liberties were suspended and a mandatory birth control programme was introduced by the government.

**6.45 p.m.**

But listen to this. This is where I wonder what is really going on with Members opposite. Confident about her chances of getting re-elected Indira Gandhi relaxed the emergency and released dissidents. She was then trounced in the 1977 election. So she kept the state of emergency in force thinking that, you know, she would win the next election, and just before the next election she dissolved the state of emergency, called election and was beaten severely in the election. And you know history has a way of repeating itself, so it is just a word to the wise, to Members opposite.

Turkey—[*Interruption*] no, no, no, no, no, Turkey. Since the foundation of the Republic of Turkey, the military conducted three coups d'état and announced martial law between 1978 and 1983 was replaced by a state of emergency that lasted until November 2002. So from 1978—2002 there was a state of emergency in Turkey, okay.

So there are several examples, I have just given you three. I have given you several examples of countries in the world where states of emergencies were initially declared for apparently laudable objectives. Then, [*Crosstalk*] Mr. Speaker, maintained for years and years and years. [*Crosstalk*] [*Interruption*]

Yeah, that was just around one house in St. Clair, one house, it did not affect anybody in this country, except one person. But, Mr. Speaker, let us move on. Let us take a good look—[*Interruption*] no, no, no, no, let us take a good look at what the Government has done. According to the Constitution of the Republic of Trinidad and Tobago—Mr. Speaker, I am getting constant noise coming from the backbench on the other side, I seek your protection.

**Mr. Speaker:** Backbench?

**Mr. C. Imbert:** Over there, the Member for Toco/Sangre Grande, the Member for Chaguanas East.

**Mr. Speaker:** All right. Well, again, I would want to offer the protection of the Chair to the hon. Member for Diego Martin North/East. So Members, particularly on the backbench, if your voices are echoing, kindly reduce the level. Could you continue?

**Mr. Colm Imbert:** I just want to sound a word of caution to Members opposite, like the Member for Chaguanas East, be careful with whom you associate, be careful, because some of these people who have been detained in this state of emergency are friends of yours. So be careful with whom you associate. Friends and associates! [*Crosstalk*]

**Mr. S. Cadiz:** Imputing improper motives.

**Mr. Speaker:** Hon. Member for Diego Martin North/East I think that it is very unfortunate that you have made that imputation to the hon. Member for Chaguanas East. I think you are boarding on disorder, I think that you are imputing improper motive to the hon. Member, and kindly I ask you to withdraw that. And if you have evidence of it, I ask you to bring a substantive motion and deal with it. But please, you cannot attribute that to any Member. And any Member on this side [*Points to his right side*] cannot attribute that to any Member on the Opposition Bench, please. So could you kindly withdraw.

**Mr. C. Imbert:** Thank you very much, Mr. Speaker, I withdraw, and I will consider the question of a substantive motion in due course.

Now, Mr. Speaker, let us go now to section 8 of the Constitution. Section 8 of the Constitution deals with public emergencies and in section 8 (1), it says:

“Subject to this section, for the purposes of this Chapter, the President may from time to time make a Proclamation declaring that a state of public emergency exists”.

8(2):

A Proclamation made by the President...shall not be effective unless it contains a declaration that the President is satisfied—

(a) that a public emergency has arisen...as an imminence of a state of war between Trinidad and Tobago and a foreign State.”

Now we “doh” have that. That is 8(2)(a). “So there is no imminent state of war between Trinidad and Tobago and a foreign State”.

8(2)(b):

“That a public emergency has arisen as a result of the occurrence of any earthquake, hurricane, flood, fire, outbreak of pestilence or of infectious disease, or other calamity whether similar to the foregoing or not”,

But we “doh” have that either, Mr. Speaker.

So 8(2)(c):

“That action has been taken, or is immediately threatened, by any person, of such a nature and on so extensive a scale, as to be likely to endanger the public safety or to deprive the community or any substantial portion of the community of supplies or services essential to life.”

There is no condition in Trinidad and Tobago, Mr. Speaker, where action has been taken or is immediately threatened, that is likely to deprive the community of supplies or services essential to life. There is no band of bandits outside there threatening to disrupt our electricity supply. There is nobody threatening to take over the port, nobody threatening to take over the airport, there is no one outside there threatening to deprive the community of supplies and services essential to life.

So that the only section, Mr. Speaker, that the Government can cling to is that action has been taken, or is immediately threatened by any person on so extensive a scale as to be likely to endanger the public safety. And what is that? What precisely is this action that has been taken, or is likely to be taken on so extensive a scale that it is likely to endanger the public safety? The Government has told us nothing, nothing. We hear talk about reprisals, [*Interruption*] yes, not just us, we on this side, but the whole country was promised by the Government today that they would be told why their civil liberties were taken away for the last 12 days, that it will be earth shattering. You know, I was reading a particular newspaper, that all would be told today. We will be told, the country will be told why our civil liberties have been taken away. And what have we been told?—that it is not street crime, that there was a drug bust in Piarco that would lead to reprisals. I would like the Minister of National Security to explain to me.

The police intercepted a drug mule or a drug trafficker—whatever it is—on his way to a foreign country with a suitcase or two, two suitcases of cocaine. So the police intercepted a drug trafficker with two suitcases of cocaine on his way out of the country to New York, and seized the drugs. How on earth could a drug bust by the police lead to reprisals, Mr. Speaker? Could the Members opposite explain that? Reprisals against whom, against the police? Reprisals by whom? For what? Because clearly some “Mr. Big”—because these little “fellas” on the block that you all have been rounding up every night and displaying on the television, these little “fellas”, these little 18 year olds and these little 19-year-olds bare back, with pants pulled down, they do not have the resources to export two suitcases of cocaine to New York, so clearly this person is working for somebody else and the drugs were obviously intended for export to a foreign country. I would like the Minister to explain to me which gang was going to engage in reprisals against which gang, because the police intercepted somebody with drugs leaving the country. It is irrational. It is completely illogical. It has got to be you see, Mr. Speaker. That is why I say, I am telling the Government be careful what it says. It makes no sense; the population is not a bunch of fools. Who would be reprising against whom? For what?

*SoE (Basis for Declaration)*  
[MR. IMBERT]

*Friday, September 02, 2011*

There are drug busts in this country all the time; all the time, and if you really think about the logic of this thing! What is the Minister saying? That they will attack the police, because the police catch them with drugs? Is that what you are saying? Because it makes absolutely no sense, Mr. Speaker, and you see when the statements made by the Government make no sense, when you have the Prime Minister contradicting the Minister of National Security, and the Attorney General, and saying no, no it was not any threat to the public safety it was a combination of things—she was saying that, you no, nothing specific. That is what the hon. Prime Minister said it was not anything specific, it was a whole set of different things. You have the Attorney General and the Minister of National Security saying there was an imminent threat, but we “cyar” talk about it.

You have the chairman of the UNC saying it is drugs, you have the political leader of the COP saying it is crime; every single one of these leading lights in this coalition Government saying something different, Mr. Speaker. I am of the view that either the Government has completely misled the President, has lied to the President; that may have happened. You may have gone and told the Presidents a pack of lies, a nancy story, and tell him all “kinda ting” and, therefore, he felt compelled to declare the state of emergency. [*Interruption*]

**Hon. Member:** You are casting aspersions on the President—

**Mr. C. Imbert:** No, I am casting aspersions on the Government. [*Crosstalk*] Yes. I mean what on earth did the Government tell the President with respect to this danger to public security that the Government “cyah” tell us? Why—

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Member for Diego Martin North/East has expired.

*Motion made:* That the hon. Member’s speaking time be extended by 30 minutes [*Miss M. McDonald*]

*Question put and agreed to.*

**Mr. Speaker:** You may continue, hon. Member. Hon. Member, before you do, I am sure you are conscious of Standing Order 36(8) as it relates to naming the President in any debate. So I would like us to refrain from naming the President in our debate. Thank you very much.

**Mr. C. Imbert:** Thank you, Mr. Speaker. But we are debating the Statement of the President; I will be guided by your ruling, but I have in my hand the Statement of the President an section 9(1) of the Constitution, so I have a little dilemma. How can I debate the statement of the President without naming the President, but anyway I will go with your ruling, Mr. Speaker. [*Crosstalk*]



*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

Mr. Speaker, the Member for Chaguanas West tried to tell the Parliament and the country that the state of emergency was necessary because the laws that exist would not allow the police to do what they are doing now, and it was necessary for the police to be given the power to do what they are doing now. He made heavy weather of a statement made by the Leader of the Opposition with respect to the Anti-Gang Act. He said that the Anti-Gang Act is not a crime plan, but, Mr. Speaker, we have a compendium of laws in this country. We have the Dangerous Drugs Act, where persons who are found with illegal narcotics can be arrested and charged, or persons who are suspected of being in possession or trafficking in illegal narcotics can be arrested and charged. That is what that law is for.

**7.00 p.m.**

So this spike in drug activity could easily have been addressed using the Dangerous Drugs Act. The Leader of the Opposition has already dealt with the fact that the Anti-Gang Act allows for the detention of persons and for persons to be incarcerated without the right to bail for 120 days. So all of these gang leaders and alleged gang members could have been detained and incarcerated without bail for a period of 120 days without the requirement for the state of emergency.

In this Parliament, earlier this year, we passed an amendment to the Bail Act and in that amendment we, this Parliament, agreed that a court shall not grant bail to a person who is charged with an offence listed in paragraph (b), (c) or (d) of Part III of the First Schedule to the Act, that is the Bail Act, if the offence involves the use of a firearm or in paragraph (e) of Part III of the First Schedule, or who has in relation to the offences listed in Part II or Part III of the First Schedule been convicted of one such offence in the last 10 years.

Mr. Speaker, when you go to the Bail Act, you will see the offences in Schedule II and Schedule III are all of the offences—drug trafficking, wounding, shooting; all sorts of things are listed in Schedule II and III to the Bail Act. This Parliament by committee, by agreement, by consensus because it is not just the Anti-Gang Act that we passed; we also passed amendments to the Bail Act by consensus.

The Government came to us. They asked for our assistance. They asked for our agreement to allow a law to be passed to deprive persons who are charged or arrested for serious offences to be denied bail for 120 days and we agreed. So under the Bail Act, all those little “fellas” they are picking up every night, they could pick them up using existing law.

*SoE (Basis for Declaration)*  
[MR. IMBERT]

*Friday, September 02, 2011*

Under the Anti-Gang Act, they could pick them up using existing law. Under the Dangerous Drugs Act, they could pick them up using the existing law. So what on earth does the Member for Chaguanas West mean when he says that the state of emergency is allowing the Government to do things that it cannot do under existing law? What does he mean?

I will tell you what he means. What the state of emergency is allowing the Government to do is to suspend the constitutional rights of the citizens of Trinidad and Tobago. That is the only difference between the existing law and what is going on now.

The Member for Chaguanas West was at pains to say it is no big thing. There is no change; nothing. There is a big difference. What the state of emergency has done is given the Government the power to suspend our constitutional rights. All those other powers of detention, of incarcerating persons without bail already reside in existing law. Therefore, in order to justify taking away people's constitutional rights in a manner very similar to the 1970 insurrection and the 1990 attempted coup—not similar actually, but identical—taking away the constitutional rights of persons in a manner identical to what happened in 1970 and 1990, the Government must justify.

They can say they do not have to justify “nuttin”. They can speak like the Member for St. Augustine and say: trust us. They can say, like the Member for St. Augustine said, that we are not supposed to question anything that we are told by the Minister of National Security. As I said, the 1.3 million people in this country are not children; they are not fools and when you fire your biggest weapon, you use your biggest weapon in your arsenal; you take away rights of freedom of expression; freedom of assembly; freedom of movement; freedom of enjoyment of property, from law-abiding citizens. We have passed in this Parliament the Anti-Gang Act, the Bail Act and the Dangerous Drugs Act. In fact, it was a former Attorney General, now deceased, Mr. Sobion—I was reminded about this earlier—who was the one who started the radical reforms with respect to the laws dealing with dangerous drugs in this country under a PNM government in 1994.

We have a compendium of laws, Mr. Speaker, that allow you to take away the rights of persons who are suspected of serious crimes. The Member for St. Joseph is not here, but he knows that. That is what those laws are for. If you are charged with being a gang member or you are charged with drug possession or drug trafficking or a violent offence, the laws on our books allow you to detain persons without bail.

So the only difference with this state of emergency is that you have confined the country to house arrest and that is why I asked the Member for Caroni East to tell me about this 0.03 per cent. What does it mean? Be very careful of what you are saying. The smallest child doing SEA can work out what 0.03 per cent of our population is. That is why I asked you to be careful of what you are saying. Do you know what 0.03 per cent of the population is? Three hundred and ninety people. Do the math and you will see that 0.03 per cent of 1.3 million is 390 persons.

When you have the Minister of National Security and his colleagues telling the country that it is a small group of people involved in this thing and people work it out and say that it is just about 400 people; if 400 people are responsible for all this heinous crime, these murders, drug trafficking, whatever and they are known to the police and the authorities, why do you need 15 days to locate and detain these people? You could have done it in three days.

For those members of the population who initially were not completely opposed to this state of emergency, their view was that within a matter of three or four days, if it is just 300 or 400 people you are dealing with, if you use your figures, you could have picked up those people in a matter of three days.

But what are we seeing? We are seeing this thing just going on and on and you have a distinguished Senior Counsel making the point that the state of emergency does not appear to be entirely justified because he would have thought that if you knew what you were doing, if you have criminal intelligence, then on day 1, you would have filled up Nelson Island with criminals.

What is the Government's reaction to that? Panic again! Just go into communities and pick up whoever you can find in order to make up the numbers. So now you have 1,142 and there is no way that the Government has sufficient evidence to bring a proper charge or conviction against those 1,142 people. There is no way. If they did, they could have picked up those people in the first three days.

They say they had intelligence. Some of the actions of the Government are really disappointing. Let us look again at the order of the Commissioner of Police. What has the Commissioner of Police done? He has established a curfew in the region of Diego Martin; in the city of Port of Spain, the region of San Juan/Laventille, Arima Corporation, Chaguanas and the city of San Fernando.

When I heard that, I thought to myself: that is strange because they say that this is where the criminals are and this is where the gangs are. I thought about it and I said: well, why did they not include the region of Tunapuna/Piarco?

*SoE (Basis for Declaration)*  
[MR. IMBERT]

*Friday, September 02, 2011*

Let us look at the region of Tunapuna/Piarco. That involves the electoral districts of Auzonville, Tunapuna, Blanchisseuse, Santa Rosa, Bon Air, Arouca, Caura, Tacarigua, Curepe, Pasea, D'Abadie, Carapo, Five Rivers, Lopinot, Kelly Village, Warrenville—where I think they found two guns the other day—La Florissante, Cleaver, Macoya, Trincity, Maracas, Santa Margarita, Mausica, Maloney, St. Augustine, St. Helena, Valsayn, St. Joseph, Wallerfield, La Horquetta and, as I said, the people in this country are not fools. We know that from newspaper reports; just from that alone, where there are reports of criminal activity.

When you declare a state of emergency in San Juan/Laventille, which stops at Mount Hope, do you know what you are telling the people of this country? That after you cross the Uriah-Butler Highway, by the Mount Hope Hospital, heading east, there are no more criminals, no gangs, no drug trafficking, that is the message you are sending.

Members opposite can fool themselves into believing that it is not so. Since I have known myself, the army, the police, together with foreign agencies have been conducting weed killer activities in Biche. You see reports and you see photographs of large quantities of marijuana being burnt.

The same situation applies to the Moruga area. We know. Where was Dole Chadee from? He was from Piparo. Where is Piparo? It is in the Couva/Tabaquite/Talparo Corporation. What about Point Lisas? Where do the drugs and guns come into this country? Every little child knows that the drugs come from South America. Where do they come from in South America? They come from Venezuela. Everybody knows that. You can go on any intelligence report on the Internet, do a search—it will take you 10 seconds—and you will see a map showing you the producer countries of Colombia and the transport countries through Venezuela and so on, into Trinidad and Tobago and up the island chain and across to Europe and to North America.

Everybody knows that the drugs and the guns are coming in from Venezuela along our south west coast in the Cedros area, in the Icacos area; but according to this Government, they are dealing with an upsurge in drug trafficking. According to them, there are no drugs, no guns and no gangs in the Cedros and Icacos areas. There are no guns; there are no drugs in the Wallerfield area, according to them. There are no drugs; there are no gangs in the La Horquetta area.

I read into this *Hansard* a police report from either the Balandra or the Toco Police Station, speaking about large quantities of marijuana that come in to the Toco and Sangre Grande areas from St. Vincent, along our eastern seaboard.

These things are well known, but there is no curfew in Balandra; there is no curfew in Toco; there is no curfew in Piparo; there is no curfew in Biche; there is no curfew in Moruga; no curfew in Cedros; no curfew in Icados. There is no curfew in all of our unprotected seaports in Trinidad and Tobago, which is where the drugs come in. There are no curfews in a number of known gang areas in Trinidad and Tobago. There is no curfew in Maloney; no curfew in Piparo.

When citizens look on, what do you expect them to think? You have the Prime Minister saying that, based on intelligence, there is no need to extend the curfew to south because there is no crime there. There is no crime in Couva; no drugs coming into Point Lisas although a container was found with \$2 million in marijuana addressed to a chairman of a state enterprise appointed by them. When people look on at all these things and what the Government has done—Mr. Speaker, before I conclude, how many minutes do I have?

**Mr. Speaker:** You have another 14 minutes.

**Mr. C. Imbert:** Fourteen minutes. Thank you very much.

When rational, right thinking, fair minded people listen to this Government and want to give this Government a chance to deal with the scourge of crime, and then they look at what the Government has done—they declared a state of emergency; they suppressed freedom of speech and freedom of assembly and they have not told you why. Up to tonight, I have not heard anybody on that side—I have not heard the Member for Chaguanas East tell me why freedom of expression has been suspended in Trinidad and Tobago.

Tell me why people in this country are no longer allowed to speak. [*Crosstalk*]

**7.15 p.m.**

**Dr. Moonilal:** “But you talking.”

**Mr. C. Imbert:** Yes, you make a joke out of the whole thing. There is an order; there is an emergency power regulation in this country which prohibits people from speaking out. [*Crosstalk*] Yes, that is all right. She may very well find herself—if some malicious policeman decides to deal with her—she may very well find herself in difficulty, Mr. Speaker.

So when people look on and they see that this Government has put in place draconian powers which are appropriate for an armed insurrection and a rebellion to deal with anonymous and amorphous gangs, they have to wonder about it, Mr. Speaker. When people look on they see that the curfew areas are very selective

*SoE (Basis for Declaration)*  
[MR. IMBERT]

*Friday, September 02, 2011*

and they do not match, they do not match the crime areas in this country, Mr. Speaker. They just do not match! You are going to tell me, as I said, between Mount Hope and Arima, not a single gang? No drugs, no crime, nobody robbing anybody, nobody stealing cars, nobody involved in any sort of violent activity between Mount Hope and Arima? You expect people to swallow that?

The Tunapuna/Piarco Corporation, Mr. Speaker, goes as far south as Munroe Road. You are talking about an area between Uriah Butler Highway, the Arima Race Track and Munroe Road in Chaguanas, a huge area, one of the largest regional bodies in this country, where all sorts of criminal activity has been taking place. [*Crosstalk*]

**Hon. Member:** You know that?

**Mr. C. Imbert:**—but you read about it in the papers, Mr. Speaker! And you decide that is not an area where people should be under curfew. I have to repeat: when you look at the whole east coast, where all the drugs coming in from up the islands, you decide that is not an area where you need to have a curfew. So the drug traffickers in Toco which the police have spoken about in our official police report, which I read out in this Parliament, the drug traffickers in Toco can come and go as they please, no curfew for them. The drug traffickers in Piparo could come and go as they please, no curfew for them. The drug traffickers along our west coast in the Point Lisas area, they could come and go as they please, no curfew for them. The gun runners, the people bringing the guns into this country in Cedros and Icacos, they could come and go as they please, no curfew for them, Mr. Speaker. But you selectively decide there are certain areas in the country where if you treat with them in a particular way you are going to solve all the crime in this country.

The Government is fooling itself. If it had declared a curfew throughout the whole of Trinidad and Tobago it would have gotten less negativity than what they have done because they cannot explain what they have done. You see when leading members of the country—the Prime Minister, the Member for Chaguanas West, the Minister of National Security, the political Leader of the COP—when you try to explain what you have done and your words are empty—because you, Member for St. Augustine representing the constituents of St. Augustine, you cannot honestly look me in the eye and say there is no gang activity and no drug trafficking of any kind and no criminality in your constituency. You cannot look me in the eye and tell me that because you know that that is so.

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

So you see when the Prime Minister said no need to extend the curfew to South because our intelligence tells us there is no problem there, people laugh. I mean, I am sorry to say that, but people laugh at it. They say that is nonsense, and therefore there has to be some underlying motivation to not having a curfew in the south region—underlying motivation. You see when you do these things, you lay the ground, you sow the seed.

I heard the hon. Minister talk about racism and that was quite unnecessary. What that tells me is that there is a feeling of guilt—there is no need to bring that into this discussion—because that is how it looks. You see when things are done in a particular way and there is no proper explanation for it, people do not understand what you have done. Then they see you using the ultimate weapon and you do not tell them why and you behave in a manner that to any fair-minded observer appears to be discriminatory.

The point I am making, you need, as a Government, to be careful about what you are doing. You think you are doing something good, we will see. Time is longer than twine, you know. We will find out. You believe that this thing that you have done is good but I say to you that there is a—Mr. Speaker, I was going to say a “hell” but I do not know if I will be ruled out of order for that. But there is a lot of incompetence in this exercise, a lot of incompetence. You see when there is such bungling incompetence, no one would believe that your motives are honourable. Put your heads into the mind of the fair-minded observer.

What is a fair-minded observer going to think, that you call a state of emergency and the Commissioner of Police is not in the country? What is he going to think? There is no rational explanation for it. Up to now the Government has not explained that. The commissioner leaves on a Friday and you declare a state of emergency on a Sunday and you do not recall him to the country immediately. You have not explained that. What are people to think about that? And as the Leader of the Opposition said, the other one, the deputy is away for two weeks during this whole period of state of emergency; allowed to go.

So this Government, having to deal with such a clear and present danger, as the Member for St. Augustine has told us but would not tell us what it is, and the Minister of National Security having to deal with a massacre or a blood bath that was about to happen but he would not tell us who, when, where and how, allows the Commissioner of Police and allows the Deputy Commissioner of Police to

*SoE (Basis for Declaration)*  
[MR. IMBERT]

*Friday, September 02, 2011*

leave the country, what does the fair-minded observer think about that? They think either you are deceitful or you are incompetent. [*Crosstalk*] That is the logical conclusion. You say the State of Emergency is limited and then when people look at it they see that it does not match the areas where you have crime in this country, it does not match the areas where we hear about drug trafficking all the time.

Mr. Speaker, I remember that some years ago we were looking at the route of one of those highways that is now being constructed. We were looking at a highway between the Penal/Debe area and the Moruga area, west to east highway. We went in a helicopter to take a look at the terrain. The person who took us up was also working for SAUTT; he was a helicopter pilot for SAUTT. He was able to show us during this tour, the areas where the army had destroyed marijuana plantations in the Moruga forest. We were going pretty low and he was showing us areas where the army had moved in—this was just two/three years ago—destroyed marijuana plantations in the Moruga forest. And this is an ongoing activity in that area, ongoing activity because of the terrain and because of the inaccessibility of the forest and the hills in those areas. That is why the marijuana growers frequent that area. No curfew! As I have said, I have heard about Operation Weed Killer for years, since I was a little boy; hearing about Operation Weed Killer in the Biche area—no curfew! [*Interruption*]

Mr. Speaker, they could laugh, you know, they could laugh all they want, you know. The \$2 million in marijuana that was found in a container consigned to the Chairman of MTS is—I can assure you the police are considering that matter very carefully, very seriously. [*Crosstalk*] But the fact of the matter is when people look on at what this Government has done, I am just telling you, you are going to have a very difficult task convincing the population that this state of emergency was justified. A very, very difficult task! [*Crosstalk*] You could fool yourself, you could laugh, you are in power now, you are in Government now, you are feeling good, you are feeling strong, go ahead. [*Interruption*]

**Mr. Speaker:** Hon. Member, you have two more minutes.

**Mr. C. Imbert:** No problem, Mr. Speaker, thank you very much. You go ahead, you feeling strong, you feeling good. But what you have done, you have put this country back 20 years. That is what you have done. [*Desk thumping*] You have put this country back 20 years. You have destroyed the social fabric of this country. [*Crosstalk*] You have polarized the society. You have entrenched polarization in this society and you cannot have a State of Emergency forever.



*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

You could come and extend and do what you want but after a while you will have to lift the state of emergency. By then, the resentment in the society will be so deep, you are going to have intractable, social and psychological problems to deal with what you have created because you have used the ultimate weapon against the citizens of your country for reasons which hold no water.

I am sorry, I have heard nothing from anybody on the other side that justifies the imposition of these draconian measures on the citizens of this country. I thank you, Mr. Speaker.

**Mr. Speaker:** Before—is there anybody else? Hon. Member?

**The Minister of National Security (Sen. The Hon. Brig. John Sandy):** Thank you. Mr. Speaker, before I briefly wind up here I simply want to respond to the Member for Diego Martin West when he spoke about options and said words to the effect that we do not have to put a State of Emergency as an option. The option is there, and if we choose to use it, we choose to use it. With respect to the discussion that the PSC that we spoke about there was never any discussion of state of emergency at any of those anti-gang meetings, none whatsoever. *[Interruption]*

**Dr. Rowley:** May I? Are you—I am not sure I heard what you said. You said that you are confirming that there was no discussion of a State of Emergency during the PSC Select Committee meeting. But that is exactly what I have said.

**Miss Mc Donald:** That is it. That is what you said.

**Sen. The Hon. Brig. J. Sandy:** You referred to the PSC and there was no discussion in that respect.

**Hon. Member:** Good!

**Sen. The Hon. Brig. J. Sandy:** Mr. Speaker, the Member for Diego Martin North/East talked about laughing. He takes this for a laughing matter, this is not a laughing matter. He spoke about laughing, but he is the one who said that he knows. *[Interruption]*

**Mr. Speaker:** The Member.

**Sen. The Hon. Brig. J. Sandy:** The Member for Diego Martin North/East. He knows that there are drugs in Toco, he knows there are drugs in Cedros and Moruga and Icacos. Did that happen yesterday? What did he do about it? What did they do about it? *[Desk thumping]*

*SoE (Basis for Declaration)*  
[SEN. THE HON. BRIG. J. SANDY]

*Friday, September 02, 2011*

You know, as the youngsters refer to it, it is like a blowhard. In one area he is saying that we should have curfew for marijuana. [*Crosstalk*] Nonsense, utter nonsense! [*Crosstalk*]

**Mr. Imbert:** Legalize it!

**Hon. Member:** Total rubbish!

**Sen. The Hon. Brig. J. Sandy:** Mr. Speaker, the People's Partnership Government is a responsible Government, and if they were over here and they had not taken the decision that we took and something had happened, we would have known how irresponsible they were. [*Desk thumping*]

**7.30 p.m.**

That would allow the citizens of Trinidad and Tobago to undergo hardships because of inaction. Had we not taken action that we did and averted the bloodshed that was imminent, the Opposition, after all their political rhetoric—would have been the first to criticize. Someone made the point earlier that had our government moved on information at its disposal in 1990, the results would have been different, and it would not have happened.

Mr. Speaker, this decision was taken after lengthy discussion and debate, first of all, with the National Security Council and, subsequently, with the Cabinet. We cannot say the same for them. I am really disappointed with the kind of responses that we got here. We are disappointed with the same people who say that they are willing to assist in the fight against crime, but that is the kind of responses we get. They are talking about people being restricted and they cannot come out, but they could not come out after nine o'clock anyway. There were self-imposed curfews. [*Desk thumping*] Someone made the point that when your children are out, you are worried until you see them returned home, and this was the kind of society we were living in, and that is because of what had happened there with them. So do not come and play “holier than thou” now, and that this started yesterday.

Mr. Speaker, feedback from the majority of citizens welcome the state of emergency, and a number of our renowned sons and daughters of the soil have given utmost support to the move. I once more wish to express sincerest thanks to our law enforcers for their professionalism and dedication to duty, as well as our citizens for their patriotic cooperation.

Mr. Speaker, I am confident that this Government took the right decision to ensure peace and security in Trinidad and Tobago. This is what we are here for, to ensure that our people are safe.

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

*SoE (Basis for Declaration)*

*Friday, September 02, 2011*

*Question put and agreed to.*

*Resolved:* That the House take note of the statement by the President under section 9(1) of the Constitution, setting out the specific grounds on which the decision to declare the existence of a state of public emergency was based.

**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 tomorrow, Saturday, September 03, 2011 at 10.00 a.m., and to serve notice on Members opposite that it is the intention of the Government to debate through all its stages at whatever time, Motion No. 5 on the Order Paper. I so beg, Mr. Speaker.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 7.35 p.m.*