

*Leave of Absence*

*Tuesday, January 22, 1991*

**SENATE**

*Tuesday, January 22, 1991*

The Senate met at 1.30 p.m.

**PRAYERS**

[MR. PRESIDENT *in the Chair*]

**LEAVE OF ABSENCE**

**Mr. President:** Hon. Senators I have granted leave of absence to Sen. Moonan from today's sitting of the Senate.

**PAPERS LAID**

1. The Ninth Special Report of the Ombudsman of the Republic of Trinidad and Tobago, 1990. [*Sen. Alloy Lequay*]
2. First Report of the Standing Orders Committee of the Senate (1990—1991) Session. [*Sen. A. Lequay*]

**ORAL ANSWER TO QUESTION**

**Foreign and Local Borrowings**

2. **Sen. Wade Mark** asked the Minister of Finance:
  - (i) Could the Minister indicate the total level of borrowing from both foreign and local sources which took place between the period January 1, 1987 to the present time?
  - (ii) Could the Honourable Minister indicate the specific purposes for which the borrowing was done?
  - (iii) Could the Honourable Minister indicate the levels of borrowing planned for the next three years and their precise allocation in respect of development programmes and projects?

**The Minister of Finance (Hon. Selby Wilson):** Mr. President, let me first of all apologize for the delay in preparing the answer to this question.

In determining the total level of Government borrowing, information will be provided on the internal debt of the central government, as well as the external debt of the public sector. The external debt of the public sector includes debt owed to commercial banks, official creditor agencies and creditor governments,

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multilateral institutes, private placements in the international capital markets, as well as financial leases.

In assessing the Government's operations during the period 1987—1990 and projections for the period 1991—1993, it would be useful to compare these operations with the previous four-year period 1983—1986. During this period internal debt rose by \$792 million, gross disbursements amounted to \$953 million, while repayment amounted to \$161 million.

It is important to note that while internal debt rose by \$792 million, Government's accumulated balances with the Central Bank were reduced from \$3.108 billion at the end of 1982, to an overdraft of \$943 million by the end of 1986.

In 1983 accumulated deposits at the Central Bank were reduced by \$1.430 billion; in 1984, \$1.088 billion, and in 1985, \$331 million. In 1986, \$1.202 billion was withdrawn from the Central Bank, of which \$943 million represented borrowings from the Central Bank. Accordingly, net use of surpluses and borrowings from the Central Bank during the period 1983—1986 amounted to \$4.051 billion.

On the external side, external debt rose by \$413 million in 1983, by \$358 million in 1984, by \$2.908 billion in 1985, and by \$961 million in 1986. As a result the public sector external debt rose from \$2.815 billion at the end of 1982 to \$7.455 billion by the end of 1986, a rise of \$4.640 billion. Partially responsible for this increase is the 1985 devaluation. Yet in US dollar terms, the external debt rose by \$897 million. When external operations are added to \$792 million increase in internal debt and the \$4.051 billion usage of surpluses and borrowings from the Central Bank, borrowings and other financial instruments, facilities of the Central Bank increased by \$9.483 billion in the period 1983—86.

The ill-advised expansionary policies during the period 1983—86 which were supported by internal debt operations and use of all accumulated deposits with the Central Bank and access to loan arrangements, impacted adversely on the balance of payments. Accordingly, despite net foreign borrowings of \$4.64 billion, the net official foreign reserves fell from \$7.16 billion in 1982, to \$1.184 billion by the end of 1986, a decline of \$5.976 billion. In 1983 net official reserves fell by \$2.162 billion, in 1984 by \$2.148 billion, and after an increase of \$730 million in 1985, net official reserves fell once again by \$2.396 billion by the end of 1986.

Commensurately the import cover fell from 12.9 months of imports to 2.9 months of imports. The period 1987—1990 presents a completely different picture—economic management aimed to align resource availability with resource use. During this period internal debt rose by \$1.165 billion in 1987, \$165 million in 1988, \$505 million in 1989 and \$565 million in 1990, making the total increase in the period \$2.4 billion; gross disbursements being \$2.756 billion and repayments \$356 million.

Loan facilities at the Central Bank were contained during this period. In 1987, loans from the Central Bank were reduced by \$189 million, but rose by \$383 million in 1988, rose again by \$388 million in 1989 and fell by \$12 million in 1990. Accordingly, these facilities increased by \$594 million during the period 1987—89, compared with the increase in the previous period of \$4.051 billion.

#### **1.40 p.m.**

During the same period, external debt rose from \$7.455 billion to \$10.54 billion, an increase of \$3.085 billion, reflecting increases of \$799 million and \$1.950 billion in 1987 and 1988, respectively; a decline of \$94 million in 1989 and an increase of \$430 million in 1990.

Partially responsible for this increase was the August 1988 devaluation. Yet, in US dollar terms, external borrowings at \$410 million was less than half of what it was in the previous four-year period when it stood at \$897 million.

Accordingly, borrowings and other financing instruments at the Central Bank, during the period 1987 to 1990, increased by \$6.079 billion, \$3.304 billion less than in the period 1983 to 1986. In other words, we were borrowing less than the previous period, 1983 to 1986.

In the context of this cautious management of resources, the deterioration in the country's net official reserve was stemmed. In 1987, the decline was \$899 million; in 1988, \$309 million. Since then, in both 1989 and 1990, there were increases of \$476 million and \$447 million, respectively, the decline in the period being only \$285 million, with the import cover falling from 2.9 months of imports to 2.2 months of imports. In the period 1983 to 1986, the decline was \$5.976 billion.

In 1988, the Government of Trinidad and Tobago began a process of rescheduling the commercial and official debt of the public sector. As a result of

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these rescheduling exercises, the debt service ratio, which was projected at 35 per cent in 1990 has fallen to 22 per cent, about the same level as it was in 1986.

The careful husbanding of our resources will continue over the next three years, 1991 to 1993. Government expects to borrow a net amount of \$1.571 billion internally, gross disbursements being \$1.832 billion, and gross repayments being \$261 million. The level of borrowing in these years, however—\$571 million in 1991, \$500 million in 1992, and \$500 million in 1993—will depend, of course, on the revenue flows during this period.

Overdraft facilities at the Central Bank are expected to be reduced by \$737 million to a level lower than that prevailing in 1986. On the external side, as repayments amounting to \$4.186 billion will be larger than disbursements of \$3.068 billion, the public sector external debt is expected to be reduced by \$1.118 billion to \$9.422 billion at the end of 1993.

The debt service ratio will rise, reaching 29 per cent in 1993, consequent on the end of the rescheduling agreements with the banks in August, 1992, and the commencement of amortization payments. Nevertheless, the ratio is projected to decline to 21 per cent by 1995.

Accordingly, as supply and demand relationships in the economy become reasonably balanced—a key barometer of our economic performance—the net official reserves is projected to increase by \$780 million over the period 1991 to 1993 reaching \$1.679 billion in 1993. The import cover is expected to rise from 2.2 months of imports to 2.8 months of imports.

The Government of Trinidad and Tobago has borrowed money under the various loan Acts to finance its capital programme and overall deficits as indicated in the Appropriation Bills for the respective years. The allocation of these borrowings with respect to development programmes and projects are spelt out in the budget statements, as well as the *Public Sector Investment Programme* for the respective years and were appropriately approved by both Houses of Parliament. Thank you.

**Sen. Mark:** Mr. President, could the Minister of Finance indicate whether the projected borrowing from 1991 to 1993 includes the external as well as internal borrowings, or whether, for instance, the projected figures that he has advanced purely focuses on internal borrowings?

**Mr. Wilson:** This appears to reflect the internal borrowings. I can provide the external projections.

**Sen. Mark:** Mr. President, is the Minister indicating at this point in time that the Government does not have a profile on its projected external loan portfolio between 1991 and 1993?

**Mr. Wilson:** Mr. President, I think the Senator is trying to mislead the House. I do not have it here with me. That does not mean that we do not have the projections. I think on some previous occasion I gave the projections of external borrowings. If you look at the back of the 1991 Budget Speech, there is a table which projects our borrowings down to 1995, I think. It is included there with the debt ratios. I just do not have the information. It was an omission; that part of the answer was inadvertently omitted.

#### BUSINESS OF THE SENATE

**Sen. Alloy Lequay:** Mr. President, I seek leave of the Senate to take the Government Business which relates to the committee stage of the bill that was before us. Members will note that this is the fourth Tuesday and, therefore, private Senators' business must be given precedence. But Standing Order 20 allows us, with the agreement of the Senate, to dispose of urgent matters before private Senators' business.

I, therefore, propose that we take the motion dealing with the Senate committee, and then we go to the committee stage of the bill, and then we could get on to private business. It is a motion from the Standing Orders Committee. Could I get the approval of the Senate?

*Question put and agreed to.*

#### STANDING ORDERS COMMITTEE REPORT

**Sen. Alloy Lequay:** Mr. President, I beg to move,

*Resolved:* That this Senate adopt the First Report of the Standing Orders Committee of the Senate (19901—991) Session.

Members will recall that up to a year ago, we had a comprehensive review of our Standing Orders, and the Standing Orders Committee at that time recommended a change in dealing with bills second reading. It was agreed that after we had the second reading of a bill, it should automatically be referred to a

select committee, unless we agreed otherwise. By that agreement, we altered the sequence in the Standing Orders of 1961.

Experience has shown that it is difficult to get hon. Members to serve on select committees to examine these bills in the detail we would like. We have had a particular difficulty in finding the number of legal personalities in the Senate to serve on these sub-committees.

It is felt that we should therefore revert to the original sequence, so that after the second reading of a bill, it will be referred to a committee of the whole Senate, unless we agree that it should be referred to a select committee.

The last Standing Orders Committee had a look at this amendment and agreed, but the House was prorogued before we were able to bring our recommendation. The new Standing Orders Committee has had a meeting, and it has also looked at this proposed amendment, and has brought the recommendation which is now before us, which states:

"When a bill has been read a second time, it shall stand committed to a committee of the whole Senate unless the Senate on motion made commits it to a select committee."

What we are in fact doing is reverting to the original provision in the Standing Orders of 1961. We have been thinking about printing the new Standing Orders for sometime, and it is because we were in doubt as to whether we should print with the present clause 51 that we had delayed it. Now that experience tells us that the majority of Members seem to be happy going back to the original clause, if this is passed today, then we will be able to have the Standing Orders printed and circulated before the Senate is hopefully dissolved at the end of this fifth session.

As a consequence, I commend to hon. Members, Mr. President, the amendment of the Standing Order before us and I beg to move.

*Question proposed.*

**1.55 p.m.**

**Sen. Prof. John Spence:** Mr. President, are we allowed to comment on this motion?

**Mr. President:** Certainly, it is proposed for debate.

**Sen. Spence:** Thank you. I consider this to be an extremely retrograde step, and I consider the two arguments used by Sen. Lequay to be without solid foundation. The first is that Senators are too busy to attend to select committees. I think it is an extremely unfortunate situation, if all of us, having been selected to be Senators, are now to say to the public of Trinidad and Tobago that we cannot devote enough time to our duties. I think that this certainly should not be the basis on which we make the change.

The second basis is that there are not sufficient legal Senators to sit on these committees. Members of the Senate who are in the legal profession should not be making legal inputs into the select committees. This is for the Parliamentary Counsel to do and the Senators who sit on these select committees should have the benefit of their advice. Sen. Tiwary has made this point repeatedly, that we are not to get, in effect, free advice from Senators when it comes to legal matters. So that seems to me to be a false argument.

I think it would be an extremely retrograde step if we were to reverse the procedure that we had adopted some time ago. I think it is extremely important. Time and time again we have seen that, in fact, we have wasted more time by sitting here trying to go into matters and bills that really should be dealt with at select committees. I think we would certainly be more effective in the way that we deal with bills if the routine were to go to select committees, and on the rare occasion when the Government wants to rush something through, then that provision should be waived and we go immediately to a committee of the whole.

I am not at all in support of this motion and would certainly vote against it. Thank you very much.

**Sen. Gerald Furness-Smith:** Mr. President, I think the hon. Leader of the Senate perhaps did not put it quite accurately when he made the point that the problem was finding lawyers in the Senate who would sit on these committees. I think all the lawyers who are now in the Senate have demonstrated, time and time again, their willingness to spend extraordinarily long hours working in select committees. That certainly goes for the lawyers on the Government side who I know have extraordinary burdens to face. For the lawyers on this side, we are unfortunate in that, as far as I know, our new Opposition Senators do not have any formal legal qualifications so that they can make that kind of contribution. I am sure they have much legal talent.

**Sen. Spence:** Mr. President, is Sen. Furness-Smith suggesting that qualification to be a Senator should be a legal qualification? I cannot understand this insistence that the Senators should have legal qualifications. This is not their role. This is the role of the Parliamentary Counsel.

**Sen. Furness-Smith:** Nevertheless, all these bills that come before the select committees involve legal input. What Sen. Spence said is quite correct—it is a matter for the Parliamentary Counsel. But in our experience we find that we have problems with the bills which are placed before us—almost invariably we have problems—and what is required is legal review. There may also be other things required.

The point I was making is that I do not think the hon. Leader put the emphasis quite correctly in saying that it is a matter of the lawyers not being prepared to spend time. To my own personal knowledge, the lawyers of this Senate have spent weeks of time working on one bill after another. Sen. Tiwary catches my eye. We know just what effort has been made in the course of the last three or four years. There are two particular illustrations that come to my mind. One, the Merchant Shipping Bill which was a bill of 400 clauses, or something like that. We were working on that for about three months, all as a matter of urgency to get the thing through in time for some ship to be christened in Scarborough.

Also there was the National Trust Bill. As far as I know, that has not passed into law, not because of any lack of effort on the part of Senators. Under the distinguished chairmanship of the hon. Vice-President of the Senate, we sat almost every week for about three months trying to sort this thing out, in fact redrafting a whole bill.

I should like to suggest to Sen. Spence that although I know he feels strongly about this, if there is a real case where a select committee is needed, then there is absolutely no reason why we should not pass the necessary motion to refer it to a select committee. But to have it as the ordinary routine whereby every bill has to be referred to a select committee becomes very onerous. If it is a simple bill, I would not mind acting as a Select Committee of one person and then reporting back to the Senate. But to have a committee and get it organized and get meetings and sit and then persuade everybody on all the work; that is not on.

I strongly recommend to the Senate that we adopt the hon. Leader's motion but bearing in mind that contrary to the previous practice under the Standing Orders, we will be much more ready to refer matters to a select committee in an



appropriate case than was the case for all those years when that rule was standing in the Standing Orders without any question.

If somehow it could be arranged for the bills which come before us to have a little more attention paid to them before they come here, that would assist all our work here. Thank you.

**Sen. Dr. Prakash Persad:** Mr. President, we, in the Opposition, will support this motion.

**Sen. Fr. Winston Joseph:** Mr. President, I want to concur and agree with Sen. Spence but I could appreciate Sen. Furness-Smith's argument.

I am a firm believer that we do not leave the law just to the legal minds. However, it seems to me that there is a more basic problem. When the bill arrives at this august House there is a problem of correlation between the politicians—what are their expectations—and those who draft the bill. It could be that maybe we do not have the talent in the Drafting Department—I should like some answers to that—or we need to put competent people in that Department.

I do not believe when the bill comes to this august Chamber that we have to spend so much time looking at the mere nitty-gritty of the legislation. It seems to me that the problem lies with the Government's relationship with the people with whom they sit in terms of drafting the bills. I think that is where the essence of the problem lies. Thank you.

**Sen. Amrika Tiwary:** Mr. President, I would like to urge the Senate to accept this report and the recommendation for the amendment of the Standing Order. I would like to urge Sen. Spence and Sen. Fr. Joseph to reconsider their positions in this matter.

I do not agree with Sen. Spence that I myself have said that this Senate wants to get free legal advice from qualified members. I appreciate the context in which it was meant. It is very true as Sen. Furness-Smith has already spelt out, that just because there are legally qualified Members who sit on select committees, the very nature of the bills which are being considered demand that more will be required of legally qualified members on those select committees. While those members are not averse to making that contribution, it does, in the case of very technical and long bills like the Shipping and the National Trust Bills and also that ill-fated Narcotics Bill where we spent many long and tedious hours pouring over minor

details of these bills, require a greater input from legally qualified members. The amendment which is proposed here says:

"When a Bill has been read a second time it shall stand committed to a Committee of the whole Senate, unless the Senate on Motion made commits it to a select committee.

It further goes on to state:

"Such Motion shall not require notice and must be made immediately after the Bill has been read a second time...without amendment or debate."

I would respectfully like to ask Sen. Spence to consider—as Sen. Furness-Smith has already spelt out—that the very nature of the bill, having heard the debate, the House will be in a position to say whether this bill requires a select committee or not; that is, whether it requires a committee of the whole House. Having heard the debate at the conclusion of the second reading, we would all be in a better position, and on the motion made for that purpose, I would think that Members would act responsibly.

I also want to say that we must put on record our appreciation of the work of the draftsmen who often come in for much criticism, and much of it undeserved. There is no doubt that in the debate on the second reading of the very bill or rather the bill which is to come, the committee stage which is to continue, the hon. Attorney General has already extolled the virtues of legal officers.

**Sen. Spence:** I wonder if Sen. Tiwary would agree that we had knowledge of all of this before we made the change in the first place. Surely, we considered all these matters. It was we ourselves who made the change from the old system to the new. Yet one year later—I do not know the exact time—we are going back to the old way because we now have new experiences. There are no new experiences. It is exactly the same experience when we decided to make the change in the first place. Does Sen. Tiwary not agree with that?

**Sen. Tiwary:** Mr. President, I beg to disagree with Sen. Spence. What happened is that having considered all of those matters the Senate did change the Standing Order. When we attempted to put the new Standing Order into effect, we realized the difficulty we faced. This is why there is this amendment to revert, not to the original position, but to give the Senate the opportunity, at the conclusion of the second reading, to decide whether or not it should be committed to the whole

Senate or to a select committee. I am saying it is not the same position, respectfully, and I ask Sen. Spence to consider it in this light.

I really wish to say that insofar as the legal officers and draftsmen are concerned, their numbers are depleted; they work far and long beyond the call of duty. The very nature of the work that we do here, we—who are really part-time officers, and have so much difficulty when we come here and we have their assistance—really must put on record our appreciation for what they do, but their numbers are depleted. The hon. Attorney General has told us why we cannot get better and more qualified people.

When committees have sat, we have had every assistance from the qualified draftsmen, but there is just so much to do and not enough people to go around. We must be very careful when we are saying we cannot just drop it into the laps of the legal officers. They have work to do and they do it as best as they can.

In all of those circumstances, I would really like to ask Sen. Spence, in particular, who feels so strongly about this new proposal, whether he would not agree, we having amended it before, it not having worked satisfactorily, here there is a safeguard that in the event that we feel it is of such a nature that requires a select committee, the House on motion, without debate, can consider whether or not to do so.

**Sen. Mansoor:** Mr. President, through you I just want to ask a question of Sen. Tiwary. Is it her Government's position that immediate steps should be taken to improve the working conditions of legal officers in the public service?

**Sen. Tiwary:** As a former legal officer who served for 12 years in the Attorney General's Chamber, I am not exactly unqualified to comment on the performance of legal officers. It is really my fervent wish that they be treated separately, specially and their terms and conditions be looked at. As to whether you are asking me if we are going to put a separate motion, the hon. Attorney General is here and I am sure he can deal with that.

**Sen. Mansoor:** Mr. President, my question is whether or not this is the Government's position.

**Sen. Tiwary:** The Government's position is that it recognizes the work of legal officers, and it has taken all appropriate steps under the Constitution and otherwise to deal with their terms and conditions of service.

**Sen. Spence:** Mr. President, I rise on a point of order. Sen. Tiwary has said that we are not reverting to the position before the change. In fact, the only difference between the present amendment and the original section 51(1) is that the words: "though opposed, be decided after 4.20 p.m." have been dropped. So in principle, we are, in fact, reverting to the original position.

**Sen. Alloy Lequay:** Mr. President, if I gave the impression that I was making a criticism of attorneys in this Chamber, I assure Sen. Furness-Smith that this was not my intention.

As he himself has stated, it is important that on these select committees someone with a legal mind be there. What our 18-month experience has shown is that when one select committee is sitting, it is very difficult to get personnel to form a second select committee if a bill is to be referred to that select committee.

What we attempted to do, when in 1987 we revised the 1961 Standing Orders, it was to take a more ideal position. The ideal situation, obviously, is what Sen. Spence would want us to do, to automatically refer a bill to a select committee. What I am saying is that our 18-month experience has shown that this is an unrealistic position. We are temporary Senators in the sense that we are not full-time. Although all of us would like to perform to the maximum limit, we do not have the time to really have a series of select committees sitting.

At present there have been more exceptions to the present Standing Order that is, we have very often, notwithstanding the present Standing Order, referred bills to a committee of the whole Senate instead of to a select committee. I am sure that was not the intention of the amendment when it was proposed.

Members have already referred to the National Heritage Bill, the Drug Bill and so on, so I do not think there is need for me to indicate the problems we have had with those particular bills. But as Sen. Furness-Smith has said, and Sen. Tiwary has agreed, I am sure we would all have a feel for the bill after the second reading. If it is necessary for us to refer it to a select committee, I am sure we will have almost a unanimous agreement that this is the step we should take. But the realistic position is that we should not put in the Standing Orders, a Standing Order which we ourselves will not be able to follow as closely as we would want, and we will more or less violate the Standing Orders from time to time, by having more exceptions to the Standing Order than what should be. In those circumstances, I ask the House to accept the proposal of the Standing Orders Committee.

*Question put and agreed to.*

*Resolved;*

That this Senate adopt the First Report of the Standing Orders Committee of the Senate (1990—1991) Session.

**2.15 p.m.**

**MECHANICAL RECORDING OF COURT PROCEEDINGS BILL**

[THIRD DAY]

*The committee of the whole Senate resumed its deliberations on the bill.*

[Chairman: Mr. Emmanuel Carter]

**Mr. Chairman:** Members of the Committee, clauses 1 and 2 are being accepted. Clauses 3, 4 and 6 have been deferred and clause 5 has been amended. Today, therefore we will consider in numerical order clauses, 3, 4 and 6.

*Clause 3 recommited.*

*Question proposed,* That clause 3 stand part of the bill.

**Mr. Smart:** Mr. Chairman, on the last occasion we were having some difficulty with the use of the words "mechanical and electronic" and we thought that if we included the word electronic the *ejusden generis* rule might have affected the right of the court to record proceedings manually. I have had a look at it again and I think the possible solution to the problem is to do away with the word "mechanical" entirely and just have the clause as follows:

"Where written law provides that proceedings in a court should be recorded, these proceedings may be recorded by any means."

If the Senate accepts that, we would then have to go back to clause 1 and amend the short title to delete the word "mechanical".

**Mr. Chairman:** Members of the committee, the amendment proposed by the Attorney General to clause 3 is that the words "mechanical or" should be deleted and the word "other" appearing in the last line should be deleted.

*Question on amendment put.*

**Sen. Persad:** Mr. Chairman, I find that it is a blanket statement that says everything and says nothing. If you look at the Court of Appeal Rules, Order 3

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section 2:8, it says: "...electro-magnetic tape or by any other mechanical means, or partly such notes and partly such recording...". To come and say "by any means", I find it disturbing and we should be more precise on that.

**Sen. Tiwary:** What are your suggestions?

**Sen. Persad:** I am not convinced with the argument that if the word "electronic" is included, it prevents other means. To say "any means" sounds incredible to me. What is the point of the bill?

**Sen. Furness-Smith:** Mr. Chairman, I must say that Sen. Persad's reaction was my initial feeling about it. Could I make the suggestion that by accepting that amendment if we added "by any means, manual, mechanical, electronic or otherwise" I think we would have gotten away with use of the *generis* rule and this would state more clearly what the bill is all about.

**Mr. Smart:** Would that be sufficient to get us around the *ejusden generis* rule?

**Sen. Furness-Smith:** I think so.

**Mr. Smart:** The whole point of the bill is to get around the necessity for proceedings to be taken in writing alone. It seems to me that the amendment as proposed by myself does that. There is an economy of words but it does what it sets out to do, which is to allow for recording of proceedings by any means, be it manual, electronic, mechanical, or by any other system that may be devised in the future that we cannot now conceive.

**Sen. Persad:** Mr. Chairman, if that is the case, there was no need to bring the bill before the Senate. The impression I get is that you state what is being used and you have a covering clause for what may be used in the future. That is the intention of the bill. That is why I say that in the Court of Appeal Rules, it specifies what is being used and what might possibly come across. But to come with a blanket statement without any sort of specifics does not seem right.

**Mr. Smart:** May I repeat, Mr. Chairman, that the point of the bill is to allow for the recording of proceedings by means other than written means. The intention is to amend the number of Acts which require evidence to be taken in writing.

**2.25 p.m**

It seems to me, as I said, and I repeat, there is an economy of words and it gets to the point. We are recording proceedings "by any means" and it might be an improvement on the Court of Appeal Rules to which Sen. Persad has referred. I am advised that those rules were made in 1962.

**Sen. Sampath.** Mr. Chairman, perhaps Sen. Persad is forgetting that it was he who mentioned the possibility of a breakdown in electricity. By adding "any other means", it makes provision for that. So if there is a breakdown in electricity, then the court is allowed to permit recording "by any other means", that is to say, manually. I believe this is where the difficulty arose and this is a way in which we can make it possible for it to be legal, to be recorded manually in the event of a breakdown of electricity. It is necessary then to say, "by any other means".

**Sen. Amar:** Mr. Chairman, if I may just say something on this matter. I personally believe that things of this nature need to be simplistic but effective. So I share the view that, "by any other means", is a good enough phrase. I do not buy the theory that if electricity breaks down, because if we go into that we would have a whole debate here. One of the issues was that proper systems must be put in place, and if electricity goes, they work. So that is not the issue. I personally feel that your approach to it, Mr. Attorney General, is a very simplistic one and it really covers it in a very broad sense. I do not think that we have to worry about whether it is electro-magnetic, mechanical, manual or typewritten. I feel that the phrase "by any other means", takes care of it in its broader sense and the simplest part of the law of understanding is the easiest part, and there is the least amount of problems or difficulties in the future. I hope my good Friend at the end does not get annoyed with me, but I feel that we should go with this particular issue and let us see what is going to happen. If it does not work, we could always change it.

**Mr. Chairman:** Would "any means" include tape recordings? Do you want to add, "any means approved by the Rules Committee?"

**Mr. Smart:** I respectfully suggest that is not necessary.

**Sen. Haji Khan:** Mr. Chairman, seeing that the intention is to cover several methods of recording, I would offer a minor suggestion. If you were to change the wording somewhat to say, "those proceedings may be recorded by the best method possible", it means it embraces every method possible, whether it is by mechanical means, electronic media or whatever is involved. The intention is to apply

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whatever type of recording is possible. In the event of the failure of one type, you apply the other one which is more expedient.

**Mr. Smart:** I suggest that you put the question to the vote.

**Mr. Chairman:** Hon. Members, the final question proposed by the Attorney General is to delete the words, "mechanical or", between the words, "by" and "any" in the third line of clause 3 and also to delete the word, "other" before the word, "means" also in the third line.

*Question put and agreed to.*

*Clause 3, as amended, ordered to stand part of the bill.*

*Clause 4.*

*Question proposed, That clause 4 stand part of the bill.*

**Sen. Furness-Smith:** Having reached as far as clause 3, I think we could all see that clause 4 is really not satisfactory, in the sense that it lays down that in all cases whether the recording is being done manually as at present, for instance, by the judge, or by the clerk in the magistrate's court, in every single matter the Clerk of the Peace or the Registrar has a duty to cause a typewritten transcript to be prepared. Of course, at the moment that is what is causing endless delays in the system of justice, because all these records have to be typed and our judges' and clerks' handwritings have to be deciphered. To solemnly pass a law saying that is to happen in every case, whether necessary or not, or whether there is an appeal contemplated or not, would be madness, in my submission.

I suggest that what we ought to try and say is that, "the Registrar of the Court or the Clerk of the Peace, as the case may be, shall, where required by rules of court or other laws, and as soon as practicable, cause a typewritten transcript of the records of the proceedings to be prepared". Something to that effect. As it stands, we could not pass this. Of course to say that "where proceedings in the court are recorded", I suppose that is alright because wherever the law provides that there will be recordings it would not be under clause 3.

**Sen. Amar:** Mr. Chairman, on that clause 4, maybe we could have a slight rewording—I do not know what the problem is because I do not have a legal mind, but from a simple view maybe it could read, "all court proceedings recorded under section 3", instead of saying, "where proceedings in a court". "...all court proceedings recorded under section 3, the Registrar of the Court or the Clerk of the Peace, as the case maybe shall as soon as practicable..." Maybe we could put



some time-frame because we are getting into modernization. So perhaps we could say, "shall, within so many hours after the proceedings, cause a typewritten transcript of the record of the proceedings to be prepared".

I feel that we cannot continue to procrastinate these things. If we are going to change these laws, we must change them to be more efficient, and we must, therefore, put within the statute that the people must produce the results within a prescribed time. I would like to suggest to the Attorney General that he looks at that particular aspect because it continues to give the people in this facility, the excuse to say that it cannot be done. I feel that we must put in some strong things in this bill because we are talking about the legal aspect of the country, which is of tantamount importance. I feel that these things must carry priority and we must try to pin it down with time. So, food for thought—"All court proceedings recorded under section 3, the Registrar of the Court or the Clerk of the Peace, as the case may be, shall (within a certain number of hours or days after the proceedings) cause a typewritten transcript of the recorded proceedings to be prepared". My own view, is that should take care of that aspect of it.

**Sen. Furness-Smith:** I agree with Sen. Amar's general principle which is, that things need smartening up. I suggest to him that the trouble with his suggestion in practice, is, that we are dealing with all different kinds of court proceedings and in many cases we do not need any typewritten record at all because there is not going to be an appeal; the case is being dismissed, for instance, and the man has gone free and we do not need any typewritten recordings. The thing would be there in the clerk's book. In other cases if the judge has prepared his notes, assuming the mechanics break down, there only needs to be a transcript if there is an appeal.

**2.35 p.m.**

What we are also talking about when the Attorney General's new machines come into play, we are going to want to have a transcript so that the judge and the lawyers could all do their work more quickly, as we discussed the other day. I have a suggestion for the honourable Attorney General, to re-draft this clause as follows—

"Where proceedings in a court are recorded, the Registrar of the court or the Clerk of the Peace may, and shall, if required by rules of court or other law as soon as practicable, cause a typewritten transcript of the record of the proceedings to be prepared."

**Sen. Tiwary:** Mr. Chairman, is he excluding “under section (3)”?

**Sen. Furness-Smith:** Yes, because the recording is not done under clause 3. The recording is done because a written law provides that proceedings shall be recorded. Clause 3 now does not really add anything to the law.

**Mr. Smart:** Of course, the other point that has not been raised as yet today, but was raised by Sen. Spence on the last occasion, is the question of the use of the word “typewritten”. Typewritten suggests that it must be written by a typewriter. That is a matter that I looked at and again it might suit our purposes to delete the word “typewritten” and just have a transcript. So that the transcript can be typewritten, printed, photocopied or handwritten, if we are without electricity for many, many days.

Sen. Furness-Smith's amendment, the drafters had included “recorded under section (3).” I do not know if it is a style of drafting—but what I understand that to mean is that, where the proceedings are recorded under the provisions of clause 3 of the bill. That is the language that was produced by the draftsman who is qualified in the area. I myself would not want to interfere with it unless one can see some positive disadvantage in including it. I would be prepared to go along with the proposed amendment of Sen. Furness-Smith, again as I said, including “under section 3”. I do not think it is going to do any harm without deleting those words. Because you see later on in clause 6 there is a style of drafting that Sen. Furness-Smith proposes in his amendment which the drafters have said is just not on in the new style of drafting, that is, the use of the words “and/or”. That is later on and we will come to that. It is a simple point. What I am saying is that in this case it may be that the style is to refer back to the previous clause of the bill and, as I said, I do not see that it will do any harm because what in fact they are saying is where proceedings are recorded, by whatever means, under the provisions of section 3 of the Bill.

**Sen. Furness-Smith:** Mr. Chairman, I had my training in the law from a gentleman who was brought up in a Jesuitical establishment. I myself did not have that privilege but I may have learnt something from him and I hope I may be excused if I point out that if we put in “are recorded under section 3”; some learned counsel may argue—well, you know, these recordings are not under section 3; section 3 does not require any records to be made. All clause 3 is saying—as is now clear, but which was not clear originally—is that where a written law provides that proceedings are to be recorded, they can be recorded by

any means. Clause 3 is not making any requirement for the recording of proceedings. So, it is strictly inaccurate. Now I agree it could be a long shot to argue it but it could be argued because it is strictly inaccurate to say, "under section 3".

Now, originally, I think, when we were looking at this bill, we thought that we were making provision for mechanical recordings and that is what we were talking about, but it is now clear after discussion, that we are addressing all kinds of recordings, even the *status quo* of handwritten recordings. So, it is for those reasons I would, as a matter of principle, with every respect to the legal draftsman, delete, "under section 3", I am trying to write down my proposed amendment so that it could be circulated.

**Mr. Smart:** Clause 3 provides for recording by any means. The written law referred to in clause 3, in very many cases, the recording was to be done manually. What we are doing here is providing for recordings by any means. Clause 4 refers to the recordings by any means. That is why reference is made to section 3. Clause 3 provides for recordings by any means, that is the point. Where you have recordings by means other than manually, then you make arrangements for the transcript. Well not, other than, but including manually, you make arrangements for the transcripts to be done. My submission is that, in fact, clause 4 is referable to clause 3 in a specific kind of way.

**Sen. Alexander:** With the greatest respect, having regard to the amendment which was made to clause 3, the written law there would refer to wherever legislation provides for the recording of proceedings. So far as I remember, it will refer to the Supreme Court of Judicature Act, the Summary Courts Act and so on and so forth, which provide for the recording of proceedings in writing. So what clause 3 does, as amended, is to amend those pieces of legislation to make the recording being capable of being done by means other than by writing. So the recording is not under clause 3; the recording is under those other bits of written law which will be amended by clause 3.

**2.45 p.m.**

So in effect, if "section 3" is left in clause 4, it would be meaningless, because clause 3 amends those provisions in the other bits of legislation which provide for the recording of evidence solely by written means. By virtue of clause 3 the recording could be done either manually, mechanically or electronically. So if "under section 3" is left in clause 4 it seems to me that it would be meaningless.

**Mr. Smart:** I do not agree at all. Clause 3 makes reference to written laws, the several written laws that provide for recording in writing. Clause 3 also amends those laws to allow for recordings by any means. So that clause 3 makes reference to the written laws already in existence and also to the fact that you are amending those laws by allowing for recording by any means. So that it seems safe to make reference to clause 3, because it is compendious. It takes in all that was done before.

It is a small point. The more we argue it the more fixed we are in our positions, that is, Sen. Furness-Smith and Sen. Alexander on one side, and myself on the other side. I really feel that we ought to make reference to section 3, in clause 4 and delete the word "typewritten".

**Sen. Furness-Smith:** I was writing it out and just leaving it as a transcript. Now the word "transcript" could mean just a written manuscript transcript, which I think we ought to make it clear we do not intend. Therefore, I have put in the amendment, submitted to the Clerk, the words "typewritten" or "printed transcript". I do not know whether that may get your favour.

**Mr. Smart:** Actually, I had alternatives, either leaving it out completely, or including "printing". This is what I have here in my notes. "Transcript" in the Oxford dictionary means, a written copy, a printed reproduction and specifically in law, it is a copy of a legal record. That is the definition of "transcript".

**Sen. Furness-Smith:** In the old days it was done on parchment. The word "Printing" might not be satisfactory, because the view is taken that the printing has to be from a machine, such as a word processor. The registry does not accept typewritten as printed and *vice versa*.

**Mr. Smart:** So what is the feeling Mr. Chairman, that we should say "typewritten" or "printed" or leave out "typewritten"?

**Mr. Chairman:** Members of the Committee, I have a proposed amendment in writing from Sen. Furness-Smith to clause 4. He is suggesting that clause 4 should be deleted and replaced with the following:

"Where proceedings in a court are recorded, the Registrar of the court or the Clerk of the Peace may and shall if required by rules of court or other law, as soon as practicable, cause a typewritten or printed transcript of the record of the proceedings to be prepared."

This proposed amendment by Sen. Furness-Smith is before the committee for consideration.

**Sen. Tiwary:** May I enquire, Mr. Chairman, did Sen. Furness-Smith delete also “as the case may be”?

**Sen. Persad:** I suggest that we leave out “typewritten” or “printed”.

**Sen. Tiwary:** It appears that Sen. Furness-Smith inadvertently omitted the phrase, “as the case may be”, which was contained in the original.

**Mr. Chairman:** I have sent to get some copies made. I would get back to you.

**Sen. Amar:** Just for my own education, is there some reason why a time factor could not be put into this system? Is that practical?

**Sen. Tiwary:** I know that my friend is not accustomed as we are. It is really not practical to give a fixed time when you are talking about courts, different jurisdictions, different parts of the country, different hours, whether the proceedings may be completed or may be in between. I think “as far as practicable” is really the best sort of stricture one can put on it, because it really would not make sense if you did not have the personnel to do it, or if the matter was not concluded in time, or if you ran out of time.

For purposes of court proceedings one really has to be in court every day to appreciate the mechanics of running a court, personnel, *et cetera*. So I would ask the hon. Member to accept “as soon as practicable”. I am sure for all of our colleagues who are in court every day this is really the best qualification one can put insofar as time is concerned.

**Sen. Amar:** Is there some method that could be instituted in the court to keep some tabulation as to how long “as soon as practicable” is? One has to be realistic with these things, because if we have a datum line that is measured that 24 days equals to be the norm for 98 per cent of the total amount of proceedings, I am saying then we should legislate and say let 24 days be the norm.

I am also saying that we are coming with this fancy gadget and all of these things are going to be totally put into all of the court houses in five years’ time, so maybe in five years’ time we can come back and put in a time limit.

**Sen. Tiwary:** I urge upon Sen. Amar that we really cannot compare his kind of expertise with the practicality of running a court house and I urge him to rely on the experience of those of us who are more familiar.

**2:55 p.m.**

**Sen. Sampath:** It would get more and more complicated if you do that.

Mr. Chairman, through you to Sen. Furness-Smith and to the Attorney General, if you put "typewritten" or "printed", bearing in mind that you are going to introduce this new technology, while the word "transcript" may include electronic copies—leave out "typewritten" or "printed". The word "transcript", would go for everything. It gives you the freedom to give diskettes later on also.

**Sen. Khan:** Mr. Chairman, are we still discussing the amendment of Sen. Furness-Smith, I presume?

**Mr. Chairman:** Yes.

**Sen. Khan:** To endorse what Sen. Persad has just mentioned, and to quote a very simple reference and an example, it has been going on in this august Chamber here for quite sometime. When an hon. Member requires or requests a copy of his contribution here, he asks for a transcript. The hon. Attorney General here just gave the definition of the meaning of the word "transcript". I have been saying from the beginning that when you go to primary school and you talk about "transcription", whether it is in writing or whether it is done by any other means, if it is done from one form and you write it over or you do it over, it is a transcription. The definition has been given here in very clear and very certain terms.

It is my position that the question of "typewritten" or "printed", I will endorse that these are superfluous words and they should not be included. "Transcript" in itself to me, as a layman, is adequate description of what we are talking about, a transcript of the record of the proceedings. We are dealing with English terminologies as apart from the legalistic implications. That is my submission, Mr. Chairman.

**Sen. Alexander.** The only difficulty is that I think in 1991, we want to get away from "transcript", we want to get away from "manual transcript", because that is not going to put us anywhere, and that is the reason for suggesting "typewritten" or "printed", so as to exclude manual transcription. I do not think any of us wants to have manual transcription of proceedings in court. That is taking us back to the 18th century.

**Sen. Khan:** Mr. Chairman, I believe my comment was taken in the wrong context, because we are talking here about electronic technology. In your absence,

we had a very long debate about the forms of recording, the improved technology, the high-tech situations that exist currently. We had hours and hours of discourse pertaining to these topics. That is why I quoted an example, because what is done here in the House when we ask for a transcript, it is not done in writing. I gave an example to substantiate and to reinforce my point.

We are looking here in terms of having electronic equipment and electronic recordings, mechanical recording, and as such we do not anticipate, except in very extenuating circumstances, that it might have to be done in the form of handwriting. That is when we go to extremes such as was argued just now that there might be a breakdown in electricity when the appliances and equipment might not be in practical use.

Then you have absolutely no choice, Mr. Chairman, absolutely no choice. You have to revert to that old process. That is what I am saying, to clear the point, Mr. Chairman.

**Sen. Furness-Smith:** Even a manually typed transcript.

**Sen. Sampath:** A legibly typed transcript. Legibility is the key here.

**Sen. Tiwary:** Mr. Chairman, may I make a short point? Bearing in mind that the definition of "transcript" includes written copy and printed reproduction, and according to the canons of construction of documents, words must be given their ordinary meaning, would both Senators Furness-Smith and Alexander agree that if we leave out both "typewritten" and "written" and just have "transcript", bearing in mind the definition of what "transcript" is, and words must be given their ordinary and natural meaning, that we will not really complicate matters by saying "typewritten" or "printed", because "transcript" means written copy or printed reproduction.

I believe subject to that, the amendment the hon. Attorney General made is acceptable.

**Sen. Lequay:** Mr. Chairman, would the Attorney General tell us now what he is prepared to accept?

**Sen. Furness-Smith:** Is Sen. Tiwary suggesting we should leave out "printed" and "typewritten" on those grounds?

**Sen. Tiwary:** Yes.

**Sen. Furness-Smith:** That means that what we are saying is that the Registrar will have a duty to prepare a transcript, which could be handwritten, and that is not what we want. We want a typewritten or printed, or whatever else, it must be clearly legible.

**Sen. Tiwary:** We must be practical about these matters. Is the Registrar going to give instructions for somebody to transcribe it in hand? We are saying that based on whatever method of recording has taken place, we are asking for a transcript. One would expect the Registrar or the Clerk of the Peace to order or give directions for whatever is an appropriate transcript to be issued?

If, of course, the only thing that is available is a manuscript or a transcript in longhand, that is what the party will be entitled to. But we cannot leave it out.

**Sen. Khan:** Mr. Chairman, I presume that is one of the arguments Sen. Tiwary had in mind when she brought up the question of the time factor when it was introduced by Sen. Amar. These are some of the intricacies in the whole problem.

As I am seeing it, we are trying to rip the thing down to shreds. I do not see the transcript being done in handwriting in these times because, depending on who is writing and whether it is legible or not, this is something that is questionable as far as I am concerned. I presume that in a modern society, it would be done in a manner that is acceptable to all parties involved and concerned. Presumably, it will be done in typewriting if the need arises, and the other forms of equipment are not functional, Mr. Chairman.

**Mr. Smart:** Mr. Chairman, I wish to put the amendment. I am not going to insist on the inclusion under clause 3, although I think it should be there. If it causes problems we will come back to the Senate and we will come back to Sen. Furness-Smith.

So that we are prepared to accept this amendment:

"Where proceedings in a court are recorded, the Registrar of the court or the Clerk of the Peace, as the case may be, may and shall, if required by rules of court or other law, as soon as practicable cause a transcript of the record of proceedings to be prepared."

Leaving out the words "typewritten or printed".

**Mr. Chairman:** Hon. Senators, I now put the question of the amendment proposed by Sen. Furness-Smith and further amended by the Attorney General. Delete clause four and replace it with the following:



"Where proceedings in a court are recorded, the Registrar of the Court or the Clerk of the Peace, as the case may be, may and shall, if required by rules of court or other law, as soon as practicable cause a transcript of the record of proceedings to be prepared."

*Question put and agreed to.*

*Clause 4, as amended, ordered to stand as part of the bill.*

*Clause 6.*

**Mr. Smart:** Mr. Chairman, I wish to propose an amendment originally proposed by Sen. Furness-Smith but slightly amended. The amendment is, add the words "draft or" immediately after the words "a copy of the" appearing in line 4. So it would be omitting "and/".

**Sen. Alexander:** Before we come to this, in line 2 of clause 6, is there the word "written" in your copy?

**Mr. Smart:** Yes.

**Sen. Alexander:** Sen. Furness-Smith's copy does not have that.

**Mr. Smart:** That is an old copy. That was amended in the Lower House.

**Sen. Alexander:** Why "written application"? A party to the proceedings goes to the Registrar and asks: "How much for the proceedings"; and there is so much stamp and he pays for it. Why does he have to put it in writing? So much bureaucracy.

**Mr. Smart:** I would think that for smoother operation. I mean, it will not take very long for an application, a letter to be written. There might be some controversy as to whether a request was made, whether an application was made.

So that it seems to me that it is a very simple thing to put in a written application. There might easily be a form as suggested by Sen. Broomes.

**3.10 p.m.**

**Sen. Furness-Smith:** Mr. Chairman, I would agree with the Attorney General if the bill was as originally contemplated which, as I see it, was that the formal verified application should be available but I think we have come a little further than that and we are contemplating now, subject to rules of court, that as the proceedings go on, maybe from session to session, a draft printout will be

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[SEN. FURNESS-SMITH]

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distributed. I hope that arrangements could be made in advance for the lawyers in a particular case to get their copies without having to fill out forms everytime. Just what those arrangements would be, I do not know. Maybe it will involve writing everytime, but I would like to suggest that this be left to the rules of court. If writing is necessary, then, sure, let us have writing but I do not think that it is something we ought to put in our bill.

**Sen. Amar:** Mr. Chairman, before the Attorney General makes his contribution, what I would say is that he is worried about the probability of somebody saying that he did not get the document. Judging from what I see here, the person cannot get it unless he pays. Knowing the Government system, when one pays one gets a receipt, so I tend to believe that the receipt would be strong enough evidence to show that an application was made. Therefore I agree with the Senator that the word, "written" should be deleted. Everything you pay the Government for you get a receipt for it and the receipt is testimony that you have paid for something. Even if you pay \$1, you get a receipt. So I think that is a substantial amount of evidence that you have paid already and there is no need to go through the process.

**Mr. Smart:** Point taken.

**Sen. Alexander:** Mr. Chairman, having regard to the amendment to clause 3 and the exclusion of the words, "under section 3" in clause 4, then it seems to me to follow that the words, "under this Act" in line 1 of clause 6 will not be applicable and I am suggesting that it should read as follows:

"A party to proceedings which are recorded shall, upon application . . ."

**Mr. Chairman:** Members of the committee, we have three amendments proposed to clause 6. The first amendment is by Sen. Alexander, to delete the word, "written" before the word "application" in line 2.

*Question, on amendment, put and agreed to.*

**Mr. Chairman:** Sen. Alexander has also suggested that the words, "which are" should be inserted between the words, "proceedings" and "recorded" in line 1, and the words "under this Act" at the end of line 1 should be deleted.

*Question, on amendment, put and agreed to.*

**Mr. Chairman:** The third and final amendment is based on the amendment proposed by Sen. Furness-Smith and amended further by the Attorney General.

That is, that the words, "draft or" be inserted immediately after the words, "a copy of the" in the fourth line of clause 6.

*Question, on amendment, put and agreed to.*

*Clause 6, as amended, ordered to stand part of the bill.*

**Dr. Bahadoorsingh:** Mr. Chairman, could we hear how it reads now?

**Mr. Chairman:** I will try. Clause 6 reads as follows:

"A party to proceedings which are recorded shall, upon application and upon the payment of such fee as the Rules Committee may prescribe, be furnished with a copy of the draft or verified transcript of the record of those proceedings."

*Clause 1 recommitted.*

**Mr. Chairman:** We are going back to clause 1 in which the word, "Mechanical" is recorded. Clause 1 was already accepted but we will have to move that the word, "mechanical" be deleted from line 1 of clause 1.

*Question put and agreed to.*

*Clause 1, as amended, ordered to stand part of the bill.*

**Mr. Smart:** Mr. Chairman, the long title.

**Mr. Chairman:** Under Standing Order 53 (10) it states:

"If any amendment to the title of the Bill is made necessary by an amendment to the Bill, it shall be made at the conclusion of the proceedings detailed above, but no question shall be put that the title (as amended) stand part of the Bill; nor shall any question be put upon the enacting formula."

So, we are just going to move that the word, "Mechanical" be deleted from the first line of the title of the bill.

*Question, on amendment, put and agreed to.*

*Question put and agreed to, That the bill, as amended, be reported to the Senate.*

*Senate resumed.*

*Bill reported, with amendments; read the third time and passed.*

**3.20 p.m.**

**SPORT ADMINISTRATION**

**Sen. Alloy Lequay:** Mr. President, perhaps it is necessary to note that we have been generous on Private Members' Day to permit Government business to absorb almost two hours of our precious time since we are only allotted one sitting a month. Perhaps what has transpired has given some satisfaction to Sen. Spence that this bill which we have just passed should have gone before a select committee.

I have the honour to move the first Private Members' Motion for this sitting as follows:

*Whereas* recent events in many sporting disciplines have shown a deterioration in administrative efficiency which is having an adverse effect on the orderly development of the said sporting disciplines; and

*Whereas* sport is accepted internationally as an activity which enhances human development and is therefore an important segment of our development process:

*Be It Resolved* that this Senate recommend to Government that the Ministry of Youth, Sport, Culture and Creative Arts convene a meeting with all organizations and individuals interested in the development of sport administration with the objective of identifying the problems in sport administration and taking corrective measures.

Mr. President, Members would have noted that the original resolution has been amended in accordance with article 27 (3) of the Standing Orders. So that what I read was not what was on the Order Paper, but what was on the amendment circulated at the last sitting.

Mr. President, I trust that my good friend, Sen. Furness-Smith, will not consider this to be unimportant and he will not classify this motion as a waste of the Senate's time. In fact, I hope that he will take time to participate in the debate and that he will agree that sport is a human activity that is essential, not only to personal development, but to national development. This is the context in which I want to put this motion. As one who has been involved in sport administration for some time, I am a little unhappy at this stage of our development that there are so many problems related to sport administration. The problems have been so

numerous that they have attracted an editorial from one of our daily newspapers. When sport attracts an editorial, you know that the matter is important.

Mr. President, what are some of my concerns? There is serious public concern about accountability related to funds collected directly from Government or from the general public. We all know the issue, just over a year ago, with respect to a particular sport. Up to today that issue of financial accountability, in my respectful submission, has not been satisfactorily addressed. There are still grave concerns and doubts in the minds of many that Government and public funds have not been accounted for satisfactorily.

In the course of my contribution, I am going to make reference to certain problems but I am going to try not to identify the particular sporting organizations or any individuals involved in those organizations. I am concerned with conflicts which exist between the units or the zones in various parts of the country and the parent body.

Some of our national sporting associations are sub-divided into divisions or zones and those divisions or zones are semi-autonomous and they are responsible to the national body. At present there is conflict between those sub-divisions and the national body, as a consequence of which, there are problems of team selection; there are arguments about the bias of national officials and the prejudice of national officials as they relate to various zones or divisions of that particular sport.

I am concerned about the selection of national teams due to conflicts between the clubs which form part of the national sporting organizations and the national selectors or the national officers. I am aware that in recent months a matter of the selection of a national team reached the Ministry of Youth, Sport, Culture and Creative Arts where a club was complaining that some of its members were not selected on a national team because of bias, prejudice and ill-will. One has, therefore, to conclude that there is a conflict existing between that particular club and the national sporting organization if the club found it necessary not to take its protest to the officials, but to the Ministry of Youth, Sport, Culture and Creative Arts. I am concerned over the inability of national sporting administrators to meet the demands of players and the expectations of the general public.

Mr. President, what has happened over the past years, perhaps the last decade or so is that there has been a professionalism in sport which has developed, particularly among the players. There are high expectations from the general public

*Sport Administration*  
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insofar as the performance of national teams is concerned. But there is a problem in terms of the sports being organized and administered by amateurs; by people who are selected at annual general meetings and perhaps who lack the management capability to run the organization effectively. So we have these voluntary organizations managed by people who are giving time, effort, and sometimes even money, but they have no management qualification or training and, therefore, the sport has developed beyond their capacity to manage it successfully. These are some of my concerns.

I want to refer to a White Paper issued by the Ministry of Youth, Sport, Culture and Creative Arts. The Ministry, recognizing the need to regulate the development of sport in Trinidad and Tobago, appointed a committee on December 28, 1987 with the following terms of reference:

- (i) to review briefly the existing arrangements, for the administration of sport at a national level, based as far as possible on the manifesto of the Government, to prepare a brief for the establishment of a National Sporting Authority with statutory responsibility for administering sport and indicating the role, functions, the organizational structure and the operational features of such a Sporting Authority.

### **3.30 p.m.**

The committee was asked to look at that sporting authority and its relationship with the Minister responsible for sports and to look at the relationship of that proposed sporting authority with the sporting community and to prepare an action plan for the phased prioritized establishment of the said national sporting authority.

The committee submitted a report as early as May, 1988. It took a mere seven months to complete its exercise and to submit a report. This report was circulated in the form of a White Paper to the national sporting associations across Trinidad and Tobago to get their comments on the recommendations of the steering committee. As a consequence of this White Paper, a consultation was held with national sporting organizations. I think some 23 such organizations attended the discussion which was held at the national stadium some time in 1988. What emerged from this consultation—and I will quote from a summary of comments on the proposed national sporting authority prepared by the Ministry of Sport. The comment was:

"Organizations expressed concern that the proposed national sporting authority will usurp their power and control over their respective sport."

They viewed the efforts of the Government through the Ministry of Youth, Sport, Culture and Creative Arts as wanting to impose upon them an authority not to assist with the regulation of sport, with the funding of sport, with the general administration of sport, but one that would usurp their power and control over their respective sport. It is interesting to note at this said consultation, the comment of a player in a particular sport who was present. That player said:

"There is need for a national sporting authority. Outcry by most national sporting organizations emphasizes their fear of being regularized and of being held accountable for decisions and selections made by them. Too many national sporting organizations operate like private clubs."

This was the comment of a player, a well-known name. If I call the name everyone will know to what sport that particular player belongs.

It is my view that this player was articulating the views of the majority of players in Trinidad and Tobago and how they view their own national sporting organizations—private clubs, run by a few, not for the benefit of the many, but for the benefit of a few.

As a consequence of the adverse comments, the negative comments made by the many national sporting associations—not all, but many of those which attended—the Ministry of Sport seems to have put the whole idea of a national sporting authority on the back-burner. Perhaps the Ministry was correct in not wanting to impose its will on the national sporting organizations in the country but I express the personal view that a national sporting authority is necessary if we are going to have an orderly development of our sports. Again, I would like to emphasize the value of sport not only to the development of the human personality but to national development. If we accept and admit that sport is an activity which makes a contribution to national development, then, in my view, there is a need for a national sporting authority to regulate the affairs of our many national sporting organizations.

I have enumerated some of my concerns about the present administration of sport and to me that emphasizes the need for a national sporting authority. But like the Minister responsible for sport, I would not like, if I had that authority, to impose my will on the various sporting administrators. Therefore, I am going to

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propose an approach which will, in the final analysis, I hope, influence national sporting administrators that such an authority is necessary.

As the resolution said, I am proposing a meeting with all organizations and individuals. I want to indicate that the wording was used deliberately so that we do not have merely another national consultation to which we will invite national sporting associations and they will send officers of the organizations to that consultation who will express no interest in the formation of a sporting authority.

The drafting of my present resolution was influenced by a recent pronouncement made by the Minister of Youth, Sport, Culture and Creative Arts and the chairman of the West Indian Tobacco Sports Foundation, at a recent WITCO ceremony in which they both considered the holding of seminars in 1991 for sport administrators. I hold the view that the meeting I am proposing through my motion will inform the input into these proposed seminars that are being planned.

**3.40 p.m.**

Mr. President, I have a vision of a different type of consultation, a consultation with a different style. I am proposing that this meeting of organizations and individuals interested in the development of sporting administration, should deliberately exclude sporting administrators. I am saying that it should deliberately exclude them, since it is their method and procedures which are in question. I am saying that as a consequent of the White Paper, the sporting administrators were invited to a consultation and they have recorded a summary of the comments which those sporting administrators made. I am now saying, we want to hear from Mr. John Public and, in particular, we want to hear from the participants in the various sports.

**Sen. Alexander:** In the amendment, the meeting to be convened, is one with all organizations. Could Sen. Lequay tell me how he conceives the administrators being out of the organizations?

**Sen. Lequay:** Mr. President, the hon. Member needs to read the entire resolution. "All organizations and individuals interested in the development of sport". That does not necessarily mean sporting organizations. West Indian Tobacco is interested in the development of sport. There are many other private sector organizations that have not only expressed interest, but have made substantial financial contributions, like Trintoc and Trintopec. Those are people



who are willing to fund the development of sport. An organization to which I belong, is now holding discussions with the Amar Group of Companies to attempt to achieve an input from them in the development of that particular sport. This is not an advertisement.

All I am saying here is that there are many organizations in the country, public and private, and many individuals who have demonstrated an interest in the development of sports. I feel that it is time we hear from them, their views and what is wrong with our present national sporting associations. As I have said, we already have documented the views of the sport administrators themselves. As they have indicated, they are concerned with their power and control being eroded by this new authority. So let us attempt to get the opinion of the participants and the observers.

The questions which I would pose to them are as follows: Are the clubs satisfied that the constitutions of their respective national sporting organizations are adequate? We have been told that there is one particular organization in which there is great difficulty in changing the officers. Even if you are not satisfied that they have run this particular sport satisfactorily over the last year or two, the constitution is so designed, that it almost makes it an impossibility to make a change unless the officers themselves do not want to offer themselves for election in the next year.

I will ask the question. Are the objectives of the national sporting organizations as outlined in the constitutions, being pursued? All of us have seen the constitutions of these organizations and we know that they start with the name and then the aims and objectives and they are listed in beautiful legal language, some of which are even prepared by attorneys-at-law. The question remains, are those objectives being pursued or are they only there within the Constitutions to give the impression that these are democratic organizations and they have in mind the development of the particular sport in a certain way?

Are the officers of the national sporting organizations accounting annually on their achievements, or lack of achievements of the particular organization? Do we, in fact, have annual general meetings of all our national sporting organizations? I think it is fair to say that there is one particular organization which is having much difficulty in calling an annual general meeting over the last three years. So there is one set of officers who has been there for a period of time and we have seen the deterioration of that particular sport. Is the welfare of players being taken into

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consideration when organizing competitions, both nationally, regionally and internationally? How do the officers of these organizations relate to the national players? Is it purely a matter of a selection committee selecting a team and the players being advised and the national associations not being concerned about all the inputs necessary for the successful participation of the players in whatever sport they are to participate?

Mr. President, the cost of sporting equipment today, is extremely high. Over the weekend I was discussing with some players, the cost of a cricket bat and someone reminded me that—in what is called the good old days—you could have bought a cricket bat for below \$100. If you want to have a good “five star” now, it is somewhere around \$600 and \$700. So that it is not merely a matter of selecting a team, but it is also a matter of looking at the welfare of the players to ensure that they have the necessary equipment in order to perform satisfactorily, because we are selecting a team to represent Trinidad and Tobago.

Are the national sporting organizations truly national? In that, are they based only in Port-of-Spain? What geographical areas do they serve? Is Tobago included in their planning? I ask these questions because I have had the experience that up to 1979, a particular sport in which I am involved, was organized in two geographical areas, Port of Spain and San Fernando. Therefore, it was difficult for any player with talent in the outlying districts, in the rural communities, to address national selectors. I am aware that in certain sports today, there are players who suffer the same fate because their organizations are centralized and they have not developed sufficiently, in order to take into consideration the whole of Trinidad and Tobago.

### **3.50 p.m.**

In 1980, as a consequence of the Rees Commission of Enquiry Report, the organization to which I referred transformed itself and now has seven operating zones in Trinidad and an affiliate in Tobago. When one hears of Augustine Logie coming from La Brea; and Rajendra Dhanraj coming from Barrackpore, David Mohammed from Lengua, David Williams from Lachoos Road; Ian Bishop from Toco, it is not by chance. It is because that particular organization in the last 10 years expanded its operations to ensure that every village in Trinidad and Tobago was adequately serviced. We have seen the results of that type of administration. As I said, this came about as a consequence of the Government of the day, appointing the Rees Commission to enquire into that particular sport, and coming

up with certain recommendations which were accepted by Cabinet and which the particular sport was asked to implement.

I am suggesting that many of our national sporting organizations are, in fact, not truly national because they do not adequately serve the needs of all the young people of the country who want to participate—and as my friend said, in particular the rural communities. You will note that the names that I have just called have been identified with all our rural communities. You will understand what that does for that particular rural community. You will understand how proud the people of La Brea feel that they have produced an international player of the calibre of Gus Logie. You will understand how proud the people of Toco feel when they see and hear about their Ian Bishop, regarded today as perhaps one of the best fast bowlers in the world. So, it is not just a matter of finding the player through a proper organizational structure, it is also a matter of bringing pride to the particular community from which that player emerges. That point again emphasizes the value of sport development.

Mr. President, I ask the question: Is there a development programme which looks to the future expansion and orderly development of the particular sport? Is it merely an annual exercise in drawing up of fixtures for a competition and at the end of the year presenting prizes at an elaborate presentation function? In today's world that certainly is not enough. One has to look at the future development of the sport at the club structure, at the management capability of all the administrators that we now have in various parts of the country. How do you assist them to perform their functions adequately? How do you help them to develop to become, not only community organizers, but perhaps national administrators? There is need for a development programme in every sport in Trinidad and Tobago, particularly in certain sports which are today not attracting the young people from the schools or colleges, that these sports did in previous years.

One has to examine the reasons that recruitment process is becoming more difficult—the social and economic reasons. We have noted that there are two sports in particular in which the young people are finding it easy to participate: basketball and netball. Perhaps there is an economic reason. Why is it easier to participate in those sports? You can move around the countryside and see a basketball board attached to a tree-top, house or garage and people are there

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practising. In certain other sports, this is not possible. The development planning is necessary to look at every aspect of the development of each particular sport.

I ask the question: Is sufficient attention being paid to human resource development, so that we can train people to manage efficiently, the affairs of the national sporting organizations? As I said earlier on, this is why I welcome the efforts by the Ministry of Sport and the West Indian Tobacco Company, in planning seminars this year for that particular exercise. Do we have annual audited accounts presented by national sporting associations? Is there a code of ethics which allows for action against officers? We certainly have heard about disciplinary measures against players. What about disciplinary measures against those responsible for the organization of the sport?

**4.00 p.m.**

These are some of the questions which need to be answered and which must impact on any strategy we develop to regulate the performance of the national sporting organizations. I have stated many times, I have said in this short contribution and I want to emphasize, that sport is a human activity which unites people. If I had to make a choice between the two activities in which I am now engaged nationally, my choice would be very clear.

Unfortunately, it appears that the operations of some national associations are achieving the opposite, that is to say, they are not uniting people. They are creating disharmony and disunity among their very ranks. I venture to suggest that this is due to ambition, selfishness, monetary considerations, power struggles, all of which cause administrators to lose sight of their original objectives. I venture to suggest that the internal bickering has a negative effect on the performance of the participants.

There is a particular sport in which Trinidad and Tobago achieved international status. In recent times that sport has not been able to participate at regional level. That sport has not been able to select a national team to play a friendly tournament against a visiting international team. Yet, not many years ago, that particular sport achieved glory for Trinidad and Tobago, right here in Trinidad and Tobago, performing at the international level. Because of the internal bickerings, the conflicts and the search for status and position, today, sadly, we have seen a deterioration in the administration of that particular sport and it has affected the performance of the participants.

I am submitting that this area of national development is too important for us to ignore the rumblings and the deteriorating standards. There is need for the meeting, which I am proposing, to be convened by the Minister of Youth, Sport, Culture and Creative Arts, so that we get a feel of the views of the thousands of people, through some sort of representation at this meeting, as to how they see sporting development; so that we get the view, particularly of those who are mostly affected by inefficiency, and that is, the players themselves.

I am certain that if we could collate these views and put them alongside the views of the administrators, which we already have, we will be able to refine this White Paper and proceed to the establishment of the National Sporting Authority which, in my humble opinion, is necessary for the orderly development of sport in Trinidad and Tobago.

I beg to move.

*Question proposed.*

**Sen. Dr. Prakash Persad:** Mr. President, allow me to congratulate the Leader of Government Business for bringing forward this motion. Also, even though belatedly, allow me to congratulate him for the award he recently got for having made major contributions to sport administration in this country.

However, allow me to express my disappointment in that he has changed his motion in a form that I do not understand, from a national consultation, to something of a meeting, and from his stated objectives for changing, I am not sure that this would achieve such a purpose. But if he thinks so, I would let it pass for the time being.

Allow me also to sympathize with the Leader of Government Business, for I understand his feelings as being a genuine administrator of sport, for having sportsmen in his heart, to have to come to this hon. House to move a motion in the capacity of a private individual, when his Government is not doing anything about it. I sympathize with him. I understand his position and I further congratulate him for having this courage to stand in his private capacity to make such a motion.

If you look at the various opinions in the *Express*—I quote from the October 17 editorial which asked that sportsmen be given a sporting chance—it would seem that to be a sportsman in this country, you have to be a good sport to put up with the vagaries of the administrators.

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**4:10 p.m.**

**Sen. Rampersad:** Mr. President, I may provide the hon. Member with the one on sports, please, if he so wishes.

**Dr. Persad:** I see a hurried document.

**Sen. Alexander:** I wonder if I might be enlightened as to where those documents came from.

**Sen. Lequay:** Watergate.

**Dr. Persad:** Mr. President, apparently not only Nazis have propaganda machines; apparently this Government does.

**Sen. Atwell:** Where did you get it from?

**Dr. Persad:** On my desk.

**Sen. Atwell:** That's what we are asking.

**Sen. Furness-Smith:** On a point of order, Mr. President. Documents are being waved around this House. I think we are all entitled to know, because we have all had them, like Sen. Persad, and apparently we are to have more. I think we are entitled to know whether they are printed by the Government Printery, whether they are productions of the Ministry of Information, or of some party organization, on whichever side that may be interested. We must know where they come from.

**Dr. Persad:** Mr. President, as I said, I did not distribute them. I got them. Whether they are from the Government or from the NAR or from individual Members, they do not indicate where they were printed or by whom. As I mentioned, maybe some people have learned from the Nazi propaganda machine. Who knows?

Mr. President, as I was indicating to you and this honourable Senate, all of a sudden the Government seems to have abandoned the sporting disciplines and laid the blame squarely on sports administrators, despite the fact that in this White Paper on the establishment of a National Sporting Authority for the Republic of Trinidad and Tobago, this committee was asked, as the hon. Member mentioned, to prepare a brief in accordance with the manifesto. Proposals from the manifesto itself were given in this document. The question is, why is it that all of a sudden all blame is being laid squarely on the sport administrators? I am not saying they are

the best. I am not casting judgment. What I am saying is all of a sudden you are quite happy to claim credit for whatever good that came out of it.

**Sen. Lequay:** Mr. President, on a matter of clarification, could I merely point out to the hon. Member that what we are doing is debating a private Member's motion. I did not enunciate Government's policy on sport. I merely referred to a paper that came out of that particular Government Ministry in its effort to regulate sports.

What we are debating is not Government's policy, but it is a private motion which I moved in my private capacity, which I have the right to do under the Standing Orders.

**Dr. Persad:** Mr. President, as I noted in my initial remarks, it is a private motion, and I congratulated the Member for having the courage for being in a Government and to come in his own capacity and move such a motion. I congratulate him again.

Mr. President, if I may continue, while this is a private motion, I agree, but the fact is that the Government itself plays a role in sports in this country, and it has neglected its role; it has acted in a fashion that is far from desirable. Those aspects of the formalization of the sport administration, Mr. President, I will leave to the hon. Sen. Wade Mark who will deal with it in greater detail [*Interruption*]*—*and a quite good one at that, better than you.

Mr. President, I want to concentrate on not so much the administrative problems that the Senator spoke about, but rather I would talk about sport from the point of view of a discipline. From the attitude of some of the Senators on the other side, I am sure they are not sportsmen. Sportsmen tend to be disciplined, but one understands that. As the Latin statement says, *mens sana in corpore sano*, a healthy body keeps a healthy mind. One sees clear evidence of a lack of this sort of sporting discipline.

If you are to use sports as a means for discipline of the minds of the young people, I ask the question: Why is it in our school system, moreso in the secondary school system, there is so much violence in schools? This is something that maybe the hon. Member should think about. Maybe when he wears his other hat in terms of government, as a Government Senator, maybe he should think about it. How come? Where is it failing? Why has the system failed?

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If you look at the junior secondary schools, Mr. President, with all these sporting facilities in which people ought to be disciplined, what do we have? We have extra violence? We have students from one school storming another school "Rambo style", as one newspaper put it. What is it? You see, this is typical of the Government. Everyone is to blame except them.

**Sen. Rampersad:** Thank you very much for giving way.

Mr. President, may I ask the hon. Senator if he is making insinuations as to the fact that sport or the lack of sport is creating situations where you have violence in schools?

**Dr. Persad:** Mr. President, I am not insinuating anything. What I am saying is that school children fight one another with vicious weapons, vicious battles, and that if there are sporting facilities in the schools why is it that this occurs? Why? Who is to blame?

Is the Government going to put the blame squarely on the parents again? Who are we going to blame? Why is there not some sort of proper policy on sporting disciplines in schools, some proper sports programme being implemented? Sports that would help to discipline the students, sports that would help them to become better citizens in this country.

This in itself, Mr. President, has nothing to do with sports administration, outside of Government. This falls within the purview of Government, and there is a failing there.

**Sen. Sampath:** Mr. President, I would like the Senator to answer two questions: Is he saying that this Government is responsible for the violence in schools? Secondly, is he telling us that these children who are violent were born less than five years ago?

**Dr. Persad:** Mr. President, through you, if proper sporting facilities and proper sporting programmes were available for the students who wish to channel their energies and their talents, then these sort of violent situations surely would not arise. If students are naturally inclined toward the martial arts instead of practising on other students—

**Sen. Sampath:** Thank you for giving way again. Mr. President, I wish the hon. Senator would answer my question instead of hypothesizing *ad infinitum*.



**Dr. Persad:** Mr. President, if students are violent, then it is a direct result of the system. You draw your own conclusions. When I went to school, certainly if we had differences, we certainly did not pull out knives or these sort of things. It is a product of the environment. Since students spend most of their waking hours in schools, you draw your conclusions. Obviously, my thinking is that it is not the Government's fault, but it is a lack of policy programmes in that area.

Why are proper programmes not instituted in schools? There are many disciplines that can be used. You have the martial arts: karate, judo, ikido, a whole range. If properly instituted in the school system, these would give the students a chance to channel their energies to develop their potential. It is a matter of discipline, and it is nothing new. In many schools in North America, Japan and other places—

**Sen. Furness-Smith:** On a point of order, Mr. President. The motion before us relates to sporting administration. There is nothing, in the hon. Leader of Government Business submission that indicated it was on the question of sport in schools. It was on sporting administration, which I took it to mean was after school. The business of sporting administration in schools is surely a matter for the Ministry of Education.

Now, it may be, Mr. President, the hon. Member could extend this debate to include the whole conduct of the Ministry of Youth, Sport, Culture and Creative Arts. He could include sport in schools. He could include almost everything, but I would submit that he is, at the present, out of order in that respect.

I urge him not to try and turn this debate into a political game of tennis, and to let us try and address the question which the hon. Leader of Government Business very, if I may say so, maturely and responsibly was obviously concerned about and tried to put to us. Let us not get into a big political debate this afternoon. Thank you.

**4.25 p.m.**

**Mr. President:** Hon. Senator, the point Sen. Furness-Smith is making is that you should try to deal more with the substance of the motion, the administration of the sporting organization. I appreciate the point you were making and I was interested in it myself but I think you belaboured it a little too much because you were having a direct dialogue with the other side.

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If you view what another Member in another place once described as "asides" you can ignore them and deal with the Chair and you will get along with your contribution within the allotted time.

**Dr. Persad:** Thank you, Mr. President. I agree it is good advice to ignore them.

I was merely indicating, and my line of direction was, that sport administration includes both school and outside the school. There is a link in that—and I play cricket for my school— you play for the school and you play in the leagues outside. At the university there is a University club which plays in the leagues outside, so there is a direct involvement. If hon. Senators and the legal luminaries think that I am out of order, I would abide

**Mr. President:** I am not saying that you are out of order. I am saying that you have made the point and I think you can continue with the question of sport administration.

**Hon. Senator:** He is not learning.

**Dr. Persad:** Mr. President, I will move on.

I myself play sport and I am involved in the administration, not at a national level as the distinguished Leader of Government Business, but at the league level.

At the league level, we have considerable problems. One of the problems that we have there, and I think ought to be considered seriously, is the use of alcohol in sports.

**Hon. Senator:** That is a good point.

**Dr. Persad:** The use of alcohol in sports is increasing and this is bringing about very disturbing effects.

If sport is meant to discipline the mind, to inculcate discipline, to bring about better citizens, to my mind it does not make sense when you have advertisements that link successful sportsmen with specific alcoholic beverages, or cigarettes. This is what the sport administrators should look at, and maybe even the Government: the effect of advertisements, especially these types of advertisements on the sportsmen.

When people go on the sport-field intoxicated, what happens is that the spirit of sportsmanship is reduced. The whole idea of having sports is defeated. What

happens then is that it deteriorates into a situation that is most unpleasant. This is something that sport administrators should look at very seriously.

Mr. President, in terms of discipline. Whilst the hon. Member did mention that one particular body has expanded its activities and is doing quite well, in that said discipline we are having tremendous problems in that the umpiring is a serious problem. We have problems with umpiring, not only at the international level but at the local level. If we are to have people who are disciplined, who must understand the concept of winning and losing, and losing graciously, then some programme must be instituted for the proper training of umpires and players to understand the rules of the game. This is something that is extremely urgent and I do hope that in the consultation that is going to take place, that this aspect will be brought up.

**Mr. President:** Could I interrupt you at this stage? The sitting of the Senate is suspended for 30 minutes. We will resume at 5.00 p.m.

**4.30 p.m.:** *Sitting suspended.*

**5.00 p.m.:** *Sitting resumed.*

**Dr. Persad:** Mr. President, when we took the tea break I was speaking about the need, at a local level, for sportsmen themselves and the ancillary staff, such as those who umpire, to be upgraded properly in order that the games be carried out at a level for perfect sportmanship to take place.

In this consultation I would hope that the Ministry sees it fit to invite doctors, from public and private institutions to ensure that they are made aware of the urgent need for a greater number of doctors versed in sport medicine because there is a fair amount of injury that takes place, especially in some of the newer games that are quite robust. Also, other bodies such as registered dietitians, should be invited because I think diet plays a very important part in many sports. Recently we had a case of a marathon runner who died from anaemia without probably realizing that his diet was inadequate. The dietary intake was not adequate for his sport. I think this is a crucial area that should be looked at.

We should not only look at sport from the point of view of competitive sport but rather as a means of leisure. In this regard I suggest that maybe, private and religious bodies be involved because a lot of sport at a leisure level takes place among these bodies and maybe they can also have a similar input. At the risk of

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sounding controversial again, in order for people to participate fully in sport, facilities should be installed.

The hon. Member mentioned the rising cost of some of these ancillary equipment needed to play the game, for example the cricket bats, and a decent bat, I understand, costs more than \$700.00 maybe \$1,000. The cost of the balls—it is very expensive to play some of these games. Maybe some sort of concessions can be made in this regard.

In the provision of adequate playgrounds and facilities in the playground, I think this is an area that is lacking, and I hope the Government, private institutions or the local bodies should take some action. For instance, the largest savannah in Aranguez was donated by the Aranguez estates which is a private body that has given the public the use of this large piece of land.

In the East/West Corridor where the population is concentrated, there is a definite lack of facilities in this regard. There is one in Barataria, probably one in Malick, Aranguez, Curepe and Tacarigua, but the sort of population that these playgrounds service, I do not think they are adequate and serious consideration should be given in that area.

As they say, sport should not only be looked at from its competitive point of view, but rather in terms of developing community spirit for the elderly. So in these playgrounds I would imagine that some sort of lighting and benches would be nice, where people can play or walk, some sort of bike trace. At present I live next to a playground and there is an increasing number of elderly people which is very admirable, they go out and walk or run on evenings.

During the cricket or football season it becomes a bit cumbersome and even dangerous at times when too many activities take place on one playground. I have seen runners being hit with cricket balls; I have seen little children being knocked down for the simple reason that there are not adequate facilities. I think that something should be done in this regard. All the lands being acquired for recreational purposes, as I noticed in the last document when the Minister was here on the last occasion, out of five playgrounds, five were situated in the ward of Siparia for some reason. More recreational grounds for the people in Siparia is great. I think they need to be distributed evenly all over the country, moreso, along the East/West Corridor where there is a high density of population.

Mr. President, I would hope that in this consultation people from the media, moreso from the television, should be invited, because there must be some

television policy on sport. I am sure that the sudden popularity in basketball owes a lot to the amount of television coverage that it gets. So it has an impact. From my own viewing of television I have not been able to decipher exactly what is their policy because arbitrarily, they show a lot of football and basketball. There are many other sport, in this world that they do not show. For instance, some of the olympic sport is shown while for other such sport there is no coverage at all. If you want to encourage sport and many disciplines in sport, the television coverage should be more balanced. I hope that these media people would be invited to the consultation and some sort of policy can be brought about. At the same time, I hope that the question of advertisement with respect to alcohol and cigarettes would also be covered there.

In winding up, Mr. President, we in the Opposition believe that sport is the way for the development of the human being and for the development of good citizens. We think that all citizens have the right to this development. As I have mentioned before, we believe in the development of people. If I may quote again from the last chapter of the *Holy Ramayan* it states: [Hindi quotation] When translated it means that this body is a gift from God and that the development of this body is a divine right, that everyone should be given a chance to have this facility in order that their bodies may be developed physically. This is what we in the UNC believe, that it is the people's basic right towards development.

I must congratulate the Member for moving such an important motion. I sincerely hope that it meets the success that it deserves. I thank you.

**Sen. Allan Alexander:** Mr. President, speaking for myself, I do not see the need for the motion before the House. I think that the time has long passed since the problems in sport administration have been identified. Present company excepted, the problems in sport administration lies squarely with those sport administrators who, for one reason or another, have ensconced themselves in the various sporting organizations and both the players and the clubs in those sports find it extremely difficult to dislodge them.

### **5.10 p.m.**

Even if the proposed meeting is convened, and assuming that I am wrong, that the problems have not yet been identified, but the problems nevertheless turn out to be the persons in sport administration, what are the corrective measures to be taken?

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The corrective measures, I submit, will be some mechanism by which these persons can be removed. It seems to me very difficult, if not impossible, for the meeting envisaged by the proposer of this motion to institute those measures and to have them introduced so that they should be effective.

Early in this Government's administration, in 1987 in fact, there was appointed a very high-powered commission by the Minister of Sport to look into a certain sporting activity. That commission reported in 1987 and, in effect, the findings and recommendations of that commission were based on the ground that the organization appeared to be acting undemocratically. It suggested that the constitution of that body be amended so that the organization and its officers will be subject to all the rules of democracy, as we understand them, and to accountability. The Minister could not direct the organization or order it to change its constitution and so the constitution remained unchanged. At this very moment there is in existence, another commission to investigate some of the activities of that very administration.

My contribution is short. We know what the problems are and the corrective measures which need to be taken. We cannot take these corrective measures. No Minister can take them. But, of course, there is a way out. This Government and the previous Governments have been making subventions and giving grants to sporting organizations. I suggest that is not the way to do it. I suggest that conditional upon the making of grants and subventions to sporting organizations, the Government must insist that there be in every organization seeking its assistance, a minimum of democratic rules in their constitutions, including the question of financial accountability. You are not forcing the organizations to do that but if they want the money from the democratic peoples of Trinidad and Tobago, they themselves must act democratically. If they do not want to act democratically and they do not want to have our assistance, then they must go their own way. But not this, not another convention; not another commission. The money of the people must be protected and should not find itself in the pockets of some of the persons to whom I have referred.

**Sen. Prof. John Spence:** Mr. President, I am particularly impressed with the comments which Sen. Alexander has made. If we had to pass judgment on the resolution, I hope it would be altered to take account of his comments.

I have no difficulty in supporting any suggestion that is sensible by way of improving the situation with sport. My problem with this motion coming from the

Leader of Government Business is somewhat different. I apologized in advance to Sen. Lequay during the recess because I hate to have to be critical of Sen. Lequay. I think it is inappropriate for a number of private Members' motions to be coming from the Leader of Government Business. First of all, it implies that both the secretary of the party in power and Leader of Government Business are not sufficiently in touch with the Government to be able to persuade it to act without having to bring a motion to the Senate. It also means, of course, that there is less time for other private Members, Independent, Opposition and indeed Government backbenchers. To me, it is sad that we do not have private Members' motions coming from Government backbenchers, but they come from the Leader of Government Business. Indeed, we had a previous motion which one may say is now—

**Sen. Rampersad:** Mr. President, I object to the statement just made by the hon. Senator. In fact, Members on the back benches have brought motions to this Senate. I did on a couple of occasions.

**Sen. Spence:** Mr. President, I stand corrected. I should say more motions from the Government backbenchers. Indeed, we had a previous motion from the Leader of Government Business and of course there was no action until certain dramatic events intervened and that is what got the action, not the original motion. I have a great problem on that score. I have no problem with improving sports administration. There are three other motions by the Leader of Government Business in which I would not participate because I feel the way they should be treated is that if there is no debate, the point would be made. Thank you.

**Mr. President:** This is just for the record. Sen. Lequay is not a Government Minister nor is he a parliamentary secretary and, therefore, he is not considered a Member of the Government. He is a private Member and we have a description of private Members in the Parliamentary dictionary May's *Parliamentary Practice*. He is entitled to file a motion in the same way as Members of the Opposition benches, Independent Senators and the other backbenchers on the Government side who are not Ministers or parliamentary secretaries. Therefore, the motion is in order. He has been given no special preference. I know that you did not indicate this, but it just happens that he filed his motions first before others and that is how they appear in that order on the Order Paper.

**Sen. Spence:** I just want to say that I understood that point and that is why I use the term "inappropriate" rather than out of order. Thank you.

**Sen. Michael Mansoor:** Mr. President, like the two previous speakers, I too, would be very brief. I should like to join with Sen. Alexander in saying that I do not hold very much hope for a resolution of this rather difficult matter by holding another meeting of a rather motley group of people because the problem is a very complex one. On the one hand all sporting organizations in Trinidad and Tobago will continue to require and need a lot of voluntary assistance and to pretend or to hope that a national sporting authority, another arm of Government would be able to organize all the various sports in some sort of rational and economic way, to my way of thinking, is wishful thinking. We will continue to require the participation of individual citizens on a voluntary basis and I cannot conceive of a sporting authority doing the job in all the various sporting activities that we find cropping up in Trinidad and Tobago.

**5.20 p.m.**

I suggest that Sen. Lequay considers the usefulness and the possibility of creating a regulatory agency that would deal with the various sporting organizations and impose the type of strictures which Sen. Alexander spoke about. In other words, very simply, if an organization does not have an annual general meeting, and does not submit audited financial statements to its members or if it falls short of the basic requirements of this regulatory agency, it does not receive any subventions from Government. Further, some sort of mechanism should be brought into being that would stop organizations from fleecing the public of funds.

My suggestion is a very simple one. Do not foist upon us another bureaucratic sporting authority with all sorts of employees, clerks and bureaucrats. Let us have a very small regulatory agency and let us hope that agency would be able to achieve a far greater degree of accountability than what we find in the central and local government.

As I have made the point on several occasions in this House, so many entities within Government submit their accounts long after the periods which they are accounting for have elapsed, that it makes a mockery of accountability. That is my contribution and I hope Sen. Lequay would accept it in the spirit that it is meant. Thank you.

**Sen. Gerald Furness-Smith:** I am also going to be very short, but as I was directly involved in this debate I felt I had to speak. I am not going to say that the hon. Senator's motion is a waste of time. I applaud his initiative. But as you pointed out, Mr. President, while he is perfectly in order to bring this motion, it is



a little surprising that he, as the Leader of Government Business—he is not a Member of the Government, he is the Leader of Government Business and he is the person who speaks for the Government in this place; one has to deduce from his motion that the Minister who is responsible for this subject, is not disposed to entertain his ideas unless backed by a resolution. Equally, I take it that as she is not here—as she could be because the matter which we are debating is in her Ministry, she is entitled to be present and to speak on it—she is not at all that disposed to entertain his ideas maybe for the reasons advanced by Sen. Alexander and my other friends. In those circumstances, I would be happy to vote for his resolution which I conceive to be politically valuable, in that it will bring up a little heavy steam on this matter and maybe get something moving again.

Apart from that, I agree with Sen. Alexander. I do not think too much is going to be achieved except, to get this subject and the Senator's ideas into public prominence. We know that politics is a peculiar matter. Sometimes one has to go round about or move slowly in order to get things moving. I applaud his efforts in that respect. I entirely agree with what Sen. Alexander has proposed. Really, it is so obvious, particularly the instance that he mentioned, without mentioning it by name, we know what he was referring to; a lot of Government money has gone into that organization. We are yet to receive the Commission's report and we do not know how much money—if not Government money, public money—has been put into that organization and nobody knows where it was spent.

I am going to move an amendment because while I entirely agree with his preamble of the importance of these things, I do not agree with the establishment of a National Sporting Authority to control these things. I think we had it here on one occasion and we gave the Minister, I think, an indication of our strong feelings, that we did not want that kind of thing. It is a mistake because any human organization is going to have its problems, particularly if you want it to be a democratic organization. Even political parties which, after all, are some kind of glorified clubs or associations, except that they are dedicated to the national advantage instead of the sporting advantage, they have their little problems. People want to be in charge indefinitely and they do not wish to be subject to the control of an assembly or even a committee. They pass as they would call them in other countries a “ukase”, a “dictat”. Put here in Trinidad terms, “not a dog shall bark”. That is all very human. Once you have clubs and associations you are going to

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have these little problems. The first principle involved is that you cannot have “two man-rats in one rat-hole” and that is a principle of very wide application in these affairs. In fact one might coin an aphorism that the greater the power at stake, the greater the confusion. Really, although we have heard that some of these sporting organizations have not really had a very good press—to put it very politely—in the last few years, it is really nothing compared to the confusion that has taken place in some of our national organizations.

**5.30 p.m.**

It is all human, but do not let us think that by substituting control by a Government Ministry, we are going to achieve anything to put that right. It merely means that there will be confusion in the Ministry instead of confusion in the association and it will blunt all that wonderful enthusiasm all over the country—some of it good. As Sen. Lequay himself so amply demonstrated, some of the administrators do a wonderful job; there are hundreds and hundreds of people who give a lot of their time, doing their best. Not all of them may do such a wonderful job, but they are all doing their best, most of them.

That is what makes a democratic society work. All those clubs and associations: cricket, football, tennis, basketball, whatever. Everybody can play a part in some club or association—or even in politics. I would like to propose an amendment to the resolution clause which would read—

*Be it resolved* that the Minister in the Ministry of Youth, Sport, Culture and Creative Arts be urged to establish clear guidelines for the form and implementation of a democratic constitution of all sporting bodies and the administration of the affairs of such bodies as a strict prerequisite, of receiving any government funds whatsoever.

Now that is such a simple idea and simple amendment and it is being supported by my friends here. It is so simple, and we have to wait here in the fourth year of this administration to have it put forward in this debate. What has the hon. Minister been doing all this time? What has she been doing? She has been there four years and she has yet to introduce a simple guideline like this, to bring just a little discipline into what is clearly a national scandal and which last year, in the matter referred to by my friend, became a very big, tragic national scandal. It really was terrible, in my view.

Mr. President, I move this amendment. I hope somebody would second it and while commending the hon. Senator, I would be prepared to vote for his motion as amended.

**Sen. Deosaran:** I second the amendment.

**Sen. Wade Mark:** Mr. President, I myself would like to join my colleagues in extending congratulations to Sen. Lequay on receiving an award for good administration in the area of sport in Trinidad and Tobago.

Now, the motion that is before this House focuses on administration in the arena of sport and the various disciplines with a view to identifying problems and, as Sen. Lequay said, seeking to take measures to remedy same. But something that we probably would have to look at when analyzing and discussing this issue, has to do with what I call a sports policy. Sometime ago, I think it was in Europe, the Ministers of that community met and formulated a Charter entitled European Sport For All Charter. This particular conference took place in Brussels between March 20—21, 1975. A lot of emphasis on this Charter was laid on sport for all and the need for countries in that part of the world—I would say we can learn something from that as well—in focusing on a comprehensive sport policy for any society in which all citizens would be given an opportunity to participate, whether they are rich or poor.

When we are talking about sporting administration, we have to locate it within a context. I am saying that the context we would have to locate this sporting administration exercise, would be within the context of a comprehensive sport policy which has been largely lacking in our country.

There are many heroes who have brought glory and fame to our country from the 1950s coming right up to the 1990s. Because of the lack of recognition and the confusion which emerges because of what I would like to describe as the administrative dictatorship in the area of sport many of these heroes have been reduced to vagrants, hermits and paupers. The first sport that was able to bring a gold medal to this country was weight-lifting. Brandon Bailey was that man. Today in Trinidad and Tobago, you do not have proper facilities for weight-lifting and training.

I know that in John John there is a brother called Auburn Baptiste, a national boxer who is now a snocone vendor. Another person, Reynold John, football captain, just a few years ago was working with DEWD. Well fortunately today, I

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understand he is an Insurance salesman. How he got the job, I cannot say. The key point I am making here is that the administration, instead of seeking to play the role that it ought to play in the arena of sport, ends up occupying centre stage and the athletes are given secondary importance and a secondary role in this exercise.

We live in a country where, if we want to produce heroes, great sportsmen and women, another Brandon Bailey or Hasley Crawford, in the future, we have to recognize and understand that the role of the youth in the school system is very critical. As far as I am aware, we do not have one gymnasium in the whole of the East/West Corridor, in any one of our secondary schools. But it is at that level—if we are talking about great sportsmen and women of tomorrow—you have to begin training them. You have to begin training them at the levels of the schools, the primary and secondary schools. This is why I sometimes wonder if we have taken sport seriously or if sport in Trinidad and Tobago is still in a primitive backyard stage of development.

**Sen. Hosein:** Mr. President, may I enquire from my good friend here, whether, in fact, this country has a history of performance in terms of gymnastics, or the sport which he mentioned here; or whether, in fact, we have a history of performance in terms of cricket, football, basketball, athletics, netball and that kind of thing; whether in fact the lack of these facilities also extend themselves to those sports I mentioned before, which are, in fact, the sports in which the majority of people along the East/West Corridor and elsewhere as well, participate?

**Sen. Mark:** I think the Hon. Senator has missed my point completely. I was simply advancing the view that we need to establish proper facilities in order to lay the foundations for great sportsmen and women of tomorrow and I am saying that those facilities are largely absent in our school system. That is all I am saying.

Mr. President, in the area of administration and the relationship that exists between the athlete and the administrator, too many of our sportsmen and women are not given the opportunity to become role models or persons in the society that the young people of our country can look up to because they are not given the kind of recognition that they deserve. I suggest that we take a page out of the Cameroon's book. The recent World Cup. Even though that country did not win the recent World Cup, the Government of that country recognized the contribution of those sportsmen, and each one of those footballers was given a house and a motorcar.

**5.40 p.m.**

What I am saying is that recognition is important. People like to be recognized, particularly when they contribute. Sport in Trinidad and Tobago is based largely on charity. It happened in the last administration. It is continuing in this administration where we have not taken sport seriously.

Now, you have something called centres of excellence. If you really want to understand or measure the physical capacity of an athlete as it relates to his/her performance, you have scientific institutions established in the big countries, in North America, Europe where you can physically measure a person's capacity to perform. We do not know to what extent our footballers, when we confronted the United States, were really ready.

In other words, what I am saying is that we have not really scaled that height to recognize these important elements and put sport on a scientific footing, and begin to recognize that you need a lot of scientific-minded people in that arena, if that discipline is to assume professional proportions and standards. We do not have an institute of medicine for sport in the country. There are a number of important people such as, sport psychologist, dietitian, sport nutritionist, we are talking about bio-mechanist who could be utilized if we are talking about improving sport and dealing with the flaws and the deficiencies that Sen. Lequay and so many other people pointed out here this afternoon, in regulating and seeking to eliminate those deficiencies. We are scratching the surface.

If you have to deal with a problem you do not cut down branches from a tree. The tree is going to blossom again. You have to get at the root. Dig it out. If we are serious about sport and dealing with administration, we have to question whether, we in Trinidad and Tobago, have been able to focus on devising a comprehensive sport policy that is rooted in the 1990s and the 21st century as we move towards that; that is scientific, not primitive and backward.

I am saying like my colleague, Sen. Alexander, I really wonder to what extent, with all his good intentions, this exercise is going to be successful, because we are not living on Mars. We are living in Trinidad and Tobago. Therefore, how is it possible, if we are talking about sport, to separate the absence of a real serious policy on that particular discipline, as it relates to the Government of this country. It is highly difficult to separate both. Government has a responsibility in that arena more than the private sector.

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The private sector today is playing a much more critical role in sports in Trinidad and Tobago than the Government itself. Every little outing—Sen. Amar will talk about that later on—that we have to organize, it is a begging scene that is taking place. Sen. Lequay alluded to this begging mission where, he himself is going shortly to beg and solicit assistance to rescue sport and to give the sportsmen and women a chance to survive and to display their skills, talents and abilities.

I would not want to take too much time on this particular motion. I think that we need more facilities for our sportsmen and women. The facilities are inadequate and I think that most of us would admit to that. Therefore, if we are serious about dealing with sport I suggest that we must consider the possibility of enshrining into our Constitution, the fundamental rights of the people to engage in sport. There are many countries in the world today, particularly in Europe, where the right of the citizenry to participate in sport is enshrined in the constitution of those countries. I know there are various forms of sport. I am certain that Sen. Rampersad could do with some conditioning, in terms of walking. That is a form of sports too.

**Sen. Furness-Smith:** On a point of enquiry, do I understand that it is part of the policy of his party that the right of every citizen should be enshrined in the Constitution to engage in every sport or just the sport of his choice? If it is to be in the Constitution, is it the policy of his party that the Government supply facilities for all the citizens to fulfil their wishes in that respect? If he could tell me how much that policy would cost, I would be so grateful.

**5:50 p.m.**

**Sen. Rampersad:** While the Senator is on his feet, may I also seek the opportunity of asking a question. Would it be his party's policy if it becomes the Government that every sporting personality that does well in this country—whether it is a cricket team or a football team, in any sporting discipline to give that person or persons a car or a house?

**Sen. Mark:** Mr. President, we are talking about a very important subject matter here that affects all the citizens of Trinidad and Tobago. It is not a partisan exercise that we are engaged in here. I suggest to all hon. Members who would like to know more information on the policy of the party that I have some application forms and I can make them available to them.

**Sen. Hosein:** Mr. President, when these forms are filled out by the general population, is the address for depositing them located at the Amar headquarters in Barataria?

**Sen. Mark:** I am going to ignore such remarks at this time, but essentially to locate my contribution within the context of sports for all. Whether you are like Sen. Furness-Smith, getting aged, that is not the issue.

**Sen. Furness-Smith:** Mr. President, that is definitely out of order. However aged some of us may appear to be, to state openly that we are aged like that, it must be out of order.

**Sen. Mark:** With due respect, Sir, the key point I am making, Mr. President, is that we have to focus on sports comprehensively, and that takes into account all, whether you are young, old, or not so old.

I had the privilege recently of coming across a report, and I want to bring it to the attention of Members. That report is entitled, "Health Conditions in the Americas", and it is published by PAHO, the Pan American Health Organization, for the period 1985 to 1988. There is a section that focuses on Trinidad and Tobago. On page 269 of that report, there is a section dealing with the health of adolescents and adults, and it states that the leading cause of death in Trinidad and Tobago in 1983 was accidents, 19.8 per cent; while the second leading cause of death in the age range of 25—44 was heart disease, 15.3 per cent.

Then they went on to talk about malignant neoplasms, 8.3, that is people who have all kinds of problems, such as stomach problems, prostate problems and so on; suicide 6.5, and cerebral vascular disease, 5.6.

The simple point I am making here is that physical activity is critical to prevent as much as possible heart diseases. Not only in Trinidad and Tobago, but in most developing countries and advanced countries you have people suffering from heart diseases because they eat too much and they do not exercise. Sen. Felix Rampersad would know that, you have to exercise.

I am simply saying that what we need in this country is a comprehensive policy that would encourage all the people of this country to participate. It is not a question about forcing anyone to participate, but you encourage people to engage in physical activity because it is healthy mentally, physically and emotionally. This is the point I am making.

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We are an island and I do not have the statistics, but I hazard a guess that less than five per cent of our population probably can swim. Now, I mean to say, we are an island. That is something that should be compulsory. All citizens of Trinidad and Tobago ought to be able to hold his or her own end in the waters of our country.

It is in this particular context, Mr. President, that I am making my contribution in terms of a comprehensive sports policy for the people of Trinidad and Tobago.

Did you want to make a point?

**Sen. Rampersad:** Mr. President, may I crave the indulgence of the hon. Senator, because it seems that he is winding down his contribution.

I asked a very salient question, and I would really like an answer because it has to deal with a particular position that he took somewhere in his contribution when he said that the members of the Cameroon football team got something for their effort.

Let me assure the hon. Senator that you have 15 or 16 players on the Cameroon team who were offered that. My question is: Would it be his party's policy to give every citizen, every sportsman a house, a car, or a house and a car? If that is his party's policy, we the citizens of Trinidad and Tobago will know where not to put our vote in the next election.

Mr. President, while I am on my feet, let me assure the hon. Senator that I am a practising sportsman. He does not have to worry about my eating habits. Let me also tell him, Mr. President, that my brain is intellectually exercised all the time. I do not know if I could always say that about him.

**Sen. Mark:** Mr. President, my colleague who will speak shortly will respond appropriately to Sen. Rampersad.

Mr. President, in concluding, I would like to indicate that we really have to focus—in fact, I have read this document, *Medium Term Macro Planning Framework*, and there are less than two and a half pages on sports in this document, a very comprehensive document.

The question that we have to focus on in concluding, we have to move as a society and as a nation towards establishing certain institutions if we are serious about sports in Trinidad and Tobago. I am saying that one of those institutions that



must be established is an Institute of Sports. We have to talk about an Institute of Sports.

We have to also focus on establishing an institution that would deal with medicine, a Sports Medicine Institute so that for instance, people could be measured in a more scientific way when they are going to engage in physical activity of a competitive nature or character.

I believe that these are areas that as a nation, as a country, certainly we would need to focus on if we are committed to developing a comprehensive sports policy that would incorporate all of our citizenry in that particular exercise and process. Thank you very much.

**Mr. President:** Hon. Senators, at this stage, I would put an amendment proposed by Sen Furness-Smith and seconded by Sen Dr. Ramesh Deosaran. Are you seconding it?

**Sen. Deosaran:** Yes, but I wanted to make a point at this stage and ask that I be allowed to speak at a later time in the debate.

**Mr. President:** That is all right. The amendment proposed by Sen. Furness-Smith and seconded by Sen. Dr. Deosaran, is to delete the resolution at the end of the motion and substitute the following:

*Be it resolved* that the Ministry of Youth, Sport, Culture and Creative Arts be urged to establish clear guidelines for the form and implementation of a democratic constitution of all sporting bodies and the administration of the affairs of such bodies, and that compliance with which be a strict prerequisite of receiving any government funds whatsoever.

The motion and the amendment are now before the Senate for debate.

**Sen. Horace Wilson:** Mr. President, first of all, I would like to congratulate the Leader of Government business for bringing this very important motion for debate. As someone who had been involved in sports in my younger days and who has followed all branches of sport in the country, I am quite prepared to do anything to support any motion that is going to improve in any way the lot of the sportsmen, to highlight their predicament and so offer a better chance for them to achieve success in whatever they attempt to do.

This is not any great debate, I think, with respect to the need to explain the importance of sport to our country. It is a source of great national pride, and it is a

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measure of the success and the development of a nation whenever a country does well in sport. It is also used among young people to develop discipline, sportsmanship and character in people who are growing up. I quite agree with Sen. Mark that it should be encouraged among young people, and even the older people because it helps the total person to develop as individuals.

**6.05 p.m.**

Sport in this country has to be linked with other aspects of our development. There has to be a link between sport and tourism, where you are going to have sporting events that will encourage people to focus attention on this country and to come to this country; international events, so that sport could play an important part in the cultural and tourism development of the country.

I submit that the failure of this country to achieve more success in the field of sport is not because we lack talent in the country but because the administration, in many cases, is lacking.

Mention was made of the Cameroon team. The thing is that sport and sportsmen put your country into the international spotlight. I do not think that there are many people in this country today who could say who is the Prime Minister or President of the Cameroon but I think everybody knows who Roger Milla is—he is a sportsman. He is identified and he has put his country on the international scale.

Whatever we can do to encourage our sportsmen in this country, whatever we can do to bring their plight to the attention of whatever authority there is, I think has to be supported fully.

Sport is no longer a weekend affair in this country. People do not just go and play cricket or football on Saturdays and Sundays and at the end of the day that is it. It is a way of life to a number of people. It is a means that youngsters use to achieve success and what they hope to achieve through scholarships or jobs.

Mr. President, I am from Tobago and there is the St. Clair Coaching School in Tobago where soccer is one of the things that they teach. In the last couple of years there have been over 30 persons from that school who have been awarded scholarships to the United States to play soccer. I do not know the figures for Trinidad, but I know that many of those kids have gone through the Signal Hill Comprehensive School and because of their involvement in sport they have been able to get out of their lives and open up their vision and their ambitions

internationally. There is one young man, Mr. Mohammed, who is now doing his Doctorate on a scholarship that he got. Quite a number of them have been doing very well.

These are opportunities that they would not have gotten otherwise except through their involvement and commitment to sport, through their discipline and to some extent, through the administration. A number of them come from Tobago. Dwight Yorke is now in England playing professional football. These are people that the young people in the community could look up to and can hope to emulate and follow in their footsteps.

The whole of administration of sport has to be looked at because if there is no proper administration a number of these young people are going to abandon their dreams and they are going to be frustrated and the opportunities and achievements that they could have made to bring fame and fortune to themselves and this country, would be lost forever. If you lose them now you will never get that chance again because sport has a short life-span. If at 19 or 20 years you lose the opportunity to go abroad, at 30 years there is no guarantee that you are not going to make it.

We have to recognize that administration is a major constraint. In May of this year the Trinidad and Tobago Olympic Association is due to hold a one-week seminar on sport administration in all sporting disciplines in this country. There will be 30 sports representatives from Trinidad and Tobago and 12 from the Caribbean region, where things like financial accountability, planning and that sort of thing, will be dealt with at length. There will be a BBC producer down here who will be dealing with how to liaise the public with sport, how to open up the lines of communication between the administration and the public. So other people are recognizing that administration is important.

The West Indian Tobacco Sports Foundation, through its Chairman, Mr. Sedley Joseph—Sen. Lequay mentioned it—announced that they are getting involved in sport administration on a zonal level and they will be travelling all around to assist people in getting the administration off the ground. We have to support them because these are very serious areas, especially, as I said, for young people.

Last year there was a conference on sport medicine. I do not think Sen. Mark is aware of that. It was held at the Hilton Hotel and it was an outstanding success. There were more than 60 persons—in fact it was over-subscribed—who

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participated. There were people from Jamaica, the Netherlands, St. Kitts, Grenada, Barbados, all over the Caribbean. They recognize that sport medicine plays an important part in sport because people could be damaged and they need to be treated so as to be fit for further participation.

Mr. President, there are so many sports being played in this country and with such competitiveness and with so many dreams being nurtured, sport now demands full-time administration. Voluntary administration is not going to work anymore because we are aiming now at professionalism. We are aiming to put our sportsmen and sportswomen into the field of international sport and we cannot hope to send them out there if the administration is voluntary or substandard; if we hope to achieve any kind of international recognition. If we are to have achievements or acceptance, we need to have administrators.

At present cricket and hockey are probably the only two areas of sport that have any semblance of professionalism in their administration. The financial accountability is so lacking in some of these organizations that I think we should seriously consider asking the Government to take some kind of legal action against them, because some are very scandalous.

Trinidad and Tobago was once the world's champion in netball and last year the team was banned for a year from taking part in international tournaments because of its failure to take part in a tournament in Germany. It was expected to take part and it was advertised as being in the tournament and it just could not make it because of a lack of funds. This year it failed to meet the extended deadline for the tournament in Sydney, Australia. This was again because of poor administration.

Sometime ago that body was in a state of solvency. They had, I think, over \$150,000 and in the last couple of years it has just disappeared and there has been no accountability. There has been no audited statements from that body in years. The Minister has attempted to meet with them on several occasions to talk about their affairs and they bluntly refused to meet with the Minister. Trinidad and Tobago in the world of netball has been embarrassed.

### **6.15 p.m.**

Mr. President, football is also in a state of turmoil. The president has already signalled his intention to resign, the secretary has resigned and the assistant secretary has resigned. The position of national coach has not yet been properly

filled; we do not know how long he is going to be there or what is going to happen to him. No one seems able to pull football out of the financial morass into which it has found itself. This is from a team that took us on the verge of international achievement. Right now, there is probably more confusion and personality clashes than ever before in football. Trinidad and Tobago Football Association has to have some kind of accountability. November 19, was to have been a big day for us. It has now been accepted that there was over-selling of tickets. Scanning machines which were supposed to be used were never used. The Seemungal Enquiry has not yet been finalized and we are not sure what is happening, and football is one of the big sports in the country.

A coach is appointed who is out of the country for four or five months. He is also a businessman who cannot give his full time to coaching. Mr. President, it is no wonder that football is now not as important in the public's mind as it was.

Tennis also has new executives. The past officers have complained that the administration was taking too much of their time so they are looking for new people.

Boxing is a sport that I think needs some kind of administration because you have people who have achieved a lot in boxing. You have Claude Noel and Leslie Stewart who were both world champions. Nobody knows what is happening in boxing. You read in the newspapers that Mr. Stewart is fighting somebody, you do not know where, when, how much and all that kind of thing. It is a sort of mystery and probably for his own safety and protection he should be stopped. There needs to be administration to have this problem sorted out.

What is happening with all these sporting bodies is that they make no effort to keep proper books. They only go to Government when there is a tour. They need money to go on tour so they go to Government and they expect the Government to just shake the money tree and give them the money to go abroad and they are not accounting for it.

Jamaica has a sporting Ministry. There is a building which houses all the offices. Each sport has its own office and their books can be audited at any time.

The Football Association of Bermuda recently advertised for a full-time secretary. They are paying US \$32,000 a year for somebody to administrate football because they recognize the importance of administration. Not because of the lack of talent—we have the talent here—what we need is administration.

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[SEN. WILSON]

*Tuesday, January 22, 1991*

I want to just deal very briefly with what Sen. Persad said. He did not say very much but I just want to deal with a little of what he said. He kept saying that the Government is not doing anything for sport and he concentrated on talking about violence and alcohol—totally irrelevant. I just want to let him know that under this Government there has been additional coaching in netball, lawn tennis, cricket, basketball, hockey, football, volleyball and badminton. Sen. Mark might be interested in this—swimming. In fact if I may quote just a brief figure here on swimming: learn to swim for schools, a total of 3,401 students benefitted from that programme; learn to swim for communities, over 2,000 participants, public swimming, over 7,000 people.

So, we have been doing quite a bit in swimming. Sen. Persad made mention of something which I thought was petty, but I would just like to correct it because the impression given was sort of misleading. He mentioned that the Minister was involved in some advertisement or something like that. I do not think that is correct at all. That is just a little politicking, just being wicked. The Minister has a right—

**Sen. Persad:** Would the hon. Senator give way? Thank you, Senator. Is he stating categorically that the Minister did not appear on television with the football team?

**Sen. Wilson:** Mr. President, I think that the Senator knows better than that, but he is just trying to be funny. The Minister has all right to appear with the team. She is the Minister of Sport, and you have a sporting team that is involved and did well in sport. To say that she is advertising—I do not understand what he is saying. The impression I got from what he said is that she was being used to advertise some kind of product, or something like that.

Mr. President, this Government has also done “Scratch”, a game where millions of dollars were made and given to over 20 sporting organizations. The thing is that Government just cannot walk in and dictate to sporting organizations how to run their business or how to account for their finances. With better administration what we would like to do is to provide wages and insurance for our sportsmen.

I support Sen. Mark on the issue that our sportsmen deserve to get houses and cars. So do many people involved in culture, Daisy Voisin and everybody else. The

people involved in the steelband movement—if you go on, the list could extend from now until tomorrow. Everybody, including tassa drummers, deserves a house and a car. The point is, how far does the Government go? What level of achievement are you going to put? What yardstick are you going to use to give somebody a house or a car, or a house and a car? Of course, if the finances were better that would be no problem. Everybody, regardless of whether you have contributed to the national development or not, I think, could probably be entitled to it.

Scientific facilities and gyms—of course, these are things we would like to have. All the people would like to have these facilities, but at this point in our development with all kinds of other demands being made on the Exchequer: the hospitals want linens, vehicles want spare parts, the police want guns, it has to be a balancing act. You have to know what are your priorities. When I say that I do not mean that sport is not a priority but it has to be something that is worked out and determined by constraints of budget; whether resources are available.

I support Sen. Lequay whole-heartedly because I think that out of his motion would come some good, even if it is only to sensitize the population as to what is happening, and even if it is only to give aspiring sportsmen, cricketers, footballers, basketballers, body builders, other sporting enthusiasts an opportunity to achieve their goals; some in the field of higher education in the area of scholarships; some in the field of contracts, that kind of thing.

Mr. President, I would like to end on that note in full support of Sen. Lequay's motion. I thank you.

**6.25 p.m.**

**Mr. President:** We are ending at 6.30 p.m. and Sen. Horne has indicated that what she has to say can be said in the five minutes allowed.

**Sen. Louise Horne:** Mr. President, I just wish to make one point. For the second time in this Senate, I am voicing an observation. There is gender and status discrimination in sports in Trinidad and Tobago. Our netball team did us proud for years on end and then, because of the lack of financial accountability, they have lost that supremacy. However, there are many sporting organizations which fail to produce the necessary financial statements, and they still get financial assistance. Thank you.

*Adjournment*

*Tuesday, January 22, 1991*

**ADJOURNMENT**

**Sen. Alloy Lequay:** I did not realize that this motion would have generated so much discussion and we would have to have another sitting to conclude it. Therefore I beg to move that the Senate do adjourn to Tuesday, January 29, 1991 at 1.30 p.m.

*Question proposed.*

*Question put and agreed to.*

*Senate adjourned accordingly.*

*Adjourned at 6.28 p.m.*