

Leave of Absence

Friday, March 08, 2013

HOUSE OF REPRESENTATIVES

Friday, March 08, 2013

The House met at 1.30 p.m.

PRAYERS

[MR. SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Mr. Speaker: Hon. Members, I have received communication from the following Members: The hon. Stephen Cadiz, Member of Parliament for Chaguanas East is currently out of the country and has asked to be excused from sittings of the House during the period March 04 to March 08, 2013; the hon. Winston Dookeran, Member of Parliament for Tunapuna, is also out of the country and has asked to be excused from sittings of the House during the period March 02 to March 09, 2013; Mr. Patrick Manning, Member of Parliament for San Fernando East, is seeking leave for a period of 42 days with effect from March 06, 2013. This request was accompanied by a medical certificate from the specialist medical officer who has been assigned as a health care provider for Mr. Manning since his return to Trinidad on July 31, 2012. The leave which the Members seek is granted.

CONDOLENCES

(PRESIDENT HUGO CHÁVEZ FRÍAS)

Mr. Speaker: Hon Members, we have learnt of the sad passing of the President of Venezuela, Mr. Hugo Chávez, who died on Tuesday, March 05, 2013. I now invite hon. Members to pay tribute. I call on the hon. Leader of the House, acting Minister of Foreign Affairs and Minister of Housing, Land and Marine Affairs.

The Acting Minister of Foreign Affairs and Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal): Thank you very much, Mr. Speaker. Mr. Speaker, the late President, Hugo Chávez, often told the story of his great moment of inspiration in 1977, when as a young soldier he said that his destiny was revealed to him upon reading a book entitled: *The Role of the Individual in History*, by Georgi Plekhanov, a book which he used to revisit time and time again, as he said, “in search of ideas about the role of the individual in historical processes”.

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In an interview in 1995, Mr. Speaker, President Chávez remarked, and I quote: “We men can situate ourselves...in leading roles that speed or slow the progress, give it a small personal touch...But I think that history is the product of the collective being of the people, and I feel myself absolutely given over to that collective being.” In colloquial terms, Mr. Speaker, President Chávez often referred to himself as a mere instrument of the collective being.

The life work of the President of the Bolivarian Republic of Venezuela, in whose tribute I have risen to make this statement, bears testimony to his dedication to being an instrument of the collective being of his people. Prime Minister, the hon. Kamla Persad-Bissessar, brought it home when she said in her March 06 letter to Vice-President Nicholas Maduro, that President Chávez—I quote—“was completely dedicated to the equitable development of his own people and the people of Latin America and the Caribbean”.

In pursuit of that equitable development, his style and approach were admired by many, but at the same time, Mr. Speaker, he did cause concern for others. The nature and measure of the man who led a nationalist movement in Venezuela is such that there has been much commentary on his 14 years as President, and I am convinced, Mr. Speaker, that the analysis of his work will continue for many years to come.

Of course, Mr. Speaker, Venezuela is a country with which Trinidad and Tobago shares a maritime border, demarcated by Treaty in 1990. We are therefore bound by ties of geography, geology and kinship. As with all relations between states which share a border, the relationship has not been without its challenges, but we have always found ways to overcome them.

Mr. Speaker, our parang music is what it is today largely because of the Venezuelan parranda. And you may perhaps remember, Mr. Speaker, that there was a time in the history of this country when the steamer connection between places like Tucupita and Cedros helped to bring us closer together; when signs in stores in Port of Spain were reading: “Aqui se habla Español” (we speak Spanish here). Those signs were designed specifically to cater to the abundant Venezuelan clientele which regularly visited our shores; and when the Radio Guardian 610 Saturday evening programme, “Saludos Amigos”, played Venezuelan music and sought to strengthen connections between Trinidad and Tobago and Venezuela.

With his death at the age of 58 on Tuesday, March 05 in a Caracas military hospital, the Government and people of Trinidad and Tobago have lost a dear Venezuelan friend.

Hugo Chávez was the second of seven children born to two school teachers in a small town of Sabaneta in the State of Barinas. He described his life there as one of relative poverty. He has said that while growing up he was intrigued by Simon Bolivar and fascinated with baseball.

He joined the military at the tender age of 17 and his life changed radically. Concerned over corruption and abuse of power within the military, he helped create a clandestine cell of like-minded young officers within the army, drawing on the guidance of Douglas Bravo, a leftist guerrilla leader who advocated using the nation's petroleum resources as a tool for radical change. They called their group the Bolivarian Revolutionary Movement, which would later, Mr. Speaker, transform itself into a political party, the Movement for the Fifth Republic. Later in 2005, he declared himself a socialist and started a project for what he called a 21st Century socialism that would be participatory and fully democratic, by launching a new party, the United Socialist Party of Venezuela.

Mr. Speaker, he had no qualms about using weapons to seize power, as he tried but failed to do in 1992. He and other rebellious officers were court-martialled and imprisoned, but two years later he was freed by President Rafael Caldera in fulfilment of an election pledge.

He then proceeded to develop his political skills and rose to power in democratic elections in December 1998. Following constitutional changes in December 1999, the country held elections in July 2000, when he won re-election for a six-year term. This was followed by electoral victories in December 2006 and in October 2012.

Mr. Speaker, his relationship with Trinidad and Tobago included a visit in July 2000 to address the Caricom Heads of Government meeting held in Tobago. One of President Chávez's most difficult moments was the coup d'état that removed him from office for 48 hours in April 2002. In 2003, in response to a strike by the national oil company, Mr. Speaker, Trinidad and Tobago assisted President Chávez by supplying 500,000 barrels of oil, which he described later as "oxygen from Trinidad and Tobago", when he came to this country during the period August 08—09, 2003 for a working visit with then Prime Minister, Patrick Manning.

More recently, in April 2009, President Chávez returned to Trinidad and Tobago to participate in the Fifth Summit of the Americas. Prime Minister Persad-Bissessar interacted with President Chávez in December 2011 in the inaugural summit of CELAC and has spoken highly of his warmth and his

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charisma, as well as his receptiveness to the Trinidad and Tobago proposal that CELAC Troika be expanded to a quartet to include a Caricom voice.

President Chávez placed important emphasis on creating more equality in his country. Following oil price increases by the OPEC one year after his election, he increased oil production royalties on the country's public and private oil industry and nationalized dozens of foreign-owned assets, including large parts of the private oil industry.

With the significant fillip in oil revenues, he was able to launch numerous new social programmes with the establishment of the Bolivarian Missions, focusing on the fight against illiteracy; providing primary, secondary and university education for the country's poor; giving financial support to poor, single mothers; expanding and increasing retirement benefits; providing neighbourhood doctors to all communities; introducing a comprehensive land reform programme, and more recently, Mr. Speaker, launching a massive public housing construction programme, among many other social programmes. The improvement in the lives of ordinary people, brought about through the development and implementation of these social programmes, were a major highlight of his tenure.

Mr. Speaker, there can be no doubt that President Chávez wrought dramatic changes in the lives of many in Venezuela and that he has left a legacy of a people-centred approach to governance. According to UNECLAC, his country has the third lowest poverty rate and the lowest inequality in the region.

He was concerned not only with the well-being of the people of Venezuela, but also with the well-being of his neighbours in Latin America and the Caribbean. He provided a new impetus for regional integration movements and at the Fifth Summit of the Community of Latin American and Caribbean States (CELAC) held in December 2011, he was formally recognized for his contribution to efforts to strengthen bonds between Latin America and the Caribbean. He demonstrated solidarity with his Caribbean community and Latin American neighbours through his commitment to the Bolivarian Alternative for the Americas and Petro Caribe, and the Union of South American Nations.

Mr. Speaker, immediately after learning of his passing, our Prime Minister, the hon. Kamla Persad-Bissessar, issued a statement in which she lamented the loss of a visionary who was unwavering in his commitment to the well-being of the poor and the marginalized. In her letter of condolence, the Prime Minister recalled that President Chávez laboured resolutely in an effort to achieve equitable development in the region.

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Today, Mr. Speaker, the hon. Prime Minister stands with fellow Heads of State and with Heads of Government, in Caracas, at this very moment, in solidarity with the Government and people of Venezuela, to pay respects to a man whose contribution and role have been indelibly written in the history of Latin America and the Caribbean region and who will not be forgotten.

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

Mr. Speaker: The hon. Leader of the Opposition. [*Desk thumping*]

Dr. Keith Rowley (*Diego Martin West*): Thank you, Mr. Speaker. Mr. Speaker, I rise to associate myself, and those on this side, with the sentiments as stated by the Leader of Government Business.

Mr. Speaker, it is a historic moment when a leader—any leader—passes on, and when a leader has been so influential, one way or the other, as President Chávez, we cannot but take notice of the effect of his passing. Whatever we might think of his tenure in service of the people of Venezuela, it is an undeniable fact that President Hugo Chávez joins a very select club of the world's citizens who have intervened, and at the time of their intervention, might have been described in some instances as revolutionary, in some instances as criminal, in some instances they have been described as dictators at the time of the intervention.

1.45 p.m.

I make reference to people like Jomo Kenyatta, who led the Mau Mau movement in Kenya and went on to become President of Kenya. I talk about President Menachem Begin, who in a fight for the Jewish homeland, is credited with blowing up the King David Hotel. He went on to become President of Israel. And in Venezuela, President Chávez, when he was an army officer, went on to be accused of and convicted of actions deemed to be treasonous. But, Mr. Speaker, at the end of the day, the interventions of all these people have made significant changes to the environment and the status quo that they sought to challenge.

It is an undeniable fact that President Chávez did challenge the status quo in Venezuela, and it has been recorded and reported as being done by our colleague here this afternoon, that some significant changes have been made and his presence would not go unnoticed. He has passed on as a young man, age 58, at the height of his efforts to change Venezuela and the region, and history will continue to assess his impact, positive or negative. As we join with our fellow regional citizens, in Venezuela, in mourning the passing of a distinguished citizen, we

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acknowledge that we share not only a border with Venezuela, but we know we share pools of gas and possibly pools of oil, and we continue to see our future intertwined with the successes or failures of Venezuela.

So, in this time of mourning, we would like to extend on behalf of all the people of Trinidad and Tobago, our deepest sympathy to our colleagues in Venezuela, and to wish them the best at this time and to trust that they will overcome the period of grief and to continue to build Venezuela and to build the region and the world.

Thank you, Mr. Speaker. [*Desk thumping*]

Mr. Speaker: I wish to join with hon. Members in expressing my deepest condolences to the people of the Bolivarian Republic of Venezuela and to his family on the passing of their President, Hugo Rafael Chávez Frías. It is indeed a sad event when a family loses its father, but tragic when a nation loses a strong leader, one who has left a large footprint on the landscape of his great nation.

Always a controversial figure, Mr. Chávez rose from the ranks of the military to become the leader of one of Latin America's largest economies. Hugo Chávez, whether loved or not, always made an impression, and by implementing social reforms which included the nationalization of several key industries, increased Government funding of health care and education, he improved the quality of life of Venezuelans at the third fastest pace in the world according to a United Nations index.

I think that Mr. Chávez will be most remembered as a leader who had the interest of the indigenous people and the poor as central to all his efforts. He was adamant that the profits of Venezuelan oil resources be spent on the Venezuelan people rather than returning it to distant multinational companies.

I too share the sentiments expressed by hon. Members on the life and work of this memorable leader of a nation so close to our borders. I have, therefore, directed the Clerk of the House to write a letter of condolence to the Venezuelan Embassy and to include the transcripts of tributes paid to the late President Chávez by Members of this honourable House.

I now invite all Members to stand and observe one minute's silence in memory of the late President Hugo Rafael Chávez Frías.

The House of Representatives stood.

Mr. Speaker: May the soul of the late President of Venezuela rest in peace.

INTERNATIONAL WOMEN'S DAY

Mr. Speaker: Hon. Members, today, March 08, Trinidad and Tobago joins with many countries worldwide in celebrating International Women's Day. International Women's Day provides a common day for globally recognizing and applauding women's achievements, and for observing and highlighting gender inequalities and other challenges facing our women.

For 2013, the United Nations has focused on the theme, "A promise is a promise: Time for action to end violence against women", while the International Women's Day website has taken this a step further and highlights the theme "The Gender Agenda: Gaining Momentum". Indeed, the two concepts go hand in hand since it is integral to any society which seeks to promote the basic human rights that people are sensitized about issues and challenges surrounding gender.

According to the UN statistics, as many as 50 per cent of sexual assaults are committed against girls under the age of 16—globally that is—and up to 70 per cent of women in the world, according to a report, have experienced physical or sexual violence at some point in their lifetime. Sadly, some 603 billion women live in countries where domestic violence is not yet considered a crime.

While in Trinidad and Tobago we have the required legislation, there is still more that can be done to protect the many women who are the ones responsible for meeting their families' needs, through the implementation of policies that ensure that they have the resources and information necessary to efficiently perform this responsibility.

It is indeed a time for action, and, I am informed that there will be numerous activities being hosted this month of March aimed at reducing public misunderstanding about gender.

I encourage all Members to note these events and show their support by attending and urging their constituents to be aware, and to participate in as many as possible over the period of celebration.

I take this opportunity to wish all female parliamentarians and all women in the national community, a happy International Women's Day. [*Desk thumping and crosstalk*]

Mr. Speaker: Are Members desirous of recording at this time their tribute?

Hon. Member: Of course.

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Mr. Speaker: Well, may I call—well I know there is a statement to be made. Would you want at this time to say a few words, Leader of the House?

Dr. Moonilal: That is on International Women's Day?

Mr. Speaker: Yes. You would like to say a few—

Dr. Moonilal: The Member for Couva North.

Mr. Speaker: The hon. Member for Couva North, the Minister of State.
[*Desk thumping*]

The Minister of State in the Ministry of the Environment and Water Resources (Hon. Ramona Ramdial): Mr. Speaker, I rise in this honourable House to acknowledge today's commemoration of International Women's Day and to extend my best wishes for continued success and well-being to my fellow women parliamentarians.

I stand in solidarity with all the female members of our population, almost 660,000 at our most recent census count, to celebrate our achievements, identify our challenges and set our goals for another year. I also wish to congratulate the numerous non-governmental organizations diligently working in our country to advance the interest of women.

As women parliamentarians, we are perhaps some of the most high profile and influential examples of the heights women may attain once they are presented with the opportunities to realize their potential, and we must accept the responsibility to mentor the young women and girls in our families, and in our constituencies, who may be considering public office as a career. More so, we have to encourage the women and girls around us to know and understand their rights as equal and contributing citizens in their homes, communities and our nation.

This year, the United Nations celebrates International Women's Day with the theme, "A promise is a promise: Time for action to end the violence against women". We are all aware that within our nation, our communities and indeed our families, many women are subjected to some form of violence or abuse. Many remain silent, afraid of the consequences of revealing the truth, or believing that they themselves are the cause of the violence. We, as parliamentarians and as women, must not allow these crimes to go unreported or to persist. We also have a responsibility to socialize our boys and men to treat girls and women as equals with dignity and respect.

In Trinidad and Tobago, we have an admirable track record and an enviable reputation, internationally, with regard to promoting the rights of women and girls. We must not allow senseless violence targeting our women to tarnish this reputation. I am advised that our Ministry of Gender, Youth and Child Development, which is very capably led by Sen. The Hon. Marlene Coudray, is planning a year-long campaign starting today, which will focus on the varied roles, issues and concerns related to women.

Several pieces of legislation are also being reviewed, including the Domestic Violence Act, to bring them into line with international best practice. During our 50 years of independence, Trinidad and Tobago can be justly proud of our many female heroes and icons in areas of sport, culture, academia, literature, public and social services, politics and the creative industries.

I invite every parliamentarian to continue to work together and to support our very active civil society network to stop the violence against women and girls.

2.00 p.m.

To all the women of Trinidad and Tobago, I salute you and congratulate you on your many accomplishments. Rest assured that you are valued and recognized as an important contributor to the development and prosperity of Trinidad and Tobago. I thank you, Mr. Speaker. [*Desk thumping*]

Mr. Speaker: The hon. Leader of the Opposition.

Dr. Keith Rowley (*Diego Martin West*): Thank you, Mr. Speaker. It is with great pleasure I speak on behalf of the women of Trinidad and Tobago and of the world.

Hon. Member: “Let de women talk nah.”

Dr. K. Rowley: Mr. Speaker, the United Nations first celebrated International Women's Day on March 08, 1975. Having emerged from the struggles and activities of the labour movement in the 20th Century, International Women's Day has steadfastly grown in significance over the years. The day has gained prominence in both developed and developing world as women's issues are seen to be inextricably linked to overall development.

This year, Mr. Speaker, International Women's Day is being celebrated under the theme “A promise is a promise: Time for action to end violence against women”. Quite simply, this theme articulates that much has been said over decades about violence against women. Many conferences, seminars, meetings

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and summits have explored this most important issue. However, after all the talk and passing of resolutions, the time has come for decisive action towards sending the scourge of violence which countless women the world over face daily.

Here, in Trinidad and Tobago, we have witnessed more than our fair share of grotesque headlines and stories of violence perpetrated against our women and girls. We of the PNM hold to the principle as we have always done since 1956, that principle of gender equality. We abhor violence of any sort and especially so when it is directed at our women and children. We do not believe it is a man's world. We believe that men and women should be equal under the law, and that the contributions of all women to the development of Trinidad and Tobago should be acknowledged, revered and appreciated.

Mr. Speaker, as such, on behalf of the leadership and all members of the PNM, I join the rest of the world in celebrating International Women's Day and looking forward to doing our part, whatever that part is, in ending violence against women. Thank you, Mr. Speaker. [*Desk thumping*]

PAPERS LAID

1. Annual Report of the First Citizens Bank Limited for the financial year ended 2012. [*The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal)*]
2. Annual Administrative Report of the Registration Recognition and Certification Board (RRCB) for the year ended December 31, 2010. [*The Acting Prime Minister and Minister of Labour and Small and Micro Enterprise Development (Hon. Errol McLeod)*]
3. Annual Administrative Report of the Cipriani College of Labour and Co-operative Studies for the period October 01, 2010 to September 30, 2011. [*Hon. E. McLeod*]
4. Annual Administrative Report of the National Entrepreneurship Development Company Limited (NEDCO) for the period October 01, 2010 to September 30, 2011. [*Hon. E. McLeod*]

JOINT SELECT COMMITTEE REPORT

Ministries (Group 1) (Presentation)

The Minister of State in the Ministry of Food Production (Hon. Jairam Seemungal): Mr. Speaker, I wish to present the following report:

Sixth Report of the Joint Select Committee established to inquire into and report to Parliament on Ministries (Group 1), and on the Statutory Authorities and State

Enterprises falling under their purview on the Administration and Operations of the National Carnival Commission.

ORAL ANSWERS TO QUESTIONS

**Recreational Grounds
(Upgrade of)**

21. Mr. Fitzgerald Jeffrey (*La Brea*) asked the hon. Minister of Sport:

Could the Minister state when will each of the following recreational grounds be upgraded with a water supply, a pavilion, toilet facilities and flood lights:

- a) La Brea community;
- b) No. 4 Road, Palo Seco;
- c) KTO/Cochrane;
- d) Lot 10 Village;
- e) Aripéro Village;
- f) Rancho Quemado;
- g) Union Village; and
- h) Dalleys Village?

The Minister of Sport (Hon. Anil Roberts): Thank you, Mr. Speaker. La Brea Community Recreation Ground, phase I, the hard courts were completed in 2012. The hard courts were resurfaced and demarked, fencing was replaced, lighting to the hard courts was refurbished, basketball rings were replaced.

Phase II, outfield pavilion, 2013, the SPORTT company conducted preliminary site visits and a feasibility report in the month of February, 2013. A consultant is to be assigned to this project. Upon completion of the design and the final tender documents, the project will be tendered for works to start by June, 2013. The scope of works will include: new pavilion which includes washrooms, change rooms, conference rooms, kitchen, et cetera; drainage, cricket practice nets and fencing.

The KTO/Cochrane: There is a Petrotrin oil jack in close proximity to the hard court. SPORTT was advised by Petrotrin not to perform works at the location because of the associated risk present with being so close to the oil jack.

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Lot 10 Village: SPORTT company conducted site visits and investigations to this location and it is too small to facilitate major upgrades such as the construction of a new pavilion, et cetera, as requested by the hon. Member of Parliament. The location has an approximate dimension of 50 metres by 50 metres.

Aripero Village: SPORTT company conducted site visits and investigations to the location which revealed that this property is privately owned and is not owned by the Siparia Regional Corporation, therefore no work can proceed on this privately-owned piece of land.

Union Village: This is not on the list for development in the letter dated August 10, 2011 sent by the hon. Member of Parliament for La Brea; no mention of Union Village was in that letter.

No. 4 Road, Palo Seco, Rancho Quemado and Dalleys Village Recreation Ground, no works are carded for these in fiscal 2013.

Mr. Jeffery: Supplemental.

Mr. Speaker: Yes, the hon. Member.

Mr. Jeffery: Hon. Minister, in the case of Lot 10 Recreation Ground, we have noticed in other areas—[*Interruption*]

Mr. Speaker: Yes, but could you ask the question and not make a statement.

Mr. Jeffery: Okay. Hon. Minister, is it possible for us to take a site visit at the Lot 10 Recreation Ground at your convenience?

Hon. A. Roberts: I am at your service, we will schedule a meeting, [*Desk thumping*] we will find our schedules together and we can do anything you would like, just have some nice food down there ready, “yuh know, ah hungry”. [*Laughter*]

Provision of Bus Service (La Brea and Environs)

24. Mr. Fitzgerald Jeffrey (*La Brea*) asked the hon. Minister of Transport:

When would the Public Transport Service Corporation provide a bus service to:

- a) The township of La Brea; and
- b) Parrylands – Lot 10 area?

The Minister of Transport (Hon. Chandresh Sharma): Thank you very much. Mr. Speaker, I am almost tempted to say that visit can go with a public transport service bus and certainly not the one for the physically-challenged, the regular public transport bus.

Mr. Speaker, in keeping with Government's policy to make sure that citizens in Trinidad and in Tobago can access public transport, the Public Transport Service Corporation took a very mature approach. Coming from 134 elected councillors representing all 14 regional corporations—submissions have been made by these councillors—in addition to every single Member of Parliament—all 41—today for the first time, in the history of Trinidad and Tobago, there is a bus outside every home at some point in time. [*Desk thumping*]

Dr. Browne: What?

Miss Cox: “De bus where?”

Hon. C. Sharma: More than that—[*Interruption*]

Mr. Imbert: Dreaming!

Dr. Rowley: “Buh what madness I hearing here?”

Hon. C. Sharma: Of course, the Member for Diego Martin West has a Q7 and does not need a bus, but the bus is available. [*Continuous crosstalk*]

Mr. Speaker: Please, please, please, just deal with the question.

Hon. C. Sharma: In addition to that, Mr. Speaker, in the township of La Brea and in Parrylands as well, the bus service is in operation. In fact, at the last sitting of the Parliament, the Member for La Brea did say thanks. Thank you very much. [*Desk thumping*]

Mr. Jeffery: Supplemental, Mr. Speaker.

Mr. Speaker: Yes, hon. Member.

Mr. Jeffery: Could the hon. Minister of Transport tell us the bus schedule for those areas since the people of La Brea,—[*Interruption*]

Dr. Gopeesingh: Every 15 minutes!

Mr. Jeffery:—Parrylands and Lot 10—[*Interruption*]

Dr. Moonilal: One just passed!

Mr. Jeffery:—are not aware of the schedule—[*Interruption*]

Hon. Ramlogan SC: “One just pass while yuh talking.” [*Laughter*]

Mr. Jeffery:—for the bus service?

Mr. Speaker: Hon. Minister of Transport.

Hon. C. Sharma: Thank you, Mr. Speaker. The bus runs every day. If the Member would forward his email address, I will have PTSC email him the schedule.

**Absence of CEPEP Workers
(La Brea and Environs)**

25. Mr. Fitzgerald Jeffrey (*La Brea*) asked the hon. Minister of Housing, Land and Marine Affairs:

Could the hon. Minister state the reasons for the absence of CEPEP contractors in the Santa Flora - Erin area and the La Brea - Salazar Trace region?

The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal): Mr. Speaker, in response to question No. 25, the CEPEP Company Limited commenced a comprehensive review of the CEPEP programme in January 2011. It was discovered that quite a number of contractors were in the programme for as long as nine years and contractors were not evenly distributed in communities across Trinidad.

In some communities, there were many contractors, while in others, there were none. These findings suggest that further analysis and examination should be conducted to ensure a better distribution of contractors among communities. This is ongoing and where areas are identified as requiring changes, these are being done on a phased basis. The Santa Flora/Erin and La Brea/Salazar Trace are under active consideration.

While this exercise is expected to be completed shortly, Mr. Speaker, I am further advised that these communities via NGOs, CBOs, the Office of the Member of Parliament and councillors can contact the CEPEP Regional Co-ordinator, and on a needs basis, be provided with the services of CEPEP as and when they would need it.

Mr. Jeffery: Supplemental.

Mr. Speaker: Yes, hon. Member.

Mr. Jeffery: Hon. Minister, are you aware that a CEPEP contractor from the Penal area, who already has multiple contracts, is now working in the Santa Flora/Erin area while other persons, competent persons, contractors in the area, who applied for CEPEP contracts have been denied, or overlooked, and this gentleman from Penal has the contract for that area?

Hon. Dr. R. Moonilal: Through you, Mr. Speaker, Member for La Brea, I am not aware of contractors and their distribution that way, but it is something I can certainly look into.

DEFENCE (AMDT.) BILL, 2013

Order for second reading read.

The Attorney General (Sen. The Hon. Anand Ramlogan SC): Mr. Speaker, I beg to move:

That a Bill to amend the Defence Act, Chap. 14:01, be now read a second time.

Mr. Speaker, this is a very short but very important amendment. Essentially, it is to give legal protection and recognition to the expanded role and function of soldiers from the Defence Force who have been in fact assisting law enforcement agencies for quite some time in the fight against crime.

Clause 1 of the Bill is the short title. Clause 2 of the Bill is a substantive amendment which reads as follows:

“...When any member of the Defence Force having been charged under subsection (2) with the duty of assisting any member of the Police Service in the maintenance of law and order and is engaged in so doing, he shall have the same powers, authorities, privileges and immunities as are given by law to members of the Police Service.”

Mr. Speaker, there has been a divergence of legal opinion as to whether this amendment requires a special majority. After mature deliberation and consideration, it is the Government’s intention to circulate a list of amendments and we will, in fact, be going forward on the basis that it requires a special majority.

2.15 p.m.

Mr. Speaker, also included among the list of amendments would be a new clause 4, which will amend the definition of “police officer” in the Police

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Complaints Authority Act by inserting the definition that “police officer” shall include:

“a member of the Defence Force charged under section 5(2) of the Defence Act with the duty of assisting any member of the Police Service in the maintenance of law and order and is engaged in so doing,”

Mr. Speaker, the Government, since this Bill has been made public, has listened very carefully to the comments made by members of the public. We have therefore sought to introduce that provision to give some measure of protection to members of the public who have queried how they will be able to air their grievance and the redress mechanism, so that the Police Complaints Authority will in fact be available as an avenue for redress. We have also decided that this Bill, having regard to its nature, will in fact go forward with a sunset clause of two years. This Bill therefore requires a three-fifths majority in this honourable House.

The State’s duty, enshrined in the supreme law of the land, the Constitution of the Republic of Trinidad and Tobago, is to provide life and meaning to the fundamental human rights which form the social pact between the State and its citizens. Those fundamental human rights, which emanate and have their genesis in Magna Carta and have been replicated throughout the world in constitutions and charters and Bill of Rights, form the bedrock of human dignity and bridges the gap between the State and the citizen. Those fundamental guarantees form the very linchpin of constitutional democracy and the very first such right in the Constitution, guaranteed by the State of the Republic of Trinidad and Tobago, to each and every citizen in this country, is the right to liberty, the right to security of the person and the right to enjoyment of their property, except that you are deprived thereof by due process of law.

Mr. Speaker, the first right, the right to liberty, has in its counterpart a right to freedom of movement in section 4 of the Constitution, but that right to liberty has been under threat in our country for quite some time. Criminals roam the streets freely after dark and even in broad daylight, while decent law-abiding citizens are held to ransom.

The value of that right to liberty, as guaranteed by the State in Trinidad and Tobago, is one that requires frank and candid evaluation and assessment. The right to security of the person, what does that right mean? It is the State telling the citizen that we are guaranteeing, as a fundamental human right to you, that we the State will secure your person. Liberty, person and property, the State is saying

next that we will give you a right to enjoy peacefully your property. Those are the first three rights guaranteed by the Constitution to each and every citizen in this country and those first three rights have been undermined and been threatened by the lawless elements in our society for quite some time.

Mr. Speaker, the other right, which goes with enjoyment of property, is the right to respect for private and family life. How can there be respect for private and family life when the law-abiding citizens, who comprise the silent majority, have been forced to retreat into their homes and gingerly peer from behind the barricaded rooms that they live in, as though they are virtually imprisoned and living under a self-imposed curfew in an undeclared state of emergency where criminals are allowed to roam freely and terrorize the nation.

Mr. Speaker, in our manifesto, when we went to the people, we promised, and I quote:

“...to transform the society to create a just and fair environment. We recognise that lawlessness and disorder contribute to the atmosphere in which criminal activity thrives and we will address this challenge head on. But we also”—will—“focus on addressing social issues which nurture an environment where crime tends to flourish. We will rethink the prison system, reorganise the justice system and make interventions of a proactive and preventative nature.”

The Government, consistent with that pledge in our manifesto, we have passed several pieces of groundbreaking legislation that have addressed the criminal justice system, that have addressed equipping the police with the right legislative tools and, of course, trying to reinforce the police service and that is what we are about to do here.

Mr. Speaker, the history and context to this Bill is very important, because when we came into power, we met a situation where the modus operandi of the previous administration was one where they would try things without regard for the rule of law. They would try things and embark upon adventures and misadventures and, when we came into power, the respect for the rule of law and the supremacy of this Parliament is what was the template and political philosophy that guided the Government. That is why, among the first things we did was to pass the Interception of Communications Act, because what we inherited was an SIA agency that was spying on persons, from the President, judges, lawyers, journalists and ordinary citizens, under the previous administration, under the guise that they were fighting crime, without any legal framework to regulate the exercise of such draconian powers.

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We could have continued what we inherited. We did not have to trouble the Parliament to pass a law to regulate the interception of private communications, but under the distinguished leadership of the hon. Kamla Persad-Bissessar, the first thing we did was to come to Parliament, confess to the population what was taking place and to pass legislation to regulate the use of that agency. [*Desk thumping*]

The second thing was the Special Anti-Crime Unit, SAUTT. SAUTT was a crime-fighting agency which comprised soldiers and police officers that had no legislative authority or basis. It was operating the halls or outwith the rule of law; an illegal crime-fighting agency established under the PNM.

Dr. Gopeesingh: For five years.

Sen. The Hon. A. Ramlogan SC: For five/six years.

Mr. Warner: Billions, billions.

Sen. The Hon. A. Ramlogan SC: No one knew what they were doing. They were getting a budget that rivalled that of the police service and they used SAUTT to create a virtual private army and paramilitary organization without coming to the people's parliament to get the source of all legal power, which is this Parliament and they continued it.

What did we do when we took office? We immediately set about dismantling SAUTT to return to the legally established and duly constituted authority in law, the police service. We returned to them the assets and personnel from SAUTT. [*Desk thumping*] And they seek to criticize us for that. It is as if they would have rather that we maintained the illegal presence of SAUTT outside of the Constitution, outside of the Police Service Act and we could have continued as things were.

Mr. Speaker, we fixed the SIA, we fixed SAUTT. The third thing that we are about to fix, which is the third illustration of a government that was operating without regard and respect for the rule of law, is the use of soldiers in the fight against crime. The army has been used in the fight against crime, over the past decade in this country.

Mr. Warner: Well said, well said.

Sen. The Hon. A. Ramlogan SC: That is nothing new. There is nothing unprecedented about that. That is, in fact, the street reality on the ground.

Mr. Speaker, our police service lacks manpower. That is no secret. The sanctioned strength of our police service is 7,715 police officers. The actual strength is 6,288. But, Mr. Speaker, the shortage in manpower must not be judged by those two figures, it must be judged by the number of police officers who are on duty at any given point in time, because the police service operates on a shift basis. And do you know the actual number of police officers who are on duty at any given point in time in this country? The number is 2,000. Approximately 2,000 police officers, out of a sanctioned strength of 7,715, the actual number of police officers on active duty at any given point in time in Trinidad and Tobago, is about 2,000. That is because of the shift system, it is because of the manpower shortage, and it is because, of course, of the number of officers who are either on sick leave, vacation leave or on suspension because of disciplinary matters, or on leave of any other kind. So, there is a clear requirement to supplement the police service and to do that utilizing the available resources that the State has.

Mr. Speaker, when I hear the comments and criticisms coming from the other side, I wonder if they have forgotten their past. Is this a case of convenient political amnesia? Permit me to remind them. Under the PNM, joint police and army patrols were a regular reality and feature. Do you remember, for example, when you pulled a rabbit out of a hat and announced Operation Anaconda? Operation Anaconda was manned and carried out with the involvement of soldiers and police officers. Do you remember former Minister of National Security, Howard Chin Lee, announcing Operation Baghdad, which, again relied heavily on the use of soldiers in the fight against crime? Do you remember the boastful, triumphant announcement that the Richplain model will now be used in Laventille? The Richplain model was in fact soldiers locking down a community. Do you remember the announcement of the weed and seed programme—*[Interruption]*

Mr. Warner: “Oh, yuh know dat. Ah coming tuh dat.”

Sen. The Hon. A. Ramlogan SC:—involving soldiers again, performing duties alongside police officers?

Mr. Warner: I am coming to that, weed and seed.

Sen. The Hon. A. Ramlogan SC: My colleague, the Member for Chaguanas West, the hon. Minister of National Security, will elaborate on these.

Mr. Warner: You bet.

Sen. The Hon. A. Ramlogan SC: And, of course, they had SAUTT.

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Mr. Speaker, the Special Anti-crime Unit, SAUTT, remains a blot on our democracy. It remains a blot on our Constitution and it remains a stark reminder of the PNM's disregard for the rule of law. Mr. Speaker, the correct way to involve soldiers in the fight against crime is to do what we are doing now. The illegal and unconstitutional and oppressive way is to do it by way of SAUTT because when they wanted to involve soldiers in the fight against crime, they formed SAUTT. SAUTT was not about police officers, SAUTT was about soldiers disguised and hidden in that agency to do their bidding—[*Interruption*]

Hon. Member: Headed by whom?

Sen. The Hon. A. Ramlogan SC:—headed by—[*Interruption*]

Mr. Warner: A soldier.

Sen. The Hon. A. Ramlogan SC:—a soldier, Brigadier Peter Joseph.

Mr. Warner: A soldier.

Sen. The Hon. A. Ramlogan SC: Do you know that when we spoke about the precepting of soldiers there was an outcry from the Opposition: how could you precept soldiers? You may be shocked to know that in SAUTT, almost all of the soldiers were precepted and converted into SRPs while they were in SAUTT. Soldiers were precepted under the PNM, in SAUTT. I dare them to deny it.

Mr. Warner: Let them. Let them.

Sen. The Hon. A. Ramlogan SC: Mr. Speaker, that was not publicly announced; that they were giving soldiers police duties, police powers, police functions, but no protection of the law. Today I ask them: why were you so reluctant to come to the Parliament and why were you so insistent on operating in such an illegal manner? [*Crosstalk*]

The composition of the Special Anti-crime Unit: there were approximately 400 soldiers in SAUTT and there were only 81 police officers; approximately 400 soldiers, some retired, most in active duty and a mere 81 police officers.

2.30. p.m.

Mr. Speaker, what that means is that you were taking soldiers to fight crime, but you were not prepared to give them the legislative framework to house that agency.

Hon. Member: That is right.

Sen. The Hon. A. Ramlogan SC: But more than that, you know, Mr. Speaker, one can say through inadvertence or through negligence, the Government may have overlooked the need to come to the people's Parliament to get legislation to give soldiers the legal protection they require. You are asking men and women in the army to do a job, but you are not prepared to give them the legal protection, privilege and immunity. One can say, well, maybe they did not know.

Permit me, Mr. Speaker, to show you the intent that was there, to show you that they knowingly disregarded the law. It was not a case of recklessness. It was not a case of ignorance. It was a case of wilful and deliberate disregard for the rule of law. [*Desk thumping*]

Hon. Member: For years.

Sen. The Hon. A. Ramlogan SC: I quote from the *Hansard* of Friday, December 12, 2008, the then Minister of National Security in 2008, the hon. Mr. Martin Joseph. He said:

“There is nothing illegal about joint or inter-agency law enforcement operations. In fact, there is a long history of inter-agency cooperation in law enforcement operations between the police service and the defence force. For years both agencies have worked closely...”

“All aspects of SAUTT's operations are accordingly embodied within the common law...”

“...the police force and defence force officers within SAUTT retain all their legal powers and through them, SAUTT functions within the powers of the Police Service...”

Mr. Speaker, he said that then on December 12, 2008. Would you believe that mere months later, that very Minister was in this Parliament, and on September 26, 2008, this is what the then Minister of National Security had to say. I quote Mr. Martin Joseph during the budget debate 2008/2009. He said:

“We have promised SAUTT legislation and that legislation is going to be coming before the end of 2009”

Hon. Member: What!

Sen. The Hon. A. Ramlogan SC: “We have promised SAUTT legislation and that legislation is going to be coming before the end of 2009”

“It has given us an opportunity to deal with all of the challenges, et cetera. Now, SAUTT is going to be modelled on SOCA...”

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Now, that is a UK organization, not soca. It looked like they were thinking about a different soca:

“...which is an entity that exists in the United Kingdom, which is a serious organized crime...We have to make sure that in clothing SAUTT in its legal framework, that we take into consideration some of the various challenges for which it is. We have proceeded sufficiently so that the question of SAUTT legislation will be coming to the Parliament in 2009.”

Mr. Speaker, they promised the Parliament they would bring legislation to house SAUTT to give soldiers this very protection. They promised that in black and white to this Parliament, and never bothered to bring not even one line of legislation, and then they have the unmitigated temerity and gall to criticize us for bringing that to regularize and legalize that which was illegal, invalid and improper.

Today, I wish to ask the hon. Member for Diego Martin West, when you were part of that Government and when that promise was made to the Parliament to bring law by 2009 to legalize SAUTT, what did you do about it and what was your position?

Hon. Member: Did you bring it?

Sen. The Hon. A. Ramlogan SC: Did you bring that legislation? Did you agitate for it? You had soldiers illegally performing police duties in SAUTT, you knew about it, you promised the Parliament legislation to regularize it, and at the end of 2009, 2010 came, you were voted out of office because for seven years, we had SAUTT—[*Interruption*]

Dr. Moonilal: What year you were fired?

Sen. The Hon. A. Ramlogan SC:—and nothing happened. Mr. Speaker—[*Crosstalk*]—I am hearing my learned friends, the Member for Port of Spain North/St. Ann’s West and the Member for Arouca/Maloney—[*Interruption*]

Dr. Moonilal: Not St. Ann’s.

Sen. The Hon. A. Ramlogan SC:—“the buy one, get one free” looks beautiful, but I do not want to be interrupted or side tracked. [*Laughter and crosstalk*] You see, when I heard the outcry from the other side, permit me to highlight what the policy has always been. [*Crosstalk*] You see—[*Interruption*]

Dr. Moonilal: “What is de policy?”

Sen. The Hon. A. Ramlogan SC:—the need to revise the role of the military in countries in the Commonwealth Caribbean has been under discussion and debate for quite some time. Indeed, right here in Trinidad and Tobago, since we have been involving soldiers in the fight against crime, the issue has cropped up time and again. When the issue reared its head, the former administration, the PNM, commissioned a report to review the role of the army in the context of Trinidad and Tobago. They commissioned a study, that study was commissioned in 2006 by a committee headed by the then Justice Ulric Cross. Justice Cross, as we know, has had military experience and he was a very appropriate choice. On July 03, 2007, the committee submitted its report and this was what the Hon. Justice Cross said six years ago to the PNM. He said and I quote:

“Developed country status requires a well regulated Defence Sector. The turn of the millennium has brought with it new challenges and responsibilities of a nature which the 1962 legislators could never have foreseen.

Some of these challenges were alluded to by the Prime Minister”—Prime Minister Manning—“in his address to CARICOM Heads of Government in Port of Spain in 2004. These challenges are articulated in the form of clear objectives for which the Defence Force is responsible. They include a greater need for the Defence Force to provide assistance to national civil authority in areas of law enforcement and keeping the peace and natural disaster relief, filling a regional security vacuum created when British security forces reduced their presence in the Caribbean...”

He concluded that:

“...the Defence Force must undergo a radical transformation”—and— “that in turn must be supported by adequate legislation.”

So, in 2006 they commissioned that report from Justice Cross, delivered in July 2007, and Justice Cross was telling the PNM look, you want to do this thing, we recognize that you need to have the army involved in law enforcement, then it requires legislation. That is what their own committee, commissioned by the Ministry of National Security, was telling them.

Mr. Speaker, they understood what needed to be done. They knew it had to be done, but they did not have the political credibility, the moral authority or the regard for the rule of law, and the respect for Parliament to come here and get it

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done. On page 6 of that report, this is what Justice Cross said to the then Minister of National Security under the PNM. He said:

“The fundamental aim of this policy document is to articulate Government’s policy”—that is PNM Government’s policy—“as it relates to the changes in the Defence Sector and national security environment which requires a corresponding change in the structure of administration and operations of the Defence Force.

The policy will”—therefore—“inform the amendments required in the Defence Act by addressing the deficiencies in the existing legislation.”

Mr. Speaker, Justice Cross was telling them, to do what you are doing, you need to amend the Defence Act. To ensure that military power could be applied as an aid to civil power, you needed to amend the Defence Act. That is what he was saying.

Throughout that report by Justice Cross, there are references about the use and role of the army in combating serious crime and the maintenance of peace, law and order in the society. But why was that so? Let us be frank about it. It is nice to say we have an army in case Trinidad and Tobago goes to war. It is nice to say that we will have an army to protect us if another nation invades Trinidad and Tobago, but how practical and realistic a thought is that? [*Crosstalk*]

Mr. Speaker, are we really going to sit here and bury our heads in the sand, and while people are being murdered and terrorized, we will say the army must remain compartmentalized, and we must not involve the use of that resource in the fight against crime, because the army is there to protect us in case we go to war? That makes no sense at all, no sense at all.

In fact, the transformation of all military organizations except in those countries that are involved in war, is that they are trying to get their pound of flesh and value for dollar by involving the army in protection and maintenance of law and order. That, in fact, as Justice Cross pointed out, was precisely what the PNM’s policy was. That was why you involved the army in Operation Baghdad; that was why you involved the army in Operation Anaconda; that was why you involved the army in Richplain “when yuh lock it down”; that was why you involved the army “when yuh lock down Laventille”; that was why you involved the army in SAUTT, because you recognize that. So we cannot be hypocritical about it. We cannot be disingenuous about it, to come now and pretend that this is some unprecedented thing that emerged overnight. It is obvious that you will

preserve the traditional classical role and function of the defence force, but at the same time, there is no need to derogate from that, but you can simultaneously use them in the meantime. *[Interruption]*

Mr. Speaker, to those—I hear murmurs from my learned friend saying, well, we are not at war. I want to tell you as far as this Government is concerned, there is a war. Trinidad and Tobago is at war, because we have declared war on the criminals. We are at war with the criminals in this country. *[Desk thumping]* That is the war. It is war against the criminals and the gang leaders who terrorize this nation. *[Crosstalk]* I am hearing all kind of murmurs from my learned friends on the other side.

Mr. Speaker: Just ignore those murmurs.

Sen. The Hon. A. Ramlogan SC: I will, Mr. Speaker, thank you. I hear one voice saying that was not their policy. This is nothing new. To suggest it is something new and to fool the population is wrong and today I will expose it. *[Crosstalk]*

Mr. Speaker: Members! Members on both sides! I am seeing the crosstalk taking place and you are disturbing the proceedings. Could you just allow the Attorney General to speak in silence? Please? Continue, hon. Attorney General.

Sen. The Hon. A. Ramlogan SC: I am grateful, Mr. Speaker. Today, I want to expose the sheer, unadulterated, political hypocrisy of the Opposition on this issue. They disclaimed and disassociate themselves from their own policy. Permit me to show the Trinidad and Tobago *Newsday*, March 13, 2008. This is a headline in the *Newsday* in 2008:

“Defence Act under review

Soldiers Can Arrest.” *[Crosstalk]*

This was in 2008. In 2008, the PNM was planning and proposed to give soldiers the same powers as police officers to arrest, March 2008. *[Crosstalk]*

Dr. Moonilal: What hypocrisy!

Sen. The Hon. A. Ramlogan SC: In 2008.

Dr. Gopeesingh: Five years ago.

Sen. The Hon. A. Ramlogan SC: Five years ago, they were proposing to do the same thing, but now they forget, they have convenient political amnesia and

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they want to try and escape. I ask today, that group that I saw on television, the group that was crying fire and brimstone, and seeking to instil fear. The group of persons—

Hon. Member: Al-Rawi!

Sen. The Hon. A. Ramlogan SC: Today I ask, where was your voice in 2008 when the PNM proposed to do the same thing?

Miss Cox: Where in that headline says the PNM.

Sen. The Hon. A. Ramlogan SC: Where was your voice then? The voice was this, you can run but you cannot hide, Mr. Speaker.

2.45 p.m.

Mr. Speaker, permit me now to show why this is such a non-issue because one, it simply formalizes the reality on the ground. But let me turn to other countries. Trinidad and Tobago is in fact lagging behind in this regard. In Antigua and Barbuda, they have already gone the way of Trinidad and Tobago. Section 6 of The Defence Act, 2006, Antigua and Barbuda, expressly provides as one of the functions of the defence force of Antigua and Barbuda—and this is what the army in Antigua and Barbuda, since 2006 is; not only defence but also, and I quote:

- (a) an aid to the civil power, “the civil authorities” as well as—“securing and maintaining public order and public safety;”

That section was amended in 2007 by the Antigua and Barbudan Parliament and, in 2007, they have now provided, by section 8 of the Defence (Amdt.) Act, 2007, as follows:

“Where a member of the”—defence—“Force is acting pursuant to directions given...that member shall, while so acting, enjoy all the immunity, privileges and protection enjoyed by the members of the Royal Police Force of Antigua and Barbuda.”

Let me repeat that. The soldiers:

“shall...enjoy all the immunity, privileges and protection enjoyed by the members of the Royal Police Force of Antigua and Barbuda.”

They did it since 2007 in Antigua.

Mr. Speaker, in Guyana, the Act, the wording of the Defence Act is that:

“The force shall be charged with the defence of and maintenance of order in Guyana...”

And the use of the army there, just like other countries involved in the fight against crime. It is present.

In Jamaica, section 5 of the Defence Act states that:

“The Jamaican Defence Force shall be charged with the defence of and maintenance of order in Jamaica...”

Mr. Speaker, in The Bahamas, section 4 of the Defence Act of The Bahamas expressly provides for, not only defence, but also for the defence force in The Bahamas for the protection of territorial integrity, the patrol of waters, the maintenance of law and order in conjunction with law enforcement agencies and assistance in times of disaster. So that, in The Bahamas, Mr. Speaker, they already have in their Defence Act, the role of the army enshrined in law to maintain law and order in conjunction with law enforcement agencies.

But what is interesting, in all of these Caribbean nations is that the definition, the scope and ambit of the powers given to their defence force has, as central to it, a role in the protection and maintenance of law and order. Public safety is at the core of the functions outlined by the legislation. That is why, Mr. Speaker—and I will come to Jamaica now—that is why in Jamaica, which has done a creditable job, a commendable job in dealing with crime, this is what they did.

Section 9(2) of the Defence Act of Jamaica:

“...the Prime Minister may give to the Chief of Staff such directions with respect to the operational use of the...Defence Force in Jamaica for the purpose of maintaining and securing public safety and public order, notwithstanding that the directions of the Cabinet have not been obtained, and the Chief of Staff shall comply with those directions or cause them to be complied with.”

So the Prime Minister in Jamaica could direct the defence force and give them duties to secure public safety and public order. Section 9(3) of the Defence Act:

“Where any member of the Jamaica Defence Force is acting pursuant to directions...such member shall, while so acting, enjoy all...immunities, privileges and protection as are enjoyed by the Jamaica Constabulary Force.”

So, in Jamaica, they have it; in Antigua, they have it; in The Bahamas, they have it; but in Trinidad and Tobago, we are about to quarrel for putting it. That is the reality.

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So, when we hear this doom and gloom prediction that this is some cataclysmic piece of legislation that is going to lead to convulsions in society and an erosion of human rights, I say, but where is this coming from? We are simply trying to respect the rule of law and to house a legislative framework; that which already exists in our society. It is about respect and deference to the rule of law.

Mr. Speaker, just by way of an aside, as an important footnote to note, in Jamaica, in 2011, they amended their Constitution and they catered for all of these things, but in addition to that, in amending their Constitution, Jamaica inserted in their Constitution the death penalty. They inserted in their Constitution, in Jamaica, provisions which sought to remove the procedural and substantive hurdles that prevented the implementation of the death penalty. The Opposition in Jamaica joined hands with the Government, they cooperated, and the very same amendment to the Constitution that we brought to this Parliament, that the PNM defeated and voted against; the very same amendment in Jamaica, they passed, with the Opposition in Jamaica supporting it—unanimous passage.

Mr. Speaker, permit me now, having looked at the matter regionally in terms of the Commonwealth Caribbean, to come closer to home to show that, in Trinidad and Tobago, we have had this concept of police powers being given to non-police officers for quite some time. [*Crosstalk*]

The Customs Act, section 3 of the Customs Act reads as follows:

“For the purpose of carrying out the provisions of the Customs laws all Officers shall have the same powers, authorities and privileges as are given by law to members of the Police Service.”

Mr. Speaker, that is the Customs Act of Trinidad and Tobago. We gave customs officers the protection, immunities, rights and privileges of police officers. That has been with us for quite some time. There was no outcry about that.

The Motor Vehicles and Road Traffic Act, Chap. 48:50, section 5(1), Transport Officers:

“In the exercise of powers and duties conferred on him by this Act and...Regulations made thereunder, every Transport Officer shall have the same powers, authorities and privileges and...immunities”—as are given to members—“of the Police Service.”

So, Mr. Speaker, this concept of giving police powers to non-police officers has been with us from time immemorial. It has been known, recognized and understood in our legal system as something that is necessary and I do not,

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therefore, understand how in the face of that, we can now seek to deny that very same legal protection to people who are actually involved in the fight against crime. By what magic is it right to give a customs officer and a transport officer these powers, immunities, privileges and protections, but it is wrong to give a soldier? By what magic? [*Interruption*]

I have to ask, is it that the PNM has something against soldiers? Why do you wish to deny them the legal protection that we have afforded to others. To deny the soldiers in this country the legal protection under the rule of law while we are asking them to help us to fight crime, is discrimination because we give it to others. It will be discriminatory to continue the PNM's policy of asking them to perform duties outside there without the legal protection, while we give it to transport officers, customs officers, licensing officers and others. [*Crosstalk*] If we are going to say keep police powers for police officers alone, then we must take it back from others too.

You see, Mr. Speaker, we must face the reality and we must employ all the will power, strength and resources available to the State and the people of this country, in defence of this country, and the time to do so is now. [*Desk thumping*]

Mr. Speaker, the murder rate. Look at the murder rate since 2000. I shall call it out:

2000	118 murders
2001	151 murders
2002	171 murders
2003	229 murders
2004	260 murders
2005	386 murders
2006	368 murders
2007	395 murders
2008, under the PNM	550 murders
2009	509 murders
2010	485 murders
2011	352; and
2012	379.

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So, Mr. Speaker, the reality is the spike in the murder rate occurred during the tenure of the PNM. The gangs mushroomed and multiplied under the PNM and the gangs were allowed to infiltrate and penetrate our communities, such that the gang and the community, one became the virtual criminal alter ego of the other in some areas.

Mr. Speaker, they facilitated that; they acted as a political catalyst for it, because why? They feted the gang leaders and had breakfast with them in Crowne Plaza instead of taking the bull by the horns and doing what we are doing now. [*Desk thumping*] They had the soldiers and the police officers, the very men they were hunting down for most heinous crimes, they had them guarding them while “dey” eating “breakfases” at Crowne Plaza. That was their policy. Where we are saying? Give the soldiers the protection they deserve because they are involved in the fight against crime. Give them the protection they deserve! [*Desk thumping*]

What powers does a soldier have at the moment when he is out on a joint police and army patrol? He is like an ordinary citizen and the only power “he have” is to make a citizen’s arrest. Well, we saw what happened to someone who tried to arrest Calder Hart to make a citizen’s arrest.

Dr. Moonilal: Oh, Kublalsingh.

Sen. The Hon. A. Ramlogan SC: He might go on a—he have to fast. But you see, Mr. Speaker, I have been at pains—you know, when the PNM had announced this as a policy after the Ulric Cross Report in 2008, and they recognized it needed to be done, I remember being skeptical about it back then. I was sceptical about it because I said, well, you know, why are we going in that direction? I thought about countries like Latin America, Iraq and Iran, but then it dawned on me subsequently, why are we really comparing Trinidad and Tobago and our army to those countries that are war-torn? Why are we comparing? We are in the Caribbean here when all the Caribbean nations are moving in this direction, why are we really trying to fool people?

You really think if a country invaded Trinidad and Tobago, or Nevis and St. Kitts, or Antigua and Barbuda, or Trinidad and Tobago—let us not exaggerate our own sense of self importance. Let us look at this thing in a realistic and pragmatic manner. If anybody wants to invade Trinidad and Tobago, we would have to seek external help.

Dr. Gopeesingh: As Grenada did.

Sen. The Hon. A. Ramlogan SC: As Grenada, perhaps, I “doh” know. But the point is, the role of the army must be looked at through a realistic telescope consistent with the raw and unvarnished social realities on a day-to-day basis that we live and face.

Let me tell you what happens, Mr. Speaker, in real life and this is what they on the other side promoted. I remember doing a malicious prosecution case and I was certain in my mind that the prosecution in that case was compromised. It was compromised because they went to execute a search warrant at the home of someone suspected of being involved in illegal gang activities and when they went, the police presented the search warrant at the door—knock on the door and so on—and the police entered the house. It was a big house. At the back of the house, “it had” a warehouse and the soldiers were stationed at the back of the house in the warehouse while the police entered through the front.

3.00 p.m.

And while they did that, the soldiers at the back saw a young fella—two young fellas walking out—and they stopped them, they searched them and they find ammunition, guns and they find packs of drugs stuck into their waists. You know, the State in that matter lost that case. Do you know why they lose it? Because the defence counsel cross-examined the police, because the soldier, not being clothed with the powers of a police officer, the soldier who was in the back who really apprehended that person, he could not give evidence, because he “eh” have no police powers.

“If he see ah fella walking, what he stopping him for?” He must allow him to walk. The only time he could exercise a citizen’s arrest is if he “ketch” him red-handed. “A citizen cyar stop nobody walking down de road and say, what is that bulging in yuh waist there, raise up yuh jersey?” But the soldier apprehended the fella but, of course, I suspected he felt constrained to give that evidence himself, so the police come to say, “Well, look, yuh honour, I was there and I arrested de man and so and so.” The defence counsel asked him: How big this house is? What is its length? At what time did you enter the house through the front door? How many police officers were there with you? And after probing and testing cross-examination, the jury obviously believed that the police could “ah never reach from de front of that house to de back ah it to hold that fella. So wha happen?” He escaped, reasonable doubt in the mind of the jury.

That is the unenviable embarrassing predicament and position that we put our soldiers in while we ask them to perform police duties, but we are not giving them

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the legal protection. We compromise the strength of the prosecution's case. We undermine the integrity of the evidence of the State and we put soldiers in a most invidious position. Mr. Speaker, this is about changing all of that. This is about calling a spade a spade and recognizing the reality for what it is.

Mr. Speaker, let us put ourselves in the position of a soldier. You have been asked to accompany police on joint army and police patrols. You are being asked to accompany them on all sorts of missions that have to do with the detection and prevention of crime, and in the midst of all of that, you are not being given any legal protection.

So that when a man running away, what are you supposed to do? Are you supposed to go wholeheartedly in the performance of your duties consistent with the honour you have for your country? Can you really say you have devotion to duty? Is the reluctance sometimes not understandable? Is the inhibition sometimes not appreciated? Mr. Speaker, I say, that we on this side appreciate that reluctance. We appreciate that "pause for cause" and we say that right now, today, we are about to correct it and level the playing field and let us give them equal status.

Mr. Speaker, I heard a lot about what will happen—police officers (sic) are trained to kill and police officers are not.

Hon. Member: "Who dey kill?"

Sen. The Hon. A. Ramlogan SC: Mr. Speaker, you know, that is so fanciful that soldiers are trained to kill; they are killing machines. I hear that. They are branding our soldiers as killing machines and saying they are trained to kill.

Dr. Moonilal: A manicou!

Sen. The Hon. A. Ramlogan SC: You know, Mr. Speaker—I mean, you know, we have to be realistic about these things, you know. I have more cases about police brutality and police deaths than I do from the army. And I never hear anybody say that police are trained to kill.

Miss Mc Donald: The police!

Sen. The Hon. A. Ramlogan SC: Nobody criticized that. People understand that things happen in the fight against crime; not a beep from the Opposition. [*Crosstalk*] But during—my learned friend from Port of Spain South says, "Well, you know, they did not perform police duties", but let us look at when they did.

Mr. Speaker, during the state of emergency when crime went down in this country, the soldiers, under the Emergency Powers Regulations, are clothed with the same powers as police officers. So, the one example we have in real life to actually compare apples with apples is with the state of emergency.

Mr. Speaker, not just that time, we had the 1970 emergency which lasted for over one year I think. So during 1970 under the PNM, and in 2011 under the People's Partnership, there were two states of emergency. And when one looks at the statistics, I ask the question: "how much soldiers, these, you know, killing machines, murder anybody?" Where was the public complaint? In fact, there was a mature, disciplined and professional response from the soldiers [*Desk thumping*] and they exercised their powers with restraint, responsibility and professionalism. So the empirical data does not support the points they wish to make.

I want them to address specifically—tell me when you declared a state of emergency in 1970, "how long the state of emergency lasted?" "How much soldiers who were given the same powers as police officers kill people?" "How much soldiers brutalized people and how much soldiers tortured people under the PNM in the 1970 uprising?" You tell me!

Miss Mc Donald: You were not born yet. [*Laughter*]

Sen. The Hon. A. Ramlogan SC: "Mr. Speaker, is not the whole army will have these powers." It is really specially selected soldiers, those in any organization, the leader will know who are the good women and men who go beyond the call of duty and who have demonstrated maturity, who will be able to exercise it responsibly.

Mr. Speaker, you know, this is about allowing that specially chosen group of men and women from the army to be used as a supplement to complement the police service during this time of crisis in the country when the criminal elements are roaming large and in charge. This is about giving an extra pair of strong arms and legs from very fit men and women who the taxpayers of this country feed, clothe and pay, and we want value for money.

Miss Cox: "And yuh gehing it now?"

Sen. The Hon. A. Ramlogan SC: Mr. Speaker, we need those extra pairs of arms and legs from those fit men and women in the defence force. They are willing to serve, they want to serve, they are willing to serve and they have been serving, and they do so with devotion and dedication to duty.

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Permit me to cite the budget for the defence force in this country to show you the kind of money we are spending, and then ask yourself the question: are we getting value for money? One man last night—I was buying a cup of corn soup and this fella he tell me, he say, “Yuh know, what all-yuh ha dem set ah hard back man in the army running up and down hill whole day gehing strong for nutten and you ha dem big belly police on the outside they trying to fight crime?” “He say, ‘Put de soldiers there and let de men and dem fight’.” [*Crosstalk*] Mr. Speaker, I told him, “Listen”—I could understand the Member for Port of Spain South getting upset at that comment, but let me clarify that.

Dr. Moonilal: Not you.

Sen. The Hon. A. Ramlogan SC: “Not you, I not talking ’bout you, yuh know.” Mr. Speaker, I responded, I responded immediately and I told [*Crosstalk*] him—I said there are police officers who are fit, physically well trained and very disciplined—[*Interruption*]

Dr. Moonilal: As MPs!

Sen. The Hon. A. Ramlogan SC:—and there are police officers who are capable of taking this fight against crime in the same way as there are soldiers, and we will get the best out of both if we have the symbiotic relationship and we create that synergy and harmony that is necessary to get the best of both. So, I took that joke made by the gentleman, but I took it and I understood what his thinking is. His thinking is that this country spends a lot of money to maintain an army, and are we getting value for money. That is where he is coming from. So the man in the street, that is what they are asking.

Dr. Moonilal: “He bright! He bright!”

Sen. The Hon. A. Ramlogan SC: “The country eh” gone to war yet and you have this kind of expenditure and you are not using them. “So he say, ‘Well, yuh just feeding a set ah hard back man and woman running up and down hill in Tetron to do nutten’.” I went after he told me that and I asked for the budget for the army. Mr. Speaker, in 2010—just the last three years—the budget for the army was \$926 million.

Dr. Moonilal: How much?

Sen. The Hon. A. Ramlogan SC: Nine hundred and twenty-six million dollars. For 2011, \$941 million; for 2012, \$1 billion and for 2013, the estimate provisional allowance is TT \$1.175 billion.

Dr. Moonilal: “To run up and down ah hill.”

Sen. The Hon. A. Ramlogan SC: So approximately \$1 billion per annum is being invested in the army. The men and women of our defence force are willing to serve their country in defence and protection of the State and people to preserve law and order, and we are saying we must not give them the powers, immunities, privileges of police officers, we must just leave them, hang them out to dry.

I wish to commend the hon. Prime Minister and Member for Siparia, Kamla Persad-Bissessar, for having the vision, the foresight and the political fortitude to bring this legislation to let us make use of the army in the fight against crime [*Desk thumping*] because the time to fight back is now. The criminals have declared war against us in this country, and we must fight back, and we must fight back with all our will power, all our might and we must employ all the resources available to the State of the Republic of Trinidad and Tobago.

Mr. Speaker, I come to the command of the defence force. Unlike Jamaica, where the Prime Minister has a direct conduit to the defence force and can, in fact, give directions to the defence force, Trinidad and Tobago did not go that route. Trinidad and Tobago in sections 7 and 8 of the Defence Act establishes a Defence Council, chaired by the hon. Minister of National Security, the vice-chairman of which is the hon. Minister of Legal Affairs, and, Mr. Speaker, that council is responsible for the general authority—has general authority, sorry—for the command, administration and discipline of and all other matters relating to the defence force. It is the Defence Council that has that power.

The President, His Excellency, the head of State, in section 22 of the Constitution is the Commander-in-Chief of the armed forces, but under section 80, he acts on the advice of Cabinet unless it is specifically provided otherwise. In this case, when it comes to the defence force, the powers of the President is really limited to calling out reserves and volunteers, because there is no power to act in his own discretion, but the Defence Council is responsible for command, administration, discipline and all other matters of the defence force.

What the council does not however have the power to do—and that is specifically provided for in section 8(2)—is:

“The responsibility of the Council shall not extend to the operational use of the”—defence—“Force...which responsibility shall vest in the Chief of Defence Staff...”

Mr. Imbert: What about the next part?

“...subject to the general or special directions of the Minister.”

Sen. The Hon. A. Ramlogan SC: Mr. Speaker:

“...subject to the general or special directions of the Minister.”

Hon. Member: You leave out that part.

Sen. The Hon. A. Ramlogan SC: Mr. Speaker, it is the Chief of Defence Staff who has the responsibility for operational use of the defence force.

Mr. Imbert: Subject to the direction of the Minister.

Sen. The Hon. A. Ramlogan SC: And, Mr. Speaker, when one looks at the powers of the Chief of Defence Staff in section 191, it confirms that:

“The Chief of Defence...shall be vested with responsibility for the operational use of the Force and shall in the exercise of any power connected with such responsibility conform with any special or general directions of the Minister.”

Mr. Speaker, that has been the law in this country since the advent of the Defence Act. That has also been the law.

Mr. Speaker, section 5(2) of the Defence Act states:

“Every unit shall be charged with the defence of Trinidad and Tobago and with such other duties as may from time to time be defined by the”—defence—“Council.”

So, the Defence Council can, in fact, impose other duties. In so doing, in imposing a duty, one must give the protection. You cannot impose the duty, Member for Port of Spain North/St. Ann’s West, without giving the protection. That is what you did. That is what they did. They imposed the duties and had the soldiers performing out there in the hot sun, but they did not give them the powers, privileges and immunities and legal protection that they deserve to perform those duties. That is what happened.

3.15 p.m.

Mr. Speaker, that is why we now propose to allow soldiers, while engaging in operations alongside and together with the police, to have the same powers, privileges and protections as police officers. It does not necessarily mean that they would be able to embark upon their own exercises, but it means that when they

are providing that reinforce and that supplement to the police service, they will be clothed with the necessary legal protection. And, of course, they will obviously be entitled to carry arms and ammunition—that has always been the case—but now that they have powers as police officers, that is beyond the shadow of a doubt.

Mr. Speaker, it is noteworthy that both the Commissioner of Police and the Chief of Defence Staff support this measure. [*Desk thumping*] They both support this measure; the Chief of Defence and the Commissioner of Police both support this measure.

Dr. Moonilal: Only the PNM against it.

Sen. The Hon. A. Ramlogan SC: It seems as if the only person, the only entity in this country against this measure is in fact the Opposition PNM, because they wanted to continue to use the army, misuse the army, abuse the army, by creating a private political army in SAUTT, not legalize it and they wanted to continue that. They wanted to continue that kind of illegal policy and behaviour.

Mr. Speaker, I come next to proposed training for members of the defence force who will be allowed to exercise these functions. You know, I find it rather strange, Mr. Speaker. You know, all the time soldiers operating and performing functions as police officers, nobody “eh” ask, “Buh what kinda special training the fellas have”; nobody “eh” say it wrong when the PNM was doing it. When Justice Ulric Cross gave that report and that front page story in the *Newsday* came about, you know, nobody “eh” come out and have “ah” outcry, “How the PNM could do this and give the soldiers powers as police officers”. Nobody said anything.

Mr. Speaker, all of a sudden when the People’s Partnership is about to simply regularize and legalize that which is actually the reality in this country, you hear all these voices of dissension. Mr. Speaker, but we have thought it out.

Hon. Member: Put Ramesh on them.

Sen. The Hon. A. Ramlogan SC: Mr. Speaker, they will now have training similar to what the SRPs get, and these are the components of the training. The intensity and duration would be no different to what any other civilian will get if they want to become an SRP.

The first component: Introduction to Law Enforcement. This training focuses on the role of the soldier qua police officer, the criminal justice system and the policing for people initiative.

Then we go to component number two: General Policing. This would focus on attire, appearance, codes of conduct, roles and responsibilities, personnel security,

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physical security, information security and station duties. We then go to number three: Communications. This will cover report writing, recording statements, computer literacy and wireless communications. The fourth component: Criminal Investigation. This will include crime scene management—[*Interruption*]

Miss Mc Donald: How long it is for?

Sen. The Hon. A. Ramlogan SC:—judges rules, interviewing and interrogation, physical evidence, property crime, victimless crime, predatory and violent crime and court procedure.

Miss Mc Donald: How long the programme would be?

Sen. The Hon. A. Ramlogan SC: The programme will be for the same duration and intensity as SRPs. It would be the same duration and intensity as SRPs, so unless you are about to object to SRPs, “doh” object to this. I go next to Law Enforcement Operations. This would address patrol procedures, traffic management, crowd control, arrest techniques, care and custody of prisoners, use of force, escorts, pursuit techniques, searches and seizures and security.

I turn now to Law Regulations and Standards of Operational Procedures. This will cover Trinidad and Tobago Police Service Act, the Police Service Regulations, Trinidad and Tobago Police Service Standing Orders, Motor Vehicles and Road Traffic Regulations and other kinds of legislation that are relevant to the duties that they will perform. We then have a course for special topics in general policing: areas will include immigration—because you have the problems with deportees, a lot of criminal deportees coming out of the US and elsewhere. Recently, we saw a number of crimes being committed in this country by Jamaican nationals. Where are they coming from? How are they overstaying their time in Trinidad and Tobago? Immigration, customs and excise, intelligence, terrorism, computer crime, special populations and human trafficking.

Mr. Speaker, we then have a next course called human relations. This will focus on customer service, stress management, conflict resolution, ethics and integrity, team building, HIV and AIDS awareness, and those are just a few of the courses that have been designed to treat with this kind of training requirement that we obviously appreciate and recognize. So whilst you all did not train them, whilst you all had them performing the duties and functioning as police officers, we are going to give them the legal status and we are going to train them. So that which you did not do, we will do to put it in a proper basis. [*Desk thumping*]

Mr. Speaker: You have seven more minutes.

Sen. The Hon. A. Ramlogan SC: I am grateful, Mr. Speaker. Mr. Speaker, in the midst of all of that, we have agreed that questions that have been asked by members of the public: “How will I identify a soldier if he brutalizes me, to make a complaint to the Police Complaints Authority? How am I going to identify him?” Mr. Speaker, in the defence force each soldier has a regimental number. That regimental number will be worn on his uniform on his breast. That is the same thing that happens for police officers; you have your police number. In addition to that—*[Interruption]*

Hon. Member: What regimental number?

Sen. The Hon. A. Ramlogan SC: It will say it, Trinidad and Tobago Defence Force, and the uniform green, so unless “yuh” colour blind “yuh cyah” miss it. Mr. Speaker, apart from that, the other question asked is: “How are you going to distinguish those soldiers who have been assigned police duties from the other soldiers who have not been given police powers? How are you going to differentiate from among the soldiers?” The answer to that is there is an armband that military police are obliged to wear already, as part of the regulations, and by virtue of the display of that armband as part of their uniform, you will know that that is a soldier who is a military police, is someone who has been given police powers and duties.

That is not different from what happens right now in the police service when you have the Interagency Task Force and you have from OCNU, Organized Crime and Narcotics Unit, you “doh” see police officers with the big thick blue sweater suffering in the hot sun?

Hon. Member: “Yea.”

Sen. The Hon. A. Ramlogan SC: Well, all right. Mr. Speaker, we have taken care of that. If police officers are injured in the line of duty, there already exists a scheme in the defence force to deal with that. When we had the explosion in Camp Ogden, the compensation was given to the families, but in addition to that, we have regulations 15 and 16 in the Defence Force (Pensions, Terminal and Other Grants) Regulations to deal with that, the terms and conditions. The soldiers have been performing out there for a long time now and arrangements will be made by the Chief of Defence to look after, with a special eye, those who are performing these extra duties, as they have been doing all along.

Mr. Speaker, of course, in terms of discipline; if a member of the defence force on duty as a police officer commits a violation of the Police Service Regulations, then there is an in-built statutory self-regulating investigatory and

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judicial mechanism to treat with such allegations in the defence force. Mr. Speaker, they have a two-tiered system in the defence force and there is no backlog as exists at the Appeal Board for police officers—no backlog. Military justice is swift and soldiers know that.

There is a summary trial system before your commanding officer for low threshold offences and violations, and apart from that, if there is a serious matter, there is the military justice system where you are court-martialled and they deal with you right away.

Mr. Speaker, under section 8(2) and section 191(2) of the Defence Act, rules of engagement, legal guidelines can be given by the Chief of Defence as to how they must perform any special duties given to them. No doubt a breach of the Police Service Regulations will constitute a breach of those provisions because lawful directives would be given to that effect, and that would be under section 46(2) of the Defence Act; there would be a court martial system and they will constitute a military offence. So if a soldier misuses or abuses his powers qua police officer, there would be military justice that would be worse or better, depending on which way you want to look at it, than exists currently in the police service.

Mr. Speaker, the constitutionality of this military justice system has already been recognized by our courts as evidenced by the case of *Nimchand Pittiman & Others v The Attorney General* in High Court Action No. 743 of 1985. Mr. Speaker, the sunset clause in the legislation would make this legislation applicable for two years so that we would see how things go. It would quell some of the concerns outside there that have been raised that, look, it is a permanent change.

Other countries have done it permanently. Let us see how it works; let us give it a chance; let us give the country a little chance to breathe; let us give those people in the community who do not want to be subjected to the oppression from the gang leaders, let us give them a chance, and their sons and daughters a chance to actually live peacefully and to exhale. Trinidad and Tobago is waiting to exhale; trying to do the same things the same way, to expect a different result will not work.

Mr. Speaker, in other countries, in Miami right now there is a curfew against anybody under the age of 17 to deal with the problem of gang violence and street violence, and that is right in Miami. US cities with youth curfews taking this warning. At least 500 cities in the United States of America, including 78 of the 92 cities with a population in excess of 180,000, they have at present a curfew in

effect, according to the research done. They have daytime curfew and they have night-time curfew to protect the youths from themselves, to protect them from the gangs and to protect them from joining the gang.

In other countries they have a ban on how you dress: short pants, saggy pants, pull up “yuh” pants, buy “ah” belt; that is the mantra in Mississippi, Alabama. It is also the mantra in other areas.

Hon. Member: Grenada.

Sen. The Hon. A. Ramlogan SC: Mr. Speaker, my learned colleague, the Minister of National Security will delve further into those.

Mr. Speaker, in closing, I wish to say that we must think outside the box, we must break the mould because the country is under serious risk and threat. We cannot allow a tiny minority of criminal lawless elements to hold the silent majority at ransom. The time has come for us to see that the defence of Trinidad and Tobago and the maintenance of law and order is of paramount importance, consistent with the supremacy of the Constitution and our fundamental rights, if the State is to give that guarantee meaningful effect, life and breath. I thank you, Mr. Speaker. I beg to move.

Question proposed.

Mr. Speaker: This Bill, along with amendments that have been circulated, can be conjointly addressed. The hon. Leader of the Opposition. [*Desk thumping*]

Dr. Keith Rowley (Diego Martin West): Thank you very much, Mr. Speaker. Mr. Speaker, I join this debate to make a few observations and I came here with my preparations in anticipation of responding to the Government’s published document, prepared to respond to that document. But having taken my seat in the Chamber, I was driven to be reminded of an exercise I had last Tuesday in Point Fortin when I was forced to remind the national community that you should not believe anything the Government says. [*Desk thumping*]

3.30 p.m.

Because here today, Mr. Speaker, even before I could begin to treat with what I brought to the Parliament to respond to the Bill, I am having to respond to an Attorney General who has come into this House as the country’s chief legal guidance and having to question what he said to the House.

Mr. Speaker, would you believe that before I came here, this Parliament advised me that the Bill that I am coming to debate is a Bill called the Defence

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(Amdt.) Bill, 2013. By the time the Attorney General had finished speaking, I am being required to debate a Bill that is called the Miscellaneous Provisions (Defence and Police Complaints) Bill.

Miss Mc Donald: Uh hmm. [*Crosstalk*]

Dr. K. Rowley: The name and substance of the Bill has changed completely and I never saw this—[*Interruption*]

Miss Mc Donald: At 2.53 p.m.

Dr. K. Rowley:—at 2.53 p.m. [*Desk thumping*]

Hon. Member: Disrespectful!

Dr. K. Rowley: The Attorney General started talking about twenty to two.

Hon. Member: “But we aint get it.”

Dr. K. Rowley: He rant, he fulminated—[*Interruption*]

Hon. Member: You have it.

Dr. K. Rowley:—he carried on, and at 2.53 p.m. this Government hands to me—I am now to get up and respond to the Government’s spokesperson, the Attorney General—[*Interruption*]

Hon. Member: Uh hmm.

Dr. K. Rowley:—and I see an amendment that changes even the name of the Bill that we are going to amend.

Miss Mc Donald: Uh hmm.

Dr. K. Rowley: Mr. Speaker, clearly this cannot be right. [*Crosstalk*]

Miss Cox: A new Bill was introduced.

Miss Mc Donald: That is a new Bill. [*Crosstalk*]

Dr. K. Rowley: Clearly something has to be wrong for a government to bring a Bill to the Parliament—[*Interruption*]

Miss Mc Donald: In full flight—[*Interruption*]

Dr. K. Rowley: The Government sat before—before they submitted this to the Parliament—the Government determined that what has to happen is that we have to amend the Defence Act.

Hon. Member: That is right.

Dr. K. Rowley: That is what was put before the Parliament.

Miss Cox: Yes.

Miss Mc Donald: That is right. [*Crosstalk*]

Dr. K. Rowley: But by the time he was finished talking, the Government on its lonesome, unbeknownst to the Opposition and the country, has determined that what we have to do is something called the Miscellaneous Provisions (Defence and Police Complaints) Bill. [*Crosstalk*]

Mr. Imbert: Highly irregular.

Dr. K. Rowley: So if I go to the amendment which came to me at 2.53 p.m. you would see the name of the Bill—[*Crosstalk*]

Mr. Imbert: “You ain’t even move a Motion.”

Dr. K. Rowley:—the short title. Mr. Speaker, go to page 2 of the amendments. [*Crosstalk*] The short title is no longer [*Crosstalk*] Defence (Amdt.) Act.

Miss McDonald: They are now amending the Police Complaints Authority Act.

Dr. K. Rowley: The short title—[*Interruption*]

Miss Cox: “We cyar deal with that.”

Hon. Member: It is not on the Order Paper.

Dr. K. Rowley: Quiet. Could you? The short title is—under the amendment laid here—[*Interruption*]

Hon. Member: Where?

Dr. K. Rowley:—the title of the Bill that I came here to debate, that I sat in this House when the House was convened—the title under the Standing Orders was amendment to the Defence Act.

Miss Mc Donald: Uh hmm.

Dr. K. Rowley: During the presentation of the Attorney General, another title has been in this House, and I want to ask the Government and ask you, Mr. Speaker: is this properly before this House?

Hon. Members: No! No! No! [*Desk thumping*]

Dr. K. Rowley: If what is to be recorded in *Hansard* for the business of today is an amendment to the Defence Act, and when we finish tonight—whichever way you voted—what we have done is an amendment to something else.

Miss Mc Donald: Uh hmm.

Hon. Member: Dishonest!

Dr. K. Rowley: I am asking you, Mr. Speaker, and I want a ruling on this, when was this—

Hon. Member: When was this laid?

Dr. K. Rowley:—short title changed and laid? [*Desk thumping*]

Miss Mc Donald: Yes! And the amendment to the Police Complaints Authority Act!

Dr. K. Rowley: I want you to look because what has happened here— [*Crosstalk*]

Miss Mc Donald: Is the amendment to the Police Complaints Authority Act?

Dr. K. Rowley:—we are amending the Police Complaints Authority Act, and what I have been asked to do— [*Crosstalk*] [*Desk thumping*]

Miss Cox: When was it laid?

Dr. K. Rowley: What I have been asked to do is, while he was carrying on sounding as though he is intelligent and knows what he was talking about, I was supposed now to go—beam myself to the library— [*Interruption*]

Hon. Member: Yes.

Dr. K. Rowley:—get to the Police Complaints Act— [*Interruption*]

Hon. Member: “Beam up Scotty.”

Dr. K. Rowley:—study the Police Complaints Authority Act, look at amendments to that Act and now respond to a Bill that is amending that Act. [*Desk thumping*] I have warned this country time and time again, this Government is not to be trusted. [*Desk thumping*]

Miss Mc Donald: Ahhhh.

Dr. K. Rowley: This presentation by the Attorney General—and before I go any further, Mr. Speaker, I want clarity from you on this— [*Interruption*]

Hon. Member: Yes, Sir.

Dr. K. Rowley:—and the ruling. Secondly—*[Interruption]*

Mr. Speaker: Everything that is before us is properly before us and at—*[Crosstalk]*

Hon. Member: No!

Mr. Speaker: I am ruling that everything is properly before this House. These amendments, *[Crosstalk]* they will be moved when you get at the—debated and discussed at the committee stage. You would know from our regulations and Standing Orders, you can change the title of a Bill. You can change the certificate of a Bill. These can come through the form of amendments, and these are amendments before us. So, I am saying and I am ruling, that they are properly before this honourable House. *[Desk thumping]*

Hon. Members: No! No! No!

Mr. Speaker: Listen!

Hon. Member: This is wrong!

Mr. Speaker: Well listen, I have ruled that these matters are properly before this House, if Members and so on have objection, when you speak you can object, but I am saying that I have ruled. In any event, when I rule you can bring a substantive Motion. You cannot object to what I have said.

Hon. Member: Yes!

Mr. Speaker: Okay. You can bring a substantive Motion and debate my presence here, but in the meantime do not question or appeal my ruling, please. Let us go.

Hon. Member: Yeah! *[Desk thumping]*

Dr. K. Rowley: Thank you. The ruling is made, so we move on. Mr. Speaker, but look—and I hope I would get some injury time for the clarification. *[Crosstalk]* Mr. Speaker, for the umpteenth time, I am not talking to them, I am talking to you.

Mr. Speaker: Yes. I agree. So, Members could you allow the hon. Member to speak.

Dr. K. Rowley: Now, I hope you understand my situation where at 2.53 p.m. I am called upon for the first time to become aware—*[Interruption]*

Mr. Speaker: May I—maybe if you will, I can suspend the proceedings and allow for instance the two leaders to speak, if you wish, and agree to allow you all some time to study the amendments, and we can resume two hours from now, an hour from now, but I am saying that everything that is before this House is properly before this House. So it is up to you, if you would like, I have no difficulty in allowing both leaders, the Chief Whip and the Leader to speak behind my chair, and I suspend for a few moments. [*Crosstalk*]

Miss Mc Donald: He say suspend?

Dr. K. Rowley: Mr. Speaker, we proceed.

Mr. Speaker: He says he wants—[*Inaudible*]

Dr. Moonilal: If you could just—through you, Mr. Speaker, may I ask the Leader of the Opposition, without at all getting into the amendments and so on, if it is the wish of the hon. Leader of the House, that the House be adjourned, to allow the Leader of the Opposition and his team more time to consider these two amendments, one I think is the sunset clause and the next one is the Police Complaints Authority protection—that you would like more time. It is something that the Government will consider, if that is the wish of the Leader of the Opposition.

Dr. K. Rowley: It is the wish of the Opposition to be rid of this Government. [*Laughter*] [*Desk thumping*] That was a procedural matter which—we proceed.

I come to the point that the Attorney General started off with a one clause Bill, within two minutes of his presentation the Bill had grown by two-thirds into another Act for amendment, and all of this—[*Crosstalk*]

Mr. Speaker: Please, Members, please.

Dr. K. Rowley:—against a background where we assumed that the Government would have properly considered this matter and upon proper consideration, would have been in a position to determine which law to amend and to come here and to make a defence of what they have laid before the Parliament. I have made my point about what has been put on our table.

Mr. Speaker, what we were treated with is not a government explaining the purpose and effect of what they have laid before the Parliament, it was the PNM and SAUTT that was on trial this afternoon because two-thirds of the time of the Attorney General was spent dealing with the PNM, and SAUTT, but we have plenty time, but I only have a few minutes in this House, so I will not spend a lot of time responding to that today.

However, I must respond to his attempt in his attack on the PNM, to show where the PNM is joined by the hip to what the Government is doing now. He did that with, I expect, your approval, in holding up here a blown-up copy of the *Newsday* with a headline saying, “Defence Act under review Soldiers Can Arrest”. He spent almost 10 minutes confirming that this proves that the PNM is joined to what they are doing now.

So, I got a copy of the article. I did not know that *Newsday* was a part of the PNM. I did not know that a headline in the *Newsday* meant—[*Crosstalk*] I did not know that by something being in the *Newsday*, it was a PNM position. But then you go to the article and I looked for the link to the PNM and the PNM Government, this being the basis of trying to join the PNM to what he is doing. Hear the basis: “Police sources yesterday said...”. So the basis of the headline is “Police sources”.

Hon. Ramlogan SC: I have the report from Justice Cross if you want it.

Dr. K. Rowley: Then he went to Justice Cross, and Justice Cross is quoted in the article on the said day, and hear what Justice Cross said to the reporter who had contacted the police sources. Justice Cross said, and they are quoting Justice Cross:

“Nothing is ruled out,”

So in other words, we are going to be looking at whole situation. Of course, he went on to say:

“...noting that no specific decisions have been taken with regard to the issue.”
[*Desk thumping*]

Miss Cox: Come here to fool people.

Dr. K. Rowley: So even though the papers speculated that this could be coming sometime—[*Interruption*]

Hon. Member: With the PNM.

Dr. K. Rowley:—in the un-described future, the very words of Justice Cross in the article [*Crosstalk*] are very clear to the Attorney General, you know. [*Crosstalk*] But he used the headline to tie the PNM; we do not want to be tied with you. [*Desk thumping*]

Hon. Member: At all!

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Dr. K. Rowley: It says:

“...noting that no specific decisions have been taken with regard to the issue.”

Then the article goes on, the reporter is now speaking on the basis of work that he has done:

“High-ranking police sources”—this seems to be a frequency in Trinidad and Tobago—“placed the review of the Defence Act in the context of a gradual blurring of the lines between the police and army in this country.”

That was the substance of the article, you know; nothing to do with the Government of the day, nothing to do with the PNM. [*Crosstalk*]

Miss Mc Donald: Misleading the House.

Dr. K. Rowley: It was a direct, straight and clear comment from Justice Cross who made it abundantly clear that nothing has been agreed to, and they would be reviewing with a completely open mind, but an Attorney General who you could never trust and must never trust, [*Desk thumping*] comes here and makes this [*Crosstalk*] the bulwark of his defence of a Bill that has been transformed like a chameleon, from one law to another. That should tell the people of this country what we are dealing with. [*Crosstalk*] So if you do not—[*Interruption*]

Hon. Member: Two clauses.

Dr. K. Rowley:—two clause? That is two more than it had in the beginning. [*Laughter*] You heard that, Mr. Speaker? He said it is only two clauses they changed, but the Bill started with one clause.

Hon. Member: It was 100 per cent increase.

Dr. K. Rowley: So, you see, Mr. Speaker, it is joke. As far as they are concerned, it is a joke. [*Crosstalk*] This Bill to create “soldier police” must be seen in the context of how the whole thing has been operating, how it could operate, and how it should operate in a society like ours. But interestingly enough, Mr. Speaker—

Hon. Member: “Dat is Ramesh write that speech. [*Laughter*]

Miss Mc Donald: Mr. Speaker, 40, 40(a) (b) and (c). I am hearing a drone. [*Crosstalk*] You are malicious!

Mr. Speaker: All right. Okay.

Miss Mc Donald: “What all yuh know about Ramesh?” [*Crosstalk*]

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Hon. Member: Who say anything about Ramesh?

Mr. Speaker: Members, the Member has risen on a point of order. Not so, Member?

Miss Mc Donald: Yes.

Mr. Speaker: Well, if you would allow me, I will rule. [*Crosstalk*] Members, I want to sustain 40(b) and (c).

Miss Mc Donald: Exactly.

Mr. Speaker: (b) and (c) respectively.

Miss Mc Donald: Yes.

Mr. Speaker: Please observe 40(b) and (c) respectively. Hon. Leader of the Opposition, please.

Miss Mc Donald: Be quiet.

Dr. K. Rowley: Thank you, Mr. Speaker, and once again I would like to remind you that I would be looking forward to injury time. But, insofar as the Attorney General went to this particular article of March 12, 2008 to use the headline to mislead the public about what the PNM's position was, he also, in his presentation this afternoon, spent a lot of time trying to convince us that we should do what other people have done and tells us where, what they are proposing, exists, and that we are behind the eight ball on this matter and we should get our act together and come forward. But if he was really wanting to share with us the information that this article, he would have shared with us the last line on this first page, which identifies for the people of Trinidad and Tobago who have a vista of what kind of country they think we live in and of what kind of country we would like to create in Trinidad and Tobago, what kind of governing society we would like to have, and he would have told them what kind of countries have this as a standard across the board practice.

3.45 p.m.

Listen to it, Mr. Speaker. Listen to who have this down as a no-problem arrangement: Somalia, a country in which there is virtually no Government, probably the only country where today piracy is their main part of their economy; Haiti, and, of course, unfortunately we know the conditions of Haiti, where Haiti is stressed virtually on a weekly basis; Israel, in the Middle East, a State surrounded by enemies, virtually constantly at war; Afghanistan, and in Latin America, Mexico; Honduras; Venezuela—[*Interruption*]

Hon. Ramlogan SC: What about the Caribbean?

Dr. K. Rowley:—and American troops in Iraq. Northern Island; these are the places where you change the ethos of policing through civilian police, through policing by military officers.

Mr. Speaker, these two documents—*[Holds up documents]*—this is the Defence (Amdt.) Bill, 2013; this is the Police Service Act, and if according to the Attorney General, police and soldier is one and the same, and we are going to level the playing field and make them one, then what was the need for this?

Miss Mc Donald: That is right. Exactly! *[Desk thumping]*

Dr. K. Rowley: If we did not start out with a good basis to differentiate police from soldiers, in the conduct of our affairs in this country, why do we have these two things?

Of course, Mr. Speaker, this Government is not unknown to us. This is the UNC. We know them. This Government came here this afternoon, through the Attorney General, and tried to convince us that we have a serious crime problem. We know that. He tried to convince us that the PNM was the Government. We know that. He tried to convince us that the PNM tried to use SAUTT to address the crime problem. We know that.

Hon. Ramlogan SC: But it was illegal.

Dr. K. Rowley: What was the—I do not have time to go into that this evening.

Hon. Ramlogan SC: You know that! You know that!

Mr. Speaker: Please.

Dr. K. Rowley: Mr. Speaker, what the Attorney General sought to stay as far away from is identifying the problem as a problem where the Government is virtually coming to the Parliament and accepting that the police service in Trinidad and Tobago is not in a position, or able to respond to the criminal elements. *[Desk thumping]* That is what that is! And what the Government is doing here is trying to do something to be able to allow that situation to be changed. But this is not new.

When we had a problem with a shortage of dentists in the country—we might even still have that—a UNC Government came to the Parliament, and you know what their response to a shortage of dentists was? Change the law and create quacks in the local dentists. They came into the Parliament to create dentists by

legislation. [*Interruption*] I was in the Parliament when they came to increase the number of dentists, not by training more dentists, it was by legislating to let, what we commonly call “quacks”, become dentists by parliamentary action. [*Laughter*] We had to fight that. Mr. Speaker—[*Interruption*]

Mr. Speaker: Members! Members! Members, please. Could you observe again 40(b) and (c), please, and allow the Leader of the Opposition to speak in silence. Continue, hon. Leader.

Dr. K. Rowley: Mr. Speaker, we had another classic example, when there was a spike in crime and seven persons got killed in Arima in 2011, they gave us a state of emergency and this Attorney General behaved the same way he behaved this afternoon when he gave us the emergency.

When he was the spokesperson and poster boy for the emergency, he spoke with the same vigour, the same clarity, the same commitment; today, if they see emergency in “ah bread to make ah sandwich dey eh eating dat”. [*Laughter*] So we are not impressed, same approach. Mr. Speaker, it is the same Government that came to us and said, we agree there is a problem of clogging up the courts, huge backlogs in the court, we have a solution, and the solution is to amend the indictable proceedings Bill, and in it you had clause 34, and they gave us everything possible that this was the solution to the backlog in the courts.

Miss Mc Donald: Um-mm.

Dr. K. Rowley: We know where that went, you know? They got clause 34, they let their friends go or whatever they did, and then, Mr. Speaker, they ended up de-proclaiming the law. [*Desk thumping*]

Miss Mc Donald: That is right.

Dr. Moonilal: Mr. Speaker, Standing Order 36(5).

Mr. Speaker: Yeah, hon. Leader, I think that you cannot accuse the Government of allowing their friends to go. I think you are imputing improper motives to every single Member and I think that you should withdraw that, please.

Dr. K. Rowley: Mr. Speaker, withdrawn, will reconstruct. The effect of what came before the Parliament put as vigorously as it was put this afternoon, in that Bill which had in it clause 34, the effect of that, was persons who were supposed to have gone before the court are now fighting to stay away from the court as a gift given to them. [*Desk thumping*] That was the intent. The point I am making is, the Government says one thing as a solution and the outcome is found to be quite different. [*Desk thumping*]

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Mr. Speaker, that is like saying that there is a problem in the hospitals; we are not getting a good enough health service, whether the problem has its roots in not enough doctors, not enough beds, not enough nurses, not a good supply of medicine; we accept that there is a problem with the hospitals. So the way to deal with that is to legislate and say, “all bush doctors with herbal medicine or whatever it is, they will now become part of the health system.” *[Interruption]* If you do that, then that is the solution to health problem in the country.

That is the equivalent to this. That is the equivalent to this, because what the Attorney General told us this afternoon is that we have an establishment of police officers in this country *[Interruption]* of approximately 7,000 men. But he also told us something more interesting, that we do have at any one time only 2,000 police officers policing the country.

Hon. Member: “They doing shift.”

Dr. K. Rowley: Mr. Speaker, that is an additional piece of information that should tell this country that we have a serious problem with the police service, and the problem with the police service cannot be solved by converting the army into police.

Miss Hospedales: That is right. *[Desk thumping]*

Dr. K. Rowley: We have a series of serious problems with the police service including, we are being told today, probably, shortage of manpower.

Hon. Member: That is right.

Dr. K. Rowley: And this Government comes to Parliament attempting to deal with that, by converting the army into police officers so now we would have soldier police.

In some countries, there is this hybrid between the army and the police. There is a kind of military personnel in-between structured and used. In some European countries, you have the carabinieri, you have gendarmerie and so on, where you have certain specific kinds of paramilitary kind of arrangements, but if that is what you are going to be doing, come and say so and let us start with that and see if that is something we can do to add to the policing. *[Desk thumping]* So, do not come and tell me and try to convince me that a Bill that says—where is the Bill?

“When any member of the Defence Force having been charged under subsection (2) with the duty of assisting any member of the Police Service in the maintenance of law and order and is engaged in so doing, he shall have the same powers, authorities, privileges and immunities as are given by law...”

Then in the Bill that says, “any member of the Defence Force”, he tried to convince me that it is only a few selected persons will be. What the law will do, if it is passed, Mr. Speaker, it automatically makes every single member of the defence force available to become soldier police.

Miss Mc Donald: That is right.

Dr. K. Rowley: Mr. Speaker, if that is so and it is done on the basis that they are doing that on the basis that they will now be able to assist the police, I want to ask the Government, how is that different from the current legislation which allows for soldiers to assist the police? In fact, in the current law—listen to what the Police Service Act has—the Defence Act. No, the Police Service Act. This is section 46(2):

“Without prejudice to the powers conferred upon a police officer by subsection (1), a police officer”—and this is the part you must listen to—“and all persons whom he may call to his assistance, may arrest without a warrant a person who within view of such police officer commits an offence...”

Hon. Member: Within view?

Dr. K. Rowley: That is now in the law. So, you use that clause to allow persons who—the security agencies—work together, to come and work with a police officer.

Dr. Moonilal: A CEPEP worker too.

Dr. K. Rowley: You are telling me, Mr. Speaker, that you want to move from there to one where we now have some police officers on exercises, would work the defence force in properly planned and executed arrangements, to one where you want to convert blanket the entire defence force into soldier police, and you cannot see any difference in that, Mr. Speaker?

In Northern Ireland, you had to do that because you were dealing with decades of insurgency. In Afghanistan, you had to do that because you have virtually no control by the State over the society.

Hon. Member: Antigua.

Dr. K. Rowley: He said Antigua. Antigua may have had to do that because they have a small number of people in the army and a small number in the police and they could oversee.

But in Trinidad and Tobago we have different issues, and I simply want to tell all these Government people, when you want to make these kinds of fundamental

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changes you do not understand, go back to the independence discussions and try and figure out what went on that created the service commissions in Trinidad and Tobago.

Hon. Member: That is right.

Dr. K. Rowley: Something that we have that others do not have.

Miss Mc Donald: That is right.

Dr. K. Rowley: So when you come and tell me what Antigua did, also tell me if Antigua has a whole series of service commissions to treat with concerns and fears that Trinidad and Tobago has which Antigua does not have.

But, Mr. Speaker, we look at what are police officers powers because since you want to convert the whole army into police, what are the powers of the police that these soldier police would now have? Police powers can be found in section 45 of the Police Service Act.

“A police officer —

(a) shall preserve the peace and detect crime and other breaches of the law;”

That is his function, and I draw your attention to the verb “detect”.

“(b) may arrest, charge and bring before a summary court a person found committing any offence rendering him liable to arrest without warrant, or whom he reasonably suspects...”—that this police officer—

“(c) may summon before a summary court a person whom he reasonably suspects of committing an offence;

(d) may prosecute a person who commits any offence;

(e) shall serve and execute at any time, including Sundays, all process which he may be directed to serve or execute;”

These are police powers in the normal understanding of the police service. The Attorney General went out of his way to tell us now that we will now be levelling the playing field to have no distinction between police and soldier, and if we pass this law, that police and soldier will now become one and the same with respect to all these matters. Mr. Speaker, I simply want to ask, if that is the Government’s intention, is that the understanding, request and requirement of the people of Trinidad and Tobago?

Hon. Member: Um-hmm. [*Desk thumping*]

Dr. K. Rowley: They got into office by luck and happenstance, without outlining any policy that the country could have examined before and say, “should I support that or should I not support that?”.

But now they are in office, they want to tell this country that what we would do in one fell swoop with one clause of amendment in one Bill, is to convert the entire defence force into soldier police.

Miss Mc Donald: Soldiers, that is right.

Dr. K. Rowley: Because I did not hear him talk about partial power and partial use of the power. What he said on the other hand was that he is levelling the playing field and his mind is so myopic, he is only making his point of levelling the playing field in the context of when to go out to work.

4.00 p.m.

Well, if he is levelling the playing field as he said he is doing, he did not say a word about levelling the playing field on the remunerations and terms of conditions. Since the playing fields are level, and “big belly policemen eh running up the hill, it would be fit soldiers running up de hill,” since the problem we are trying to solve is “big belly” policemen versus fit soldiers—[*Interruption*]

Miss Cox: Hard back soldiers.

Dr. K. Rowley:—he made no mention whatsoever of how these soldiers will now be remunerated for the additional duties that they are going to have.

Mr. Speaker, understand something, one of the problems we have had over the years when police and soldiers go out, even on joint operations, is this antagonism between the two bodies, where police do not regard soldiers as police and soldiers are never happy doing police work, not getting paid while police getting overtime. Soldiers get paid on a fixed arrangement and their time is available to be used 24 hours a day, no overtime and when they go out on joint patrols with police, while they are there with their fixed remuneration, police overtime running. That has been a problem throughout this arrangement.

So this levelling of the playing field, we heard nothing in the presentation. Now, if you had created, or if it was your intention to create a kind of intermediary, military/paramilitary arrangement between the police and between the soldiers, that discussion would have formed part of the thinking and you would have created that. But no, all this Government is coming to do, one evening in Parliament, and it has been so poorly thought out, that on the way to the

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Parliament the substantial clauses change and during the presentation of the Attorney General, even the name of the Bill change. The playing field is so levelled that now you create soldier police, and we still have to ask: how is this thing going to work?

But, Mr. Speaker, the real problem that we are facing, is a problem where the police, maybe with the best will in the world, have not been able to effectively respond to the situation. We are saying that this development will do precious little to change the performance of the police. We part company on the Government with that. The Government thinks that by increasing the number of bodies around, playing police, because they like to play police, apparently, but just this abstract increasing of numbers by itself is not a solution. It is the effect of what you do, and we are saying that this Bill will have the effect on two ways:

1. Demoralize the police; and
2. Affect the defence force.

That will be the outcome. Once you pass this blanket legislation to convert soldiers into police and hand that to the country saying that this is our crime plan, you will have a reaction from the police service. I live in this country. I know the police service in this country. I represent police officers in this country and I guarantee you, Mr. Speaker, the police will have a problem with this—to come here and tell me that the Commissioner of Police has no problem with it. How you know that?

Hon. Member: He said so, publicly.

Dr. K. Rowley: He said so, he also said he did not know Cordner too. Mr. Speaker, to come and tell me the Chief of Defence Staff has no problem with it, that is when I am worried because there is another angle I want to look at in this.

Under the current laws, the Minister has no direct control of the police and that condition came out of our independence negotiation.

Miss Mc Donald: That is right.

Dr. K. Rowley: You go to London or go to the archives here and look at the discussions at Marlborough House and see why Trinidad and Tobago ended up where a Minister has no direct control over the police and that the police fall under an independent Service Commission, and the authority for operations in the police service falls under a Commissioner of Police. That is the police. But when

you go and create soldier police, I take you to section 191 of the Defence Act, which we started out amending and which we replaced by another law to amend. Section 191(2):

“The Chief of Defence Staff who shall be appointed from among the officers of the Force shall be vested with responsibility for the operational use of the Force and shall in the exercise of any power connected with such responsibility conform with any special or general directions of the Minister.”

I want to repeat this for the people of Trinidad and Tobago, those who have not had the opportunity or the willingness to read this, so they could understand that notwithstanding all that the Government says and the blandishments made to you as a crime fighting tool, this is what is going to be the law of the land when they pass it into law to meet this law. What they are passing to create soldier police, is to meet this section 191(2) which says that:

“...the Force shall in the exercise of any power connected with such responsibility conform with any special or general directions of the Minister.”

Mr. Speaker, that is how in the 60s that same clause there, that clause—that is how in the 60s, except I think Venezuela, the entire South American continent was run by military or paramilitary dictatorships where the political directorate used the power of that clause to terrorize and hold control over countries, and my colleague from Pointe-a-Pierre would know that, because he is well educated about these matters, and it took decades to peel their fingers off that power and bring Latin America to the democracies, where they are today. That is how it was and to tell me, trust me, we would not do that.

I ask you, with your record, it was this Government under this Minister that does not have any such power under the Police Service Regulations who, within days of being appointed Minister, got out of his bed foreday morning, and the next thing the country knew, serious contingents of the defence force were down in Debe under the Chief of Defence Staff using the might and power of the defence force against defenseless citizens, women in particular, attempting to break down a camp where there was some issue over where a road should pass. That is our record. And if on that basis alone, we should have been concerned, now that the Chief of Defence Staff is in agreement with this and it is told to us in this House that he is in agreement—I am going to ask, is that the same Chief of Defence Staff who led his men to break down the re-route camp down the road?

Miss Cox: Same one.

Dr. K. Rowley: He did not send a lieutenant colonel, he did not send a colonel, he did not send a major, he went himself—[*Interruption*]

Miss Mc Donald: Himself appeared.

Dr. K. Rowley:—because he thought it was something good; he thought it was nice to be on TV to show that you are acting, and then to add insult to injury, after all the comments about that, most of it negative, after his experience of that, this matter is before the House. Most of the country is objecting to it and what do we get, what we get, we get the Chief of Defense Staff saying that he is prepared to do whatever the Government wants and he is standing by for the Bill to be passed. I am putting you all on notice. I am quoting here from March 06, 2013, *Trinidad Express*:

“Major General Kenrick Maharaj, the Chief of Defence Staff, says the Defence Force is responsible for setting ‘relevant rules of engagement’ once the bill meant to provide military personnel with civilian policing powers becomes law.”

So he is anxiously waiting for the Bill to become law for the Chief of Defence Staff to determine the relevant rules of engagement so that he will now police citizens as soldier police. Then he goes on to say:

“Whatever policy decisions are taken by the Government with respect of their (plans for) defence and security, we translate policy into operational readiness and operational action.”

Now, Mr. Speaker, I have no problem with the officer determining and stating that he is under the control of the State Executive. But understand something here; put this into context of how he used this same power and this same understanding under this Minister when we saw what happened in Debe. We have been warned. We have been warned, and I will tell you, countries that lost their way, even those who were living under democratic conditions, they did so one step at a time. They lost their rights and their privileges one clause at a time. If Trinidad and Tobago believes that what it must do to respond to an unacceptable crime scourge is to go and convert the army into police so that that will be an increase in policing in the country, this country is warned that the second stage may be worse than the first.

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

Mr. Speaker: You may continue, hon. Leader of the Opposition.

Dr. K. Rowley: Mr. Speaker, I thank you and I thank my colleagues for the extension. Mr. Speaker, this Bill was presented to us this evening largely in an attack on the previous Government in the context of how the previous Government responded through SAUTT. As I said, that is another debate for another time. But that is not how we see it, we see it as another response from the Government, and this is its newest crime plan where, in the last two and a half years, we have had a series of crime plans from the Government which materialize at the times of crisis.

If I take you through them, Mr. Speaker. We had the security guard crime plan announced in this House by Minister Sandy where the Government said, the response to crime will be, we will get a large number of security officers—I think the figure was 20,000—create some commission under which they will operate and they will now augment and supplement the police service. To them it sounded good, but Mr. Speaker, if that was a crime plan, it has not been implemented, it has been shown to be not what they sold it as and then they moved on to the next crime plan at the next crisis.

The next crime plan was, again, attempting to respond to the police effectiveness through increase of numbers. They gave us an offering of five and then of 10,000 SRPs by Christmas of last year. That has not come to pass. Then, of course, I cannot forget the response of a state of emergency which was like a silver bullet to a vampire, would have dealt effectively once and for all with the crime problem especially in certain areas called “hot spots”. The spots are hotter now than ever. Hot with fire, not just with bullets, fire. You hear the Government now saying even in a worse condition than when the emergency was effected in 2011, the Government is now saying, “We are not having any state of emergency”. So they too have now conceded that it is not a crime plan. [*Desk thumping*]

Every time there is a spike in crime in certain areas, they get lockdowns—so they lock down and open up, so they last for a few days, lock down and open up and that is another crime plan. Just a few months ago, we had Laventille under “boots” and the Government is telling us every street in Laventille is being patrolled by soldiers. Yes, that might be so, but is that sustainable? How long was it sustained for? Do we have the manpower to make the crime plan, a crime plan where the plan is that soldiers will be on every street walking up and down Laventille?

4.15 p.m.

That might look good, or sound good; it is not sustainable and largely ineffective because the criminals just wait out the soldiers because they know, very soon, they are going back to barracks; back to square one.

Then we get another crime and this crime plan was to bring a tall, powerful man from NBA, picks the Prime Minister up, and dumps her in a hoop.

Miss Mc Donald: “Hoop ah life.”

Dr. K. Rowley: Hoop of Life. That is another crime plan.

Miss Mc Donald: Yes! Yes! What about that?

Dr. K. Rowley: And then when that crime plan was out there, having virtually no effect, we had another crime plan. We take \$4½ million and we go to the Savannah and we invite all those of the criminal environment and their friends and their neighbours to come down and we have a \$4½ million thing in the Savannah. God alone knows what that was! All we know, it cost \$4½ million. Absolutely useless!

Clearly, Mr. Speaker, this Government is flailing around in the dark looking for some response and, Mr. Speaker, the current one that is attracting the attention of the population, which precedes this one, is the Flying Squad. When all else failed, get a Flying Squad. And when the Flying Squad comes for their money to be paid, disown them. That is what is before the country now, a series of failed, poorly thought-out initiatives, [*Desk thumping*] and this one will be no different. And to the extent that it is going to be different, it will not be different in the positive, it will be different in the negative.

Mr. Speaker, this Government and their spokespersons behave as though arresting people is an end in itself. Arrest is towards a purpose. Arrest is towards, you constrain somebody; you charge them on an offence; you gather evidence; you go to court and in the court your evidence is tested; you get a conviction and only after you get a conviction is the sentence an issue. They talk as though it is about arrest and sentence. You are hearing about no bail. Before you could grant no bail, you have to have somebody to not bail.

What is happening in the country right now is that the criminals are so “boldface” that they are walking straight past people and commit murder in front your face. In fact, they want you to see them when they commit the murder because once you see them, they and their friends know if the police “come and

apprehend them”, they know who the informant is and you are the next ghost. So nobody wants to be a witness in Trinidad and Tobago. And instead of coming here, wasting time with this, trying to create soldier police, we would have been happy today to have come here to do something, Mr. Speaker, about ensuring that something is done so that the average person in this country does not feel that if he or she is a witness, that that is a death sentence.

We think that it is possible that we could do with legislation, certain things to be a deterrent to persons who interfere with witnesses, because without witnesses—voluntary or otherwise—there will be no criminal justice system, and whether we like it or not, we are at that point in Trinidad and Tobago where we are without witnesses, because to be a witness in the current condition is possibly to sign your own death warrant.

What we want to do with the Government is to change the law to make it such that it becomes from now mandatory, that any person who is convicted of interfering with a witness must get a serious sentence of jail right now. So the jail for interfering with a witness must be equal to, or more severe than the crime that you committed, and they will then know that if “I interfere with a witness I am doubling the penalty I might face in the end”. Until we get to that route, we are wasting time, Mr. Speaker. Wasting time! We are talking about more patrols. We want to go and make soldiers patrol. What about the possibility and all the talk about improving or establishing in communities, in municipalities, municipal police units who will patrol side streets, way-bys and talk to those there? [*Desk thumping*]

If it is we only have 2,000 effective police officers in the standard establishment—we are spending hundreds of millions of dollars on ineffective responses—why not spend that money on establishing in communities, municipal police that are effective in dealing with community policing problems? They will know who the local people are and they will be more effectively dealing with them alongside the national police.

If we are called to do that and to amend laws to do that, then we could think we are effectively dealing with things, but to come here and talk about just changing a clause to level the playing field with soldiers and police, you do not understand what is going on.

Mr. Speaker, let me take you to the problem with the police service. The police service is not being as effective as it could be. Today’s crime, today’s

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criminality, is 21st Century. With all the best efforts so far, our police service is not in step with what the criminals are doing. So, Mr. Speaker, look at section 22(2) of the Police Service Act.

“The Commissioner may, having regard to the qualifications, experience, skills and merit of a person who is not in the Service, appoint on contract such a person as a police officer for any specified period.”

That is the current law. This section gives the Commissioner of Police the legal right—and I presume he has the resources. If he does not have it, and the Government wants its Act, give him the resources to employ any person for a specified period—specified skills.

Mr. Speaker, some of the skills required now in dealing with some of the crimes require special skill sets such as forensic accounting. The police service does not have the proper skill set to follow money through the system. So what is wrong with hiring people who understand the international and the local financial system, to work with the police under the Commissioner of Police? We are not doing that. That is not what we are doing. What we are doing is creating soldier police to put more boots on the ground, and that does not change the gathering of evidence.

Where the police service is falling down, not only with the loss of witnesses and the loss of trust from the population; it is falling down with not having within its ranks and within its effort, proper investigative skills and tools so as to go after criminals and detect the crime and hold the perpetrator.

Miss Mc Donald: That is right.

Dr. K. Rowley: And until we, as a people, come to a point where our policing is delivering detection of crime and the apprehension of miscreants, and the successful prosecution and conviction of those persons, we are not impacting on crime at all.

Miss Mc Donald: Exactly! [*Desk thumping*]

Dr. K. Rowley: So here in the law you have this provision, but I am not aware of any instance where any person or significant numbers of persons with specific skills, have been hired to target the real crime. We are hearing about \$630 million of questionable moneys going through the financial system, reported by the FIU. I guarantee you, if we leave that to the normal policing skill sets, they will never be able to follow those moneys. But if we hire the right people who understand the system, doing the forensic work, we can go through there and find

out the source of those moneys and the effect they are having on criminal conduct in this country. We are not doing that. PR and bully talk about “cussing” SAUTT! Well, SAUTT “done dead” already. So you are now seeking—what are you seeking to do? To fool people! To fool people! [*Interruption*] I tell you I am coming back to SAUTT. “Doh push yuhself.”

So, Mr. Speaker, we need improved brain power and specific skills to make the police service able to respond to the kind of crime. Crime and international and local financing in Trinidad and Tobago, they go hand in hand.

Mr. Speaker, you can appoint these persons on contract. So you can hire them for a particular case if you have to. We are not doing that. We are behaving as though we are helpless and that the criminals are in control. You hear every day about another killing, another mass murder. What you are not hearing is that such persons have been run to ground by proper painstaking investigations which have used modern techniques—current techniques—to bring the person who has done the crime to the knowledge of the authorities and to charge them.

We are talking about DNA. This Parliament spent a lot of time talking about DNA. When last you heard a case in this country being determined by forensic evidence? When last? Notwithstanding all the white coats and the tape around the scene, just tell me when last you saw a case going through the court and the body of that case was a fingerprint? When last did you hear that persons who burgled somebody’s house were identified by fingerprints left on the scene of the crime or in the vehicle?

When you examine it, Mr. Speaker, it becomes quite frightening. Our ability to police and to use modern police techniques seem to be beyond us, and that is where we should be going with any effort. We have to concede, whether we like it or not, that the police service is not up to the job at this point in time and needs to be strengthened in a variety of ways. I just told you that there is a section in the law that allows for the commissioner to strengthen his manpower in specific areas, for specific purposes, for specific needs. We are not doing that. We are doing things for show. We are politicizing crime.

So the AG comes here this evening and the entire argument is about the PNM, the PNM, the PNM. I could tell you, Sir, the PNM is quite well at Balisier House. Thank you. [*Laughter and desk thumping*]

Hon. Member: And that is where they will remain!

Miss Mc Donald: Wait and see.

Dr. K. Rowley: Mr. Speaker, police corruption—corruption in the police service is a real, real, real problem, because it is an established fact that the average person in this country views the police service as a unit that you cannot trust as we used to, because over time we have not effectively prevented corrupt officers from populating the police service. So even though there are large numbers of hard-working police officers there, prepared to protect and serve and put their life on the line, they, too—and let me repeat that—they, too, are afraid of corrupt colleagues who may put their lives at risk in their connection to the criminal underworld, and we are not effectively dealing with that.

But, again, this is not a Government thing or a Trinidad thing. Let me draw your attention, Mr. Speaker, to what prevails in Jamaica at this point in time, because we are no different. Last Sunday I was in Jamaica and I picked up the *Gleaner* only to see the headline in the *Sunday Gleaner*: “\$280”—Jamaican dollars, eh; that is the price of two bananas—“for a life”. That is the front page story in Jamaica. And it goes on to say:

“Anyone interested in the purchase of bullets just needs a link to someone with connections to the criminal underworld.

In Jamaica, a loaf of bread retails at a corner shop for...\$235 while a single 9mm bullet can be bought for about \$280 or less.”

Then it says:

“In that operation, an ex-convict introduced our reporter to an inner-city resident, who claimed he was tight with a licensed firearm holder who would sell us any number of 9mm bullets we wanted.”

And in one case, the *Gleaner* is showing here, in a few minutes on the streets of Jamaica, Kingston, they were able to purchase—they only purchased 25, for example, but they could have purchased any number of bullets for a 9mm firearm or for assault weapons.

I ask myself: how different is that in Trinidad and Tobago? Because my colleagues in the other place reported to the House that people in East Port of Spain are reporting that after a firefight in East Port of Spain, the empty shells on the ground were Government-issue. I have heard or seen no effort by the Government to focus on that, because the manufacturing capacity of the criminal element to produce bullets is still quite low. So they are getting them from somewhere, either coming through the ports—north, south, east or Tobago—or more troublesome, getting them from certain elements in the security services.

We are no different to Jamaica, it exists here, and this is one window that has to close. Mr. Speaker, somewhere else in the paper was another story on this same question of police corruption. Western Jamaica: “Haven for corrupt cops.”

“Police in western Jamaica linked to jailbreak, robberies, murders, lotto scam and other crimes

...it appears that the message is not getting...” through—

Notwithstanding the best effort of the anti-corruption bureau:

“...the message is not getting across to some cops, especially those based in western Jamaica, which has been a hotbed of police corruption in recent times.

Last Sunday, a policewoman assigned to St. James Police Division...”

Mr. Speaker: Hon. Member, you have 11 more minutes. I do not know if you want to wrap up in five or you want to preserve your 11 minutes after tea.

Dr. K. Rowley: I will preserve.

Mr. Speaker: Okay. Hon. Members, I think it is a good time for us to suspend the sitting for us to have tea. This sitting is now suspended until 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Mr. Speaker: the hon. Leader of the Opposition.

Dr. K. Rowley: Thank you, Mr. Speaker. In the 10 minutes I have left, I will just continue to wind down my contribution. When we took the break, I was by way of quoting from the *Jamaica Gleaner* trying to demonstrate that this problem that we are trying to face in Trinidad and Tobago is not unique to us. And from what has been published in Jamaica and what seems to be the state of play on the streets in Kingston might very well be at play in Trinidad and Tobago because we have some evidence that some of it is taking place. That being so, this is one of the areas that the Government should focus on in trying to have a more effective police service by ensuring that the policing is of such a nature that arms and ammunition should not be flowing from the legal units into the hands of criminals and other persons who may purchase them on the streets.

Mr. Speaker, I want to take issue with two points made by the Attorney General to justify this Bill and to determine how the actions will work. The Attorney General has said that the soldiers will not be going on their own, they

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will be going with police. Well, that is precisely what is happening now and what has always been happening. How does levelling the playing field to create a whole army of soldier police of the entire defence force, how does that change the fact of effecting this in policing if now they go together?

We say we do not believe that because we know what the problem has been. The problem with the joint patrol has been, from time to time, that when the soldiers with their arrangements from the defence force are available to go out and patrol with police officers, on many occasions the police side of the unit falls down and the soldiers are not accompanied by police officers or the patrol may not take place.

Throughout the length of time that this has been going on, this has been a problem. From the defence force side, they will tell you that they are not convinced that the police are entirely committed to this kind of arrangement. So to come and tell me now that you are going to create a playing field where every soldier is a policeman, with all the powers of a police officer, and believe me, trust me, the soldiers will not be going alone, I say I do not believe you. As a matter of fact, I think that is part of the intention in some quarters because that going alone that could now happen under the law, if it is passed, will make that going alone subject to ministerial direction, whereas the police is not subject to that kind of ministerial operational direction and it is a big distinction between that.

I will not listen to any Government Minister, especially the Minister of National Security, especially this Minister of National Security, giving me any assurance that that will not happen because, we, with the Parliament, would have created the environment for that to happen and then he is asking me after, having created that, to “Trust me”. Mr. Speaker, section 34 all over again—not with these PNM votes. So, we do not believe the Government. I will tell you why.

The first Bill that we started debating at half past one today is a Bill that the Government prepared and brought to this House to be passed with a simple majority. The powers that they were going to give to the soldiers had the ability to have those powers be used by soldiers to take away people’s rights in terms of your ability to be free in this society, free in your movement. You can be detained. That is a violation of your fundamental right to be free and to move freely.

Miss Mc Donald: Freedom of movement.

Dr. K. Rowley: That is what the power is going to do. Then, under our Constitution, it says if you want to do that, if you want to take away anybody's right of freedom of movement, to detain them, deny them that freedom that is enshrined in the Constitution, you have to pass that law with a three-fifths majority. What did the Government do? They deliberated, they agreed, they printed a Bill, sent it to the Parliament and "start to bluster" and saying it does not need a three-fifths majority. We can pass it with a simple majority. Do you know why? Because in the Lower House they can pass it with a simple majority, they have enough heads to do that, empty or otherwise, but in the other place, if it requires a three-fifths majority, they will have to get a number of votes that the Government does not have.

So not having the votes in the other place, the Government deliberately presented a Bill to the Lower House, trying to "bamboozle" the Lower House that it can be passed with a simple majority, and then after the Bill is here, halfway through his presentation, he then tells us they got advice that it requires a three-fifths majority. Advice from whom? Every parliamentarian in here knows or ought to know the Constitution, and if you are interfering with section 4 or 5, anything in section 4, an enshrined right, if you are going to interfere with an enshrined right of anybody in this country, a law that authorizes that interference must be passed by a three-fifths majority.

Miss Mc Donald: Section 13.

Mrs. Mc Intosh: By the Attorney General.

Dr. K. Rowley: Anybody knows that, but it takes you, as a Government, to go through LRC, have your lawyers, Attorney General SC, Prime Minister SC and other counsels, halfway through the debate to come and tell me, you got advice that it is not a majority as simple, it is a three-fifths majority. That tells me we should not trust you because we know you know that was not speaking the truth. [*Desk thumping*]

It is things like these that make us know that we must not trust the Government. If this Government is telling us they had to wait until they get advice this morning, that this action of detaining people, by authorizing soldiers to detain people, is a violation of the rights of every citizen, and for that to be legal it must be passed in the Parliament by a three-fifths majority—because the Government knows it does not have it in the other House, it creates the environment to do it so it can get past the Parliament, and then the Attorney General has the gall to come here and talk about the PNM had no respect for the Parliament.

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The way they used the Parliament, Mr. Speaker, to create section 34 and all that flows from that, he comes here now, while he is trying to put through the House as of this morning a Bill that requires a three-fifths majority, has the gall to tell us about the PNM having no respect for Parliament. He goes on ad infinitum to talk about SAUTT being illegal, illegal, illegal, not in one instance has it been shown in a court of law in Trinidad and Tobago in any case where the actions of SAUTT were deemed to be illegal in a court of law. It is illegal in their mouth and I will end on this note.

It is because of their behaviour and their attitude, I am putting this country on notice, today, that the Government is not learning. They have this attitude towards SAUTT, for whatever reason I do not know, but in the SAUTT arrangements under the PNM according to them—which is a fact—a number of high-profile gang leaders are today in jail. I have seen nobody going there to argue about SAUTT's illegality. What I do know is that the officers who were involved in making those cases that brought about their incarceration, many of them have been either fired, chased away or otherwise by the current Government, and I am putting this country on notice that in the face of the criminal element carrying on the way they are carrying on now, it could get considerably worse. Because in the not too distant future, it is quite possible that by the Government taking this hostile approach to officers of state who contributed to their incarceration, those people could be made to walk when their cases come up in the court.

Let this Government continue to behave the way they are behaving and not commit themselves to using the work done by people in SAUTT under the previous Government, to ensure that officers who were involved in those cases play their full and effective part in the court and see how many people will walk out of court because their murder case get thrown out. I am putting this country on notice today, that is what is coming down the chute. And when you hear an Attorney General making the inane statement that some SAUTT officer who had held somebody in Morvant, or wherever it was, could not give evidence—I mean, these are the words of the Attorney General. He could not give evidence because he had no police powers. Mr. Speaker, what hogwash!

Nobody in this country needs police powers to give evidence. You give evidence if you are in a position of knowledge to offer information to the court. You do not need police powers to give evidence. So in trying to make the case for the police powers for the soldiers, he over made it by saying that they have not been able to give evidence because they did not have police powers.

Mr. Speaker, if ever there was an untruth ever told in this Parliament, that is it. If they take that attitude that people who worked in SAUTT, who contributed and are in a position of witnesses to serious murder cases involving very serious people who threaten our security and safety, if they cannot give evidence because they were in SAUTT, what this Government is aiming to do with its recklessness and nonsense, is to allow the criminal justice system to underperform, underperform to the extent where there are persons waiting to head for the street.

Mr. Speaker, my time is up. I think I have said enough to justify why the Opposition, under no circumstances, can substitute soldier police arrangement of this Government for taking effective steps in ensuring that we have an effective police service. What this country is short of is effective information gathering to ensure that there is an effective police service. We will support everything to strengthen the police. We are not supporting the creation of any private army or any soldier police.

Thank you, Mr. Speaker. [*Desk thumping*]

Mr. Speaker: The hon. Minister of National Security.

The Minister of National Security (Hon. Jack Warner): Thank you, Mr. Speaker. Mr. Speaker, 64 minutes before tea and 11 minutes after tea, I sat here and listened to the Member for Diego Martin West, a wannabe Prime Minister, a wannabe one who will be able to lead his troops into battle if even it means going to a Carnival fete in a stretch. I sat here for 64 minutes and listened to the last speaker. He did not say a single word about the victims of crime.

Dr. Moonilal: Never!

Hon. J. Warner: Not a single word. That wannabe Prime Minister did not empathize with the victims of crime. Where was his compassion? Where was his concern for the people of Trinidad and Tobago? But you see, Mr. Speaker, everything for them must be politicized. Everything for them must be, of course, put in the public domain as if it is some plant, some of course conspiracy, against the country. For me, I in a sense feel pain because as he was speaking I asked myself, Why did he not say something about 10-year-old Vijay Persad who was kidnapped in 2004 when his Government was in power?

Dr. Moonilal: Nothing!

Hon. J. Warner: What did he say about that? For 75 minutes, nothing. Zero, zilch, nada! He did not say it at all. What did he say about the bicycle bandits who terrorize Lange Park? Nothing, Mr. Speaker! What did he say about the

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businessmen who have been gunned down all over the country? Nothing, Mr. Speaker! What did he say about the bandits who terrorized “limers” at the Caura River? Nothing, Mr. Speaker! What did he say, even as late as the Ramsahai family, the tragedy which befell that family in the most heinous way, the victims of crime? Nothing! But the wannabe Prime Minister from Diego Martin West, had a lot to say about the police service, and how they are incompetent, and how they cannot function, and how, of course, they cannot live up to the task. My role is to bring some degree of sanity, some degree of sobriety almost, to what I heard here this afternoon as their contribution, as his submission.

Mr. Speaker, let me begin by saying, first of all, that—in fact, before I even say that, as I sat here and I listened to the last speaker, he went as far as Jamaica to talk about crime, but he could not talk about a single victim in Trinidad; not one! But, Mr. Speaker, I sat here I made a note that he said that the police have not been able to effectively respond to the situation of crime. Mr. Speaker, that hurt. Because you see, when they were in Government, they had a penchant for, of course, foreigners, and that is why today, we are saddled with, of course, a system, a policy, to, of course, select a Commissioner of Police that will take about two years unless it is changed.

5.15 p.m.

Dr. Rowley: That was UNC.

Hon. J. Warner: But the point is that at the end of the day, he gives the impression as if the police in the country are impotent. Let me give this House some figures, because far too often, based on what they on that side preach, one gets the impression that there is almost anarchy in this country; that, of course, the police are useless, and I want no part of that as the Minister of National Security, as, of course, a Member of Parliament, as citizen Jack Warner. I want no part of that.

First of all, let us take—and he gave figures, “yuh know”, figures, not emotion, figures. For the last four months—[*Interruption*]

Mr. Speaker: Members, please. Undertones! Allow the Member to speak in silence, observe 40(b) and (c). Continue, hon. Minister of National Security.

Hon. J. Warner: Thank you, Mr. Speaker. I sat here and gave them all the respect they needed, even when what they were saying for me was painful, hurtful and almost tasteless. I sat down and take it, “didn’t say ah word”. But if they want to disturb me, let them go ahead, I would not be sidetracked, Mr. Speaker. Thank you.

For the last four months of 2012—and why I say for the last four months, Mr. Speaker, is because we had an acting Commissioner of Police come into office on August 07. Some people “doh like local, yuh know, they like foreign; they like blue eye, right”. [Laughter] So we had a local police here and this police came in, in August. [Continuous interruption] The last four months of 2012— [Interruption]

Hon. Member: Oh lord!

Hon. J. Warner:—the monthly average of murders was reduced from 35 to 25. This represents a 28 per cent reduction in the monthly average of murders. [Continuous laughter and interruption] I want to make the point that this is the most significant percentage reduction—[Interruption]

Mr. Speaker: Members, Diego Martin North/East in particular, please.

Mr. Imbert: “I ent say anything.”

Mr. Speaker: No, but yuh laugh—this is not a place where you giggle. A contribution is being made and you are laughing away and you are disturbing the proceedings. This is a serious place. So, I just ask Members to treat Parliament with the seriousness that it deserves and not disturb the proceedings. A Member is on his legs, allow the Member to speak in silence, because I am sure when you are ready to speak, you are going to be calling upon me to protect you.

Mr. Imbert: From the first minute!

Mr. Speaker: Well, I ask you to observe silence. Hon. Minister of National Security, please continue.

Hon. J. Warner: Thank you, Mr. Speaker. I was saying that this percentage reduction of 28 per cent is the most significant percentage reduction in murders ever achieved in the history of the police service, but they do not know that. “Dey doh want to know that—is to cuss the police left, right and centre. They impotent, they cannot work, they cannot function.” [Interruption]

Mr. Speaker, in this country—[Crosstalk] I will come to you just now, especially you. [Crosstalk] In this country, they, of course—there is a belief that murders represent all the crimes in this country. I can understand people’s passion about it, but, Mr. Speaker, serious crimes in this country, under the police service, have gone down by 23 per cent in 2013 to what it was in 2012. As a fact, Mr. Speaker, to put it in the *Hansard*, let me give some figures to this House, because,

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you know, it is easy to come here, cuss the police because it sounds nice, it sounds popular, but “I doh do what is popular”, I will do what is right, and the right thing is to give the statistics to the country.

So let us take serious crimes. Murder, I agree, Mr. Speaker, is on the rise, on the up, by 36 per cent, and they have to fix that, and I will tell you how just now. Because, one of the ways to fix that is to bring this Bill here to empower the soldiers to be given the same powers of arrest, the same privileges, the same immunities, with the police, when they are assisting the police. Far too often this afternoon, you hear, as if it is *carte blanche*, “every soldier is ah police” and you are hearing such derogatory terms “ah soldier police”. And “yuh want to be Prime Minister!” Me? “Soldier police!”

Hon. Member: Never!

Hon. J. Warner: But, Mr. Speaker, the soldiers are given the same privileges, the same immunities, the same, of course, powers of arrest as police, when they are assisting the police. In the past, they assisted the police but they did not have any legal protection, and in fact, if one of them had gotten in any serious problems while they were doing this for the past eight or nine years under them, they had no redress. What we are doing today is bringing the soldiers within the pale of a degree of legitimacy. P-a-l-e, for those who “doh” understand.

So the point is, while murders are high, this police service that has been cussed left, right and centre by the last speaker, what are the facts? Wounding and shooting: 2012, there were 96 cases; 2013—I am talking, of course, now between January and February, those two months I am taking—95, minimal 1 per cent reduction. Sexual offences: 2012, 233 between January and February; same period 2013, 75; reduction, 68 per cent. Kidnapping: 2012, 42; this year, 16; reduction, 62 per cent. Kidnapping for ransom: 0, 2012; 0, 2013.

Mr. Speaker, break-in and burglary: 2012, 703; January/February, corresponding period, 465; 34 per cent decline. Robbery, same period: 2012, 746; 2013, 585; reduction, 22 per cent. Fraud offences: 37, 2012; 24, 2013; reduction, 35 per cent. General larceny: 600, 2012; 465, 2013; reduction, 23 per cent. Larceny of motor vehicles: 175, 2012; 187, 2013 and it grew by 7 per cent, but though it is small, we have to look at that as well. Larceny on the dwelling house: 2012, 75; 2013; 55; reduction, 27 per cent. Narcotic offences: 2012, 81; 2013, 50; 38 per cent. Other serious crimes: 147, 2012; 106 in 2013; 28 per cent, and the figures go on and on.

But I have heard the wannabe Prime Minister, the last Member for Diego Martin West, on the platform of one of his meetings say that he has figures. The

way that the Opposition is telling this country and the world that he has figures to dispute the figures, the records, the official figures, from the police service. Why? To make the country look bad. Why? To cause mischief. But I will say more about that, Mr. Speaker, shortly.

Mr. Speaker, I am told also that the Bill, he said, will demoralize the police. I cannot believe what I am hearing. When they were in power, they had SAUTT with 400 soldiers, 88 policemen. The 400 soldiers were given additional allowances, more, of course, equipment, better training and the police officers were tagging along. They were not demoralized then and they were not concerned then that those 400 soldiers were given the crème de la crème, so to speak, while the police officers suffered. They lacked resources from vehicles go back. SAUTT had more vehicles than Amar at the time, right, and the police had nothing. There was a cry in those days that when you call the police, they said, “We have no vehicles”. Today, you will not hear them say so, but in those days, the police were not demoralized but they will be demoralized now when we give the soldiers legal protection. Are we serious? Mr. Speaker, are we really serious?

You know, when you hear about converting—I am quoting, “convert the army into police”—I mean, we come here and you make statements without proper empirical data or research, we come here and we say things that are emotive, hoping to cause confusion. How could the army be converted into the police? Mr. Speaker, for the 50th time, we said the army will have the powers of police when they are assisting the police. You will pick a particular number, they will be, of course, selected, they will assist the police, they are called out to assist the police, they have the powers; they finish, they go back to camp, they have no powers. But, whereas in the past, they were doing the very same thing without legal authority, without legitimacy, all we are doing is giving them a blanket of legitimacy.

Mr. Speaker, if that were not so bad, I did not mind, but the fact is that when the PNM was in power—and you heard the AG made the point just now—it was very good for them to have the army in use. They used the army willy-nilly, at will. They did not even have—according to the last speaker—a bad Minister of National Security for eight years. “You should see what I inherited when I went across there.” He was not a bad Minister at all for eight years and so on, but yet, for eight years, they used the army in ways unimaginable. In fact, they even used something called the new flying squad as well.

Hon. Member: What?

Hon. J. Warner: Yes, Mr. Speaker. They said, of course, it will carry out operations similar to the old flying squad. So if you have an old flying squad, it means you have a new one.

Hon. Member: “Who say dat?”

Hon. J. Warner: “I doh ha time to go through all ah dis because I am time constrained but look it here.” They talked about crime and so on and so on. At the end of the day, there were more crimes and more murders during their time than ours, but whereas, of course, they took a state of cry of impotence. In fact, in one particular period in Laventille, they had four murders in one day and they make it sound as if, today, things are so bad.

We had a meeting with the police and the National Security Council this week and every week, and, Mr. Speaker, the police gave us some stats and some figures. I was vacillating whether I should say it or not, but then I say, “Look, let me say it and hope for the best”. For the last five days, this country does not have a single murder.

Dr. Rowley: “Yuh gone again? Yuh gone again?”

Hon. Members: “Oh gooooooda!”

Hon. J. Warner: This was said by the police to us here. I could say anything I want to say, “yuh know”, the facts are here. That is bad news for you all. Right.

Dr. Moonilal: “Dey sad!”

Mr. Speaker: Please, please, please, Members, allow the Member to speak please.

Dr. Moonilal: “Dey lose!”

Hon. J. Warner: Mr. Speaker, I read from now, Mervyn Richardson, the Deputy Commissioner of Police, to carry my support. Mervyn Richardson.

Dr. Rowley: “Cordner pardner!”

Hon. J. Warner: Yes, Calder Hart pardner. “Da wey yuh say?”

Dr. Rowley: Calder Hart? Cordner! Cordner!

Hon. J. Warner: No, “is your pardner, is London pardner!”

Dr. Rowley: “I never say Calder Hart, I say Cordner!”

Hon. J. Warner: Mr. Speaker,—wannabe Prime Minister, have some respect “nah”.

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Mr. Speaker, there have been no murders in the Laventille area or in any other division for the period. “Yuh know why that is important?” Because whenever you have murders in Laventille, as if it has a spin-off effect in other areas—
[*Interruption*]

Miss Mc Donald: Oh my God! No!

Hon. J. Warner:—so that he was saying to us that somehow this has caused—[*Interruption*]

Miss Cox: “Yuh bringing down Laventille!”

Miss Mc Donald: No, no, no!

5.30 p.m.

Mr. Speaker: Member for Port of Spain South in particular—[*Interruption*]
am wait, hon. Member.

Hon. J. Warner: Sorry, sorry.

Mr. Speaker: Please, Member for Port of Spain South, I know that you have a lot of interest in these matters and sometimes you would, at least, express your feelings. I just ask if you could just hold your fire so that when you are called upon to speak, you can release your fire. But right now, do not disturb the hon. Minister of National Security. You could take notes of what he is saying, but allow the Minister to speak in silence. I appeal to Members for the 15th time. Please, do not allow me to move from speaking and warning and advising to invoking the Standing Orders. I do not want to do so. Hon. Minister of National Security, continue please.

Hon. J. Warner: Thank you, Mr. Speaker. I was trying to make a point that when you contain the murders in one hot spot it has a spin-off effect in other areas, as advised to us by the members of the police service. We could only be advised by the guys in the field and the facts here seem to suggest that.

Mr. Speaker, also 41 per cent of the murders in the country come from one particular area, 41 per cent. And those are figures, you could run from them but you cannot hide from them.

Dr. Moonilal: Trying to say we locking down.

Hon. J. Warner: And we are not locking down anywhere, Mr. Speaker. And what have we done in the last few days? In the last few days, how did this happen? How did this come about? This came about because of police and army, together in joint patrols in Laventille. For the past five days, 400 of them and for as long as is necessary, have been working there day and night. I have the report

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of the patrols, the shifts, the men, what they have found, how many cars they have stopped and so on, working round the clock; police and army. Where is the lack of morale?

Dr. Moonilal: And where is the distrust?

Hon. J. Warner: Where is the distrust, correct, on both sides? Mr. Speaker, what is bad, what is nice, I do not know when last some Members on that side, apart from maybe two or three, have ever gone to Laventille. They would be talking here today, apart from two or three, they never been to Laventille for a long time. But if they go there, they will see the people are saying bring the soldiers.

When you go to Richplain, Diego Martin, they are saying bring back the soldiers. The police are also asking for help from the soldiers but the politicians, for reasons best known to them, do not want the soldiers. I would tell you why just now. [*Crosstalk*]

Mr. Speaker, I hear something about soldiers, how “dey bad”. Soldiers here mean defence force, could be soldiers, could be coastguard, could be air guard, defence force personnel. We are told “dey bad” and they shoot to kill, as if, of course, when you shoot you must shoot to wing, right. The fact is, I got a letter from Mr. Sabga, Norman Sabga, he sent it to, of course, the defence force last September.

Dr. Moonilal: Read that.

Hon. J. Warner: Norman Sabga, September 17, 2012—[*Inaudible*]—writes the defence force a letter. He is the head of ANSA McAL. ANSA McAL chairman and head writes the defence force a letter, September 17, 2012. I called him this morning: “Mr. Sabga, do you object if I read the letter into the Parliament records?” He says: “No, you can do so.” And I thank him for that, because for them on that side, this letter is bad news. It is not something that is negative or nasty but I would come to that just now. What did Sabga say in September? This defence force that is so bad, so wicked, “dey shooting tuh kill”, they will, of course, be a threat to humanity as an abuse of the process and so on? What did Sabga say?

Dear Captain Williams

At the time, Captain Williams was commanding Officer of the Trinidad and Tobago Coast Guard, Staubles Bay, Chaguaramas.

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September 17, 2012

Dear Captain Williams

On the afternoon of Sunday, September 16, 2012, whilst travelling from Tobago to Trinidad on my personal vessel, Afunday, we were stopped by members of the coast guard who boarded my vessel. Although it was an inconvenience to us, I would like to record that the coast guard personnel were extremely professional, well trained, thorough and extremely courteous and I would like to recognize this and to congratulate the coast guard for the most professional manner in which they carried out their duties.

He continues:

Being able to boat in a safer environment in our waters is extremely important to all pleasure boat users and I thought I would bring my experience to your attention.

Unfortunately, I cannot recall the names of the officers involved, but I am sure that your records would indicate who they are.

With best wishes

A. Norman Sabga

Chairman and Chief Executive

For us here, that is good news. For them there, that is bad news, bad news. Because here you have one of the most upright citizens in the country, regailing the services of the defence force and saying how they conducted themselves, how well they were behaved and so on, and I am saying that is the problem we face.

Mr. Speaker, somewhere around February 26 or 27, I received two notes in my mailbox and those two notes in my mailbox described two meetings held by PNM agents on Saturday, February 24 at 5.30 p.m. One was in Maraval, under the chairmanship of a former Minister of Finance; one was in Maracas, St. Joseph under the chairmanship of a former pilot and a former CEO of NBM. Mr. Speaker, I am not so much concerned about the meeting in Maraval, though, of course, you had some high-level politicians, you had a mayor, you had, of course, some failed Ministers and they talked and they waved and they rant, according to the report I have. What worries me is the report of the meeting in Maracas, St. Joseph and that is why I am saying to this Parliament, we need more police and soldiers and army

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joint patrols. When I tell you what was discussed in Maracas, St. Joseph, you would understand the import of more joint army and police patrols. What was discussed in St. Joseph at that meeting? At that meeting, by the way, we had a top class lawyer from one of our partners. I am not in any De Lima.

Dr. Moonilal: Former. Say it, say it.

Hon. J. Warner: No, I am not in any De Lima, but you have—he is a top-class lawyer, who was a former member of one of our partners, he was there, and it was kept at the home of one of their members and today “ah” not ringing any bell but who want to ring the bell, I would ring the bell. Mr. Speaker, you had, of course, other members “who ah wouldn call”. What is bad for me, however, at the meeting where 15 persons were present, you had one fella called soldier Barry. Now who is soldier Barry? That is why I am so concerned and that is why I am telling you this Bill that gives us more access to the soldiers is so critical because we sit here and we pretend that things do not happen. What happened at that meeting? At that meeting, they spoke about, of course, ways and means—
[*Interruption*]

Mr. Speaker: Please, please, Member for Port of Spain South. Continue hon. Minister.

Hon. J. Warner: The meeting was held at the home of George Bell and George Bell is not a COP.

Dr. Rowley: Oh yeah? And De Lima is what?

Hon. J. Warner: De Lima is a former member of the COP. He was there, but he was at the meeting. He was there and the other members as well. It was held, I said again at a PNM agent.

Mr. Speaker: Member for Diego Martin West, do not engage in crosstalk.

Hon. J. Warner: Thank you.

Dr. Rowley: Who is “ah” agent?

Mr. Speaker: Member for Diego Martin West, do not engage in crosstalk, please.

Dr. Rowley: Mr. Speaker, I was seeking clarification.

Mr. Speaker: No, you cannot. Listen, Member for Diego Martin West, I would like you to control your Bench. You cannot be engaging in crosstalk.
[*Interruption*] No, no, take notes.

Dr. Rowley: “Ah take it a’ready.”

Mr. Speaker: Or if you want, go in the back, but you cannot be disturbing the proceedings. [*Interruption*]

Dr. Rowley: I am not disturbing. It is giving me information.

Mr. Speaker: Do not answer me “nah” man. I am making a ruling here. I am saying to you that you are disturbing the proceedings and I am just asking for every Member’s cooperation. Why are we disturbing the proceedings? Take notes, take notes, please, please. I do not want to stand on my feet again. Hon. Minister of National Security, please.

Hon. J. Warner: Thank you again, Mr. Speaker. I am sorry to be giving you all this trouble but I really thought—As I said, the meeting in Maraval was insignificant, some failed politicians, some failed Ministers, an existing mayor and a past Minister of Finance. That is okay. But the one in Maracas, St. Joseph is the critical one.

At that meeting, they said at the next meeting everybody must come with their PNM party card to verify their membership. They said, at that meeting they had to, of course, take all the murders that took place in the country, especially the gory ones, put ads and so on, make CDs and send them out to people and also to the PM overseas.

I am advised at that meeting they said that they would also have to regain the corridor and what they would do, A, B, C, D and F. [*Laughter*] I am also advised at that meeting—[*Interruption*] laugh “gih gih”—that they even have to bring people who would regain St. Joseph and a host of things. But what, for me, was bad, at that meeting there was soldier Barry. Who is soldier Barry? Soldier Barry, his correct name is Brian Barrington right, and he was one of 16 persons in a plot, alleged plot, to kill the Prime Minister.

Miss Hospedales: Ohhh, nonsense!

Hon. J. Warner: Mr. Speaker, on December 01, 2011—[*Interruption*]

Dr. Browne: Nonsense!

Mr. Speaker: Please, please, Members, please.

Hon. J. Warner: Mr. Speaker, on December 01, 2011, in an article in the *Express* they gave his history. [*Crosstalk*]

Mr. Speaker: Members.

Hon. J. Warner: Thank you, Mr. Speaker. This soldier Barry had been incarcerated for about eight years on trial for several murders. But at the meeting at which he was present—and let them check and see if what I was saying is not true. It is very easy. Go outside, take the phone and call anybody. Call Bell, call De Lima. At that meeting he, Barry says, is time to destabilize the country and he discussed ways and means of doing so and moreover too, they asked where the moneys coming from and they were able to identify the money and where it is coming from. I would not go into much more. All to say all “skin teeth eh laughter” in this country and, therefore, what we have to do is to strengthen the police resolve to be able to fight crime. Mr. Speaker, that is why—[*Interruption*]

Dr. Browne: I am convinced.

Mr. Speaker: Member for Diego Martin Central, could you cooperate? Okay. Continue, hon. Minister.

Hon. J. Warner: Mr. Speaker, that is why you see police patrols now in every police division all over the country, because the army and police have to hold together in joint patrols because of the kind of intelligence we are getting. And when I come here and I hear members whose party has agents, whose, of course, intentions are to destabilize the country, I am concerned.

Miss Hospedales: That is nonsense.

Dr. Browne: That is nonsense.

Mr. Speaker: Member for Diego Martin Central, I would like you to just cool it, cool it. You are using language where you are seated, where you are not supposed to be speaking. I appeal to you. [*Interruption*] Do not answer me. Listen, if you speak one more time—Member, leave this Chamber for three hours and return in that period. Could you kindly leave?

Dr. Browne: Based on what?

Miss Cox: Based on what?

Mr. Speaker: Member, I have asked you to leave this Chamber for three hours and you can return thereafter, please, please.

Dr. Browne: Mr. Speaker, and I reserve my right to speak on this Bill. You all would hear from me on this.

5.45 p.m.

[*Dr. Browne leaves the Chamber*]

Mr. Speaker: The hon. Minister of National Security. [*Desk thumping*]

Hon. J. Warner: Thank you, Mr. Speaker. While I was sitting, I was saying to myself: God, I pray do not let my grandchildren whom I treasure, see this level of indiscipline. I really hope so.

Mr. Speaker, you know, we behave as if police/army patrols by themselves is something new. We behave as if this is something that we are, for the first time, creating. What we are creating in the country for the first time is the legitimacy of the patrols when they are assisting the police.

I will go back to as far as July 22, 2002. At the time, Joseph Biden, who is now the Vice-President of the US, for the second time, who is from Delaware, a Democrat, he said on July 22, 2002 in the *Washington Times*—the headline:

“Biden backs letting soldiers arrest civilians”

In *Washington Times*, of July 22, 2002, the headline was:

“Biden backs letting soldiers arrest civilians”

What did he say:

“Sen. Joseph R. Biden Jr., Delaware Democrat, yesterday strongly endorsed giving soldiers the power to arrest American civilians.”

It is good for them, but it is bad for us. They have all kind of nuclear bombs and so on, they cannot even arrest the problem, but it is good for them, but this little speck of dust in the Caribbean, it is bad for us because our guys cannot be trusted. I will come to trust just now. “Dey cannot be trusted, and yuh cannot trust de Government. And ah cannot trust all yuh, and ting, and so on.” I will come to that just now, because everybody here is trustworthy. “We doh ever make no done deal. We on this side doh make no done deal now or after.”

The fact is—I will go on:

“Interviewed yesterday on ‘*Fox News Sunday*,’ Mr. Biden, a member of the Judiciary Committee, said the Posse Comitatus Act of 1878, which prevents the military from exercising police powers in this country, should be re-examined and ‘has to be amended.’”

Mr. Speaker, “should be reexamined and ‘has to be amended’”, because he said that the army in the US must now evolve to a different level, and the level is to take care first of the internal threats, before you take care of the external threats

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because the day will come if you do not take care of your internal threats, the day will come when you have nobody remaining. Therefore, I am saying—I will go one more paragraph. What did he say?

“Mr. Biden said that ‘we’re not talking about general police power...”

What are we saying differently?

“...changing the idea that you would have your local National Guard with arrest power like your local policeman.”

We said when they are working together—this, of course, was also supported by President Bush and so on, but I will not go through all, the article is here, anytime. I am saying it is good for them, right, but it is not good for us.

I heard the speaker talk about how we have “all kinda schemes and all kinda schemes. Everything we say is ah scheme, ah plan, all kinda crime plan”, and so on and this crime plan is no different.

I squirmed in my seat you know, because at the end of the day, this is the same Government that in one year brought three crime plans; 2003 and 2004, that period alone they brought: Operation Anaconda, that failed; they brought Operation Baghdad, that failed; they brought Operation Zero Tolerance, that failed, all in one year, and they come here today to posture as if, of course, it is the first time they hear about a crime plan. Earlier on they brought a plan they called Operation Weed and Seed. “Whey de weed? Whey de seed?”

Mr. Speaker, the point is where we are today after two years in Government, almost 30 months in Government, where are we, we in a sense—they have sowed the wind and we on this side have inherited the whirlwind. [*Desk thumping*] That is why we have to do what we are doing with some dispatch. This country has not become what it is overnight. At the end of the day, I want to say that this was the same Government of the past that feted community leaders, had breakfast with them at Ambassador Hotel, Crowne Plaza Hotel, and so on.

Kerwin “Fresh” Phillip was a friend of the last Prime Minister, and when he died, they found on him all the telephone numbers. Mark Guerra was the consultant for the URP and was the person who, of course, they walked with in Laventille. Where we are today is what we have inherited and it would suit them very much if we do not fix it, because they believe that is the only means of getting into power, not to fix it. The fact is, Mr. Speaker, we made a commitment to this country that we shall fix it.

I am reading a book here: *Never Give In*, by Winston Churchill and I am telling all of them, we will not give in. They could say what they want, they could, of course, go to Point Fortin or they will go, of course, to Tunapuna, they could go to even Scarborough, we will not give in to the criminals, never. You get the impression, I am told, that why do we not fix the municipal police, for example.

Mr. Speaker, last week—where is the Minister of Local Government? [*Hon. Warner looks over his shoulder*] He is not here. Last week Tuesday, we called a meeting with the municipal police officers. We do not have to wait for the Member for Diego Martin West to tell us what we have to do, we called it last week Tuesday. We sat for two hours—Mrs. Seepersad-Bachan, [*Hon. Warner looks over his shoulder*] she is not here either—for two hours: Minister Suruj Rambachan, as the Minister of Local Government, municipal police, Mrs. Seepersad-Bachan for Public Administration, I there for National Security and all the officers sat there to forge a plan where we would revise the regulations.

In the whole country this big plan here about the municipal police, in the whole country, there are only 120 municipal police officers, would you believe? What is even worse, a municipal police officer in Point Fortin has no powers outside of Point Fortin. One in Chaguanas has no powers in Arima; Arima has no power in Port of Spain.

If there is a vacancy, let us say for an inspector or an ASP in Port of Spain, the one from Point Fortin cannot go there, and so on. Some of these regional corporations have six officers. We called them in to sit with them in the fight against crime, to talk with them and we have a second meeting where they are going to harmonize all we have said, and then go with new regulations. “We do not want no ideas from them. The ideas they had is what have them where they are, right.” Therefore, we know what we have to do, Mr. Speaker.

The Private Security Bill—

Hon. Member: Oh, yes.

Hon. J. Warner:—“yuh forget, eh”—the Private Security Bill is now, of course, before us and it is being reviewed. We are going to refine that Bill and make those 20,000 officers also, of course, fight with us against crime.

Dr. Moonilal: “April it in de House.”

Hon. J. Warner: I am just advised that in April that Bill is in the House. When it comes here, vote against it again. That Bill is to regularize private

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security. Under them was a hodgepodge collection of security firms not even knowing what they have to do. That will change. To fight crime, you must fix these things as well, and we are fixing them.

So, to come here to pontificate as if, of course, you have some bright idea about municipal police, you are fooling yourself, Sir. You are fooling yourself. You know, the impression is given also that the defence force which was established after Independence does not have a history. I want to tell this country the defence force is 50 years old and a few months more, 50 years old and there are not many institutions in this country that could boast of that degree of longevity.

Just last Sunday they held a church service, followed by a dinner last Tuesday, for the First Battalion of soldiers and they were proud, a bit gaunt and so on, but they were proud because of what they have contributed to this country. What is the purpose of the defence force? What is the purpose of the force? What is your objective? Why were they formed? They were formed to: “Defend the Sovereign good”, and the sovereign good cannot be outside only. They were formed to: “Defend the Sovereign good”. There are those who are locked in a time warp and who do not want to use them except they were used as they did in their time, illegally, and like SAUTT, illegally. What is wrong in Government coming to the Parliament? What is wrong coming here and say, let us legitimize the status, the role and the functions of the defence force? If we agree that the two units can provide a better service, what is wrong with that?

Mr. Speaker, they were also formed to: “cooperate with and assist the civil power in maintaining law and order”. I quote this: they were formed to: cooperate with and assist the civil power in maintaining law and order”. How do you do that? That was why we said when they are assisting the police, they should have the same powers. There is nothing inconsistent with that and what we have here, they were formed again to: “assist the civil authorities in times of crisis or disaster” and so on.

So, therefore, I am saying apart from 1970 when there was a big skirmish, we can say quite correctly that the defence force for 50 years has been serving us without blemish, 1970 apart. [*Desk thumping*] In fact, in 1990 when this nation needed them most, in 1990 when this country was under threat in its darkest hour—

Mr. Speaker: Hon. Members, the speaking time of the hon. Minister of National Security and Member of Parliament for Chaguanas West has expired.

Motion made: That the hon. Member's speaking time be extended by 30 minutes. [*Hon. A Roberts*]

Question put and agreed to.

Mr. Speaker: You may continue, hon. Minister.

Hon. J. Warner: Thank you, Mr. Speaker. Thank you, colleagues. In 1990, in our darkest hour when this nation was under threat, it was the defence force that fought to preserve our democracy.

Hon. Ramlogan SC: Yes.

Hon. J. Warner: To hear people coming here today and they seem to forget that, they are talking about these same defence force personnel, as guys who they say will put this country under threat. They do not understand, right, that these were the same people who were able to fight off the insurrectionists successfully; they were able to liberate the hostages from the Red House, one of whom was our Excellency Mr. Arthur N. R. Robinson; they helped us to restore law and order. More than that, these same defence force personnel who people want to give the impression as they are here to shoot to kill—

Hon. Ramlogan SC: Yes.

Hon. J. Warner: Shoot to kill! I have never seen that pattern anywhere.

Hon. Ramlogan SC: No, 1970—[*Inaudible*]

Hon. J. Warner: From 1970 to now has no evidence of that. Shoot to kill! They fail to understand that these are the same people who take part and play an active role in community projects; they assist in community awareness programmes; they assist in providing transport to persons who are, of course, differently abled; they assist in, of course, local and regional disaster efforts; they assist in fitness programmes; they have been involved in joint patrols, I am saying from since 2002. Therefore, I am saying that our defence force personnel have performed with distinction. I am saying that if or when we call upon them to serve with the police, I am quite sure they shall live up to the task. [*Desk thumping*]

Hon. Ramlogan SC: Yeah. Yeah. Yeah.

6.00 p.m.

Hon. J. Warner: We seem to forget that when Hurricane Ivan hit Grenada, 2004, Grenada turned to our defence force personnel for help and our defence

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force was the largest defence force to have responded to Grenada up to this time. Mr. Speaker, the same people went to help Haiti. So they could help Grenada—

Hon. Member: They were commended.

Hon. J. Warner:—and they were highly commended by both the Haitians and the UN. They can help Grenada; they can help Haiti, but do not help Trinidad and Tobago. What logic is that, guys? Where is the rational thinking? Is it power that they want so much that you must, of course, try to undermine the very structure, the very fabric of security in this country? They can help Haiti; they can help Grenada, but to help Trinidad—you see?

Mr. Speaker, we have found that, for a number of years, there has been some, of course, debate where the forces that we have should be those of a quasi-police nature, whether it is within the law. It is said that because of that, because of the debate, because of the fact that we on this side felt, and still do, that the soldiers were operating outside the law on these joint patrols, that this law came here today. We, of course, unlike others, we wanted to make sure that we legitimize what they were doing.

Mr. Speaker, citizens want certainty. Citizens in this country want certainty and this law gives them that. Citizens want to know that when they see soldiers or defence force personnel and police officers on patrol that everything is above board. They want security. They want to be sure that when they are stopped by an officer in a joint patrol, whether police or defence force personnel, that that officer, everything is above board. The people of this country want to know that the laws of this country are not broken and that nobody's rights are infringed.

I am saying in other words therefore, this law gives them that. Even the police officers who are on duty with the defence force personnel, these soldiers also need certainty because these soldiers are relying on the defence force for support—they are colleagues—and these police officers want to know that the defence force personnel have a legal and legitimate role that they are playing while they are helping them. So, instead of demoralizing the police, it helps to boost their morale. It gives them a level of comfort; a level of certainty, as it were. It gives them peace of mind, so to speak.

Mr. Speaker, I do not believe that our soldiers are unsure of what they have to do, but the fact is, we must leave no room for doubt. They are professional soldiers. You heard Mr. Sabga just now. They are professional soldiers, but we

are making sure that there is no room for doubt, Mr. Speaker, as such. If that happens, sometimes just that room of doubt can mean the difference between a loss of life and saving somebody.

Hon. Ramlogan SC: Quite so.

Hon. J. Warner: Mr. Speaker, I am going to hustle now and say that they also performed quite well during the Cricket World Cup 2007. They used local defence force personnel. They were part of a joint task force to bolster security in the country. They were present in Grenada, Barbados, St. Lucia and St. Vincent. They were able to talk to civilians and all kinds of persons from civilian to military. In CHOGM, when Obama was here, they played a critical role under the Gold Commanders and so on. There was no problem then. They could protect Obama—

Hon. Ramlogan SC: “But dey cyar protect citizens of this country.”

Hon. J. Warner:—“even after he get a bear hug”, but they cannot protect the people of this country. Something has to be wrong. [*Desk thumping*] We have soldiers who are also involved in sports. Just a couple months ago, I gave a medal to one of the top footballers in the defence force; top of them. They play cricket as well. They play basketball. You have, of course—they play “steel band”, they play netball—[*Interruption*]

Hon. Member: Hockey.

Hon. J. Warner:—hockey. You name it, they do it, because they are part of the society.

Mr. Roberts: [*Desk thumping*] Hear, hear, hear!

Hon. J. Warner: And, of course, let me say this quickly—[*Interruption*]

Mr. Roberts: Rugby.

Hon. J. Warner: Rugby as well. Admittedly, as in any situation, you may have a few bad apples but that does not make the institution bad. Even in Parliament we have a few bad apples, but the fact is, it does not make Parliament bad, and, therefore, when you have a few bad apples, you excise the apples. That is all.

Mr. Roberts: For three hours. Uh-huh.

Hon. J. Warner: And that is why I am saying that one should not be worried because our defence force personnel know what is expected of them. Our defence

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force personnel know that they must be held to high standards. We will not come here and criticize our police officers. We will not come here and criticize our soldiers. We will not do that. We will find ways and means to encourage them; to embolden them. I made the point earlier on. Whether I am Minister of National Security or not, I will never say as a parliamentarian, “The police service not up to the job.” If you know that, what did you do for eight years to change that? You bring Mastrofski; you bring Dowd; you bring Cross and so on. What did you do to change that?

Hon. Member: But you could say it.

Hon. J. Warner: The police service was the most demoralized for the last eight years, Mr. Speaker. [*Interruption*]

Mr. Speaker: Attorney General, could you stop the crosstalk?

Hon. J. Warner: In terms of training, last Sunday we began a course from a Cambridge professor, Prof. Sherman. He came here and we selected 200 of the top officers to do evidence-based policing; how you must come out to take evidence and use evidence to help you to detect crime.

Mr. Speaker, together with what the AG read earlier on about what training the defence force people would have, up to this morning, talking to the University of the West Indies, I spoke to, of course, the professor—we have been talking for several days and so on on this matter—he said to me, I place this letter in the *Hansard*:

Hon. Minister,

Development Community Policing Skills for Caribbean Societies

I am telling him, the university professor, the principal, I want some help from you to train our police officers, to train our defence force personnel, to help to harmonize the relationship. I said, “Professor, what you do here must be able to be exported to other countries because crime is all pervasive and we cannot fix Trinidad and Tobago and not fix Barbados, Grenada, Antigua and so on.”

I said, give us a course that we can do here, which we can then export to other countries and so on. Hear what he said. So while some people are destructive, hear what we who are constructive on this side did. Hear what he said.

I am writing to confirm that the University of the West Indies, St. Augustine campus, would be extremely pleased to work with your Ministry to develop a short intensive programme to retrain members of the defence force to engage in the matter of policing. [*Interruption*]

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“I ent finish yet.” So while others are criticizing, ridiculing, making a mockery of the police service, there are those on this side who are building. I continue. He says, Prof. Sankat, Clem Sankat, March 08, 2013, University of the West Indies:

Our university is aware of the challenging environment with respect to crime in our country and region and we are committed to making a contribution to the fight against crime.

We are committed at the university to making a contribution in the fight against crime.

Hence we are prepared to develop a programme on—I quote—developing community policing skills for Caribbean societies.

They are building a programme, Mr. Speaker, titled “Developing Community Policing Skills for Caribbean Societies” and this shall be for the defence force. [*Desk thumping*] I continue, Mr. Speaker:

With your approval, Minister, we hope we can do this in the summer months beginning June—

because in June, July, August, the place is empty. They have beds; they have kitchen everything and so on. So he says, “Look, let us use the summer months, beginning in June when a whole influx of officers come in.” They have room there for 10,000 people residential and they can do the courses, residential courses, beginning in June. He says:

This will enable the members of the defence force to use our residential facilities while undergoing this training on our campus.

I continue:

Some of the elements of this training will include:

Hear, Mr. Speaker, listen good.

Some of the elements of this training will include community policing...

I know it is bad news for you guys.

...community policing, domestic violence, sexual offences, scenes of crime, investigative skills, use of force, legal matters, human rights—[*Interruption*]

“You cyah teach nutten.” [*Laughter*]

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...conflict resolution, ethics applied to law of enforcement, road policing, first aid, driver training, work/life balance, building effective teams, communication.

Mr. Speaker, I continue:

I—that is Sankat—will be putting a team together for the campus working with the Dean, Faculty of Law; Dean, Faculty of Social Sciences; Director, Office of Institutional Advancement and Internationalization and our residence managers to facilitate this process.

We will send you a full proposal early next week.

Early next week. While some are criticizing, destroying, we are building.

We are also looking to partner—listen to this part—with an external institution that has a track record in delivering such training and the one we are speaking to is Fairleigh Dickinson University in New Jersey.

“Take dat! Take dat!”

We also complement this training team with those from our local police trained academy and from our regional university. I am telling you this to give an update of our thinking on this matter and we will have a full proposal on your desk next week.

Signed Clem Sankat

Pro Vice-Chancellor

[*Desk thumping*]

This, Mr. Speaker, and to come here to hear the party which had the longest history of governance in this country come here and deride and ridicule the police is painful to me. To hear them ridicule defence force personnel, it hurts, Mr. Speaker. I have not been there for more than eight months, but then I become attached to an institution that I want to build. I remain the perennial optimist because I do not run from a problem and therefore if there is a problem, it has to be solved.

I have said before and I will say it again, they sowed the wind. They built Port of Spain and they impoverished Laventille. So side by side with poverty, you had prosperity. Nothing has been done for Laventille for over 30 years, Mr. Speaker. Nothing! Sea Lots, Beetham Gardens, Beverly Hills, you name it, not a single thing has been done for 30 years.

Mr. Speaker, they built apartments with no playing fields, no parks and so on and while they are doing that, they building high-rise buildings in Port of Spain; nothing for Laventille and Laventille has the highest murder rate in the country. We have to fix that, Mr. Speaker, but you cannot fix it by coming here and ridiculing the police officers. You cannot fix it by coming here and saying that the defence force, it “cyah” be done. You cannot fix it by coming and saying “de Minister went Debe and in Debe”—and I would not say it because I know it is before the court. All I am saying, it was an illegal act to put that camp there. I would not say more because, unlike the last speaker, this matter is before the court and I owe it—as a matter of principle, this matter is sub judice, I would not say anything about it. So, whether I am in Parliament or not, I would not come here and talk about Debe and what was done and so on. I would not do that. All I would say is it was illegal and was dealt with. But, where are we, therefore, Mr. Speaker, in this fight against crime?

Mr. Speaker, let me say that in the old days it was easy to say that the police and the defence force were more brawn than brain. There was a time we used to send to Barbados for police officers, “yuh” know, Barbados. They did not even want to be a police. Today, in the police and defence force, you have some of the most educated people we could find. “Who doh have MBA once have it twice and three times”, at all levels, both the police and the defence force. Guys go to do courses and so on. They speak to you at a level that you will marvel if you hear. We interact almost on a weekly basis, so there is no brawn anymore, it is brain and these guys are ahead of the criminals because of that fact, Mr. Speaker.

6.15 p.m.

I do not know if you remember the days, Mr. Speaker, when all you had to do to be a police officer was to have, at best, a school certificate; at best.

Hon. Member: What is “at best certificate”?

Dr. Moonilal: A school leaving.

Hon. J. Warner: That is there no more, no more. [*Crosstalk*] Mr. Speaker, so, therefore, I am saying, what the Members on the other side are doing, they are trying to inject a campaign of fear in this country. Everything they have said since we come on this side—everything they have said since we have been here is fear, because they believe that based on fear, they can get here. That sounds like good calypso, but it is not so easy, because what happened in Tobago is the exception not the norm. [*Crosstalk*]

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Hon. Member: Ahhhhh!

Hon. J. Warner: So, therefore—

Dr. Moonilal: “Bring de boat; bring dah boat.” [*Crosstalk*]

Miss Mc Donald: “Licks! Licks fuh all-yuh.”

Hon. J. Warner: Yes, yes, okay. “Bring de boat from Calcutta.” Mr. Speaker, their modus has been to have our people living in fear—[*Interruption*]

Dr. Moonilal: “All-yuh eh do nutten, yuh know.”

Hon. J. Warner:—fear of everything that is not PNM. You see, there is a belief in this country that the PNM has some divine right to this country. The PNM has no divine right to this country. None! [*Desk thumping*] And I will go to my grave ensuring that they “doh” come back here [*Desk thumping*] because they have no right. “They believe that is PNM solution or nothing.”

Hon. Member: “Yuh going just now?”

Hon. J. Warner: “Yes, ah going just now. Ah carrying you with meh.” [*Laughter*] They believe “is PNM solution or nothing”. We do not believe that. So, therefore, they are prepared to trample on everything and everyone in the pursuit—in their quest for power. [*Crosstalk*]

Dr. Moonilal: Mr. Manning, come back Patrick.

Hon. J. Warner: Mr. Speaker, they are asking—“how much time again I have, Mr. Speaker?”

Mr. Speaker: You have 12 more minutes.

Hon. J. Warner: Right.

Mr. Roberts: “All-yuh relax, Patrick coming back yuh know.”

Hon. J. Warner: Mr. Speaker, they are asking how the Bill will work—

Mr. Roberts: “Doh beat up.”

Hon. J. Warner:—and the answer is very simple. How the Bill will work, Mr. Speaker? Mr. Speaker, I will not go into all the details because the AG was extremely lucid, clear and coherent in his address. The Bill says that the Chief of Defence Staff gives the relevant orders and personnel are assigned to duty. Mr. Speaker, we want to get soldiers for the police, the police ask the Chief of Defence Staff, the Chief of Defence Staff gives the orders to select the men and

the men go and work with the police. So it has been in the past and so it will be now under, of course, this Bill. Nothing has changed; nothing has changed except legitimacy, except they are doing it legally; except the soldiers have legal protection.

In other words, I am saying, the difference now is that under this provision, the soldier who came out to assist the police officer, if he apprehends a suspect, the soldier now gets the same protection as the police officer when he performs that function. Before he did not have it, but he has it now. Right? Mr. Speaker, I want to say that at all times the soldier and the police officer had a very good working relationship.

Sometimes we have meetings and I sit on mornings—the meeting begins half past five, five o'clock—the Chief of Defence Staff, the fire chief of defence staff, the head of the army, the coast guard and the police. Mr. Speaker, if you see the harmonization, if you see the way they work together all, of course, in the quest to bring the crime rate down. Mr. Speaker, I have never seen such a level of cooperation [*Desk thumping*] and, therefore, if you could have [*Interruption*]—“no, is true”—a little window to see how these guys work, and we who come here are trying, of course, to divide that.

Mr. Speaker, before I end, I want to say again that not all soldiers will get the powers. So when you hear soldier police, as if all the soldiers getting the powers, a select few who will be vetted, who will do courses, who will be screened, who will be trained and so on, will be selected to work with the police and when they are assisting the police, they have police powers.

You know, they never asked about the SRPs from SAUTT who they made SRPs overnight, what powers they had. No concern. You see? But we say we will do it so, we will do it correctly and, therefore, this select group will be trained and so on, and they will be able to exercise with the right to patrol with the police and they have the privileges and so on.

So, Mr. Speaker, in other words, I am saying, a group of soldiers cannot on their own go and patrol. I want to tell the nation that. A group of soldiers cannot on their own go and patrol. They cannot, Mr. Speaker. They have to go with the police permission and perform similar exercises like the police when they are assisting them.

As you heard from the AG, “the police have 7,700 officers”. He is right when he said that at no point in time more than 3,000 people are there. What it means,

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therefore, additional manpower will now be given to the police. So with this additional manpower, as such, they will be able to operate more widely.

I said earlier on—nine police divisions in the country, all of them have joint patrols. That was unheard off—joint patrols in Penal, Debe, Longdenville, Chaguanas, Tabaquite, Rio Claro, all over the country. We have put cameras all over Tobago, all over Port of Spain. We are going down to San Fernando. This country, therefore, has to lift the bar. This country has to lift the bar for national security and in doing so you have to take the soldiers to work with the police.

I am saying, therefore, that in a real sense, we are trying to have a partnership, as it were. We are trying to have no games with crime. The time has come when the Opposition must understand that crime is everybody's business. The time has come when they must understand—the Members on the other side—that you cannot play games with crime; you cannot play games with people's lives and then rush before a TV and say, "But the police this and the police that." Every tragedy that takes place, they rush, of course, very sanctimoniously, to berate the police or the soldiers. "If you see them on TV and so on." "The police bad, the army bad and my constituents"—"if you hear them."

Dr. Moonilal: Their constituents chase them away.

Hon. J. Warner: Yes, but that part they would not say. The point is, at the end of the day—I want to make the point again today—crime is everybody's business, not of us alone, but theirs too and, therefore, they have a responsibility to be more, of course, national in scope; to be more, of course, as it were, supportive of any effort that will bring down the scourge of crime, because every moment we waste—every day that goes by, every hour that ticks by on the clock and every hour that we waste time, what we are doing, we are putting people's lives at risk and that is not correct.

I will not end until I say that people like Sergeant Manwaring, for example, who was gunned down by a bandit, we have to, of course, protect people like that. We have to protect people—those law-abiding citizens who, of course, feel they cannot leave their homes. There are people in this country who are prisoners in their own homes. We have to go and remove that fear from them. We have to give them back their space, so to speak.

Mr. Speaker, innocent people like Siah Khan who was killed trying to escape some carjackers on January 09, we have to protect them also. We have to stop this madness that is taking place and, in doing so, if it is done here, then this can be exported to other countries in the Caribbean. We are the leaders here, and

whatever you say, if we “doh” solve crime here, Mr. Speaker, the other Caribbean countries with less resources cannot do it either, and that is our function as leaders of the Caribbean. What, therefore, is our mission?

Our mission is to provide safety and security to our citizens. Our mission is to help to have safer communities and to make sure that law and order prevail. We must tighten our borders and, in that regard, this country has 148 ports, 119 are unprotected; 29 are protected. Of those 29, Mr. Speaker, 15 are underprotected. We have to fix that, because if the police take all the guns off the street and all the drugs off the street, in one week’s time or less, they will come back. So we have to find the means, therefore, to plug our borders, and we have to have police and soldiers working in our coastal stations. We have to build coastal stations.

We have to put some hovercraft on river mouths and so on, with coastal stations, with police and, of course, defence force working together, and have immigration and customs—have a total collaborative effort at our ports, because the fact is, we have to stop guns and drugs from the source. [*Crosstalk*]

Mr. Speaker, we, therefore, have to engage the communities and we have to build trust—

Mr. Speaker: Two more minutes.

Hon. J. Warner: Thank you, Mr. Speaker—and in building trust, we have to demonstrate first by building trust here. Mr. Speaker, if at the end of the day, we cannot get Members to understand that what we are advocating is not, of course, for Kamla, as they say, or Jack Warner, it is not for, of course, the People’s Partnership, what we are asking for is a chance and support to save this country, because if we do not, Mr. Speaker, heaven help us all, I thank you. [*Desk thumping*]

Mr. Speaker: The hon. Member for Diego Martin North/East. [*Desk thumping*]

Mr. Colm Imbert (*Diego Martin North/East*): Thank you, Mr. Speaker. Mr. Speaker, it would be a tragedy if I spent much of my time responding to what the last speaker said. That would be a tragedy. I would leave it to others. I simply “doh” have the patience anymore. The last speaker did not deal with a single clause in the legislation; did not deal with a single clause in the new legislation.

The Attorney General did not deal with a single clause in the legislation. The last two speakers did not deal with the reason we are here, did not go through the

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drafting, did not deal with the impact, the effect, the import and the consequences of what the Government is trying to do. It was just an exercise in rhetoric; and I am sorry, I will not be answering to rhetoric today.

I am going to deal with some facts, deal with the legislation which was not presented as usual and identify the flaws, the dangers and the pitfalls. We come here to pass laws. This is not a public meeting. We are not in the market. [*Desk thumping*] We come here to deal with changing fundamental pieces of legislation dealing with fundamental rights and freedoms, not to engage in market talk. So I will not deal with the rhetoric that just came from the last speaker. I will deal with a lot of the misrepresentations that the piloter of this legislation put into the public domain by way of this Parliament.

The first thing I want to deal with is the mischief perpetrated by the Attorney General when he sought to tell this Parliament and the national community, by extension, that there is similar legislation throughout the Caribbean. It is just not true. [*Desk thumping*]

The first piece of legislation that the Attorney General tried to hoodwink us with was the Defense (Amdt.) Act, 2007 of Antigua and Barbuda and, as usual, the sheep, the political sheep—not real sheep—on that side, just, “Oh, yes, wonderful”, but one of the familiar tactics of this Government, and the Attorney General, in particular, is to misrepresent and misquote the facts. So, instinctively I knew that the Antigua legislation was not the same. I went and got a copy and the Defence (Amdt.) Act of 2007 in Antigua, the section referred to by the Attorney General—and he left out words as usual—reads as follows:

“The Prime Minister may, where no directions have been given by the Governor General give the Chief of Defence Staff directions to the operational use of the Force in Antigua...for the purpose of securing and maintaining public order and public safety...”

The powers that the Member refers to in Antigua, as is the case in Jamaica, as is the case in Guyana, as is the case in The Bahamas and as in the case of virtually every country in the world where army personnel are given police powers, whether temporarily or permanently, are to maintain public safety and public order in a time of a public emergency, Mr. Speaker. [*Desk thumping*] As if you had a state of emergency, you have civil unrest, you have riot, you have commotion, revolution, that is when you use these powers to give soldiers, police powers, Mr. Speaker. That is the situation in Antigua. Let me read it again for those opposite who do not read, who do not understand and do not care to know.

6.30 p.m.

Mr. Indarsingh: Rhetoric and drama.

Mr. C. Imbert: “Yea”; rhetoric and drama?

Hon. Member: True.

Mr. C. Imbert: “The Prime Minister...,where no directions have been given by the Governor General”

This is during a state of public emergency.

“give the Chief of Defence...directions to the operational use of the Force in Antigua and Barbuda for the purpose of securing and maintaining public order and public safety...”

It has to do with a riot and it makes perfect sense. In Trinidad and Tobago, we have that and it is by proclamation. The Prime Minister has to do a proclamation, where if the Governor General has not done so, to declare a state of public emergency, and then you can give the police these powers.

We have exactly the same system in Trinidad and Tobago. When there is a state of emergency, by proclamation, the Constitution is suspended and the army has powers that it would not normally have under normal conditions. That is exactly how it is in Bahamas, Guyana, Jamaica, Antigua, so the Attorney General, once again, the Government once again has misled this Parliament. There is no parallel in these countries where for ordinary maintenance of law and order, soldiers are given police powers; it just does not happen and it makes perfect sense.

Mr. Speaker, let me correct the record in terms of some of the misinformation and mischief that has been put into this Parliament. I heard all sorts of talk about the role of the defence force, but the role of the defence force is in the law, not in somebody’s mind, not in somebody’s imagination, not in some magazine, it is in the law. I refer this Parliament to the Defence Act, Chap. 14:01, section 5:

“There shall be established and maintained in Trinidad and Tobago a body of military forces styled ‘the Trinidad and Tobago Defence Force’ consisting of—

- (a) a unit of land forces (... ‘the Regiment’);
- (b) a Coast Guard; and
- (c) such other units as the President may from time to time think fit to be formed...”

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And subsection (2):

“Every unit shall be charged with the defence of Trinidad and Tobago...”

That is the purpose of the defence force. That is the purpose of the coast guard, the air guard and the regiment: the defence of Trinidad and Tobago, not the maintenance of law and order. I do not know where hon. Members opposite get their information. I do not know who their advisors are. The original Bill was a travesty. The original Bill that came to this House did not have the requirement for a special majority, and I heard the Attorney General say there was divided opinion.

Mr. Speaker, I think it is necessary to educate hon. Members opposite on the evolution of fundamental rights and freedoms in this country, where they came from, how we acquire these rights, and what effect our fundamental rights and freedoms have on legislation in Trinidad and Tobago. And for the benefit of hon. Members opposite—who as I have said, they do not like to read, they do not like to do research—I refer you to appendix, item 7, Volume 1 of the Laws of Trinidad and Tobago, the Trinidad and Tobago Constitution Order in Council, 1962, because our fundamental rights and freedoms date back to 1962, and Chapter 1 of the 1962 Constitution reads as follows:

“THE RECOGNITION AND PROTECTION OF FUNDAMENTAL
HUMAN RIGHTS AND FREEDOMS

4. It is hereby recognized and declared that in Trinidad and Tobago there have existed and shall continue to exist...the following fundamental human rights and freedoms, namely—
 - (a) the right of the individual to life, liberty, security of the person and enjoyment of property and the right not to be deprived thereof except by due process of law;”

And a number of other rights including the right to “freedom of movement”. So in 1962, in the ’62 Constitution, it was recognized that citizens of Trinidad and Tobago have the right to liberty, security of person and enjoyment of property and the right not to be deprived thereof expect by due process of law, and the right to freedom of movement.

In that Constitution if you wanted to pass a law which abrogated this right, abridged it, infringed it or took it away, just like the ’76 Constitution, you had to have an Act of Parliament—and I am reading now section 5 of the ’62 Constitution:

“An Act”—of Parliament—“to which this section applies may expressly declare that it shall have effect...” notwithstanding sections 1 and 2 of this

Constitution “and, if any such Act does so declare, it shall have effect accordingly...” except as its provisions may be “shown not to be reasonably justifiable in a society that has a proper respect for the rights and freedoms of the individual.”

Mr. Speaker, I am certain this law will be shown to be a law that is not reasonably justifiable in a society that has a proper respect for the rights and freedoms of the individuals, and I will explain for the benefit of hon. Members opposite:

“An Act”—of Parliament—“to which this section applies is one the Bill for which has been passed by both Houses of Parliament and at the final vote thereon...has been supported by the votes of not less than three-fifths of all the members of that House.”

That was our '62 Constitution.

In 1976, we moved away from the monarchical system and we became a republic, and there was a debate in the House of Representatives, and that debate was on a Joint Select Committee appointed to consider the draft Constitution of Trinidad and Tobago, February 1976. And I will refer hon. Members to the report of that Joint Select Committee of 1976, page 6, where they were going through the new Constitution, the Republican Constitution, clause by clause, and they dealt with the Preamble and chapter 1 of the new Constitution, and it reads as follows:

“Your committee carefully considered the Preamble and Chapter I in the Draft Constitution and are of the opinion that this Chapter should be rejected and that the Preamble and the principles of fundamental human rights and freedoms, enshrined in Chapter I of the 1962 Constitution should be retained with certain amendments.

Your committee was guided not only by evidence adduced and...

In addition, several sections of the Chapter have been tested in the highest Courts of the land and in the Privy Council on a number of occasions and did not receive adverse comments by the Judges.”

So what did the Parliament of Trinidad and Tobago do? In 1962, we had a Constitution that recognized fundamental rights and freedoms, especially the right to liberty, the right to freedom of movement, the right to security of person and

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the right not to be deprived of these rights except by due process of law; and what happened in 1976? There was an attempt to take some of these freedoms away, and a Joint Select Committee of Parliament rejected that and reincorporated all of the fundamental rights and freedoms into the 1976 Constitution.

So we go now to our 1976 Constitution. I need to do this history lesson to show hon. Members opposite that these rights: the right to freedom of movement and the right to liberty have been recognized as fundamental rights in this country for the last 50 odd years. I go now to section 4 of our Constitution: Rights enshrined:

“the right of the individual to life, liberty, security...”

Taken straight from the 1962 Constitution:

“the right of the individual to respect for his private and family life;”

The right to “freedom of movement;”

And then we go to section 13 of our Constitution:

“An Act to which this section applies may expressly declare it shall have effect even though inconsistent with sections 4 and 5...”

And it makes the same provision:

“unless the Act is shown not to be reasonably justifiable...”—and goes on to say:

“An Act to which this section applies is one the Bill for which has been passed by both Houses of Parliament and at the final vote...has been supported by the votes of not less than three-fifths of all the members...”

Mr. Speaker, for 51 years in Trinidad and Tobago, it has been recognized that if you bring a piece of legislation that abrogates, infringes, takes away the right to liberty, the right to freedom of movement, you require a special majority. Who are these sinister men who would be advising the Government that rights that we have had for 51 years that can only be taken away by a special majority could be passed with a simple majority? Who are these faceless, nameless, sinister individuals, who persuaded this brilliant Government, where it is crystal clear, it is in black and white, that you want to take away somebody’s liberty and their freedom of movement, you need a special majority? Who are these men advising this Government over here, that you could do it with a simple majority?

What is this nonsense about a division of opinion? If you have a thousand opinions, 999 would tell you, “You need a special majority”; only the mad person who advised them would tell them, “You do not need a special majority”. The

very idea that this Government could come here and think they could give soldiers powers of arrest and detention—because that is what we are talking about. Giving soldiers the power to arrest somebody, deprive them of their liberty, deprive them of their freedom of movement—the very idea. This passed through Cabinet you know. This passed through the Legislation Review Committee. What is going on over there? The idea that you could bring a law to give soldiers the right to take away people’s liberty and you could do that with a simple majority. What next, Mr. Speaker? What next?

I see that the Attorney General, a bit shamefacedly, has now introduced the required recital in the preamble and has introduced the requirement for a special majority and attempted to excuse his incompetence, or just the failure of the Members opposite to do their homework by saying, “Oh, there is some doubts” or “For the avoidance of doubt we go—”. Mr. Speaker, I am hoping this is the last time this Government comes with a Bill that requires a special majority and they try to push it through with a simple majority.

They did it with the National Insurance thing, trying to impose a new system of National Insurance on people; taking away people’s property without a special majority. It is the mindset. It is the mindset because you see they have the numbers here you know, but they do not have the numbers in the other place, and I am really talking to the people in the other place and to you, Mr. Speaker, and the general population. I am not talking to them. They have their 29 votes, they could vote and bully their way through but they have to convince other people.

If I digress, as I said, I did not really want to respond to the theatrics of the last speaker, but the hon. gentleman read some letter from one, Mr. Sabga, who is the head of the ANSA McAL Group, but the ANSA McAL Group also owns a newspaper called the *Trinidad Guardian*, and the editorials of the *Trinidad Guardian* are the voice of the owners of that newspaper. The Sabgas own the *Guardian*, so let me read an editorial from the *Guardian*, March 02, 2013, which is far more relevant than the rhetoric we were treated to by the hon. Minister of National Security. This is headline: *Much more consensus before Govt soldiers on*, and it reads as follows, and this is the voice of the *Guardian* owned by the Sabgas:

“The plan to give specially selected members of the Defence Force the powers of arrest, search and seizure...”

And I have not gone there. It is not just arrest, you are dealing with taking away people property too, because they can search and seize just like police.

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“now restricted to police officers is the latest stop-gap measure aimed at addressing the country’s deadly crime problem. The move to beef up the powers of soldiers comes as T&T’s security apparatus struggles to deal with a spiralling murder wave, which has seen an estimated 81 killings in the 59 days of 2013.”

6.45 p.m.

This is the important thing.

“If soldiers have the ‘rights, privileges and immunities’ of the police, it would seem appropriate...the public be given the opportunity to lodge complaints to an independent statutory body...or for an extension of the mandate of the existing PCA to include soldiers. There are several unresolved cases in which members of the public have accused soldiers of abuse of power.”

You see, Mr. Speaker, what is so tragic about this legislation, the amended legislation is just as bad where this is concerned, as the original legislation. What does it say? It says:

“When any member of the Defence Force having been charged under subsection (2)”—and that just means that they are a member of the coast guard or the regiment or whatever—“...the duty of assisting any member of the Police Service in the maintenance of law and order and is engaged in so doing, he shall have the same powers, authorities, privileges and immunities as are given by law to members of the Police Service.”

But what about the other words? What about duties and responsibilities? You see, Mr. Speaker, not a single Member on the other side addressed that. Not the Attorney General, not the Minister of National Security. If you are going to give soldiers powers, privileges and immunities of police, why are you not giving them responsibilities? I heard a lot of “ol’ talk” about how the soldiers would be trained in Police Service Regulations; totally irrelevant. The Police Service Regulations do not apply to soldiers.—[*Interruption*]

Hon. Member: That is right.

Mr. C. Imbert:—and will not apply to soldiers in this legislation.

Hon. Member: Uh hmm.

Mr. C. Imbert: So the power of the Commissioner of Police to discipline police officers will no apply in these circumstances. The Commissioner of Police

will have no authority whatsoever over these, as my hon. Leader of the Opposition has said, these “soldier police”. You have soldier police over whom the Commissioner of Police will have no authority, will have no power to discipline, no power to deal with misconduct; nothing! But you are giving the soldiers the same powers as the police, the same immunities, the privileges, but you are not giving them the responsibilities and the liabilities of the police. Mr. Speaker, you know, I often wonder whether the Members opposite have any clue of what they are doing.

I want to refer now to an article, again in the *Trinidad Guardian*, 2006. It was the ‘Balo’ Maharaj kidnap murder case. You know what was the defence? A number of people were charged in this ‘Balo’ Maharaj murder case.

Hon. Member: That is right.

Mr. C. Imbert: Civilians, but it included a soldier. Listen to this:

Keith Scotland, defence attorney for Lance Corporal Ricardo de Four, yesterday submitted that his client, a serving defence force soldier, is not subject to civil law, but rather should be afforded court martial proceedings.

Have they thought about that? Again, I am asking a rhetorical question because they have not, they do not do anything right, Mr. Speaker. Everything is superficial, knee-jerk, weak, poorly thought out. [*Desk thumping*] This was a defence that was put in this court case that soldiers are not subject to civil law and they do not have to appear in the High Court, that they go in a court martial.

Now, as a citizen, if I am deprived of my property by a soldier, one of these soldier police, “ah get beat up, they break down meh door”, they seize all sorts of things.

Hon. Member: They arrest you.

Mr. C. Imbert: “And they arrest meh too”—[*Interruption*]

Dr. Rowley: And detain you.

Mr. C. Imbert:—and they detain me. I cannot claim damages against them, you know because I cannot go in any court martial, Mr. Speaker. I am a civilian. “I cyar find meh way. I cyar file ah case” in court for damages against a soldier because their bright lawyer will come and say, they are not subject to the civil court, they are in the wrong court, they must be court martialled. You know, when

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you look at what happens in a court martial; nothing! You get dock 29 days' pay. It is absurd. That is the level of fine you could fine a soldier; 30 days' pay. So, a man come and destroy my property—[*Interruption*]

Dr. Rowley: Search and detain you.

Mr. C. Imbert:—search and detain me “and all he getting” fine is 30 days' pay, a couple thousand dollars, Mr. Speaker? This is the problem with this Government. They do not think things through.

If they had brought a Bill to say that we are going to precept the soldiers; that would make sense because when you are precepted, you are subject to the control and direction of the Commissioner of Police. There is a lot of confusion outside there in the public domain. I want to get that out of the way. This Bill has nothing to do with precepting soldiers. [*Crosstalk*] That is what it is supposed to be. The soldiers were supposed to be precepted—[*Interruption*]

Dr. Rowley: That is what they said.

Mr. C. Imbert:—so that they will answer to the Commissioner of Police when they are acting as police.

Hon. Member: That is right.

Mr. C. Imbert: But here we have a situation where soldiers will behave like police, have the powers of police, but would not be answerable to the Commissioner of Police.

Dr. Rowley: It is the Minister.

Mr. C. Imbert: They will be answerable to the Minister. You see, the Attorney General glossed over this thing, you know. They glossed over this thing. No right-thinking person could support this legislation. This legislation is crazy! Let me read—[*Interruption*]

Miss Mc Donald: It is a hoax.

Mr. C. Imbert:—what is in the Defence Act.

“There is established a Defence Council...consisting of—

the Minister, who shall be the Chairman;”—that honourable gentleman there—

“two other members of the Cabinet”—so that is three Ministers already—

“appointed by the Prime Minister, one of whom shall be the Vice-Chairman;

So the chairman of the Defence Council is a Minister, the vice-chairman is a Minister.

“...Chief of Defence Staff;

“the Permanent Secretary...” [*Crosstalk*] Yes, who has to follow the instructions of the Minister, and the permanent secretary in the Ministry of National Security, Mr. Speaker.

So, “wha yuh have, three Ministers”, a soldier who has to answer to the Minister and the permanent secretary who has to report to the Minister. That is the Defence Council.

Then section 8:

“...the Council shall be responsible”—now hear this, it gets worse—“under the general authority of the Minister for the command, administration and discipline of and all other matters relating to the Force.

The responsibility to the council shall not extend to the operational use of the Force”—he read that but he “eh” read this part—“for which responsibility shall vest in the Chief of Defence Staff subject to the general or special directions of the Minister.”

So the Minister can give instructions to the Chief of Defence—[*Interruption*]

Miss Mc Donald: That is right.

Mr. C. Imbert:—with respect to operational matters, with respect to the operational use of the force, he can give general; he can give special directions, Mr. Speaker. So these soldier police [*Crosstalk*] will now be subject to special and general directions given to the Chief of Defence by the Minister.

Mr. Speaker, that is why we are heading down a very, very dangerous road. If they had precepted them, we would be having a different debate here today, and you know, the Attorney General again skirted the issues; he is aware of them, you know, “but he run from them”.

There is a judgment of the Privy Council, 1981, *Endell Thomas v The Attorney General*; *Endell Thomas v The Attorney General*, and what is interesting about this judgment is the comments the Privy Council had to say about politicians interfering with members of the police service. I am reading from page 4 of the judgment:

“It is, in their Lordships’ view, the most important of the three questions, for it affects the security of tenure and insulation from political patronage and

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pressure not only of members of the Police Force itself but also of every member of the public service...”

The judges went on to say, went on to talk about a change of government where in that case of an armed police force with the potentiality for harassment that such a force possesses, the power of summary dismissal opens up the prospect of converting it into what might, in effect, function as a private army.

Miss Mc Donald: Look it here! [*Crosstalk*]

Mr. C. Imbert: So the Privy Council in 1981 pointed out that our Constitution was so well drafted to insulate Ministers from the command of the police so that politicians could not convert the police into a private army. What is going here now?

Miss Mc Donald: Exactly.

Mr. C. Imbert: What is going here now? There are very good reasons why soldiers do not have powers of arrest and search and seizure. It is common sense. The reason why they do not have those powers is that the army is subject to the directives of a politician, Mr. Speaker. The Government is treading in very, very dangerous waters here. That is why I say that this Bill is not justifiable because it has been recognized since 1981 by the Privy Council that politicians should not have the ability to convert the police into their own private army, and have the ability to give instructions and put pressure on the police. Here we have a situation where we are creating a police force—[*Interruption*]

Miss Mc Donald: Uh hmm.

Mr. C. Imbert:—because we are giving them the powers, the privileges, the immunities of the police—[*Interruption*]

Hon. Member: All powers.

Mr. C. Imbert:—all powers, and this police force that we are going to create will be answerable to the Minister of National Security. [*Crosstalk*] I am certain that if the constitutionality of this legislation is challenged, it would be struck down by the Privy Council using the Endell Thomas precedent—[*Interruption*]

Hon. Member: That is right.

Miss Mc Donald: Yes.

Mr. C. Imbert:—of 1981. So the Government could do what they want, you know. It would not be long before the Privy Council deals with your legislation.

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That is why I put the question to the Government; why are you creating a private army—[*Interruption*]

Miss Mc Donald: Yes.

Mr. C. Imbert:—answerable by law to the Minister of National Security by virtue of section 8 of the Defence Act because he is the one who is empowered by law to give special and general directions to the Chief of Defence which the chief must follow. I see people harassing the current Chief of Defence when he said he would obey, but he has to obey.

Dr. Moonilal: Member for Diego Martin West.

Mr. C. Imbert: That is what the law—no but you see, he should have said nothing! He should have said nothing. It would have been far better if he just said no comment; no comment, because by saying he would do whatever the Government tells him to do, he is simply reinforcing the fact that soldiers have to follow the instructions of the Minister of National Security. These soldiers who could now break down your door, lock you up, detain you, deprive you of your liberty, take away your property, seize everything that belongs to you, will not be answerable to a civil court, will not be answerable to the High Court. What capacity does the court martial system have in the army?

Dr. Rowley: There is loss of the writ of habeas corpus.

Mr. C. Imbert: The writ of habeas corpus; quite correct, produce the body. We will no longer—you think I could go in a court martial if they detain some friend of mine—you think I could go in a court martial and file a writ of habeas corpus? They will laugh at me. “They doh have that in no court martial.” They do not have it.

Mr. Speaker, what right-thinking government would do this? Why did you not make these quasi-police answerable to the Commissioner of Police?

Miss Mc Donald: That is right.

Mr. C. Imbert: Why did you not make them answerable to the Supreme Court of Trinidad and Tobago? Why have you taken them out of the system and insulated them in this court martial system, where as citizens we do not have rights, we do not have access to that military court? I want the Government to answer that. I want the Attorney General to answer that, “all the talk he talk”. All the misquote he quote about other countries when it is that these powers are only given in times of unrest.

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Even in Egypt, Mr. Speaker, that is the most recent incident where their government gave the military powers of arrest. But look, a tank, that is all they gave them because there is a riot going on in Egypt. The people want the President to go. They have surrounded the presidential palace in Egypt, they are stoning them. It is civil unrest, riot, commotion, revolution going on in Egypt, Mr. Speaker. As a consequence, the government gave the soldiers the police powers to quell a riot, not to give them general powers for maintenance of law and order.

The words in this legislation are very important you know. That is why the hon. Members opposite did not deal with the words; they did not deal with the words. All of the other jurisdictions give soldiers [*Crosstalk*] police powers to maintain public safety; public safety. Makes perfect sense. But what are they doing in here? They are giving the police the power to maintain law and order—I mean the soldiers—giving the army the power to maintain law and order. What does that mean? They could give me a speeding ticket? They could administer a breathalyzer test?

Dr. Rowley: Yes.

Mr. C. Imbert: They could file a charge in the station for obscene language? They could wreck your vehicle? [*Crosstalk*]

Dr. Rowley: They have all the powers of the police.

Mr. C. Imbert: It is for maintenance of law and order. It does not make any sense. Who is drafting these things?

Miss Mc Donald: Uh hmm.

Mr. C. Imbert: Why have you not confined it to maintaining public order and public safety? Why are you bringing maintenance of law and order? That is all the laws in Trinidad and Tobago. All! [*Crosstalk*] Listen to this one; listen to this one, Mr. Speaker.

7.00 p.m.

Mr. Speaker, you see, there is a level of misunderstanding on the other side. Let me go to what the Attorney General had to say. He spoke about all of the training that they are going to give the police. Let me go through what he said. He said that they are going to train them in the Police Service Regulations—for God knows what reason—they are going to deal with the question of identity of

soldiers. I would love to know how they are going to do that. Even as he was talking about how these soldiers will have a military police armband, every single member of the military police has an armband.

Miss Mc Donald: “Dats right.”

Mr. C. Imbert: So, whether the military police is assisting the police or not assisting the police, how do I know? He said I have to look at the armband and from the time I see MP, that is how I know. [*Interruption*]

So, any military police, whether he is stationed on sentry duty outside Camp Ogden, or whether he is involved in assisting the police, I have to assume that this military police is one of the special 1,000 persons, an armband. I have to look for an armband.

Miss Mc Donald: A yellow one.

Hon. Member: It will be SP.

Mr. C. Imbert: Mr. Speaker, the whole thing is absolutely ridiculous. The Attorney General told us that the soldiers would be trained in police regulations, in police procedure. So what! So, you train a policeman in accordance with the Police Service Regulations and he is not subject to the Police Service Regulations. What is the point of that? Is that moral suasion so that I would tell the soldier, this is what we have in the Police Service Regulations; oh, by the way, you are not subject to these regulations. “Dey doing ah course in it, you know, but dey not subject to it.” What is the point of that?

Dr. Rowley: “Sankatism.”

Mr. C. Imbert: What is all this rhetoric, Mr. Speaker? Why say they are going to do this for the soldiers and do that for the soldiers, it is not in the Bill. None of the things—[*Interruption*]

Mr. Speaker, the training of soldiers is not in the Bill; the training of police officers is in the police service legislation. It is in law! The training that police officers have to get is in the law. The training that these soldiers will get in their minds is not in the law. The regulations that police are subject to is in the police law. The regulations that these army men will be subject to is not in the law. None of the things that the Attorney General spoke to will have the force of law. There is no requirement for them to be trained; there is no legal requirement; there is no legal obligation for these soldiers to follow any police regulation or police procedure. They can do whatever they want because they are being given immunity and they are not answerable to anyone except some court martial.

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Mr. Speaker, you go through the Defence Act, you know what are the offences in the Defence Act, Mr. Speaker, that court martials have to deal with? I am going to deal with them—the offences in the Defence Act that they have to deal with. It starts off in Part 5 of the Defence Act, from clause 38. Let me read out the offences that the court martial system will be dealing with:

“Any person”—who is—“subject to military law...while on guard duty—

(a) sleeps at his post;”

“So tha’s what dey does do in a court martial. Dey ketch you sleeping, court martial for yuh.” Any person who, while not on duty “is drunk”—court martial for you; any person who “steals...searches the person of anybody killed in...warlike operations”; any person who takes part in mutiny; “Any person subject to military law who—deserts;”

Mr. Speaker, the Defence Act provisions deal only with the offences that a soldier might commit as part of the defence force. Insubordination, mutiny, indiscipline, sleeping—

Hon. Member: So what the PCA does?

Mr. C. Imbert: The PCA, let me show you, I will come to that. I will come to that.

The whole question of incorporating the Police Complaints Authority is a red herring; fooling no one. [*Interruption*] What does this amended legislation tell us? It tells us that:

“Section 4 of the Police Complaints Authority Act is amended in the definition of ‘police officer’

(c) by inserting after paragraph (c) the following paragraph:

(d) a member of the Defence Force charged under section 5(2) of the Defence Act with the duty of assisting any member of the Police Service in the maintenance of law and order...”

So, what they have done, they have said all these specially selected soldier police will be subject to the Police Complaints Authority. What does the Police Complaints Authority do? You see, talk is cheap, “eh”, but let us go and see what the Police Complaints Authority does. What are their powers? To start with, members of the Police Complaints Authority—and I know this is a sore point—do not have the powers. [*Interruption*] I know you know nothing. The members of the Police Complaints Authority, believe it or not, [*Interruption*] do not have the

powers, immunities, privileges of the police. Do you know that? So, members of the Police Complaints Authority “cyar arrest nobody; dey cyar detain nobody; dey cyar bring in anybody for questioning, dey have no powers”. That is a fundamental flaw in the Police Complaints Authority Act.

But quite apart from that, Mr. Speaker, what does the Police Complaints Authority do? It investigates complaints about police officers with respect to misconduct, and then what does it do? It makes recommendations to the Director of Public Prosecutions with respect to the prosecution of these police officers. That is its functions. A complaint comes in, it investigates the complaint, it is hamstrung and humbugged, because the Government on that side, has refused, despite requests coming from the Police Complaints Authority, to give the PCA the powers and privileges of police officers, so in carrying out their investigations, they have none of the powers and authorities of the police, so the police “doh” have to take them on. [*Interruption*]

So, first you have a toothless bulldog investigating the police and the police can ignore them because—[*Interruption*]

Miss Mc Donald: So that is another hoax?

Mr. C. Imbert: Yes, the Police Complaints Authority is a toothless bulldog.

Miss Mc Donald: Aaah.

Mr. C. Imbert: All they can do is investigate a matter, without having the powers of the police and then they recommend to the DPP whether the police officer should be charged or not.

But let us say, somehow, the Police Complaints Authority, that lacks all of these powers and authority of the police, can investigate a soldier engaged in misconduct—one of these soldier police—and ends up saying, okay, we recommend to the DPP that this soldier be charged. “What the soldier goin’ do? He go hire the same bright lawyer and say ‘I not subject to this court’, you know.” So, you have a ridiculous situation. The police officer cannot do that, you know. When the Police Complaints Authority does its work without hindrance and can make a proper recommendation for the charging of a police officer with a criminal offence, that police officer has to go in the court and face the charge. When you charge a soldier, up pops a lawyer saying, “Wrong court, I am subject to court martial, you cyar try me here.”

So, what is going to happen when we subject all of these soldiers to the Police Complaints Authority? At the end of the day, we would achieve nothing because

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every single one of them will come with the defence, that I am not subject to be prosecuted in the Supreme Court of Trinidad and Tobago. It is my right, I must be court-martialled and subject to military justice. “So, what yuh doing?” You are achieving nothing; it is a red herring.

If they had precepted them though, if the Government had precepted these soldiers and make them answerable to the Commissioner of Police, then they “cyar” come with that trick and say that they are not subject to the regular court and they must go in a court martial, they would have to face the court, and the Police Complaints Authority would have some authority over them. But right now this thing is just a big joke, Mr. Speaker. It is a joke. So I am not going to spend much time on this Police Complaints Authority thing because the soldiers are not going to be liable to be prosecuted in a court like a police officer. It is a total, absolute waste of time. Total absolute waste of time.

Mr. Speaker, you know, I sometimes wonder if this Government knows what it is doing? Sometimes I am torn between thinking they are completely clueless; they do not know what they are doing, as the hon. Leader of the Opposition has said; half of the Cabinet do not know what is going on half of the time, because these things come like a “tief” in the night; they are just thrown on the Cabinet table and there is no discussion and they just go through. I am torn between that scenario where they are totally clueless; you pass this thing through the legislation review committee, it needs a special majority, nobody sees that; you pass it through Cabinet, nobody sees that; you bring it in the Parliament, nobody sees that.

I am torn between a scenario where they just do not know what they are doing and a scenario where they know exactly what they are doing, and they want to create a situation where, for the first time in Trinidad and Tobago, and I dare say in countries following the Westminster system, democratic countries, free countries, for the first time you are going to have people with police powers answerable to a politician, a Minister of Government, Mr. Speaker. It must be very attractive to the Member for Chaguanas West, right now he “cyar tell ah soldier” to lock up anybody because he does not have that power, because the soldier does not have that power. So the Minister of National Security might want to do that, might want to tell a soldier go and detain the Leader of the Opposition, for example.

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. [*Mr. N. Hypolite*]

Question put and agreed to.

Mr. Speaker: You may continue, hon. Member.

Mr. C. Imbert: Thank you, Mr. Speaker. [*Desk thumping*] I would spend a "lil" time on this point. I want the public to understand; I want the people in the other place to understand, that at this time, the Minister of National Security cannot instruct the Chief of Defence or any part of the regiment to go and arrest and detain anyone. "Can't do it!" It is correct and right that it is so, that the Minister of National Security should not have the power to put any pressure on any body of men under arms to go and arrest and detain people whether they be Members of the Opposition, or whether it be other people—[*Interruption*]

Hon. Member: To search.

Mr. C. Imbert:—or to search and seize people's property. It is correct and right that it is so. But, it must be very, very attractive to the Minister of National Security that his Government has agreed to draft a law which will give him the authority by way of the Defence Act, to give instructions to soldiers who will now have, for the first time, powers of arrest, detention, seize, search and so on. It must be very, very attractive. He could not do this before but now he could do it.

So, all this gun talk, all this "badjohnism" now can be put into effect, because for the first time, a politician would be able to give instructions to a body of men under arms to behave like police. You know, this Bill needs to be dealt with as soon as possible. This legislation needs to be dealt with very, very quickly, Mr. Speaker. Very, very quickly! You see, you listen to the rhetoric, but the rhetoric has nothing to do with the facts. Nothing to do with the facts. The Minister comes here and tells us that there has been a 23 per cent decrease in crime. I laughed. You reprimanded me for laughing, Mr. Speaker. I must laugh.

When I look at the statistics for 2012, they are there in black and white on the police website; every single category of violent crime has increased when you look at 2012 compared to 2011. That is a fact! In 2012, every single category of violent crime, burglary, robbery, sexual assault, murder, every single—it is okay, I would not go into the details. Every single category of violent crime increased in 2012 when compared to 2011. So, when a Minister could get up and say that crime is on the decrease, I must laugh, Mr. Speaker.

Miss Mc Donald: That is right.

Mr. C. Imbert: I must laugh.

Dr. Rowley: I must whistle. [*Laughter*]

7.15 p.m.

Mr. Speaker, for the year to date, there have been 85 murders—[*Interruption*]

Hon. Members: Eighty-eight.

Mr. C. Imbert: Eighty-eight, thank you for correcting my records.

Hon. Member: Lord Father.

Mr. C. Imbert: So, for the year to date, there have been 88 murders. For the comparable period in 2012, there were 67 murders. So there are 21 more murders in 2013 for the period January 01 to March 08 than there were in 2012. It is an increase in excess of 20 per cent. So when you have a Government and a Government Minister speaking on behalf of the Government telling you crime is on the decrease—actually said that murders have gone down.

Hon. Member: They always say that.

Mr. C. Imbert: I had to laugh. Eighty-eight murders for the first two months and one week of the year as compared to 67—88 murders in 67 days. Last year they had 67 murders in 67 days—21 more murders this year for the same comparable period. And a Minister is getting up in this Parliament to say—[*Interruption*]

Mrs. Mc Intosh: Minister of National Security.

Mr. C. Imbert:—murders are on the decrease.

Hon. Member: He did not say that.

Hon. Members: Yes, he did say that.

Mr. C. Imbert: Every single category, Mr. Speaker, every single category of violent crime in 2012 increased when compared to the previous year—a Minister will tell us that crime is on the decrease.

Mr. Speaker: Please, Member; please, Member.

Mr. C. Imbert: And you know, Mr. Speaker, when you hear these things you have to wonder what is going on, because if crime is going down, if murders are going down, then why are we here? If crime is under control, if serious crime is down by 48 per cent—I heard some ridiculous statistics there: one gone down by

58 per cent, one gone down by 48 per cent, next one by 37 per cent; if that is true, serious crimes are down by 48 per cent and 59 per cent, and murders down by 23 per cent, if that is true, what are we doing here in this Parliament today—because it is working. [*Desk thumping*]

The Government's crime prevention methods and measures are working, but we all know that it is not true. We know that the Minister and the Government live in a little fantasy world. They live in their own little world. You had the Minister telling us that this was the safest carnival ever. What happened a day later? They cut off a man head and they put it on a table somewhere, and not in Laventille "eh" and then they wrap up two fellas in barb wire and burn them, and not in Laventille, not in Laventille. [*Crosstalk*] You see all this "ol' talk"—if you look at the horrific murders that have occurred in the last month or so, since carnival, not in Laventille, it is all over the country, Mr. Speaker.

So if you have, "they cutting off people head, they tying them in barb wire and burning them" and it is not occurring in Laventille, it is occurring in East Trinidad; it is occurring in South Trinidad and it is occurring in Central Trinidad. How could the lock down of Laventille—you see, when I listen to these statements, they are so preposterous. Murders taking place all over Trinidad, but if you lock down Laventille, the murders in Aripo; the murders in San Fernando; in Cedros; in Mayaro; in Charlieville, in Piparo will stop, they will stop. What about the other 60 per cent?

You see, Mr. Speaker, I just heard across the floor, 40 per cent of the murders take place in Laventille. What about the other 60 per cent? Mr. Speaker, you know when a Government is on the decline when they start talking to themselves and they start believing their own rhetoric, "eh". You know when they gone through when they start talking to themselves and believing their own rhetoric.

You see, this is a very dishonest and deceptive piece of legislation and it must be condemned, outright, and rejected. [*Desk thumping*] It is dishonest to give soldiers police powers without giving citizens protection. It is dishonest. You have all sorts of complaints about soldiers who are not trained to serve; they are trained to kill. It is a fact. That same editorial I was reading out there, that was one of the paragraphs in the editorial, "Soldiers are trained to shoot to kill"—

Hon. Member: Yes.

Mr. C. Imbert: Sabga newspaper say that. But the same Mr. Sabga that the Minister read out some letter from, is the one whose newspaper has made the

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point that everybody in the world knows. Anybody who has been exposed to military training; anybody, whether they are a cadet like my hon. Colleague, the Member for Laventille West—[*Interruption*]

Mr. Hypolite: Oh, thank you.

Mr. C. Imbert: Yes, distinguished cadet. Anybody who has been exposed to military training knows that when they train you to shoot, they train you to kill. They are not training you to shoot the man in the leg you know; they are not training you to shoot the man in the arm, you know—you have to kill the man. That is what soldiers are trained to do.

Soldiers are trained to be violent. Violence is part of a soldier's life. You look at any course of military training you will see soldiers are trained to be violent and they are trained to kill. They are not trained to be restrained, they are not trained to be persuasive, they are not trained to talk to people, to try to persuade them, they are not trained to be peaceful, they are not; they are not trained to deal with civilians at all.

So you already have complaints that soldiers, in carrying out these joint army police patrols, lack the training to deal properly with the public, lack the training to talk. A fella might be approaching him with a weapon; a police officer may at the first instance try to talk the man out of it because that is what a police officer is trained to do. They might try to persuade—a fella comes at you with a cutlass, they might try to persuade the man to put it down. That is the first thing a police officer may do. You come at a soldier with a cutlass, “bam”, he shoot “yuh”, he shoot you in your heart to kill because that is what a soldier is trained to do.

A police officer may approach a house, he may knock on the door, he may seek permission from the occupants of the house to enter because that is what a police officer is trained to do. A soldier will come and kick down the door because that is what the soldier is trained to do. When the police officer goes inside the house he may round up the family, he may put them in a corner, he may talk to them and he may not use any violence. The soldier will beat up all of them, because that is what the soldier is trained to do.

Hon. Members: That is true, it is true. [*Crosstalk*]

Mr. C. Imbert: Now, Mr. Speaker, they could say what they want, you know. They could say what they want. The first one of them—you know, there are Members opposite who have complained about the training that police officers get—the Member for Toco/Sangre Grande.

Dr. Griffith: So.

Mr. C. Imbert: Complained, called police “stupid”, he said that they are not trained, but that is not true. Police officers are trained. They are trained, Mr. Speaker, but soldiers are not trained in these soft techniques, and you think it is easy to unlearn that behaviour? You think after six years in the military where your whole life is designed around drills, around combat, training you how to use violence, that is what you are trained to do.

In the barracks, they do not train you how to speak to people nicely down there in Teteron, you know. They train you how to disarm somebody, how to break their jaw, how to throw them on the ground, how to knock them out, that is what soldiers are trained to do. You think you could unlearn that! You think you could unlearn that behaviour. You see, the problem with Members opposite is that they cannot deal with the truth.

So, most of the complaints out of the joint army/police patrols are complaints that derive from the manner in which soldiers treat with people. These are the facts. You look at any complaint about the behaviour of soldiers engaged in a joint army/police patrol, the complaint is about how they behaved, how they broke down the door, how they beat up the person, how they were rough, how they did not treat the people properly, that is the complaint. But that is as far as the soldiers could go; they could not go any further. They could not arrest the person; they could not detain the person; they could not use force on the person because they did not have the powers and immunities of the police. There is a very good reason for that and it needs repetition, and the reason why they did not have it, is that they are not trained to behave like police officers.

Now, you are going to give them these powers that they never had—arrest, use force, seize, search and the citizen will be naked because the citizen is going to get—who is going to be subject to abuse from these soldiers, will not have the protection of the court; will not have the ability to complain to any responsible authority; will not be able to complain to the Commissioner of Police, the Commissioner of Police himself will have no authority over these police officers; they will not be subject to the Police Service Regulations; they will not be subject to any lawful code of conduct that in any way resembles any police code of conduct.

I ask the Government again, why did you not precept the soldiers? Why you did not make the soldiers subject to the control and discipline of the Police Commissioner? Why are you creating a private army that is outside of the law? I

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have to repeat this: they are going to create an army answerable to the Minister that is outside of the law, outside of the courts. And this army which answers to a politician, when they injure and abuse citizens, this army will get away with it because we are giving them immunity; we are giving them privileges; we are giving them authority; we are giving them power but we are not giving them responsibility and we are not giving them liability.

This is the discussion that needs to take place in this debate. Not all this foolishness about how murders gone down and everybody know it gone up. Not this foolishness about the safest carnival and the next day they find a man head chopped off on a table. Not this nonsense about how things are getting better when we know they are getting worse. Not all this foolishness about how everybody is in support of this Bill. Nobody is in support of this legislation.

Friends of the Government have come out and condemned this legislation, people who would normally support the Government. The Downtown Owners and Merchants Association condemned the legislation; the Trinidad and Tobago Manufacturers Association condemned the legislation; every single newspaper condemned the legislation. People from the Labour Movement; people from Civil Society; people from the community, every interest group in this country has condemned this legislation.

Hon. Member: Even the soldiers and police.

Mr. C. Imbert: Only the Cabinet of Trinidad and Tobago thinks this is a good idea to give soldiers immunity without responsibility. Only the Cabinet of Trinidad and Tobago thinks that it is a good idea to give armed men subject to the direction of a Minister, the power to arrest, detain, seize and search someone. Only the Cabinet of Trinidad and Tobago.

This is not done anywhere else in the world. I want to repeat: in the Caribbean where soldiers are given powers of arrest, it is in a time of public emergency, only, for a particular purpose and for a particular period which is covered by law. There is no parallel legislation in the Commonwealth where soldiers are given the powers of police officers ad infinitum, anytime; any place; anyhow. There is no parallel in the Commonwealth where members of the armed forces are given police powers indefinitely and without limitations. It is just not done.

This Government is treading on very, very dangerous ground. They are seeking to take away our rights and freedoms. They are seeking to create a private army that will be immune from prosecution and it will be under the direction of

the Minister. We reject this legislation, absolutely. [*Desk thumping*] We reject it. You can use your 29 votes and your lack of intellectual capacity and do whatever you want, do what you want.

I sincerely hope the Members in the other place are not going to fall for this rhetoric, but certainly the population is not going to stand for this, Mr. Speaker. The population is not going to allow this Government to create a private army subject to the dictates of a politician; they will not stand for it. If you think you are unpopular now, go ahead and pass this legislation. If you think that people do not like you now, go ahead and pass this legislation and you will see how people will dislike you.

The Government is warned, go ahead and do your nonsense, go ahead and allow your maverick Minister of National Security to have his private army, go ahead and take away people's rights and you will see how the population of this country will deal with you. They will deal with you at the next general election at the appropriate time. You will be run out of office as the most draconian, the most dictatorial, the most undemocratic, the most vicious Government that this country has ever had. I thank you, Mr. Speaker. [*Desk thumping*]

Mr. Speaker: The hon. Minister of Legal Affairs. [*Desk thumping*] Hon. Minister, sorry about that.

7.30 p.m.

LEAVE OF ABSENCE

Mr. Speaker: Members, I would like to revert to an item on the agenda, that is, "Announcements". I have been informed, and I have received communication, that the hon. Kamla Persad-Bissessar, Member of Parliament for Siparia, is currently out of the country and has asked to be excused from today's sitting of the House. This leave which the Member seeks is hereby granted.

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Mr. Speaker: Hon. Minister of Legal Affairs.

The Minister of Legal Affairs (Hon. Prakash Ramadhar): Thank you very much, Mr. Speaker. Mr. Speaker, I rise with some level of grave concern— [*Interruption*]

Mr. Imbert: As usual.

Hon. P. Ramadhar:—about the fact that we need to do what we are doing here today. I have sat and I have heard the Member for Diego Martin North/East make some bald, bold and totally erroneous statements.

Mr. Sharma: Normal thing. Always wrong.

Hon. P. Ramadhar: He has indicated that any act of a soldier acting in the capacity where the powers are given to that soldier with the immunities, authority, powers, privileges, under the amendment, that anything that they do that is in breach of the right of a citizen cannot be challenged in a court. And to base his authority, he does so on a report in a newspaper of a submission made that I will describe as no more than grasping at straws in relation to a charge of murder and kidnapping, where a lawyer made a submission that his client was a military officer; was not subject to the general law of the land but subject only to martial law. That is fanciful and extremely erroneous, to begin with. But he proceeds on the basis that that is law and that is so.

Let me say, without doubt, that any citizen, whether he be President, Prime Minister or the man in Cedros, in Toco, in Freeport, in Laventille, is subject to the general laws of this land. If there is any breach by any agent of the State, there is something called, Mr. Speaker, the State Liability and Civil Proceedings Act. What that means is that if any right is breached by a police officer, a coastguard officer, an air guard officer, a fireman, a traffic warden—any of your rights breached—the State is responsible for that act, and the person you sue is the Attorney General. The office that you sue is the office of the Attorney General.

So, I mean, to sit here—I did not want to contribute to this because I have had some experience; I have made statements in the past and I would speak to that in a short while. But to hear the sort of folly in the highest lawmaking Chamber of this land to pass, as if it was a real contribution to the edification and enlightenment of our citizens, I would have been betraying my duty as a parliamentarian to sit and allow that to have gone.

To suggest that any act that could be criminal in nature, for instance, an assault by a police officer, a soldier—once again—a traffic warden or any agent of the State or any citizen of this country, cannot be prosecuted in a criminal law, is a total, total falsehood, and to give the impression that soldiers or those whoever will come under this amendment, will be immune from prosecution in the criminal courts, or from liability in the civil courts, could not be more wrong.

To hear that from a person who, throwing himself, first, I understand, as an engineer, and then as a lawyer, and come here and speak with the authority and conviction when we know that he knows that what he is saying is wrong, troubles me to no end because I always believe in the better part of humanity and in

honesty and decency. But in the last two years, coming here regularly, Mr. Speaker, I think I am about to be converted, because we need to really get a little bit more honest and stop playing political games.

Having said what I have said, I am sure any lawyer in this House, or any part of this country, will agree with the suggestions I just made as to what the law is. If there is a breach of your civil rights by any agent of the State, you can go to the civil court for redress. If there is a breach of the criminal law in relation to any office of the State, they can be prosecuted in a criminal court. That is without doubt.

But my friend went on to suggest all sorts of things: that this amendment takes away rights, and he went through the fundamental rights and read in detail sections 4 and 5 of our Constitution, and suggested that this amendment interferes with those rights. Once again, nothing could be further from the truth because those rights are protected against the act of any agent of the State, and that if there is a breach of that, you can go to the constitutional court for redress.

This new amendment does not introduce any new opportunity to remove those rights. All it does is that it clothes police officers and military officers under this amendment, when they work together, for the military officers to have the protection that they did not have before.

I ask this one question in this House: Any of the Members on the other side—any of them—please answer. Did you not know that soldiers accompanied police officers on joint patrols over the last several years? If you did not know that, that will be shocking. But if you did know that, tell from your conscience, and tell the people of Trinidad and Tobago: Did you not know that that was a wrong use of military officers because they enjoyed no protection whilst they were carrying out what they considered to be their duty given to them by their seniors and superiors?

You seem perplexed, Member for Laventille West.

Mr. Hypolite: “Yeah,” repeat it one more time.

Hon. P. Ramadhar: I shall repeat it, and listen carefully. I know it might be a little bit above, but it is simply this: Were you aware that there were joint patrols? Not under this administration alone; it started years ago. If your answer to that is, yes, were you then aware that the soldiers had no protection that the very police they were patrolling with, had? Were you not aware, then, that there was no institutional recognition—and understand what that means. Institutional

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recognition means the authorities did not have the legal authority then to permit what was happening. And this legislation is very simple, and let us not mystify it beyond the simple, which is the truth, that in recognizing that the reality of joint patrols existed for many years and—in fact, the police service depends on it because of the lack of development of the capacity over the last decade or more—that it became a necessity to have the support of the military in their patrols.

Recognizing that fact, this amendment really is to legitimize and to give protection, and to give lawful authority to that which occurred for the last decade or more. It is as simple as that. Let us not deceive ourselves into believing that there is anything nefarious about this. There is not.

I want to tell you now, having said that, I have personally stood in courts and I have made public pronouncements about the use of the military in a civilian population. I remember in Richplain in 2008, when a soldier was murdered, the military went in there without authority from the President or from any known authority; set up camp there, and we had reports on a daily basis of the sort of brutality the citizens of Richplain faced. I, then, as the deputy political leader of the Congress of the People, said that this was wrong. I, together with Dr. Lincoln Douglas, the Member for Lopinot/Bon Air West, Mr. Nirad Tewarie, Mr. Clyde Weatherhead, said, we are going to enquire who authorized this.

We took our time and put our safety at risk; went into that area; walked up the road, under gun—under the scope of guns—walked up and asked, who was the senior officer present there, and enquired of them, “Under whose authority, Sir, are you occupying, without a declaration of a state of emergency, this ground? What lawful authority permits you to move into a civilian population?” There could have been no answer.

That was not the only occasion. In Barrackpore, under the last administration, there was a road-blocking, of course, to get better roads and the sort of degradation of the infrastructure down in that area. The military was sent in; used their backhoe; broke down a bus shed in which people were sitting; hurt them, and then they were charged by police officers and brought before the court.

Our hon. Prime Minister and I appeared for those persons, and we made a call then as to under what authority were soldiers being used, in a civilian population, to enforce “law”. Where was that legal authority? Well, guess what? Today, recognizing that there may be abuses when there is no legal authority and no overall control, this Government took a decision—I may not agree with all of it, but I understand the need for it—to legitimize and to control that which has gone before. It is not a fiction; it is a reality, and, therefore, you have to face reality.

To that end, the amendment—and I shall repeat this—is simply—maybe I should read it, because others read certain parts and did not read others. Mr. Speaker, with your permission, section 3 says—section 5 of the Defence Act—and the Defence Act is law since 1962, because I am hearing the submission from the Member for Diego Martin North/East, and his submission suggests that it is this administration that created the defence council whose chairman would be the Minister of National Security. It is populated by the vice-chair who is also a member of the Cabinet and the Permanent Secretary. This administration did not create that law. That is law since 1962. To have put it in the context that this—without saying that—gives the impression that there is also some adjustment to the Defence Act, or it is a new Act, to give this new Minister powers over the army. Since the days of independence we are talking about. So I do not want to say it was dishonest, but it borders on it when you do not say these things, to put things in their true perspective.

But I was reading, and if you will permit me to continue, Sir:

“When any member of the Defence Force having been charged under subsection (2) with the duty of assisting...”

That is the operative word, “assisting”:

“...any member of the Police Service in the maintenance of law and order and is engaged in so doing,...”

Engaged in what? Engaged in assisting a police officer:

“...he shall have the same powers, authorities, privileges and immunities as are given by law to members of the Police Service.”

Mr. Sharma: And he knew that, “eh”, misled.

Hon. P. Ramadhar: Any child—my six-year-old, Urvi—would read this and understand. Because, you know, out of the mouth of babes comes the truth. But, clearly, as we rise higher and supposedly more intelligent, we become more sophisticated, more political and therefore more dishonest. Is that what we really do?

It is clear here. Now, I want to tell you, Mr. Speaker, I am not a proponent of the use of military force. I do not believe in it, generally, but what we are saying, in the circumstances, the wrongs that the Member for Diego Martin North/East—has to be corrected and I rise to do that. [*Desk thumping*] It has to be corrected!

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Because left unattended, it will go as if it were true. How could we, as big men and women, allow falsehoods in this august House to go unattended and uncorrected? I rise for that.

7.45 p.m.

Mr. Speaker, it goes further. There is an amendment under section 4. Do you know what this does? It gives the authority of the Police Complaints Authority, an independent body—like in any case of any other police officer—to investigate the Act of military personnel acting under the capacity and authority given to them under section 3. Do you know what that means? Exactly what the Police Complaints Authority—unless my friend is saying that there is no value whatsoever in the Police Complaints Authority, and if there is no value we should probably get rid of it. But if there is value in it—*[Interruption]*

Mr. Imbert: Fix it.

Hon. P. Ramadhar:—that is the authority to investigate, to make demands for the production of evidence and so, and when they complete that, do you know what happens? If there is any criminal act disclosed in it, it is sent in the normal course of things to the Director of Public Prosecutions to lay charges.

We are hearing that the Commissioner of Police will have no authority of the soldiers. But do you know what sort of authority he has—*[Interruption]*

Mr. Imbert: What?

Hon. P. Ramadhar:—Mr. Speaker, generally speaking? It is for breach of small and administrative things in the course of conduct. For instance, as they say, “Sleep away on duty. Yuh ain’t turn up for work.” They could dock your salary and things like that. But the moment you breach the law—the Commissioner of Police may have concurrent jurisdictions on police officers, but that does not take away the common right of the DPP or of the civil courts. Let us get that abundantly clear.

Mr. Imbert: Nonsense!

Hon. P. Ramadhar: So the citizens are protected under the general law of this nation, of this land, and to suggest otherwise, really, is mischievous and damaging.

Mr. Speaker, I had dealt with the issue that no new right is taken away by this provision. Because you know, if it was that legislation was brought here to change the qualifications for SRPs, that would have been done under a bare majority. We

would not have required a special majority and that is why, contrary to what the Member for Diego Martin North/East has suggested, there is no clarity that there is a requirement for constitutional majority in the nature that the amendments now call for because there is nothing new. There is no greater power given to anybody that did not already exist. The power of the police already existed and we now clothe those who assist the police, as they have been doing for the last decade, with the same protections, as simple as that.

Mr. Speaker, let me just say, I am heartened that the new amendments speak of a sunset clause, because when things are out of the ordinary and we try something new—let me put it like that—I beg your pardon—[*Interruption*]

Mr. Speaker: Please, just allow the Leader of the House on a procedural matter. I will call on the Leader of the House at this time.

PROCEDURAL MOTION

The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal): Thank you very much. Mr. Speaker, in accordance with Standing Order 10(11), I beg to move that the House continue to sit until the conclusion of the business at hand, the Bill to amend the Defence Act and the Police Complaints Authority Act.

Question put and agreed to.

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Mr. Speaker: Continue, hon. Minister of Legal Affairs.

Hon. P. Ramadhar: Thank you very much. I was on the point of the sunset clause. [*Desk thumping*]

Miss Mc Donald: Why do you have a sunset clause?

Hon. P. Ramadhar: A sunset clause is important in all legislation where there is something that—we understand the anxiety. I had some anxiety about this and the society must have some comfort in knowing that there will come a period when this law—and we expect within a short period of time that crime will in some way be mortally dealt a blow to deal with the orgy that we have seen over the last several years and, therefore, I welcome the sunset clause.

Mr. Speaker, I ask the question though: how come, when did it, and who authorized it to begin with, this joint patrol; when did that first become necessary? My understanding is that it became necessary at least 10 years ago. And what was it that the administration who had responsibility then, do about it? Did they raise

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the capacity to train police officers to ensure that the very concerns they speak about now, that we had the necessary force? I am told that we require 7,000, but on any given shift no more than 2,000 are on duty. Clearly, in a nation of 1.3 million covering both the full islands of Trinidad and Tobago, that number is way too small, way too limited and we need many more.

That is why, I imagine, at that given time when the military was first introduced into joint patrols, there was a need then. But since that time till now, the PNM, who had the authority then, what did they do to raise the capacity of training of police officers? They must answer that honestly and truthfully.

Dr. Ramadharsingh: Nothing!

Hon. P. Ramadhar: And if it is they did nothing, we will ask ourselves, why is it? If it is that we require several thousand more police officers to bring the numbers up to speed so that you will have a decent number on every given shift, why did they not do it? I ask these questions because if it is that the first priority of any Government is to ensure the security of its citizens, how did we arrive to where we are today?

[MADAM DEPUTY SPEAKER in the *Chair*]

I remember 20 years ago, Dr. Morgan Job spoke of the cauldron that was being created, of the powder keg that we were harbouring, and in his warning, those who had the authority then did very little, and we are now reaping the harvest of what he had spoken to.

Madam Deputy Speaker, do you know in this day and age, in the year 2013, when this administration came into power in 2010, we asked the question: we hear that there is a tremendous amount of flow of drugs and arms and ammunition into this nation, what had they done on the simple levels? Do you know that after the hundreds of billions of dollars that were spent, there was no scanner? No electronic scanner on the Port of Port of Spain, no electronic scanner on the port at Point Lisas, no electronic scanner in Tobago, and containers, hundreds of them just passed through and you have the—what shall I say?—the odd container being pulled over and searched and checked for drugs and for arms and ammunition. Why is that? Why did they not take the responsibility and give the resources for simple fixes like that to ensure some levels of security?

I am reminded, Madam Chair—Madam Deputy Speaker, I am sorry, you know—that from the coup in 1990, it was throughout the nation believed that container loads of arms and ammunition came through the Port of Port of Spain.

In fact, there was a prosecution in Florida of one of the members of the organization, the Muslimeen, who was tried and convicted, and the evidence there disclosed that the guns may have come in, in a container in plywood. They cut through the plywood and had it there. Knowing all that, simple amounts of money were not spent to put scanners. Why? It is an absolute abomination—
[*Interruption*]

Dr. Ramadharsingh: Cannot answer that.

Hon. P. Ramadhar:—but yet they come and want to play holier than thou now and suggest that this Government is attempting to fool the people.

There could be no greater betrayal of a people, than giving them the authority, your vote and the resources to protect you. I do not know, they spent \$80 million on—
[*Interruption*]

Hon. Members: Mastrofski.

Hon. P. Ramadhar:—the professor and the scanners for all of the ports would have cost less than that. Simple things like that. They talk about OPVs that will cost billions of dollars, when in fact—listen to this, Madam Deputy Speaker—they are talking about the use of military to do police work. Whatever happened to the marine branch of the police? They leave it to the coast guard to do police work on the waters. Left our shores unprotected, apart from the great work of the coast guard. So it is not as if they have not used other branches of the military to do police work, so it is sheer hypocrisy for them to suggest otherwise.

Madam Deputy Speaker, I want to commend the Leader of the Opposition, the Member for Diego Martin West, for this observation that you have to do investigations to follow the money in crime. That is something that is obvious to all of us, but this was the only Government that took any step towards strengthening the institution to deal with that. [*Desk thumping*] It is under the People's Partnership Government that the FIU was empowered, and the FIU, the Financial Intelligence Unit—
[*Interruption*]

Dr. Ramadharsingh: Saved us from being blacklisted.

Hon. P. Ramadhar: Apart from not being blacklisted, it is not an institution just for the sake of having one, but one that will really start the process of going after the big fish, the big criminals in the society. Let me tell you, crime is not just on ground. It does not just happen there, you know. It happens at all levels of the society. We look at the hot spots where the guns are and where the drugs are, but who is financing it? Where is it coming from? What efforts did the last

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administration take to deal with that? You talk about headless murder after Carnival. I remember Mr. Koury—I am sorry to have even mention it because his family might be hearing.

Hon. Member: Dole Chadee brother.

Hon. P. Ramadhar: Whatever happened there? The criminality that this country has seen has happened for the last decade and more. This Government is taking positive intelligent steps to deal with it.

I was on the point of the Financial Intelligence Unit. The BIR has to be strengthened to start the investigations to go after the money launderers. I made a public announcement not long ago and I shall repeat it here, that money laundering should be non-bailable, if any other offence is to be non-bailable. The reason for that is that if you do find, and you will find once you strengthen the institutions of those persons who are responsible for the importation of drugs, for the importation of guns and ammunition, then the supply of it will dry up on the ground. So the fight against crime must be from the top and from the ground, and somewhere in between we shall meet and crush it altogether and this Government is taking that step.

The resources for the police and the capacity for them, as he mentioned forensic investigators and so, did they do it when they were there?

Hon. Member: No!

Hon. P. Ramadhar: We are doing it, and maybe I should not say much more as to disclose the plans of this Government.

Mr. Speaker, it is without doubt, that in this country, there is very little confidence in the police service. We have had years and years of the population being afraid to make reports to the police because they are afraid that the police themselves—some members of them—will tell the persons that you reporting that you did and put their lives in danger. Did the last administration really pursue the creation of an internal investigative unit for the police, give them the capacity and the legal framework for financial investigations into police officers? Did they do that? These are simple things that should have been done, but the responsibility is left to us now. That is really the purview of the Minister of National Security and I do not want to speak too much about it, but these are the things that we need to consider altogether as a total package to deal with the scourge of crime in the society. [*Interruption*] The burden is now upon us and we will not shirk that responsibility.

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So, Madam Deputy Speaker, I think I have said what I wanted to say in relation to the correction of the legal falsehoods that the Member for Diego Martin North/East put to this House and to the population, and having said those very few words, I am grateful for opportunity.

I thank you. [*Desk thumping*]

8.00 p.m.

Mr. NiLeung Hypolite (*Laventille West*): [*Desk thumping*] Thank you kindly, Madam Deputy Speaker. I sat here and I listened to the hon. Members speak on this Bill, and there is one thing that comes to mind: David Rudder—a song that David Rudder sang.

Hon. Member: “Bahia Gyul!”

Mr. N. Hypolite: No, “This is not ah fete in here, this is madness”. [*Laughter*] Madam Deputy Speaker, when you sit and listen to the conversations coming from the other side, you get to realize that this Government has absolutely no plan—none whatsoever—with respect to the fighting of crime or even the running of this country.

It is the United National Congress, with their manifesto, that indicated they have a plan to solve crime in this country. When you look at what they made mention of, they looked at law enforcement, re-socializing away from crime, overhauling criminal justice; just to identify from their manifesto which is now, as they say, their policy—the way to solve crime in this country. It is this UNC Government that indicated in 2010 that crime is a thing of the past once they sit on that side.

Madam Deputy Speaker, it is the Attorney General who indicated—or was it the Minister of National Security?—the statistics—[*Interruption*]

Miss Cox: National Security.

Mr. N. Hypolite:—National security who indicated the statistics—with respect to crime, and more specifically, that of murders. He said, in 2008, 550; 2009, 509; a reduction: 2010, 485. The figures were going downwards under the People’s National Movement administration. In 2011, 352—and that is again because the People’s National Movement would have put a number of systems in place to deal with crime in this country. In 2012, 379. But what he failed to identify is that, at present, it is approximately 88 in 67 days. If we are to look at that figure—88 in 67 days—it means, therefore, by the end of this year, we will be looking at something like, about 480 murders.

Dr. Rambachan: “Yuh celebrating that!”

Mr. N. Hypolite: “We not celebrating that.”

Miss Cox: “That is de reality.”

Mr. N. Hypolite: That is what they on that side tend to want to put in the minds of the people of Trinidad and Tobago. But, the fact of the matter is that the crime in this country, the murders in this country—one murder, one murder is too much. All right!

Dr. Rambachan: “Yuh change yuh tune!”

Mr. N. Hypolite: It is factual! It is the Minister of National Security who came out with the statistics. That is what he said. [*Crosstalk*] Madam Deputy Speaker, I am hearing noises on that side. They are disturbing me, especially the Member for Tabaquite.

Dr. Rambachan: Certainly!

Madam Deputy Speaker: Members, please, allow the Member to speak in silence. You may continue, Member.

Mr. N. Hypolite: Thank you, Madam Deputy Speaker. They speak about discipline and they speak about when they are talking, “we making noise”, but just listen to them, but it is facts. [*Crosstalk*] And Toco, you need to shut up!

Hon. Members: Ooooooh! [*Laughter and desk thumping*]

Dr. Moonilal: That is unparliamentary!

Madam Deputy Speaker: Member, it is unparliamentary and I want to ask you to withdraw, please.

Miss Cox: Well, the Government needs to shut up too!

Mr. N. Hypolite: Madam Deputy Speaker, I so withdraw.

Hon. Member: Look what they do to Amery! “And wah Amery do?”

Mr. N. Hypolite: But, Madam Deputy Speaker, but my colleague was asked to leave the Chamber because he was speaking to one of his colleagues right next door, but here it is a Member on that side continues to speak and what is taking place?

Hon. Member: “Yuh challenge de ruling of the Speaker?”

Mr. Seemungal: “Doh challenge de man, he goin’ come back and pu’ yuh out, yuh know.” [*Laughter*]

Mr. N. Hypolite: We are at this point simply because of the crime rate in this country—the murder rate especially in this country. The Government of today indicated that they had a crime plan. They have a crime plan. The Minister of National Security tends to beat his chest that he will solve crime in this country and all those different things.

But, let me indicate, Madam Deputy Speaker, what the crime plan or what they say they will be doing to solve crime in this country. They promised Trinidad and Tobago to have a swift and visible decrease in crime. They promised \$60 million to establish 5,000 full-time SRPs; \$5.1 million for police community support groups; \$164.5 million for surveillance equipment to be used in crime detection and quick E999 Rapid Response Units; \$300 million for the purchase of vehicles. Yes, Madam Deputy Speaker, not only that; but here are some of their other crime measures or crime prevention measures—20,000 security officers. I am just showing to you that this Government is just lost for ideas to deal with this crime situation. Lost, because they keep coming up with different measures and none of these measures are being sustained. Twenty thousand security officers; \$5,000 for ex-prisoners. Remember that? That was a measure to assist with keeping crime down—\$5,000 for ex-prisoners; 200 per cent tax incentive for employers who would hire ex-prisoners. What is the position with that?

Miss Mc Donald: “Nothing ent happening.”

Mr. N. Hypolite: Let us not forget the state of emergency in 2011 where they arrested all these fellas from behind the bridge indicating that it is a crime prevention plan. They keep boasting that, “Oh, murders went down”, but definitely it must go down under a state of emergency.

Let us also not forget that the Minister of National Security indicated to this country that he will be opening a division of the Ministry of National Security in Laventille. What happened to that one?

Miss Mc Donald: Nothing!

Mr. N. Hypolite: URP employment managed by the Trinidad and Tobago Defence Force. The engineering department was supposed to be the mentor of these individuals. That has died a natural death.

Bad legislation, for example, section 34—that was another crime prevention measure. Hoop of Life, Madam Deputy Speaker, we are seeing something like about \$1.75 million being spent. Making Life Important.

Miss Mc Donald: Oh yes!

Mr. N. Hypolite: The Prime Minister dashed down onto the Beetham, smiling, cameras, this is another way of preventing or keeping the crime rate down. I am launching what we call the “MLI”. They call it the Making Life Important programme. Nothing on that! “Dey locking down communities on ah regular basis.” Crime still continues. Murders still at 88 in 67 days! Madam Deputy Speaker, 5,000 SRPs to be hired. I cannot remember hearing of any of those persons being hired to date. We have the Flying Squad situation that they are dealing with right now.

But the Minister of National Security also made mention of the army camps in hot spots. Their measure—or their way of keeping the crime down was to dismantle SAUTT, open the borders for guns and ammunition to come in, and, of course, to disable the repeat offenders programme. I have just identified 16 different measures that this Government came up with hoping to keep crime down, and now they come up with another measure whereby they want to give soldiers the powers of that of the police.

Then I heard the Member for St. Augustine speaking about—he indicated that the joint army patrols that are taking place right now, that it is illegal for the soldiers to be outside there. But, Madam Deputy Speaker, how can it be illegal for the soldiers to go out on duties when under the Defence Act—[*Interruption*] They are not protected? No, you did not say that alone, you also said it is wrong for them to do that, all right. But, under the Defence Act, section 191(2), it states that the Minister has the powers to give them that kind of authority for special patrols and stuff like that. It is there! In fact, it reads:

“The Chief of Defence Staff who shall be appointed from among the officers of the Force shall be vested with the responsibility for the operational use of the Force and shall in the exercise of any power connected with such responsibility conform with any special or general directions of the Minister.”

So it means therefore that the Minister—in this case, the Minister of National Security—can give instructions to the Chief of Defence Staff for his soldiers, his men, to go out on any exercise whatsoever.

Madam Deputy Speaker, a soldier is trained for combat. A police officer is trained to protect and serve. The training is of two totally different natures. One is trained to fight war, one is trained for combat; one is trained to deal with civilians—two totally different kind of training.

8.15 p.m.

Madam Deputy Speaker, even, when you look at their department, their dress, you can realize it is of a particular style. The soldier is trained. He wears his uniform in a particular manner, a combat-style uniform, while the police uniform is of a much softer nature and these are some of the issues that we need to understand; that the soldiers cannot and must not be given the same authority as that of the police.

The police service needs to become more ingrained in communities, become more community-focused, more community-interactive, cultivate and nurture trust and belief. The People's National Movement had started such a programme. We had the 555 community policing initiative. The public consultations of this programme have since been discontinued. The new world policing initiative begins in school so, therefore, if we really and truly want to keep the murder rate down and the crime in this country down, we need to start from within the schools.

We need to involve young citizens and within communities, we need to get both the citizens and the police working together. Madam Deputy Speaker, at present you have police and soldiers outside there on the beat. These soldiers have been accompanying the police, as the Member for St. Augustine indicated, for over a decade. Is it that by giving the soldiers police powers, you will have more patrols? Will they be able to cover more land space? Because I am hearing, Madam Deputy Speaker, that there are some 2,000 police officers—let me get the, yeah—on actual duty and I ask the question: how many defence force army officers are there?

It is my understanding that the defence force has 4,000 personnel, of which 2,000 are army officers. They belong to the army. In the defence force you have army, you have coast guard and you have air guard. Based on what was indicated by the Attorney General and the Minister of National Security, that there are approximately 7,700 police officers but on any one duty, you get 2,000 police officers outside there on patrols. If we are to match that with the army being 2,000 personnel, I want to believe on any one duty, there would be approximately 650 army personnel.

If, presently these 2,000 police officers are outside there on duty and they can only do, let us say 2,000 patrols, which means—I am going to the extreme—one officer on a particular patrol—therefore, 2,000 patrols, by putting or by giving the soldiers that police power, which means that the soldiers must work in

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conjunction with the police, it is the same 2,000 patrols we would have. There is no extra land space that would be covered. I thought—[*Interruption*—there would not be any extra.

Mr. Roberts: “Yuh maths” distorted.

Mr. Sharma: “Make ah lil sense, nah”, please.

Mr. N. Hypolite: Madam Deputy Speaker—the Member for Fyzabad we know the Member for Fyzabad never really went to school per se. What school is it? I know, Madam Deputy Speaker, that this one went over the head of the Member for St. Augustine. But it is simple math. If you have 2,000 police officers going out on patrols whereby it is one officer per patrol, it means, therefore, you will have 2,000 patrols, one officer per beat, 2,000 patrols. I am also saying that because it is the Minister of National Security and the Attorney General who indicated that the soldiers must accompany the police officers and if there are 650 soldiers on duty, you will have the same 2,000 patrols. It will not be anymore. You will have more persons but no additional land space being covered by patrols, none.

One would have expected that, what is needed is to increase the manpower in the police service, in such a manner that you will have a wider range of land mass to cover. And how do you do that? Maybe, just maybe, the whole idea of increasing the numbers in the police service, not by using the soldiers but maybe by using the police at the various corporations, one, and two the SRPs and increase the numbers from 7,700 to probably 10,000 or even 12,000. For us to really and truly get exactly what we want out of the police service, in terms of numbers, if you are looking at the numbers game, it is a means of increasing the numbers in the police service, increasing the policemen and women, increasing that number and not making soldiers police. That is not the way to do it.

Right now, as it is now, where you might have two police officers and two soldiers in a vehicle going out on a beat—[*Interruption*]

Mr. Indarsingh: Custom officers, and coast guard and air guard.

Mr. N. Hypolite: You hear that?

Madam Deputy: Member, please. Allow the Member to speak in silence.

Mr. N. Hypolite: Madam Deputy Speaker, we will ignore him because the country ignores him. I am speaking to you. The country “doh even listen tuh him”, so we are speaking to you. Madam Deputy Speaker—[*Interruption*]

Mr. Sharma: It is too early for comedy.

Dr. Griffith: Turn off the TV already. [*Laughter*]

Mr. N. Hypolite: Yeah, your television is always off because you are in Toco and you do not have television home by you.

As I was saying, we need to increase the numbers. As it is now, you have two police officers and two soldiers in a vehicle. By giving the soldiers that police power, it is the same thing that has taken place, two police officers with two soldiers. But if you increase the numbers in the police service, you will have more police officers; much more police officers.

One of the crime plans or one of the measures that this Government looked at was the launch of the private security network commission. And they said they are going to hire 20,000 security officers and these security officers will give support to the police service.

Miss Mc Donald: What is wrong with that plan?

Mr. N. Hypolite: Good idea you know, because it means you would have more law enforcement personnel outside there. It means, therefore, you will now have 20,000 security persons, plus 7,000 police officers, so we now have 27,000 “police powers” or people with police powers outside there, 27,000. It means, therefore, you have more persons outside there fighting the war against crime. And it was the former Minister of National Security who launched this fantastic, beautiful programme, the launch of the Private Security Network Commission. When he launched that initiative, this is what he said. He said:

“...We recognize that lawlessness and disorder contribute to the atmosphere in which criminal activity thrives and we will address this challenge head on...the key part of our programme will be mobilization and engagement of communities throughout Trinidad and Tobago so that everyone can make a contribution to our nation’s success.”

They were trying something so as to keep the crime rate down. But what happened to this programme to date? Nothing, absolutely nothing. He went on to say:

“20,000 Private Security Officers on Board”

I want to repeat, this is what he said:

“20,000 Private Security Officers on Board”

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Not that they are looking at bringing them on board, but they are on board. To date we have not seen, heard or smelt none of them.

And he continued:

“I wish to reiterate that companies in the Private Security Industry, whose expertise can contribute to law enforcement and national security, represent a workforce of over twenty thousand (20,000) security officers. This figure represents more than three times the existing number of police officers.

...more than three times the existing number of police officers.”

So it means by going this way, that the former Minister of National Security was going, we would have had more persons outside there fighting the war against crime. I wonder what went wrong there.

“These security officers and their respective companies have previously been an underutilized resource, with the potential for greatly assisting the Police Service.”

Basically, the same thing that they want do with the defence force, difference being with the defence force, we are looking at any one duty some 650 persons.

Madam Deputy Speaker, the latest strategy, if you could recall, of conferring full police powers to soldiers is another misguided act of desperation. This Government is becoming more and more desperate. I would have identified some 16 different measures that they would have thrown out to the public of Trinidad and Tobago, but none of those measures are in place at this point in time and they are coming with another one, which does not, really and truly, make sense and will not be effective.

8.30 p.m.

It is taking place right now. Police and soldiers are on the beat right now. Right now! By giving the soldiers that police power, Madam Deputy Speaker, it is known that police and soldiers do not see eye to eye; they do not deal, there is always some kind of antagonism between them, always. I am saying again, the ideal thing to do is to increase the numbers in the police service at the various municipalities, instead of having six and seven police officers there, increase the numbers there and have some community policing done. The idea is to fight the war that is taking place outside there, and for us to fight the war that is taking place outside there—we are really and truly in a position whereby we are moving this country to a state of martial law. That is where we are going—[*Interruption*]

Hon. Member: Big imagination.

Mr. N. Hypolite:—right, a state of martial law. I will tell you what martial law is. [*Crosstalk*] Martial law—this is the explanation given—is the imposition of military rule by military authorities over designated regions. Martial law is usually imposed on a temporary basis when the civilian Government—and I want to believe we have a civilian Government—or civilian authorities fail to function effectively and that is exactly where we are. This Government has failed to function effectively, and that is why they have gone the way of moving this country in the direction of martial law.

I speak about maintaining order and security, providing essential services. I say providing essential services because the Member for Chaguanas West loves to speak about Laventille. Madam Deputy Speaker, as I stand here as the Member of Parliament for Laventille West, I would say that Laventille is a beautiful place. [*Desk thumping*]

Miss Mc Donald: Exactly!

Mr. N. Hypolite: A beautiful place, we know that for a fact. There are areas in Laventille, Madam Deputy Speaker, where you can walk any day or night. Once upon a time, there were issues in the St. Barb's area and people were afraid to go through the St. Barb's community. St. Barb's at this point in time is one of the safest areas to be, and I can call out a number of other areas throughout the Laventille community, just like Chaguanas, Couva, Arima and other parts of Trinidad and Tobago, there is crime taking place, so I am not saying no to it. I am not saying that there is not any taking place in Laventille, but the Government wants to put this stigma that Laventille is this crime-ridden area.

Hon. Member: Um hum.

Hon. Member: The Government?

Mr. N. Hypolite: Yes, the Government, your Government. The head that was found was not found in Laventille and it was not a Laventillian. No, it is a beautiful place and we on this side would like to see a safer and better Laventille. We will want to see that.

Madam Deputy Speaker, despite what they on the other side tend to say, if they had followed some of the initiatives that the People's National Movement had left for them, we would not be standing here today trying to make soldiers police. We would not have been doing that. If they did not dismantle the whole purchasing of the OPVs so as to leave our borders open—[*Interruption*]

Hon. Member: Porous!

Mr. N. Hypolite:—we would not have been seeing the amount of arms and ammunition coming into this country. Those individuals outside there “toting guns”, I was asked the question today—I attended a funeral earlier on today and I was asked the question, how did that gentleman or those guys in those communities outside there, not only Laventille, but in other communities, Chaguanas and Couva also, how are they getting those guns when most of them do not even have proper slippers on their feet? It is more than that. It is more than just those individuals and by giving the soldiers that police power, making it a point whereby the Minister of National Security can instruct the Chief of Defence Staff to utilize those same officers to arrest and beat up and do whatever so as to say, “dey trying to keep crime down”. Madam Deputy Speaker, I can just picture instructions being given to go into Laventille. I can just picture that.

Madam Deputy Speaker, we want the crime down, yes. We want the murder rate right down to zero, but we want it done properly. We would prefer to see more police officers outside there than to have soldiers being given police powers.

Let us look at some logistics. The logistics and implications for the implementation of an operation like this, police/soldiers operation, not only treads on the fundamental rights and privileges of the Constitution, but it pushes back the citizens behind a wall of silence, where we can be sure that we are guaranteed to see even less cooperation and support for any police initiative.

It has not been explained how the soldiers teaming up with the police will be deployed. We need to know how they will be deployed. We need to know that when they are outside there who will be in charge. A police officer reports to the Commissioner of Police. A soldier reports to the Commanding Officer of the regiment. When a soldier and a police go outside there with police powers, who will be in charge? Who will say, let us go right, let us go left, let us go up, let us go down?

Mr. Sharma: Hypolite.

Mr. N. Hypolite: “Yeah. I will send dem by you to find out where all dat money for de”—Madam Deputy Speaker, I am speaking to you.

Madam Deputy Speaker: Please, address the Chair.

Mr. N. Hypolite: Yes, Madam Deputy Speaker.

Mr. Sharma: [*Inaudible*]

Mr. N. Hypolite: I do not take taxis.

Mr. Sharma: “Yuh hah money from CEPEP?”

Mr. N. Hypolite: “No, I doh have no money from CEPEP either. Yuh hah money from the—”

Madam Deputy Speaker: Please! Please, Member, address the Chair, please.

Hon Member: [*Inaudible*]

Mr. Sharma: “Ah will gih yuh some.”

Mr. N. Hypolite: “Yuh go gih me some?” The Member for Fyzabad told me he will give me some money. “Ah wonder why he getting all dat money from?”

Mr. Sharma: “Come tonight yuh will know.” [*Crosstalk*]

Mr. N. Hypolite: The People’s National Movement always had a plan—“yuh sold de house in Canada already?” [*Laughter*]—and there are a number of objectives. You see, we had a plan and we called that plan Vision 2020, this plan is still alive. It is still alive. This Government ever so often tends to go into this document and pull out bits and pieces out of this Vision 2020 document, you know. Just for the record, just in case they want to doubt it, let me just read out some strategies that we had in this 2020 document, and I am certain you would realize that some of it they are using.

- “Build Specialist Investigative and Response Capabilities
- Strengthen Data Analysis Capability
- Strengthen the Human Resource Base in all National Security and Public Safety Agencies”

Madam Deputy Speaker, I am talking about a plan that the People’s National Movement had, that is still relevant—Vision 2020—and can still be used to assist this Government because they are lost.

- “Modernise the Physical Infrastructure and Operating Environment
- Change the Culture of the Police Service – ‘Policing for People’”

When we speak about policing for people, we are talking about attentiveness, reliability, responsiveness, competence and good manners.

- “Expand Institutional Capacity for Homicide Prevention and Detection
- Strengthen Institutional Capacity to Deal with the Issue of Kidnapping
- Reduce Gang Activity and the Number of Repeat Offenders”

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Madam Deputy Speaker, I come right back to “repeat offenders”, people who have done a crime before, come out of prison, do it again. This Government in their measures to fight crime in this country, got rid of that unit and that unit was working; it was working!

- “Apprehend Violent Drug and Gun Traffickers and Effectively Police Retail Drug Markets
- Strengthen School Security and Promote School Discipline
- Expand the Transit Police Unit
- Strengthen Surveillance of City Centres
- Improve Road Safety
- Safeguard Our Children
- Create a Positive Environment for Youth Development
- Strengthen Surveillance and Control of Territorial Borders”

I want to repeat that one.

- “Strengthen Surveillance and Control of Territorial Borders”

Madam Deputy Speaker, we all know that the drug trade and guns, arms and ammunition trade take place from South America to North America, passing through Trinidad and Tobago, more so Trinidad. We had a plan in place to protect our borders which would not have seen us standing here or sitting here talking about making soldiers police. So just for the record, Vision 2020 it is still alive, and they on that side can say what they want, there are a number of measures inside here that they are looking at and I am saying, that maybe they need to pay a visit to this document and implement some of the measures inside there.

8.45 p.m.

Madam Deputy Speaker: Hon. Members, the speaking time of the hon. Member for Laventille West 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.

Madam Deputy Speaker: You may continue, Member.

Mr. N. Hypolite: Thank you kindly, Madam Deputy Speaker. Thank you kindly, colleagues. Madam Deputy Speaker, the speakers before on that side indicated that everyone outside there, the general public, the police, the soldiers, the police commissioner, the Chief of Defence Staff, are all in favour of this measure, this new so-called crime plan.

Madam Deputy Speaker, a former Minister of National Security—
[*Interruption*]

Dr. Griffith: Not Martin Joseph.

Hon. Member: Chin Lee, Chin Lee.

Mr. N. Hypolite:—indicated, Madam Deputy Speaker, to this country and to the world, by extension, that this measure could lead to anarchy.

“He said it was ‘dangerous and open to wanton abuse’...It was not well thought out,”

This individual is definitely not Martin Joseph because he was one of the better Ministers of National Security; but, it was Mr. Panday, Mr. Subhas Panday. He also said that:

“...the Government’s plan could be seen as a temporary solution to crime, but it may be creating a bigger problem which may be uncontrollable in the future.

He”—also—“said that the conduct of police officers was guided by the Police Standing Orders...”

Yes, Madam Deputy Speaker, besides the legislation, there are regulations and there are also standing orders. There are standing orders in the police service and also in the army, standing orders.

“...and there was also the Police Service Commission which can discipline officers and the Police Complaints Authority where members of the public can launch complaints.”

The question is: what will happen with respect to members of the defence force regiment?

You also had, Madam Deputy Speaker, Dana Seetahal. They are the ones who say everybody is in full agreement with this. Dana Seetahal said—she is a senior counsel; she is a well-respected attorney, one must say, and this is what she said:

“Seetahal warned the initiative would have serious repercussions and could eventually turn the country into a military state.”

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When I spoke about martial law, Madam Deputy Speaker, I spoke about martial law from the mere understanding that once you use soldiers outside there to act as police, what tends to happen. Here it is Miss Dana Seetahal is saying it could lead to a military state. A military state is when the army takes full control of the State and the running of the State.

She also indicated that:

“The army and the police have two separate functions.”

My colleague from Diego Martin North/East and our distinguished Opposition Leader made mention of the same thing. They have two separate functions. The army is to protect us from foreign attacks and also to deal with national disasters. My colleague, the Member for Diego Martin North/East, made mention of that. Dana Seetahal is saying the same thing.

“The police investigate, detect and protect us internally.”

Big difference. One protects, detects and protects internally; one is there to defend the country, the State, from foreign attack as well as assist in national disasters. Madam Deputy Speaker, this country is really and truly in a terrible state and, as I said, we are faced with a situation of total madness—total, total madness.

The Attorney General indicated that you will know the difference between one of the soldiers, who is a soldier police by an armband. Madam Deputy Speaker, presently, as I stand here, there are many soldiers outside there with armbands marked MP, military police. Their roles and their functions are totally different to what is being presented here today. They are responsible for discipline and policing within the defence force, of which court martials can take place if an individual or soldier is found guilty of an offence.

What we are dealing with is something external to the rules and regulations and standing orders of the defence force. What we are dealing with here, Madam Deputy Speaker, is making soldiers police officers to deal with civilians, and the question we are asking is: how will we identify these persons? Will they have that armband and that armband will be SP, soldier police? That is the question we are asking. How will the average citizen outside here, how will my constituent from Laventille know that that is a soldier that has police powers, compared to a soldier who is doing his normal duties as a soldier? That is the question that we are asking and we have not gotten an answer for that and I am hoping that the Attorney General will be able to answer that question.

Madam Deputy Speaker, in setting international standards for policing, as early as 1979, the United Nations General Assembly adopted a code of conduct for law enforcement officials and this code expects and requires the law enforcement official to do a number of things being:

- at all times fulfil the duty imposed upon them by law, by serving the community and by protecting all persons against illegal acts;
- shall respect and protect human dignity and maintain and uphold the human rights of all persons;
- use force only when strictly necessary and to the extent required for the performance of their duty;
- keep matters of a confidential nature confidential;
- not inflict, instigate or tolerate any acts of torture or other cruel, inhuman or degrading treatment or punishment;
- ensure the full protection and health of persons in their custody;
- not commit any act of corruption and, to the best of their capability, prevent and rigorously oppose any violation of the code.

That, Madam Deputy Speaker, is a code of conduct for law enforcement officials that was established in 1979 under the United Nations General Assembly.

Madam Deputy Speaker, we on this side are totally against making soldiers police. We are totally against giving to soldiers police powers. [*Desk thumping*]

Madam Deputy Speaker, before I close, the Member for St. Augustine spoke about liability and privileges and authority given to soldiers—the same liability and authority that police have, but when you look at the Police Service Act, the Police Service Act, section 43, distinctly identifies with liability under any written or unwritten law. In fact, it reads as this:

“Every police officer shall have all such rights, powers, authority, privileges and immunities, and is liable to all such duties and responsibilities, as any constable duly appointed now has or is subject or liable to, or may have or be subject or liable to under any written or unwritten law.”

Miss Mc Donald: What section?

Mr. N. Hypolite: Section 43. Madam Deputy Speaker, I made mention of “liable” at least three times because, in the Police Service Act, it spells out

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“liable”. It means, therefore, that there is some level of liability inside the Act. Under this amendment that is being debated here today for giving soldiers police powers, they left out anything called or named “liable” or “liability”. In fact, Madam Deputy Speaker, this amendment reads:

“When any member of the Defence Force having been charged under subsection (2) with the duty of assisting any member of the Police Service in the maintenance of law and order and is engaged in so doing, he shall have the same powers,”—the same thing as the Police Service Act—“authorities,”—same as the Police Service Act—“privileges,”—same as the Police Service Act—“and immunities” —same as the Police Service Act.

But they totally left out “has or is subject or liable to, or may have or be subject or liable to under any written or unwritten law”.

I am wondering, Madam Deputy Speaker, why that is so. I am wondering why are we giving that liability to the police and it is not being done inside the amendment that we are discussing here today.

9.00 p.m.

Madam Deputy Speaker, I am fearful of this piece of amendment. I am fearful because we have seen what this Government would have done with section 34. We passed it here in the House today and they took it to Cabinet and they passed it in Cabinet, and they want to blame all of us here. I am wondering if this will give the Minister of National Security the authority to send or to instruct soldiers to go into Laventille to “beat up” or take advantage of those people in Laventille because they believe he might have a “ras” and he is a criminal. I am wondering. I am very, very, very mindful of this, and I cannot and will not support this piece of legislation. I thank you. [*Desk thumping*]

Madam Deputy Speaker: Member for Arouca/Maloney.

Miss Alicia Hospedales (*Arouca/Maloney*): Madam Deputy Speaker, I am thankful for the opportunity to contribute to this debate on the Defence (Amdt.) Bill, 2013. The purpose behind the Defence (Amdt.) Bill, 2013, according to the Attorney General, is to give the same powers, authorities privileges and immunities that are given by law to members of the police service to members of the defence force who are assisting any member of the police service in the maintenance of law and order, and is engaged in so doing. That is what we were told by the Attorney General.

When this particular piece of legislation was laid in Parliament, there was a lot of discussion in the public domain with respect to what people felt about it. Some of the things that were said about this proposed piece of legislation was that it—

...is yet another indication that the People's Partnership Government has failed miserably to deal with crime in Trinidad and Tobago.”

So that is stated in the *Express* on March 02, 2013.

It was also reported that it was not properly thought out, as reported in the *Guardian* on March 06, 2013, and that the Minister of National Security is heading down a dangerous road. And as the Member for Diego Martin North/East indicated, this piece of legislation is very weak and it is not justifiable.

Madam Deputy Speaker, the proposed purpose behind the Bill is very vague, extremely confusing and it has serious—[*Interruption*]

Madam Deputy Speaker: Members, I understand that dinner is here. I have been advised that dinner is here, so you may filter out cautiously, and please do ensure that there is a quorum so we will continue. Continue Member for Arouca/Maloney.

Miss A. Hospedales: Okay. Madam Deputy Speaker, as I was saying, the purpose behind the Bill is very vague and extremely confusing, and it has serious short-term, medium-term as well as long-term implications. There are many questions that arise as a result of this piece of legislation and we have not heard anything from the Attorney General with respect to what criteria would be used to select the 1,000 members of the defence force who would be legally authorized to function and perform the duties of police officers to help fight crime.

We have not been told how these members—what specific things they would be looking for with respect to the selection of those individuals. I would hope that in winding up the debate that the Attorney General will provide us with some information on the criteria for the selection.

What is the main purpose behind giving the 1,000 soldiers the powers of arrest as well as to search, to seize and to carry arms? What is the main purpose behind that? We have been told that it is because of the spiralling crime, but there are so many other strategies the Government can implement to address the issue of crime, and we have not heard any of those proposed or even thought of strategies. We have not heard anything else except for the fact that they want to precept soldiers. I am hoping that the Attorney General will provide us with the answer with respect to really, what is the main purpose behind giving the 1,000 soldiers the powers of arrest to search, to seize and to carry arms.

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Madam Deputy Speaker, I would also like the Attorney General to tell us in winding up, would soldiers now be responsible for the merged functions? What we are aware of is the fact that soldiers—their main function is to protect us from foreign attacks, and also to deal with natural disasters. But now we are told that they would now be assuming the responsibility of the functions of the police, which really would be to investigate, detect and to protect us internally.

I would like the Attorney General to tell us whether or not the soldiers would assume the functions of police, so we would have—what you would have is a dual-track system; a police service and a military police service. So, we would like to also know, would the precepted soldiers know the difference between information and evidence?

We would like the Attorney General to tell us—because it was reported in the *Guardian* on March 09, 2013 by the Police Association Secretary, Sergeant Michael Seales. He said that:

“...a soldier does not know what to look for when it comes to evidence and therefore would run the risk of picking up people off the streets”—in a—“willy-nilly”—kind of manner.

He said they would not know.

He also gave an example. He said that:

“During the state of emergency...23 people were arrested by soldiers but had to be released because there was”—not sufficient—“evidence...”

He also stated that:

“‘This is the kind of confusion that would take place,’...”

It is not just—the state of emergency was for a temporary period, but you are talking about a permanent period where confusion will exist on a daily basis, 365 days for the year and counting.

He also said that:

“During the state of emergency, soldiers acted on their own and arrested these people and brought them to the station.” He said the—“...officers refused to accept...”—the persons who were arrested by the soldiers—“because there was no evidence in the first place to arrest.’ Another issue was the lack of a body that the public could access to make complaints against soldiers.”—and we would talk more about that.

Senior Counsel, Dana Seetahal, reported in the *Trinidad Guardian* on January 09 said that she would basically caution the State and said:

“...that the State would have to fork out millions of dollars in lawsuits for wrongful arrests”—if they decide to go down this path of precepting soldiers. She also said:—“The power of arrests cannot be used in a vacuum.” and, as a result—“We must be careful”—not to—“have a duplication of a police force...”

As I indicated before, because of this proposed legislation, what is going to happen is that you will have the police force and then you will have a military police force. She said that:

“...this could have very serious implications”—because—“this would lead the country down a very dangerous road and this would have a worse effect on the country.”

We hope that—you know, the Attorney General said that they are listening to the people; we hope that they would really listen to the people, you know, those who have spoken and who have expressed their concerns, not only those members in the public domain, but also Members on the Opposition Bench who have all spoken before me, and those who would speak after me, expressing the concern that this is a dangerous precedent that the Government is setting.

I would also like to ask the Attorney General, in his winding up, to tell us, are soldiers going to be responsible for investigating crime? Would they now take on investigative responsibilities? When they are on joint patrols with the police, will they be under the command of both the brigadier and the police commissioner or both the brigadier and police commissioner or would they be under the command of the Minister?

We have heard a number of discourses occurring in the public domain about that, and even the Member Diego Martin North/East indicated the dangers that can occur once the military is provided with the specific authorities, immunities, et cetera, of police officers because of the fact that they are answerable to the Minister. The Minister can give orders to them and it is a dangerous, dangerous precedent. We would like to ask, who will they really be reporting to?

Police officers who are on duty with defence force personnel will also need to have some kind of certainty. As the Member for Laventille West indicated, there is not a very, very—I would say—good working relationship. You know, there are some issues of trust, et cetera, that exist between the police and the army. You

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know, what certainties are we giving to the police officers that can make them feel a sense of comfort that the army would not be overstepping its boundaries—members of the army would not be overstepping their boundaries?

The Member for Chaguanas West did nothing to reassure the police officers. All he said is that the police officers basically—that there would be certainty. There would be some measure of certainty, et cetera, and the general public, et cetera, can trust that in this entire process. But, really, is that so?

Madam Deputy Speaker, when was the consultation? Another critical issue that I need to talk about is, when was the consultation done with the police regarding the proposed legislative changes? We have heard there is not agreement; there is not buy-in. So I would like to know when was the consultation done. Are all police officers on board with this proposed piece of legislation? Are they in agreement with the precepting of soldiers?

I would like to also ask, were soldiers consulted and have they also agreed to work as police officers? Have they also agreed to function as police officers? Many of them would have joined the defence force to be officers of the defence force and not to become police officers. So, how do they feel about this particular piece of legislation? We have not heard anything about their perspective.

What happens in implementing a piece of legislation like this is that the Government runs the risk of establishing what you would call a military state, and many people have expressed concerns about it.

The Attorney General also indicated to us that the Police Complaints Authority will receive complaints against soldiers from affected citizens. I would like to ask, were the officials at the Police Complaints Authority consulted and was there agreement by the officials there of the Police Complaints Authority to take on the additional responsibilities or complaints from a body they have no responsibility or jurisdiction over?

So the amendment to Police Complaints Authority Act appeared on our desks earlier to the shock of many Members on this side, because we were not even aware that they were bringing such an amendment. What I would like to say is that the Police Complaints Authority officials are already overwhelmed, overburdened and overworked.

It is important for us to know whether or not they are in agreement, because what is going to happen is that their workload with respect to the number of

complaints that would be coming to them for investigation would increase considerably. Did they see the amendments that have been brought before the House this evening?

The Attorney General said that they listened to everyone, but did you all listen to the members of the Police Complaints Authority? Did you all listen to them? Did you listen to any of the groups that I have identified? Did you listen to them because I am not so assured?

9.15 p.m.

Madam Deputy Speaker, the Attorney General is also telling us that the Police Complaints Authority will now be given additional functions to investigate criminal offences involving soldiers with reference to corruption and serious misconduct. He also told us that the Police Complaints Authority will undertake enquires into, or audits, of any aspect of activities by soldiers for the purpose of ascertaining whether there is corruption or serious misconduct, or circumstances that may be conducive to both.

He also told us that, basically, the Police Complaints Authority will now monitor an investigation conducted by any person or authority in relation to any matter mentioned in paragraph (a) with respect to soldiers, and if they are engaged in any form of corruption or serious misconduct. In relation to complaints against soldiers, there were three questions that arose: Who will the Police Complaints Authority be advising? Would they be advising the police service, the defence force, or both, and other public authorities on ways in which corruption and serious conduct by soldiers may be eliminated? Will they now be providing that kind of information? Will the Police Complaints Authority be gathering evidence that may be admissible in the prosecution of a person who is not a soldier for a criminal offence in relation to the police service, the defence force or both, and to furnish that evidence to the Director of Public Prosecutions?

Madam Deputy Speaker, as you heard from the Member for Diego Martin North/East, the efforts of the Police Complaints Authority would be in vain, because these soldiers will not be liable to be prosecuted in a court of law.

The other thing that I found, you know, that I questioned, was whether the Police Complaints Authority would be gathering evidence that may be used in investigation of serious misconduct of soldiers and who would they be furnishing the evidence to? Would it be to the Commissioner of Police, the Police Service Commission, the defence force, the Minister, or all four of them? So these are, you know, a few concerns that arose out of the Police Complaints Authority, and,

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as I said, they are a body, you know, it is an organization where the officials are already overwhelmed, overworked, overburdened, because of the number of complaints that continue to come before them.

Madam Deputy Speaker, what the UNC Government is telling us is that the Police Complaints Authority, which I am not sure, does not agree with the added responsibility to receive complaints from citizens about the misconduct of soldiers, that the Police Complaints Authority would now be responsible for cases such as the following. In the *Trinidad Express* newspaper, dated September 05, 2011, there is a report “Man: Licks from soldiers”:

“A 25-year-old man claims he was beaten by soldiers and left near a dump near Point Fortin...”

And why I am highlighting this is because the Member for Chaguanas West, as well as the Member for St. Augustine, came here and made us believe that soldiers do not do anything bad. Yes, there are many of them who may be doing good things but there are some of them who do very bad things as well, and these are the types of cases that will be going before the Police Complaints Authority.

“Police puts beating on me”; that is a headline dated September 10, 2012.

A Las Cuevas farmer said he was scared for his life after he claimed that he was verbally and physically abused by two soldiers who reportedly threatened to kill him.

There is another report; “Man claims to be bitten by soldiers”, dated September 01, 2011:

A 31-year-old Enterprise resident claimed he was beaten by regiments early on August 31st while spending time with friends. He claimed that one soldier even placed a gun to his mouth and insisted he knew where the guns and drugs were.

Then there is another one where a Carenage resident—so the abuses are occurring all over Trinidad and even in Tobago. I have an article about Tobago as well.

A Carenage resident, on September 09, 2011, claimed that he was beaten by soldiers during a search while one of his house guests had his Rastafarian hairstyle cut off with a knife.

[MR. SPEAKER *in the Chair*]

There is another one where soldiers were in Tobago robbing and assaulting residents of Tobago, and that one was placed up for an investigation, as well as, more recently, in the *Trinidad Guardian* dated March 07, 2013:

“Calls are being made for the United Nations to investigate human-rights violations at the Immigration Detention Centre in Aripo, after detainees there were allegedly brutally beaten by soldiers last Friday.”—according to Khafra Kambon.

So, Mr. Speaker, the Police Complaints Authority would now be called on to investigate—that is what the Attorney General is telling us; they would now be called on to investigate these issues of misconduct on the part of the soldiers, and as indicated, as I said previously, the work of the Police Complaints Authority would be in vain because the soldiers will not be prosecuted in a court of law. So even though the file goes up to the DPP, nothing would really come out of it and that is a major, major cause for concern.

Mr. Speaker, as well, the Minister of National Security, as I said, he would have gone on and provided us with a long list of things done by soldiers; he even went as far as what they would have done in Grenada, et cetera, but what he failed to do is reassure the public that everything will be done above board. He said to us that everything will be done above board, but that does not reassure the public at all, because we have all these instances where people were brutalized and nothing was ever done to bring any form of justice in the issue because the soldiers cannot be prosecuted in a court of law.

Mr. Speaker, he also told us that the rights of individuals, the citizens of our land, the rights of my constituents from Arouca/Maloney, will not be infringed and these individuals were not in any way brutalized, but that does not give any form of comfort to any one of us.

Mr. Speaker, the one thing I would like to ask because, you know, listening and even looking and reading some of the concerns expressed, I wanted to ask: why did the Ministry of National Security not go on an aggressive recruitment drive to increase the number of officers in the Police Service? They have not told us what are their plans with respect to increasing the numbers, and I am asking this because many police stations operate on a skeleton staff. In some instances—we have heard of an instance in Carenage where one officer, sometimes two officers are on duty, night duty, and they are unable to leave the police station to go on patrols, or even to respond to a critical report. They are unable to do any of those things. So I am wondering why does the Ministry of National Security,

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instead of going this way, not recruit police officers, equip them, train them and ensure that they are ready to deal with the issues of crime that is plaguing the country?

Another example I will give is that the Minister of National Security visited the Arouca Police Station in August last year on his way to site visits, to look at where the police stations would be built, and he stopped off at the Arouca Police Station. The Arouca Police Station was built as a model police station, police station where, you know, there would be a much more community-type policing initiative, where the police officers would be going out into the community more regularly and lecturing with the residents, as well as doing things with the residents to build the level of trust, police community trust.

When we went to the police station, one of the senior officers came out—many of them—and he said to him that the Arouca Police Station was built for a capacity of 150 officers, but functions approximately at 50 officers at this present time, servicing almost over a 100,000 people because the area they are responsible for is densely populated, densely populated. Mr. Speaker, I am wondering whether or not the Arouca Police Station or any of the other police stations will get the full complement of staff that is necessary in order to make those police stations function effectively.

The Minister did, in his visit at the time, indicate to them that he would revisit and he would listen to their concerns, and try his best to meet those concerns, but bringing on this particular proposed legislation really does not give comfort to me as a Member of Parliament, or it does not give comfort, I am sure, to the police officers at the Arouca Police Station who are expecting that there would be a continuous recruitment drive, and police officers would be added to the Arouca Police Station so that they can adequately address the issues of crime, in and around Arouca.

Mr. Speaker, I am hoping that the Minister of National Security would give some attention to the recruitment drive, right, because a lot of the police officers are overwhelmed, overworked, overburdened, working extra time and not being able to adequately service communities. For instance, in the Arouca area, last year alone, there were 13 deaths, 13 homicides, and you know somebody may say, “But that is a small number”, but losing one life is a big thing. Right. It is a big issue, so it is important for the Government to ensure that they really take steps to ensure that there is a full complement of staff at all the police stations, and this will significantly increase the number of police officers that can really engage in the crime-fighting initiatives.

Mr. Speaker, just to close this particular point, I would like to ask the Minister of National Security to once again—he gave his word that he would visit the Arouca Police Station, listen to their concerns and tend to their needs. I really hope that he would do so and try his best to attend to the needs of the police officers at the Arouca Police Station.

The Minister of National Security, in closing, talked about their mission; basically, he told us in his own words that the mission—well, I interpreted it as that—of their Government is to trample on everything and everyone in their quest for power and to play games with the lives of the people. That is what I interpret it as. [*Crosstalk*]

Hon. Member: Standing Order 36(5).

9.30 p.m.

Mr. Speaker: I myself was not too clear on him, the hon. Minister, making that point. I do not think he made that point, you know. So, I cannot recall that, but in any event and so on, could you try your best to focus on the Bill at the moment, please.

Miss A. Hospedales: As I said, Mr. Speaker, I was winding up. I was just making my closing statement. So, as I was saying, right, the Minister talked about his mission, and I am saying their mission, right. So I would use it in my own words, their mission is really to trample on everything and everyone in their quest to get power, as well as to play games with the lives of people because this is what they are doing, putting ammunition in the hands of soldiers, and as we have heard, the training of soldiers is totally different from the training of police officers. So you are really playing with the lives of people.

Mr. Speaker, you know, he said that the PNM feels that they have divine right, but I would tell him that they, the Government, feel that they have divine right, but the final say is God's. Thank you.

Mr. Speaker: Member for Caroni East, the Minister of Education. [*Desk thumping*]

The Minister of Education (Hon. Dr. Tim Gopeesingh): Thank you very much, Mr. Speaker. [*Crosstalk*] It has become absolutely necessary for us on this side to rebut a number of statements and accuracies that have been— [*Interruption*]

Hon. Member: Oh Lord!

Hon. Dr. T. Gopeesingh:—purported by the Opposition—[*Interruption*]

Dr. Moonilal: Oh, yes. Recklessness.

Hon. Dr. T. Gopeesingh:—with a great deal of recklessness, disingenuity—[*Interruption*]

Miss Hospedales: Answer the question, Sir.

Hon. Dr. T. Gopeesingh:—and hypocrisy. [*Desk thumping*]

Hon. Member: Oh, inflammatory.

Hon. Dr. T. Gopeesingh: As I stand here before, in this House—[*Interruption*]

Mr. Indarsingh: Inflammatory.

Hon. Dr. T. Gopeesingh:—I wonder where was the Opposition? What were your thoughts when you were there—met two of the senior Members in the Opposition—in the Government of 2001—2010, and some were there between 2007 and 2010? It pains me to hear them talk about the crime or the criminal activity that we are seeking to curb by different pieces of legislation and by different activities. I want to congratulate the hon. Attorney General [*Desk thumping*] for another piece of landmark legislation—[*Interruption*]

Dr. Moonilal: Brilliant.

Hon. Dr. T. Gopeesingh:—that would add to the armamentarium of fighting crime and reducing the criminal activity which we inherited from the previous administration. The tiger had mounted and continued to ride heavily between 2002 and 2010, and we are now trying to dismount that tiger from the widespread criminal activity that pervaded this country between 2002 and 2010. The figures spoke for themselves. The amount of kidnapping that took place during that period of time. The amount of murders that took place, more than 3,000 murders took place, during the time of 2002 to 2010. Trinidad and Tobago was rated as one of the highest in the top seven murder rates in the world, in front Colombia and Jamaica, almost 36 murders per 100,000. This is what we inherited, and this is what, within the last two and half years, we have been working assiduously to reduce, the widespread criminal activity that pervaded under their time.

Hon. Member: Correct, correct.

Hon. Dr. T. Gopeesingh: Mr. Speaker, in an effort to do that, this Government ensured immediately that we are going to enact a number of pieces

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of legislation to help in those crime-fighting activities. It is important for us to reinforce to the national community what this Government has done between June 2000 to the present time, and I will indicate what are the measures that we have taken in terms of legislative measures.

Mr. Speaker, we had the Anti-Gang Act, 2011, and this Act sought to prevent the establishment of criminal gangs and to treat with gang-related criminal activities; so that dealt with gangs and it was proclaimed on August 15, 2011.

We also brought on the Bail (Amdt.) Act, 2011. This Act seeks to amend the Bail Act to confer on a court the jurisdiction to deny bail to a person who is a gang member. So no bail for gang members. This was proclaimed also on August 15, 2011.

The Firearms (Amdt.) Act, 2011. That Act sought to amend the Firearms Act to increase the penalties for certain offences involving a firearm or any prohibited weapon as defined by the Act by an average of 50 per cent. So the penalties we increased by 50 per cent. That was proclaimed on February 25, 2011. Mr. Speaker, just in a few months after we came into office—we came into office the end of May, 2010—and by February 25, 2011 we had already had three Acts proclaimed.

Then we dealt the Interception of Communications Act, 2010. This was proclaimed on December 17, 2010, and that Act provided for the interception of communications; the acquisition and disclosure of data relating to communications; the acquisition of the means by which electronic data protection by encryption or passwords may be decrypted or accessed—that is the spying basically—the spying Act. That was proclaimed, just six months after we came into office, on December 17, 2010.

That showed, Mr. Speaker, just those four pieces, and there are many more, that this is the Government that was determined to get into the heart and belly of the criminal activity and deal with it from all measures and immediately moved to deal with that. These are just legislative measures, Mr. Speaker.

Then we had the Administration of Justice (Electronic Monitoring) Act, 2012, and that Act sought to provide for the introduction of electronic monitoring at different stages of the criminal justice process as a condition of a protection order granted under the Domestic Violence Act. That was proclaimed and assented to on July 03, 2012 and is awaiting proclamation.

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Then we had the Trafficking in Persons Act assented to on June 09, 2011—on human trafficking. Then we had the Constitution (Amdt.) (Capital Offences) Bill, 2011. That is an Act to amend the Constitution to implement the death penalty. That Bill was defeated by the Opposition on February 28, 2011, the Opposition never sought to come together with us to enable and facilitate hanging in criminal—the death penalty by hanging—in murders. That, up to today, the country is calling for it, citizens are calling for the resumption of hanging and it is the Opposition which has prevented this from taking place in this country.

So all these crimes that are committed and murders that are being committed now, and the people of this country calling for the hanging to be implemented, it is in the hands of the Opposition that they must feel ashamed of themselves for not working with the Government to ensure that that took place.

As I am on this point, let me draw an analogy. When they were in Government in 2002—2010, when the criminal activity had gone the highest and every year the murder rate was escalating, and kidnappings were taking place almost on a daily basis, children were being kidnapped, they sought the assistance of the Opposition then, and their Prime Minister then asked for the Opposition and Government to come together to look at reform, police service reform, and the Opposition at that time led by our now Prime Minister, was part of a team that worked with the Opposition to ensure that police reform Bills took place because we wanted to help them to prevent the widespread criminal activity that was taking place. It is the responsibility of Opposition and Government to come together to deal with this matter.

So they refused on the hanging matter to come together with us to deal with the upsurge in murders that were now beginning to resurface, but at that time in 2006—2007 the then Opposition allowed for the passing of the Police Service Bill [*sic*], the Constitution (Amdt.) (Capital Offences) Bill, and the Police Complaints Authority Bill. Three pieces of legislation, we, the then Opposition, worked with them, with our Prime Minister now, as part of that committee that facilitated the then Government to move with those pieces of legislation. They said they wanted it. You will remember they said you petition the MPs all over Trinidad.

Mr. Sharma: Paid ads. Paid ads.

Hon. Dr. T. Gopeesingh: The people must go and petition—[*Interruption*]

Mr. Sharma: Paid ads.

Hon. Dr. T. Gopeesingh: “Yeah”, paid ads. That is what they did. It made no difference to the entire criminal activity at that time because in 2008, Mr.

Speaker, subsequent to passing those pieces of legislation, over 500 murders took place in this country.

Hon. Member: The highest under the PNM.

Hon. Dr. T. Gopeesingh: The highest ever in this country and the highest under the PNM; 530-something murders.

Mr. Speaker, the way that you hear them speak now, it is as though that they are very happy that a murder is taking place. I do not know whether what they feel, how they feel about themselves. We do not want one murder to take place in this country, and it seems as though the more murders that are taking place, they are more gleeful and happy because they feel that more murders taking place, the people will become more annoyed with us and the people will want to vote us out. That is not the way that you want to get into government, not at the hands of the blood of our people being spilt on streets. These young boys, 16, 17 and 18, hundreds of them, their blood is spilt on the streets. We are working towards reducing that, but you do not want to cooperate. It seems as though you are very gleeful about that occurring in this country.

Mr. Sharma: Exactly.

Hon. Dr. T. Gopeesingh: "Yeah." [*Crosstalk*] So it is hypocrisy. [*Crosstalk*]

Then Anti-Terrorism (Amdt.) Act, 2011, that dealt with terrorism. It was assented to June 24, 2011. Then we had the Financial Intelligence Unit of Trinidad and Tobago (Amdt.) Act, 2011. It was assented to, again, on February 10, 2011. [*Crosstalk*] Then we had the Financial Intelligence Unit of Trinidad and Tobago (Amdt.) (No. 2) Act, assented to on May 05, 2011.

Mr. Speaker, these are the pieces of legislation to deal with white collar crime and the other types of crimes, and almost one, two, three, four, five, six, seven, eight, nine, 10, 11, 14 pieces of legislation that this People's Partnership Government has ensured that passed in this House to assist in dealing with the crime situation.

Dr. Ramadharsingh: Well researched. Well researched.

Hon. Dr. T. Gopeesingh: We had the Miscellaneous Provisions (Kidnapping and Bail) Act, 2011. That dealt with kidnapping. Then we had the Administration of Justice (Deoxyribonucleic Acid) Act, 2011, (DNA) Act.

Mr. Speaker, we attacked the entire situation from all angles relating to pieces of legislation from all different corners so that we can hone down to ensuring that

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we have the penalties there for people who want to commit crime. We have pieces of legislation to be able to assist us in detecting crime. We wanted to prevent the terrorism, human trafficking, money laundering and gang warfare, increase the penalties; we wanted to decrease spying, et cetera. That we have done, almost 14 pieces of legislation in the short period of two and half years to deal particularly with crime. I have not spoken about the other areas not related to crime.

As I read the amendment to the DNA Act I remember we had a joint select committee of Parliament to deal with the DNA piece of legislation. I sat on that committee and we worked with the then Government to bring on the DNA piece of legislation. We told them then that they have to work assiduously to ensure that the forensic lab gets the accreditation and the forensic lab has the human resource manpower and the technical areas to deal with DNA typing, et cetera, and storage of DNA specimens.

Mr. Speaker, they sat there for three years subsequent to the passage of this DNA piece of legislation, and we have inherited it now that we are working assiduously to ensure that the forensic lab is accredited properly, the forensic lab is properly staffed, and that we can ensure that the forensic lab can deal with DNA testing and certification, so that in criminal activities we can use the forensic evaluation in the forensic lab in terms of prosecution.

9.45 p.m.

So we inherited a quagmire and a nightmare from the other side, despite the fact that they had so much time, so in a short period of two and a half years now, we have to do so much, one of the areas is the forensic lab at the Forensic Science Centre, and it seems as though we may have to build a new forensic lab in the immediate future to deal with some of these matters.

Mr. Speaker, one of the sections in that Act indicated that we have to do a databank, a DNA databank, for the security services of the country, for the personnel of the security services, and this is what we attempted to do now. They had about three years to do it and they did not touch it at all, so now it is part of the legislation. We are attempting to ensure that we have a DNA bank of personnel within the security services, so that at a crime scene, if a DNA specimen is taken it could be matched against any individual within the security services immediately to determine whether there is any correlation, and that is something that the hon. Prime Minister who now, at that time fought for while she was in Opposition.

So, Mr. Speaker, when you begin to hear and you listen to those on the other side speak about what we are doing about crime and this is becoming a country of—how is it described as though we want to be a totalitarian—*[Interruption]*

Hon. Member: A martial law.

Hon. Dr. T. Gopeesingh: A martial law. We are imposing martial law—*[Interruption]*

Hon. Member: Police state.

Hon. Dr. T. Gopeesingh:—police status, et cetera.

Mr. Speaker, they must be reminded that during their time, 2002—2010, they had a national security Minister who came in with Operation Anaconda in 2002, he promised zero tolerance, targeting high-crime areas with surveillance, curfews and so on, and within a short period of two years he was removed as Minister of National Security because he failed. Then Operation Baghdad, weed and seed initiative, weeding out criminals, planting positive seeds in the young people; failed as well, and here the Opposition, now today, talking about what we are doing about crime. They have no moral authority at all, Mr. Speaker.

Two of their senior Members got up and spoke at length today on the crime in Trinidad and Tobago, and they were part of a Government from 2002—2010 that failed miserably in dealing with it, and we have inherited the misfortune of all their neglect of allowing guns to come into this country and allowing the criminal activity upsurge to take place, so it is difficult to unmount that tiger, and we are searching all over; we are working assiduously, the Minister of National Security and his team, to ensure that we reduce the criminal activity.

Mr. Speaker, they must be reminded that it was their Government that brought in Scotland Yard in 2006, and they said that they were FBI people. These were retired police officers, most of them, being paid \$1 million per year, about 30 or 40 of them came down and crime never went down under their watch, but being paid \$30 million to \$40 million; they said they were bringing them down to improve the conviction rate. No conviction rate improved under their watch; the conviction was probably one to 1,000 crimes. One person convicted to probably 1,000 criminal cases in the country. That was their record.

They said that they brought on the model stations initiative, policing for the people, citizen security programme and so on. All failed, Mr. Speaker. You remember the Mastrofski plan they spoke about. The Minister of National Security came every month—*[Interruption]*

Hon. Member: Eighty million dollars.

Hon. Dr. T. Gopeesingh: Yes, \$85 million. He was a Professor of Public International Affairs at George Mason University, and they said he was coming to design a package of initiatives to improve the police service performance, the management system, the disciplinary process, the prosecution of criminal cases, recruit training—\$85 million spent on Mastrofski and not one improvement during the period of time.

Then, the hon. Minister at that time, Mr. Martin Joseph, our understanding is that he had submitted his resignation on two occasions to the then Prime Minister because he knew that he was failing, but he was kept there year after year, year after year, and the criminal situation became worse and worse, and then at one time he said he was bringing in a plan from Major General Cameron Ross with 115 recommendations. What has happened to the implementation of those recommendations, Mr. Speaker? That is their—*[Interruption]*

Hon. Member: Legacy.

Hon. Dr. T. Gopeesingh:—legacy, and that is what, the unfortunate thing, we have to inherit and have to deal with and we are dealing with it.

So the murder rate soared under their hands. The kidnappings became common, serious crimes increased, and we can say so much but not today. Today is not for me to go back to the past but to continue and deal with some of the statements that were made by the other side today as well.

I remember very well that there was a senior police officer who was involved in a criminal activity, in a kidnapping case, and when it was discovered that he was found with over \$300,000 in the kidnapping issue with money directly on him, the money was marked; they shipped him out to become a High Commissioner in one of the countries abroad *[Interruption]* and then they brought him back just before retirement and promoted him to Deputy Commissioner of Police. That is what that Government, at that time, they are now in Opposition, and there are Members sitting here today and who are trying to defend them and trying to attack us, when they are guilty—when the then Government was guilty of some of the worst aspects to deal with crime. *[Interruption]*

Then they brought on the helicopters, and they brought on the blimp and they said that some of the blimps cost \$70 million and to manage the blimp was costing about \$20 million—\$30 million per year, and one of the blimps never got off the ground and they said that the blimp could not operate in the atmospheric conditions in which we were in the West Indies.

Dr. Khan: They did not check it before?

Hon. Dr. T. Gopeesingh: “Eh.”

Dr. Khan: They did not check it before?

Hon. Dr. T. Gopeesingh: And they did not check it. So, you bought a \$70 million blimp costing \$20 million—\$30 million to maintain per year and it never even got off the ground.

They spoke about eye-in-the-sky and the eye-in-the-sky was blind, they could not pick up anything, could not see anything. So, when they talk about we are bringing draconian legislation here to deal with the situation of increased criminal activity, *[Interruption]* Mr. Speaker, it is very sad that they could even contemplate making such statements. I wonder if they do not feel guilty—*[Interruption]*

Dr. Ramadarsingh: No.

Hon. Dr. T. Gopeesingh:—when it comes out from their mouths. They do not seem to have a heart about what they are saying.

Dr. Ramadarsingh: You silence them.

Hon. Dr. T. Gopeesingh: Um hmm.

Hon. Member: Not from the same mouth.

Hon. Dr. T. Gopeesingh: You know, they speak about—and I just want to remind the population that during their time as well, they had two Ministers of National Security, they had a junior Minister in Fitzgerald Hinds and they had another Minister of National Security; first it was Mr. Chin Lee and then it was Martin Joseph.

Hon. Member: Hinds was junior too.

Hon. Dr. T. Gopeesingh: Yes. What did they do? In addition to that, they had four advisors to the Minister of National Security.

Mr. Warner: Five.

Hon. Dr. T. Gopeesingh: Five. You would remember Mr. Overand Padmore, John Donaldson, Cuthbert Joseph and Herbert Atwell—*[Interruption]*

Mr. Indarsingh: What were the compensation packages?

Hon. Dr. T. Gopeesingh:—and the compensation packages.

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So here it is, what authority does the Opposition have today to speak about crime? No moral authority whatsoever. It is not that we are saying that they cannot speak as an Opposition, but when they come to try to decry this Government for the initiatives that we are taking and the work that the national security Minister is doing and that this Government is doing, they should be ashamed of their statements from this afternoon, what they are making there, Mr. Speaker.

They speak about these soldiers, Mr. Speaker, as though these soldiers are the worst things out. How can you use them to fight crime? Why are you using them to fight crime? You are bringing martial laws into the country. People are saying it is going to be the worst thing that is happening in Trinidad and Tobago. But I just want to remind the citizens of Trinidad and Tobago, was it not the PNM who brought out the soldiers in the programmes throughout Trinidad and Tobago, MILAT, MYPART and the Civilian Conservation Corps? Are the soldiers not involved in the Civilian Conservation Corps? Are they not involved in the Cadet Services in Trinidad and Tobago in the schools and nationally? Are they not involved in helping the Boy Scouts? Are they not helping with career guidance in schools? The same soldiers that were under their watch. They were using the same soldiers, so, on one hand they had them there doing these things and today when we want to make laws to legalize their work, to legalize the work of the soldiers, they are finding disfavour with it. How hypocritical, Mr. Speaker. How disingenuous.

Mr. Hypolite: That is not true.

Hon. Dr. T. Gopeesingh: All of these programmes HYPE, MILAT MYPART, Civilian Conservation Corps, the cadets, the scouts, the career guidance, and they call them “killing machines”. They want to brand the soldiers nationally as “killing machines”.

So, if you say they are killing machines, they are not killing machines when they are doing all of this work under your administration. How suddenly have they become killing machines? Let me just give another example: it was their Government, when the problems arose in Diego Martin and the crime surge took place in Diego Martin as well—Petit Valley and Diego Martin—the same soldiers that they are criticizing today and the same soldiers that they are decrying that we must not give a degree of authority to them and we must not legalize their work that they are doing, the same soldiers they engaged in Petit Valley and Diego Martin, had a lockdown, they successfully managed that. The same soldiers they used.

So, on one hand, you used the soldiers in Diego Martin and Petit Valley, under your administration, for a lockdown to reduce the criminal activity, but you become so hypocritical that you are saying now that this Government must not use the soldiers to fight crime.

Hon. Member: Hypocritical.

Hon. Dr. T. Gopeesingh: So disingenuous, so hypocritical, man! *[Interruption]* Yes. On one hand, you used them when you were in Government and now you are saying that we must not legalize, so we want to bring some degree of legality to their function and you are disapproving of it. *[Interruption]*

Now, the same soldiers were used when they locked up the Speaker of the House of Representatives then, Miss Occah Seepaul. *[Interruption]* The same soldiers. The same soldiers they used then.

Mr. Indarsingh: Martial law.

Hon. Dr. T. Gopeesingh: Yes, and it is martial law today but it was not martial law then. *[Interruption]* The same soldiers helped in the coup in 1970, the same soldiers who helped to bring about an end to the 1970 coup.

For two years, Mr. Speaker, that coup continued and the same soldiers helped the country to bring about an end to the coup, the same soldiers then—*[Interruption]*

Hon. Member: Upheld the Constitution.

Hon. Dr. T. Gopeesingh: Yes, upheld the Constitution, and now they do not want the same soldiers to work with the Government and bring about the legality under which they—Mr. Speaker, that is gross hypocrisy. Gross hypocrisy to the highest.

So, they were used in the Occah Seepaul situation, they were used in the 1970 coup, they were used in the programmes in the schools and in the communities, they used the same soldiers in the lockdown in Diego Martin and Petit Valley—this Government, the People's Partnership Government must not utilize the services and the skills of the soldiers. Mr. Speaker, it is laughable and regrettable to hear the type of statements made by the other side.

I want to also deal with the hon. Member for Diego Martin North/East on his statements. He comes every day to try to insult Members on this side with his language and his style of offensive language, which, when we were in Opposition, we had to repeatedly tell him—the Member of Parliament for Fyzabad, the

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Member of Parliament for Oropouche East—we were subjected to the offensive type of language by the Member for Diego Martin North/East, and we thought that he had changed. [*Crosstalk and laughter*]

10.00 p.m.

Mr. Sharma: I think it is a manufacturer status.

Hon. Dr. T. Gopeesingh: Yes, he has gone on the other side now, they say a 24-hour animal just changes its colour but maintains the same type of anatomical configuration.

Hon. Member: A chameleon.

Hon. Dr. T. Gopeesingh: Anyway, here he is day after day trying to shoot down the People's Partnership Government on things we say. I do not know where he manufactures some type of illogical thinking at times and tries to persuade the national community that he is correct, "I have done the research and I am right about it", "I just went into the website and I picked up this."

Mr. Speaker, let me just show how he is so utterly wrong and tries to portray that he knows it all. "Mr. Knowledge, Mr. Researcher."

Mr. Indarsingh: Manufactures a lot.

Mr. Sharma: Misinformation.

Hon. Dr. T. Gopeesingh: Mr. Speaker, it is quite clear when the Attorney General indicated that countries like Antigua and Barbuda, Jamaica and Guyana brought in the pieces of legislation to change the Defence Act, the parent Act, the Member for Diego Martin North/East tried to make the claim that the change by these countries was only in times of emergency that they are able to use the soldiers to deal with criminal situations. He made it quite clear that what he was trying to read from, something that he picked up, it was only in the case of emergencies—state of emergency—then you could have brought on the soldiers.

Mr. Speaker, the countries where the powers of arrest had been granted to soldiers—and the Attorney General spoke about Antigua and Barbuda—quite clearly, state these are changes made to the parent Act and it does not say it is confined during a state of emergency. It is not related to a state of emergency. These countries that have changed their pieces of legislation under the Defence Act, not related to any state of emergency.

Antigua and Barbuda, it states that section 6 of the Defence Act, 2006, Antigua and Barbuda expressly provides as one of the functions of the Defence

Force of Antigua and Barbuda as not only defence but also aid to the civil power, the civilian authorities as well as securing and maintaining public order and public safety. This section was amended in 2007 to confer police powers to members of the defence force as provided by section 8 of the Defence (Amendment) Act, 2007, and the relevant provision states:

“Where a member of the Force is acting pursuant to directions given...that member shall, while so acting, enjoy all the immunity privileges and protection enjoyed by members of the Royal Antigua and Barbuda Police Force.”

Straight from the parent Act, Mr. Speaker, an amendment to their parent Act, no relationship to any state of emergency called by the Government and therefore the soldiers can now work with the police under a state of emergency. They can work based on the change in Antigua and Barbuda—change in the parent Act.

The same thing for Jamaica. Section 5 of the Defence Act, Jamaica states:

“The Jamaica Defence Force shall be charged with the defence of and maintenance of order in Jamaica...”

Same thing with Guyana. Section 5 of the Defence Act, Guyana parent Act states that:

“The Force shall be charged with the defence of and maintenance of order in Guyana...”

The Bahamas: section 4 of the Defence Act, Bahamas, expressly provides for not only defence but also protection of the territorial integrity; the patrol of waters, maintenance of law and order in conjunction with law enforcement agencies and assistance and relief in times of disaster.

So, Mr. Speaker, the Member for Diego Martin North/East tried to give to this House that the changes that took place in Antigua and Barbuda, Jamaica, Bahamas and Guyana, were only related to changes when there is a state of emergency and that is how the soldiers were able to work with the police as a team together and had the same privileges and functions, but that is not so. The changes took place from the parent Act in all these countries so they had the same thing that we are trying to do in Trinidad and Tobago: allow the legality of the soldiers to work with the police service, engaged in assisting—*[Interruption]*

Mr. Sharma: They had also proposed that. *[Showing a newspaper clipping]*

Hon. Dr. T. Gopeesingh: Right, yes, as the Member for Fyzabad is showing again, that the PNM had proposed that.

Miss Hospedales: That is not true.

Hon. Dr. T. Gopeesingh: Yes, the Attorney General showed that this evening. So what is the change that we are looking at? It is the change in the Defence Act, section 5 which states to confer on any member: "...of the Defence Force..." who is engaged in—"assisting any member of the Police Service in the maintenance of law and order..." with:

"...the same powers, authorities, privileges and immunities as are given by law to members of the Police Service..."

Mr. Speaker, the other issue he tried to confuse this House with, or he confused himself and the national population and other Members and other speakers on the other side, they wanted to determine—and said that it was confusing as to who—if there is a criminal activity taking place and a soldier is accused of some misdemeanour, who will take the responsibility, under which law would he be tried and they seemed to say that the soldiers—there is no way of trying the soldiers if there is a criminal activity taking place from that particular soldier.

We know for a fact that the Police Complaints Authority deals with police officers and their functions are extensive:

- “(a) investigate criminal offences involving police officers, police corruption and serious police misconduct;
- (b) undertake enquires into...any aspect of police activities...of ascertaining whether...misconduct or circumstances that may be conducive to both;
- (f) gather evidence that may be used in the investigation of serious police misconduct and furnish such evidence to the Commissioner of Police or the Police Service Commission for appropriate action;...”

And a number of areas: (a), (b), (c), (d), (e), (f), (g)—the functions of the Police Complaints Authority, the powers of the authority, what happens to a complaint, et cetera.

So, the police officers are subjected to be questioned by the Police Complaints Authority and they are trying to make the statement that the soldiers have—there is no authority for any criminal misconduct by the soldiers in the performance of their duties. They are wrong. The areas related to police matters in the performance of their duties will be dealt with by the Police Complaint Authority.

The other areas which relate to them as soldiers will be dealt with by the Defence Force Regulations. So there are certain areas where the soldiers' bad performance or bad activity, certain parts of it will be dealt with by the Police Complaints Authority and certain parts would be dealt with by the Defence Force by themselves. That is a fact.

Miss Hospedales: What?

Hon. Dr. T. Gopeesingh: So, there is no question of whether there is any confusion as to who is dealing with—if there is a police soldier or a soldier police having a problem during the conduct of their work.

Hon. Member: You see, you are confused.

Hon. Dr. T. Gopeesingh: So, Mr. Speaker, I cleared up the two misconceptions and the misrepresentations that the Member for Diego Martin North/East was trying to cause for the entire evening and there is no question, there is no ambiguity in what has to be done.

Mr. Speaker, just let me bring to this House how far countries are going as far as bringing pieces of legislation to deal with budding criminal activity, small things, far less the larger things. The research showed recently that the United States cities with now youth curfew laws. We are trying to bring about assistance from the soldiers to assist us in fighting crime. But look at small issues that other countries and cities are working with, already, bringing legislation to deal with small matters to help in preventing the crime from being an upsurge.

At least 500 US cities have curfews on teenage youth, including 78 of the 92 cities with a population greater than 180,000. In most of these cities, curfews prohibit children under 18 from being on the streets after 11.00 p.m. during the week and after midnight on weekends. About 100 cities also have daytime curfews to keep children off the streets during school hours. These curfews are designed to prevent crime, increase parental responsibilities for their children and give police greater ability to stop people involved in suspicious activity.

Mr. Speaker, this piece of legislation now is going on right under our nose in developed countries; pieces of legislation in at least 500 US cities for daytime curfews for the young ones. So kids under 17 getting curfew in Miami, right next door to us, under 17 they are having curfews. Miami police are enforcing a curfew for children under the age of 17 citing safety. Curfew hours are 11.00 p.m. to 6.00 a.m., Sunday to Thursday, at midnight to 6.00 a.m. on Friday and Saturday.

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Children under 17 are not allowed to linger, stay, congregate, move about, wander or stroll in any public place in Miami Dade County either on foot or in a vehicle during curfew hours according to police.

Mr. Speaker, right under our nose in a developed city like Miami small pieces of legislation are taking place to prevent the upsurge in crime, and here it is we are dealing with a major issue in trying to get more personnel to work together with the police so that we can deal with the crime. As I am on that point, they speak about training and recruiting—the Member for Arouca/Maloney. During their term of 2002—2010, they allowed the training centre at St. James to become dilapidated. So training of police officers and recruitment of police officers stopped under their watch and between 2006—2009, they were able to recruit only 211 officers.

Mr. Speaker, during Joint Select Committees of Parliament, their then Government was told on many occasions that they should undergo an active recruitment process and they knew that the police workforce should have been close to about 7,500 and they stood about 5,800 to 5,900—1,600/1,700 short of police officers. And how many they trained and how many they recruited during an 8-year period? Two hundred and eleven! So we came on board and we started recruiting, and the situation now is that we believe that we may be able to have an annual recruitment and a passing out of about 800 officers on a yearly basis now, Mr. Speaker.

So in one year, we believe that we can recruit and pass out probably 800 officers. In their nine years or eight years, they recruited and passed out 211 officers. And they want to tell us today about recruitment and training, when for eight or nine years, they had the opportunity to do it—and they had selective recruitment as well—and they did not do it. So here it is, if they were doing it properly, there might have been no need for us to have this type of action to ask the soldiers to assist in the crime-fighting.

10.15 p.m.

In addition to our active recruitment, we have now instituted traffic wardens, Mr. Speaker, so that we are keeping the police officers to do policing work and we have traffic wardens to do trafficking. We are also improving the municipal corporation amount of police officers. There is an active move by the Minister of Local Government, in collaboration with the relevant Ministries, to have active recruitment of officers within the regional corporations, Mr. Speaker.

So, on all fronts, we are trying to improve and increase the amount of officers to deal with crime. In addition, the amount of SRPs that we brought on as well, and we are now training them.

Mr. Speaker: Hon. Members, the speaking time of the hon. Minister of Education and Member of Parliament for Caroni East has expired.

Motion made: That the hon. Member's speaking time be extended by 30 minutes. [*Hon. W. Peters*]

Question put and agreed to.

Mr. Speaker: You may continue, hon. Member.

Hon. Dr. T. Gopeesingh: Thank you very much, Mr. Speaker. I will only need about five more minutes of this extension time, because it is now 10.16 in the evening, and I think we have made our points.

I just want to move to a little area, again, to show what countries are doing and how early they are trying to pick up the problems related to criminal activity and nipping them in the bud, Mr. Speaker. You know, as Minister of Education, I have a responsibility, on behalf of the Government and the people of Trinidad and Tobago, to work assiduously to reduce school indiscipline, school violence and gross misconduct among students.

Mr. Speaker, what happens outside school, the Minister of Education has very little ability to deal with it. Waiting for a taxi by students, they begin the gang process right there while going for a taxi and going home. There is an indoctrination that could take place, and takes place, walking from school to home, and even in malls students are found.

Mr. Speaker, you want to tell me that if we have more support services—2,000 police on a beat for the nation at one particular time—you think they can deal with all these problems? Soldiers would be able to help, and they will have the ability to be able to bring these young children into some degree of conduct and, therefore, prevent them from moving into the worst stages of criminal activity.

In some cities, Mr. Speaker—I just want to tell you about Georgia, in Florida, Mississippi, Alabama, the saggy pants ban. The mayor of Dublin, Georgia, just passed a law against clothing that reveals too much skin or underwear below the waist. You will get fined on your first attempt and an increased fine for an additional offence. The law is now against indecent exposure.

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So, the fashion style has run into some rough weather in the United States with the Town of Albany in Georgia, imposing a ban on saggy pants as early as November 2010. Young people, in violation of the saggy pants ban, are being fined. Repeated offences, there are increased fines, and the saggy pants law bans anyone from exposing the skin or undergarments by wearing skirts or pants more than three inches below the top of the hips. If they cannot pay the fines, 40 hours of community service is in order.

And the Florida law: pull your pants up, [*Laughter*] is a law against the current gangster trend of wearing your pants too low. You know, Mr. Speaker, that style came out of jail. When the belts were removed from them, their pants began to fall, so they came out of jail and continued to wear that. So some countries now—and some of the cities—brought on this law: if you wear your pants too low and showing off your knickers or other things, that, probably, are better off not being shown in public—so buy a belt. An Alabama judge orders a man to serve 3-day jail sentence for wearing saggy pants.

Mr. Speaker, these are the areas where states and cities can see a trend beginning to occur that leads to wider and an increased type of criminal activity, and more dangerous criminal activity. You nip them in the bud. You deal with it from an early stage. I need to bring in more guidance counsellors and school social workers and clinical counsellors and so on, in the schools. We do not have enough.

Miss Hospedales: You now know that?

Hon. Dr. T. Gopeesingh: We need to set up centres throughout Trinidad to deal with students who have been suspended from schools, and we need the officers to assist the police officers in their work. Mr. Speaker, there are a number of soldiers that are doing work in schools at the moment: their mentor/menteeship programme; the citizen security programme; the communities programme involving school students as well. They are working with the students.

Are they criminals? Are we creating a martial law when they come into the schools? The same soldiers! So they have the soft ability amongst themselves to deal with issues that can touch the lives of young students and young ones. You mean to say that they cannot be allowed to have the legality to be able to apprehend and take care of criminal activity in conjunction with police officers?

Mr. Speaker, I have given some illustrations of where things can start from, and where we need to nip them in the bud, and by having the ability to move on to get the hands of 5,000 more soldiers added on to the 6,000 police officers; added

on to the municipal police officers; added on to the SRPs, Mr. Speaker, and have the traffic wardens to deal with traffic situations, Mr. Speaker, we are on the right path, and all this opposition talk—nonsensical talk—that emanated from the other side this evening, is futile, because it does not make any sense. I am sure they know the truth in it; I am sure they know that what we are doing is for the benefit of the nation, but they are just objecting because that is their role. They feel that is in opposition—and we are moving steadfastly and purposefully in ensuring that we reduce the criminal activity in this country, significantly, so that our citizens could live peacefully and that we could maintain a beautiful way of life in Trinidad and Tobago.

So our People's Partnership Government, Mr. Speaker, is on the path of restoring law and order and bringing civility, liberty, freedom of movement and an improved quality of life for our citizens by these pieces of legislation and, particularly, adding this piece of legislation to it.

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

Mr. Speaker: The hon. Member for St. Ann's East. [*Desk thumping*]

Mrs. Joanne Thomas (*St. Ann's East*): Thank you, Mr. Speaker. Mr. Speaker, well, it is 10.23, so I would not bother to answer the hon. Member for Caroni East, but what I could say, I have been here since May 2010. In a couple of months, it will be three years—[*Interruption*]

Mr. Sharma: You look very young.

Mrs. J. Thomas:—that they have been in Government, and every time it is always the PNM did this and the PNM did that.

Miss Hospedales: Just imagine that. Just imagine that.

Mrs. J. Thomas: Do they not realize: you are in Government?

Miss Hospedales: That is correct.

Mrs. J. Thomas: You know. But that is all I keep hearing for the three years that I have been here. [*Crosstalk*]

Mr. Speaker, I just want to revisit some of the key functions of the defence force. It starts with:

“To cooperate with and assist the civil power in maintaining law and order

To assist the civil authorities in times of crisis or disaster

...assist in the...trafficking of narcotics and...illegal goods”

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That is just three of them, Mr. Speaker. But the hon. Attorney General, in his comments, talked about levelling the playing field and giving equal powers.

Miss Hospedales: Hmm. Dangerous!

Mrs. J. Thomas: I will just refer, again, to what the key functions of the defence force are: to assist—but yet he wants to give them equal levelling powers. He also asked: “When last have you heard about people being brutalized?” Well, I want to tell him, last Friday detainees in Aripo were brutalized and are now seeking the intervention of the United Nations.

Hon. Member: Who brutalized them, the army?

Miss Hospedales: Just imagine that.

Mrs. J. Thomas: The army and the police.

Miss Hospedales: Yes.

Mrs. J. Thomas: So imagine—[*Interruption*]

Miss Hospedales: It is in the news. “Yuh doh read de papers?”

Mrs. J. Thomas:—we are already making news for crime in this country, now we are going to have the attention of the United Nations.

Miss Hospedales: Hmm.

Mrs. J. Thomas: And then, Mr. Speaker, he kept talking about behaving illegal. I want him to tell me, three of his senior people in the Government sent their list to the army of who they want promoted. Three of them!

Miss Hospedales: Just imagine that. That is illegality.

Mrs. J. Thomas: But you are talking about illegal. There is a process that you must go through to get promoted in the army.

Hon. Member: That is right.

Mrs. J. Thomas: But no, these three senior persons in the Government, they all sent their list of the persons they want promoted.

Miss Hospedales: Wow!

Mrs. Mc Intosh: And they are talking about moral authority.

Mrs. J. Thomas: And then, Mr. Speaker—[*Interruption*]

Mrs. Mc Intosh: Moral authority!

Mrs. J. Thomas:—the hon. Minister of National Security said, “You cannot play games with people’s lives”. In his contribution he said that. But I want to know if the Minister remembers his statement to the people in Beetham: “An accident is an accident”. The same Minister who just said, “You cannot play games with people's lives”, he made that statement in Beetham: “An accident is an accident”, and the people had to ask him to apologize.

Miss Hospedales: In Sea Lots.

Mrs. J. Thomas: Mr. Speaker, the Minister further said that the people are asking for this legislation. Why, then, did the residents in Beetham say that they felt insulted by the heavy police and army presence during that same Minister’s visit, if the people are calling for this? Also, how come the Minister did not advise us that the police association wrote him seeking a meeting with him to lay their objection? He has not yet responded.

Miss Hospedales: Where is the consultation?

Mrs. J. Thomas: Probably he is waiting until they pass this Bill before he responds to their request. But, anyway, it came on the news tonight, they are objecting. Okay? But, of course, he said the people want this.

Miss Hospedales: Um hum.

Hon. Member: Which people?

Mrs. J. Thomas: Then we look at—you see comments coming from Prof. Deosaran, comments coming from Miss Gillian Lucky, and then you wonder, probably this Minister is just very tired, yes, and he probably “ain’t realize what he saying”.

Miss Hospedales: Just trampling on the rights of people.

Hon. Member: You “done talk”.

Miss Hospedales: I “doh” care.

Mrs. J. Thomas: And, Mr. Speaker, I want to look at the Trinidad and Tobago Police Service—[*Interruption*]

Hon. Member: Parrot.

Miss Hospedales: “Go back and sleep, nuh.”

Hon. Member: Lord have mercy. Torture.

Mrs. J. Thomas: And, you know, you look—I want to look at their motto and promise, and their key words are: Professionalism; Respect, Integrity, Dignity and Excellence. And, Mr. Speaker, I just want to read the definition of just two of these.

“Professionalism—We will be efficient, diligent, thorough and informed in performing our work and will adopt a deliberate approach to be humble, kind, understanding, empathetic and considerate when interacting with our clients.”

10.30 p.m.

Then we look at their definition for Integrity—

“We will be honest, applying the highest ethical standards in the performance of all aspects of our duties, doing always what we are obligated to do in an objective and equitable manner, not compromising ourselves or allowing personal benefit to influence our decisions.

Dignity—We will protect human dignity and maintain and uphold the rights of all persons.”

Mr. Speaker, these are just some of the motto of the Trinidad and Tobago Police Service.

Now our Members commented that our soldiers will not kill anybody, but the key watchwords for our soldiers, or for any soldier in any army across the globe is, kill, eliminate and destroy. So, Mr. Speaker, do you understand what this means?

Dr. Khan: “Dats de end of dem bandits.”

Dr. Gopeesingh: “Dats right.” [*Laughter*]

Mrs. J. Thomas: Do you know what it reminds us of?

Miss Hospedales: How could you say something like that? That is life.

Mrs. J. Thomas: Mr. Speaker, it is like taking Rambo and telling him to go into the streets and deal with the people. That is what you are doing, Mr. Speaker. [*Crosstalk*]

Miss Hospedales: Go and kill. That is what they are telling them, go and kill.

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Mrs. J. Thomas: Mr. Speaker, this brings me to an article I saw in the *Daily Express* of Wednesday, March 06, where comments were made by Mr. Subhas Panday. I believe my colleague from Laventille West also made mention of some of these statements. He says:

“The Bill as it stands only gives power to the soldiers but imposes no responsibilities on them.”

So, Mr. Speaker, you look at all these comments coming from different areas about this particular Bill and yet the Minister is saying the people want this. I just want to go one minute and to take a look at the India armed forces. In India—
[*Interruption*]

Hon. Member: Calcutta.

Mrs. J. Thomas:—“The Armed Forces (Special Powers) Act (AFSPA)”—or A-F-S-P-A—“was passed on September 11, 1958, by the Parliament of India. It grants special powers to the armed forces in what the act terms as ‘disturbed areas’ in”—some of—“the states...”

It was extended to two other States, Jammu and Kashmir, and passed in July 1990.

Mr. Speaker, the articles in the Constitution of India empowered the Government to declare a state of emergency for two reasons, one:

“Failure of the administration and the local police to tackle local issues.”—and two, if—

“The scale of unrest or instability in the state is too large for local forces to handle.”

Mr. Speaker, the AFSPA Act gave an officer of the armed forces power to do the following:

“After giving such due warning, Fire upon or use other kinds of force even if it causes death, against the person who is acting against law or order...”

To arrest without a warrant anyone who has committed cognizable offences or is reasonably suspected of having done so and may use force if needed for the arrest.

To enter and search any premise in order to make such arrests, or to recover any person wrongfully restrained or any arms, ammunition or explosive substances and seize it.

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Stop and search any vehicle or vessel reasonably suspected to be carrying such person or weapons.”

It also gave them the powers—

“Any person arrested and taken into custody under this Act shall be made over to the officer in charge of the nearest police station with the least possible delay, together with a report of the circumstances occasioning the arrest.”

Again, Mr. Speaker—

“Army officers have legal immunity for their actions. There can be no prosecution, suit, or any other legal proceedings, against anyone acting under that law.”

There was also the—

“Protection of persons acting in good faith under this Act from prosecution, suit or other legal proceedings except with the sanction of the Central Government...”

Mr. Speaker, this Act was eventually repealed in August 2004, in the State of Manipur. However, in December 2006, the Prime Minister, Manmohan Singh, declared that the Act would be amended to ensure it was humane on the basis of Jeevan Reddy Commission Report. Mr. Speaker, because of intense agitation that was launched by several society groups, the central government set up a five-member committee to review the provisions of AFSPA and to advise the Government whether to amend the Act, to bring them in consonance with the protection of human rights, or to replace the Act by a more humane Act. The United Nations Human Rights Committee also reviewed the Act and questioned the constitutionality of the AFSPA under Indian law.

Mr. Speaker, it was on March 31, 2012, just under one year ago, the United Nations asked India to revoke the AFSPA Act saying it had no place in Indian democracy. So despite the many years this Act was allowed to operate, good sense prevailed and the Act is currently now repealed.

So, Mr. Speaker, I just wanted to highlight that this did not work in India, so there is no way we could see it working here. That is apart from all the objections being raised by the various interest groups. I just wanted to highlight the mission of the Trinidad and Tobago Defence Force is to be a highly professional, well-trained, combat ready force in any area that will respond effectively.

So, Mr. Speaker, I just wanted to put in my two bits—*[Interruption]*

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Hon. Member: And you did.

Mrs. J. Thomas:—and to advise this House that I join with my colleagues, and with the others members of the community of the nation, all the interest groups and with the Police Service Commission, and we object to this.

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

ADJOURNMENT

The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal): Mr. Speaker, I beg to move that this House do now adjourn to Wednesday, March 13, 2013, and to serve notice on those on the other side that, on that occasion, we intend to continue debate on the measure before us and take this Defence (Amdt.) Bill, as amended, to its conclusion.

Mr. Speaker: What time?

Hon. Dr. R. Moonilal: At 1.30 p.m.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 10.40 p.m.