

*Leave of Absence**Tuesday, November 24, 1992***SENATE***Tuesday, November 24, 1992*

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. Callender from today's sitting of the Senate. Sen. John Spence indicated that he will be a little late.

PUBLIC SERVICE REFORM

[SECOND DAY]

Order read for resuming adjourned debate on question [September 22, 1992]:

Whereas the Government of Trinidad and Tobago recognizes the importance of the public service in the administration of Government and in ensuring sustained growth in the nation; and

Whereas the Government recognizes that there have been many attempts by successive governments to reform the public service; and

Whereas the Government recognizes that in an increasingly dynamic world the demands and challenges facing the public service are becoming more varied and complex; and

Whereas the Government notes that public service reform is a long-term ongoing process which must involve a holistic approach.

Be it resolved that this Senate take note of the Government's current approach to the implementation of public service reform, and recognizes its unswerving commitment to the successful reform of the public service. [*Sen. Pundit R. Gosine*]

Question again proposed.

Sen. Martin Daly: Mr. President, like the last motion under "Private Business" which we debated that concerned the reorganization of the lives and the employment of persons, this motion too, is a very useful one. I refer, of course, to the debate on the motion of Sen. Spence which, among other things, generated

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debate about the future management of the human resources of Caroni (1975) Limited. This motion likewise deals with the management of human resources and management of a very large number of human resources. So it is a very welcome motion because it gives the Senate an opportunity to debate the question of public service reform and to offer Sen. Draper as the Minister responsible, the opportunity to make a major policy statement. I say that the appointment of Sen. Draper to that ministry and the creation of that ministry do persuade me that the Government is serious about the implementation of public service reform.

The motion as it stands however, requires, in my respectful view, amendment and in due course I shall propose a suitable amendment. I note its emphasis on implementation and persons who are steeped in the specialist history of public service reform will be best able to assist the Senate on why it is important that we emphasize implementation because of the number of reforms that have gone before. My only quarrel with the motion, and that is why I shall be proposing an amendment, is that I think it is a little premature in the way in which it is worded.

I accept that the Government seems to be serious about implementation of public service reform but I am not sure I have as yet recognized an unswerving commitment, and therefore, in the amendment which I shall circulate, I propose that the word "recognize" be replaced by the word "urge" because I think it is important to urge the Government to stick to its programme of public service reform but I do not know that I can as yet recognize that its commitment is unswerving. I think it has made one or two swerves on the road already and I shall say more about that. I would remind you of the terms of Sen. Spence's motion on Caroni (1975) Limited

Sen. Spence's motion in relation to the reform of Caroni (1975) Limited used the expression "with appropriate safeguards for all." I think it is very important that some phrase like that be placed in the motion for reasons which I shall agitate in due course. However, I think it is important that we go one step further and provide specifically for proper regard to be paid to the Constitution and to the principles of good industrial relations. I do not think that the expression "with appropriate safeguards for all"; while it would encompass respect for the Constitution and principles of good industrial relations, would be sufficient. I think it is important to place, as I shall illustrate, public service reform in the context of, not only, our principles and practices of industrial relations, but also in the context of the Constitution.

The second amendment which I shall be proposing is that at the end of the motion, the words “with appropriate respect for the Constitution and the principles of practices of good industrial relations” be added. The reason I cannot accept the motion in the form in which it is framed is first of all, as I have indicated, it is premature. I appreciate all that has been said by the mover of the motion and on other occasions by Sen. Draper, about the efforts the Government is making to introduce performance appraisal, employee assistance programmes, to have retreats to sensitize members of the public service to the Government's objectives—I recognize all those things as important and valuable steps but, it takes more than that to reform the public service. It takes a lot more than that.

I, in the course of the practice of my profession, deal with several public servants. I have never found them unhelpful in the registries of the court and I may say in passing, in my experience with the office of the Parliament, I have never met with anything other than helpful courtesy. I cannot say that is always the case, for when I go to a post office or the Licensing Office I shall refer to that in another connection. I think it is important to recognize that the steps taken by the Government so far are really only the beginnings. They are a prologue to the implementation of public service reform, and that is why I do not feel able to support the motion that states “recognizing the unswerving commitment.” I think we are still at the stage of urging the Government not to swerve from the commitment it has made.

1.40 p.m.

So far as my reference to respect for the Constitution and the principles of good industrial relations is concerned, I think the omission of that safeguard from this motion—and I do not say this in respect of the mover or the supporter of this motion personally—betrays a certain lack of analysis of the context in which public service reform has to take place.

There are many more, but there are five that I conceive to be of importance as features of the context in which public service reforms must take place. First and foremost of these is the fact that our public service exists in the context of a written constitution which deals specifically with the public service. It is no point in anyone—and I am not suggesting that the mover of the motion or the Minister thinks so—thinking that there is going to be any short cut or circuitous route around the provisions of the constitution when public service reform is to take place.

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It is ironic that when this motion first appeared or was first down for debate, as long as September 22, I indicated an interest that I would like to speak on this motion. I was told that depending on how the debate went, I might be required to speak that day. I made some notes very hastily to serve as an aide-mémoire of what I was going to say. The first thing I wrote down was the question of public service reform taking place, in the context of a written constitution dealing specifically with the public service.

I say it is ironic because since September 22 we had an event in the public service which occupied the headlines over a long period—I make only passing reference because I am aware of the Standing Orders—and now occupying the court. That event could dominate the news in the way that it did, and that it could reach the courts it typifies the importance of recognizing expressly in this motion, that public service reform has to take place with due regard to the provisions of the Constitution.

Sometimes there is great impatience with the fact that the Constitution is a source of delay and litigation, but I make no apology to say that if the Senate or the citizenry as a whole can be persuaded that the Constitution is an undue source of delay and difficulty in the way of a variety of things, then change the Constitution. That is my position clearly and unambiguously. It is no point, in my view, becoming impatient or attempting to short circuit the provisions of the Constitution because the Constitution is the thing that safeguards all of our citizens including public servants. In our impatience and haste to get politically acceptable or politically expedient results, we forget the elaborate arrangements that were made in order for us to have a Constitution with which everyone can feel comfortable.

If you go back into the history of our Constitution and its making and you refer to the first of two Constitution Commissions that were appointed by governments of different parties, they are quite interesting. I shall say something about that. At page 94 of the Report of the first Constitution Commission which was presented to the Governor-General on January 22, 1974, much of what was said in this debate has been recognized by Sir Hugh Wooding and his commissioners. Paragraph 380 states:

"The importance of the public service in the effective management of Trinidad and Tobago cannot be overestimated. Much of the information required for the formulation of the policy has to be collected and organised by public officers

for presentation to the political decision makers and the method of presentation can influence the decision."

They go on to deal with a whole variety of matters relating to the relationship between the public servant and the politician. Very succinctly, they focused on the reason why it was appropriate to create service commissions in the first place. Paragraph 382 states:

"With full internal self government and subsequently independence complications were inevitable. The political administration could now be subject to sudden change. The opposition critic of one day could be the government Minister of the next. Yet, if the administration was to be a success, the public officer had to be responsive to the policy demands of whatever government might be in power and show equal skill and dedication in their implementation. Understandably the political administrators would wish to have some say in the management of a machine the proper operation of which was important for their success. Any attempt to do this might well savour of either victimization or favouritism.

The solution to this problem adopted in the present Constitution is to create independent Service Commissions to which is entrusted the power to appoint, transfer, promote and discipline persons in the public service. This was intended to insulate public officers from direct political influence. Thus protected, they will be free to serve any political administration with equal dedication. This structure appears to have worked well and we recommend that it should continue."

There is room for much debate, and indeed the second Constitution Commission took up the question whether the service commissions were working well. While I unhesitatingly concede that there is much to be said for the view that the Service Commissions are not working with the greatest degree of efficiency, and there is much to be said for that view, I challenge anyone to suggest that the original justification for the service commissions, so succinctly articulated by the Wooding Commission, has not changed one iota.

Therefore, if there is a problem with the operation of the service commissions, let us address it operationally. If there is a problem with the Constitution and it needs amending, amend it, but any suggestion that public service reform can take place without reference to the Constitution—and this motion contains proposals without any reference to the Constitution—is doomed to failure and to exacerbate

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relationships between the Government and the persons they employ. I am suggesting that that reference be made in order to keep the Government focussed on the importance of dealing with the Constitution, and the problems raised by it. It is not that I am suggesting that this Government would, but it is very important that the decision makers should not join in some emotional rallying cry.

1.50 p.m.

When we had a change of Government for the first time in 1986, I do not think I need to remind anyone of the unseemly quarrels—sometimes public quarrels—which took place between members of the incoming government and members of the public service. That confirmed the position articulated by Sir Hugh Wooding and his commissioners in 1974 that there was something against which we needed to safeguard. Therefore, if the Government of the day believes that, for example, there are persons in the public service who require to be disciplined, then they must scrupulously follow the provisions of the Constitution relating to public service discipline. Failure to do that is a failure to take effective action.

Of course, I cannot help my views being coloured by my professional experience, but failure scrupulously to observe the Constitution will always produce unwarranted and expensive litigation for the Government. I suspect it is because in the heat of some crisis no one says—because they have not focussed on it, just as this motion has not focussed on it—how we are to handle this matter with proper regard to the provisions of the Constitution.

I venture to suggest that it is a tribute to our constitutional arrangements that we should sometimes have these tensions between the Government on the one hand, and the courts on the other, when actions of the Government are challenged in the courts. It is a good thing because it shows that the system of checks and balances is working. Indeed, I think it is a good thing that there are tensions between the Government and the media because it also shows that our arrangements under the Constitution are working.

I am simply making the point that if we are serious about having a democratic society, it is no good people getting upset when the intervention of the courts is sought in relation to the actions of the Government for an alleged breach of the Constitution. I think it is very important, therefore, to understand—I am sure that this Minister understands—that the public service reformers must have in the forefront of their concentration the fact that public service employment is regulated by the Constitution.

It is also important that they have in the forefront of their concentration—like it or not, there are many people who are impatient about it—the fact that we have a reasonably well-developed and mature system of industrial relations. We have, not only written labour laws, but many industrial relations practices that are well understood in the workplace, and any attempt not to recognize those in the course of reform is going to lead the reformers to bounce their heads against a brick wall.

I want it to be clearly understood that in many respects I am sometimes as angry about the delay which results when there is a collision between the executive and the provisions of the Constitution. There are matters now which I wish could happen more quickly, but I respect that we have a written Constitution and, therefore, if there are provisions that must be observed, they have to be observed.

Let me give you a simple example. My theme is, if the Constitution is a problem for public service reform, amend it, but of course we shall need to have the requisite majority, and we shall have to satisfy the citizenry. As part of the unseemly quarrels which took place at the beginning of 1987, we had an attempt to amend the Constitution to do certain things in relation to the bench where I am standing but long before it got to a vote, public pressure resulted in that amendment being withdrawn. Let whoever are the executive of the day understand that they have not only got to get past the Parliament, but before they reach the Parliament to seek the requisite majority they have to get past the ordinary man in the street of Trinidad and Tobago who understands perfectly well what the Constitution is there for, even though he may sometimes become impatient with it. That is my reason for insisting, as I do, that the mover of the motion consider accepting my amendment with specific references to the Constitution and to the practices of good industrial relations. I think it is very important.

You see, when we came to the second Constitution Commission which was provoked by precisely the unseemly quarrel that took place in relation to this bench where I am standing, the second Commission reviewed the question of the service commissions and came to the conclusion that the system should be retained. They made a number of very important recommendations for reform of their operations—how the tribunal should be staffed; how the tribunal should sit, and matters of that kind. At paragraphs 304 and 305 of the report of that Constitution Commission, headed by Sir Isaac Hyatali which reported on June 1, 1990, they repeated the need for protection for public servants via the

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Constitution. They then went on to make several important recommendations as to how the service commissions could be made to function better.

I commend to those sections of the two Constitution Commissions Reports which dealt with this matter to the mover of the motion and to the Minister. I do so because both those Constitution Commissions were appointed when the Government of the day found itself in a political jam. Of course, they appointed the Constitution Commission as a palliative when they were in a political jam. Very well-respected and high-powered people comprised the membership of both commissions. They did extensive research and had extensive meetings with various persons in various parts of Trinidad and Tobago and here it is we have their recommendations, for example, on how to improve the operations of the service commissions with which people sometimes become impatient.

If, for example, we can forget political expediency, the desire to achieve political results, the desire to appear to be looking good and to be doing things, and we concentrated on giving proper respect to commissions and committees that we appoint, we would have been a long way along the road to public service reform. For example, in relation to the Hyatali Report we would have had a permanent disciplinary tribunal for the public service; by now it would have been up and running and no doubt would have made some progress in reducing the undoubted backlog of cases which the service commissions have to handle.

2.00 p.m.

The problem is that we sometimes focus on these important topics in a very partisan way and when persons of a more independent mind speak, we either ignore them or, as happened in 1974, in relation to the Wooding Commission, we vilify them. I think it is very important for everyone to remember that the Wooding Commission was appointed as a result of the Government winning all 36 seats in the course of a political boycott, and there was a jam. So in order to solve some of those problems, the Wooding Commission was appointed.

Of course, it is also instructive to note that Justice Georges, who was brought back from Africa to be a member of that Commission subsequently had to seek his judicial fame and fortune elsewhere because we were not able to accommodate him in Trinidad and Tobago. That is what happens when we take a partisan approach to problems and we ignore the importance of the Constitution.

The members of that Constitution Commission were vilified and ultimately, certainly in relation to the judiciary, that was the beginning of the breakup of the

Wooding court and all the horrible things that have flowed as a result. That is my reason for insisting that reference to the Constitution and to the principles and practices of good industrial relations must find a place in this motion.

Mr. President, I shall give you an example of how we can amend the Constitution, without difficulty, to deal with a particular problem: In 1987, the NAR Government, with the support of the PNM in opposition, amended the Constitution by Act 21 of 1987 and the purpose of that amendment was to broaden the categories of persons to whom the Police Service Commission could delegate some of its responsibilities. Act 21 of 1987, as I say, was passed quite uncontroversially and was welcomed by everyone.

Of course, what that constitutional amendment did was to make the point that has been so well articulated by the former Commissioner of Police, Mr. Eustace Bernard, that in relation to a military or quasi-military body like the police, it was impossible to have minor infractions of discipline being sent on to some commission to deal with them. Different considerations might apply in the case of the public service which is a civil body. This Act sought to make it possible for the Police Service Commission to deal with the fact that people were unhappy with the working of the Constitution as it then stood where minor infractions had to be sent on to some office outside the—for want of a better word—quasi-military unit.

So they amended the Constitution. It was amended without dissent in order to cope with that problem. I cite that as a live example of how, instead of trying to bypass the Constitution, instead of breaching it and causing persons to have to take matters before the courts, it is far better to respect the Constitution, or, if it is necessary, gather up your forces and the need for amendment, get the amendment accepted by the citizenry at large and get it passed in the Parliament.

If one should look at the *Hansard* for July and August 1987 when that bill was being debated in Parliament, one would see the tone in which this matter was dealt with, with support both from the Government and the Opposition. There is general agreement that this was a good measure and the amendment was passed without any dissent.

Indeed, it was very interesting that the PNM, which was then in Opposition—it is not interesting that they took a responsible position—it is interesting that there was a specific reference in the present Prime Minister's contribution, to the implications for party democracy when a bill like this is being presented. The

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whole atmosphere as reflected in the *Hansard* was one of co-operation and lack of partisanship in order to get an important problem solved. Because if the public service and the police service are inefficient, discourteous or corrupt, it affects all of us and, therefore, it is a matter on which persons must get together and try to find a bipartisan solution.

Just such a thing took place in 1987. But, of course, woe betide us the way in which the amendment was passed, the service commission would have to agree to part with the matters. It would have to agree to delegate the matters to the persons who were named in the constitutional amendment as being the persons who could carry out some of their functions.

I would be very interested, if the relevant Minister, can tell us whether since that Act was passed in 1987, the Police Service Commission has, in fact, delegated any of its disciplinary powers. If it has, in respect of how many disciplinary matters has it done so and whether the use of that Act that was passed in 1987 to amend the Constitution has resulted in any swifter and more efficient disposal of disciplinary matters. Because, otherwise, of course, a great deal of parliamentary time was spent passing a measure which has not been used.

Mr. President, it is important that we understand the context of public service reform because people continue to feel very angry about delays and what they see as a lack of punishment of persons in the police service and the public service and so forth.

I am suggesting, that there is not anything fundamentally wrong with our constitutional arrangements and indeed, so far as the workings of the Public Service Commission are concerned, the Hyatali Commission made very valuable suggestions as to what should be done. I would be interested to know whether the Minister or the mover of the motion has considered the recommendations of the Hyatali Commission and whether the Government intends to take any steps to put those recommendations into force in an attempt to deal with what is alleged to be a backlog of disciplinary matters.

You can have talk about retreats, performance appraisals, employee assistance programmes, exhortations and attrition, all sorts of things, but unless the machinery of the Constitution is properly understood and properly used, public service reform will flounder and if it flounders because of resistance by public servants to any intrusion on their constitutional rights then so be it. Because, of course, I believe in the thin end of the wedge. One breach of the Constitution that

goes unremedied is the thin end of the wedge for us all. I am not supporting dilatory tactics by anyone. I want to make that very clear.

Mr. President, while I do not want to stray from the subject of the motion, has anyone given any consideration to reforming that part of the Constitution which appears to produce excessive litigation? Or are we just vexed and because we are vexed we are trying to seek a short cut? Of course, if we would treat persons of stature and independence in the community in a better fashion when they give up their time and they give us the use of their collective brains in solving problems, we would get a very long way towards solving problems in this country, including public service reform, and more so, if we were to adopt a bipartisan approach to these things.

Of course, that is the first feature or characteristic of what I say is the context in which public service reform must take place. I shall identify the other four features. First of all, I have said that an important feature of the context is our constitutional arrangements for public service employment. Number two—and I foreshadowed this in talking about bipartisanship and so on—is the history of waste and interference by the Government—and I use "Government" with capital "G" without reference to this Government—I say it is waste and interference by successive governments in the affairs of the public service.

In the passages from the Wooding Commission, to which I have referred, the importance of public servants being able to do their jobs without fear of victimization has been underlined. Every government we have had in this country has paid lip service to that. But we all know that there have been victims along the way. We have not had a government in this country that has not victimized persons in employment in the public service, or indeed in the state enterprise sector.

It is, of course, too early in the life of this Government to say whether it will follow that well-trodden path. So let me make it clear that when I talk about successive governments, so far as I am concerned, the jury is still out on the present one. But, of course, they have their first test of the propriety of the actions in a public service context very close at hand. So we shall see if they pass or fail the test in due course when the matter that is now before the courts is disposed of.

I have some experience with the state enterprise system and I, of course, will not betray any secrets that I ought not to, but I can tell you that I have heard in other countries, for example, in relation to state-owned media—I emphasize

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“other countries”—I have heard of examples where in the state-owned media when a government changes, chief executive officers to camera men get put out of their jobs. I was astounded.

In one case, where I visited a state-owned medium outside Trinidad and Tobago, I was given the names of people and right down to camera men, who, it is said, shot the person who was now the Minister—I had better say “took a picture of”—because we now have a history of shooting Ministers—the camera man who took the picture of the Minister, when he was in Opposition, the Minister was disappointed that he did not take his best profile—got the boot too; the order of the boot. Indeed, we have a Senator in the Opposition Benches who could probably put names and faces to some of the persons that I am talking about.

I am happy to say that when in that unique experiment, persons who are now Members of the Government, Members of the Opposition and who sit on the Independent Benches were members of the same team, we tried to adhere to some of the principles to which I am referring. I say no more than this: There were times when our adherence to principle was sorely tested. But I say no more because it would not be appropriate to identify the circumstances. I can assure you, Mr. President, that every day in the state enterprise system and I am sure every day in public service situation, the adherence of persons to principle is sorely tested.

If you throw out the Constitution and the constitutional arrangements for the protection of those employees, then all fall down in my respectful view. Of course, it is wasteful to say I am not victimizing anybody, but I am putting them in a room to read newspapers for three years. That is all part of waste and interference. That is a waste of a human resource. You cannot actually fire or get at him, because of constitutional arrangements and so you find some other way to punish him.

It is to the history of waste in the public service by successive governments that I refer. I do not believe in just calling names left, right and centre. We can all think of examples of persons who have received the treatment, short of anything that might actually interfere with the constitutional rights of a public servant. Governments have to resist the temptation to treat persons as cannon fodder and obstacles to be removed at any price. That has to be resisted.

I also think that we have a much larger problem in the society which influences behaviour in the public service. I make no apologies for saying I think Trinidad—I cannot speak much of Tobago—but urban Trinidad—and certainly

urban Port of Spain—is becoming a meaner place in which to live every single day.

If this society is becoming meaner, it is going to become more difficult to have efficiency and courtesy in the public service. I think it is very important, as part of public service reform—and I adopt this not because it is a partisan slogan—I think it is very important for us to regain sight of the objectives contained in the watch words "Discipline, Production, Tolerance". I think, as a country, we have completely lost sight of the objectives of discipline, production and tolerance. If we could regain those objectives, the occasion to discipline public servants or anyone else would reduce. If people are well motivated and well disciplined, productive and tolerant, you would not have an increasing backlog of cases, and disciplinary matters for the service commissions to deal with.

It is against this background that there is sometimes a complete breakdown in civilized behaviour, as we understand it. And, of course, if you put people to work in hot and nasty offices, without functioning toilets, they are not going to be disciplined, they are not going to be productive and they are not going to be tolerant.

So as basic and as practical as it may seem, it is very important to understand that public service reform is not only about retreats and performance appraisals and the classical tools of human resource management. It is about much more than that. It is about regaining the objectives of leading a civilized life. It is about regaining the objectives of discipline, production and tolerance.

It is important for a lazy policeman to understand that the bandit who robs my office nearly every week is capable of going and robbing someone else in the same area who may be related to the policeman or may be his friend or may be a member of his batch. But we have completely lost sight in this country of the fact that things that we do or fail to do affect other people and ultimately affect those whom we wish to protect. We have completely lost sight of that in this country.

For the first time in my life, Mr. President, I actually feel uncomfortable living in urban Port of Spain, uncomfortable because of this breakdown in civilized behaviour as we know it.

Mr. President, I refer to this because you will understand that it is very difficult to have public service reform in an atmosphere of meanness, spite, criminal activity, vagrancy and drug addiction. The best way I can express this is

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to say that we have to regain our respect for the objectives of discipline, production and tolerance. I am very serious about that. That is very important.

The Ministry of Information has much material, three television stations and Lord knows how many radio stations at its disposal and part of the reform of the public service should be a concerted effort by the Ministry of Information to help us regain our respect for civilized behaviour. It is very important.

Mr. President, a fourth feature of public service reform that I think it is important to—

Mr. President: I know how worried you are about getting into the 65th minute. I hate to interrupt you when you are in full flight, but unfortunately your 45 minutes has expired.

Motion made, That the Senator's speaking time be extended by 15 minutes.
[Sen. M. Mansoor]

Question put and agreed to.

Sen. Daly: Mr. President, the fourth feature of public service reform that we have to consider is the heightened fear of unemployment. I do not want to give a preview of my contribution to the budget debate. I certainly know what I said about unemployment last year and I am likely to be saying very much the same thing this year. But it is very important to understand, in my view, that the fear of unemployment in this country is very strong. Therefore, the reformers will have to deal with that. Of course, that is also part of the psychological profile, certainly of urban Port of Spain. I do not intend to speak for areas other than urban Port of Spain.

It is part of the psychological profile of Trinidad as reflected in urban Port of Spain that the reformers will have to deal with. You see it in the virulence—I am not saying whether the protests are justified—but no one who sees the virulence of the protests that take place in our streets and our country these days can say he is not alarmed. That virulence underlines what I have been saying about the meanness of the society.

But, of course, there is a virulence in protest. If persons are going into the eighth and ninth year of sustained high levels of unemployment—that is a theme to which I will return not only when I have more time but also in a proper context—I think in the context of public service reform, it is important to understand that people are particularly afraid of reform when there are high levels

of unemployment and, therefore, they do not know what their alternatives might be.

Finally, Mr. President, I believe that in the public service there is insufficient recognition given to professional qualifications. Now, I understand that the way the public service is graded, that there are administrative and professional grades, that is what I am told. But there is a much wider problem.

If you take a bright young qualified person and put him into an environment—assuming the environment is clean, safe and free of harassment of various kinds—and his work simply goes unrewarded—and I speak now of intellectual reward, not of monetary reward—if he is turning out papers or doing his work professionally but the work is simply receiving no recognition, he does not feel that his points of view on the research they are doing is receiving any particular attention, he, too, becomes poorly motivated and a liability in the public service.

I do not say this with any disrespect to persons who have done well in their public service career without formal qualification. I just think it is very important in this day and age to leaven the bread by the introduction of persons with specialist qualifications who will be given the recognition they deserve, particularly where those qualifications are in science and technology, which are the disciplines which are going to rule. I think we have to pay regard to that.

One hears about the distressing situation in the Ministry of Energy, where they have a tremendous shortage of qualified manpower. One hears that in that ministry there was an exodus of qualified manpower in recent years. I certainly know of someone who left that ministry for reasons having nothing to do with money, just poor motivation, feeling that the persons above him were spinning top in mud and were not paying sufficient regard to technical matters. They were excessively focussed on political gain and not on getting the job technically correct. That is a matter which I think has to be considered.

Mr. President, without being in any danger of breaking my self-imposed injunction, I would just urge that the motion be amended in the way that I have suggested. I urge that we take a sensible approach to public service reform in the context of our existing constitutional arrangements, and I do, most of all, urge this Government to approach the problem honestly. If there are constitutional arrangements that the Government regards as unsuitable in the context of its public service reform, let us bring it out in the open. Do not go and appoint another constitutional commission. I beg you not to do that. We have already had

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much valuable work and consultation with the citizenry that has gone unused, unrewarded and unimplemented.

Certainly, if there are problems with our constitutional arrangements in relation to public service reform, let us be honest about it. Let us identify what those problems are, let us bring them forward for an honest debate. If the Constitution amendment is not accepted, so far as I am concerned, that does not mean that the Government has suffered some kind of political reverse that it has to be worried about. What it has done is taken an honest approach to identify a problem and put it out for debate.

If, of course, you seek to use a constitutional amendment, as was done in 1987, as some kind of battering ram because you are displeased, then of course you will get the equivalent of a political bloody nose. But if you bring it forward in a calm and rational way, and say "we need to take a look at this or that section of the Constitution and we need to discuss whether this needs to be changed", and if it is approached in that way, a bipartisan way, we shall make some progress.

I speak in support of the amendment which I have proposed. I have put a copy in the hands of the Clerk of the Senate. I would ask that we pass this motion but with the modifications which I have suggested and particularly providing for public service reform to take place with appropriate respect to the Constitution and the principles and practices of good industrial relations.

Thank you, Mr. President.

Seconded by Sen. M. Mansoor.

Mr. President: Before calling on the next Speaker, Sen. Muntaz Hosein, there is an amendment proposed by Sen. Martin Daly and seconded by Sen. Michael Mansoor.

Sen. Daly put it in two parts, but I think it would be much easier and less cumbersome merged into one amendment. The amendment is that the resolution be amended by substituting for the words:

"and recognizes its unswerving commitment to the successful reform of the public service",

occurring in lines three and four, the following words:

"and urges an unswerving commitment to the successful reform of the public service with appropriate respect for the Constitution and the principles and practices of good industrial relations".

Senators may speak on both the motion and the amendment.

2.30 p.m.

Sen. Muntaz Hosein: Mr. President, when I saw this motion on the Order Paper I was a little puzzled, and when I heard Sen. Daly saying that the Government wanted to get our views, I asked myself: If that was true, why this motion at this particular time? Why did this motion not come before the plan to revamp the public service? One would have thought that would have been the proper time to bring this motion so that the views of this Senate would have been taken into consideration and perhaps incorporated into the plans of the Government. I tried to find out the reason for it at this time and I was told that the motion is particularly to make the Government look good. The intention was to provide a forum for Sen. Gosine to beat the drum and Sen. Draper to dance but it did not quite work that way, they ran into a bit of blows on this motion. The intention was not to have it work this way.

While public sector reform is something that we on this side support—and we have said this on several occasions in this Senate—we wonder whether the other side might not have wanted to bring motions on poverty. I do not see any motions on destitution and poverty, something that I know Sen. Gosine is very concerned about. I do not see any motions on hunger, literacy, unemployment; on Pegasus; the takeover by Algico and Guardian Life. I wondered why no motions on the lack of hospital facilities in this country, on St. Ann's; on accountability by the Executive of our nation.

This motion comes before us after the fact. My understanding is that action is already taking place. How do we feel in terms of public sector reform when we have not addressed the question of the back pay for civil servants? In the budget presentation by the Minister of Finance I was hoping to hear something about that matter. Perhaps, he said it but I did not hear it. I know that Sen. Draper's job is not going to be easy. As a matter of fact, the absence of payment to public sector workers of their back pay will make his job horrendous, to say the least. That is the very first thing that people in this country are interested in today because money is what it is all about. The public servants are not wealthy people that they can forgo their backpay. They cannot! Some of them are having difficulty in paying their mortgages and repaying car loans. It is very difficult to live in this country because the cost of living is quite high.

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We are looking at reform but we are only looking at one aspect of it. If we are going to reform the public service, which we need to do, we must do it by making the Minister's job easier. We must do it by levelling with the public servants, giving them some indication, if all cannot be paid right away, of some phased basis on which that payment can be made with, of course, due consultation with the representatives of the workers and so forth. Only if you start in that manner would the workers be receptive to your reforms. If you appear to ignore it then whatever reforms you are putting forward will not be put on fertile ground because people are not going to listen to them.

The public servants have had a history of the government of the day making promises which they have difficulty in keeping. Therefore, why should they believe that the reform that is going on now is in their best interest? That is the background of the reform that is taking place. It is a very serious issue. Credibility, Mr. President! If I come to you and say, "Look, I am going to make your life better by giving you these enhanced conditions and I am going to institute reform", the first thing which would come to mind is, you think they want to retrench.

The background of our discussion in this country is one of retrenchment—retrenchment left, right and centre, all around the place. Therefore, you have to start by building some kind of credibility with the people with whom you are discussing reform. I feel that first and foremost should be a good faith approach by paying part of that back pay and making a firm commitment on how the balance will be paid. It is only by approaching it that way we would be able to start the ball arolling.

I am sure that the Minister of Public Administration is aware that one of the major problems in the public service is the question of attitude. I do not know how he intends to deal with that but we must deal with it, and we cannot deal with it in isolation. The reason for that type of attitude may very well be the conditions under which these people work.

I am sure you have gone to many government agencies and have found very difficult and trying some of the conditions under which our public service operates. I have some sympathy for the workers who must work under these conditions and keep the attitude which we expect of them. It has to be addressed and I do not think there is a simple solution. Also, I do not think that there is any one area that is responsible. Psychologists might say that the whole country is

suffering from an attitude problem—we may very well find that—and therefore it is something endemic in the society. This is something which has to be tackled at the school level.

2.40 p.m.

Maybe we need to start teaching the future generations of this country to give a fair day's work for a fair day's pay; that to say thank you and smile and be courteous to people does not mean that it is not demeaning to do that sort of thing, or that you are a slave. So that psychologists may have much to ponder, Mr. President, on the question of attitude. I am certain that the Minister will want to consider that, if he has not already done so. If you ask the man-in-the-street, this is the first thing that he sees of the public service—the lack of service, because of the attitude problem.

I want to tell you, Sir, that I have seen in recent times a great change in the attitude of the police service. This is my own personal experience. The attitude is reassuring. I do not know whether we must thank the Minister of National Security or the Minister, Sen. Gordon Draper, for this. Whoever is doing it, seems to be doing it right. I hope that that is not a flash in the pan. I hope that it is widespread. I hope that my experience is shared by the rest of the community. I am not sure that is so though.

Mr. President, I do not know, but when you are going out of Trinidad and Tobago or coming in, have you ever observed the expression on the faces of the Immigration Officers? These officers are the first visitors coming to this country; yet for some unexplained reason they put on a "bad John" face. I do not know why. Their faces are so serious, they look unapproachable and even intimidating. This is a classical example, but the working conditions at Piarco are not all that bad. Not really. The air-conditioning works, and so forth. I often wondered why these officers' attitude is so.

Mr. President, these are some of the examples. There are many. I do not wish to go into all of them, because we are all exposed to them. I am sure Members of the opposite side are as exposed to the attitude as we are. So I shall not say very much more on the question of attitude. Even the Minister, himself, must be aware. Of course, now that he is a Minister they probably smile a lot better with him than with anybody else. With the VIP treatment that he will get, he may not be exposed to that after all, but it exists and we must deal with it.

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Take for example Customs. I am glad that the Minister of Industry and Tourism is here, because he will be aware of what I am talking about. You have all kinds of scenarios in the public service. Some people say the size is too large—we have too many people, 65,000, or something like that; and therefore you need to cut it down. At one time in the regime before, it was this or that—we either cut the public service or cut the pay, so you get an option. Well they decided to cut the pay instead of the public service.

There are areas within the public service that are over-staffed and there are areas that are under-staffed. It seems to me that is not very difficult to deal with, given all the other conditions. Perhaps some re-training might be necessary. The Minister may have considered the question of re-training.

In Customs, you cannot get an entry passed unless you pay overtime wages. During the boom years there were not enough officers to deal with the number of entries that came into the country, so that overtime was a must. You know that business activity is now down to the lowest ebb. You still have to pay overtime to get your entries passed. Seldom do you hear of an entry passing without overtime. So what you have is a system within the Customs itself.

These are matters that the Minister will have to deal with. How would he be able to deal with that system there? It is a drain on the resources of the country. It is a cost that is passed on to the consumer. Today, perhaps, the cost cannot be passed on to the consumer because the consumer cannot pay that cost. So the result will be that businesses will make less money and those who are not making money will make losses. So we have to deal with all of the areas. I do not envy the Minister at all because this is a task that is not going to be easy. He has my wholehearted support. As long as it is approached and done in the proper manner, in a humane way, with due respect and regard for the trade unions who represent these people, our support will be forthcoming.

Take the question of teachers. You hardly ever have a discussion about the teaching service without hearing the question of staffing coming up. Most of the time, it is a shortage of staff. So here is another department within the public service where there is a shortage. There is another one that I can think of right off the bat—nursing. There never seems to be sufficient nurses in Trinidad and Tobago. Whether it is a result of our pay package being not good enough and they have to go abroad; or whether it is that we are not training sufficient nurses, I cannot say. But there remains an insufficiency in these areas and there may very

well be other areas of the public service where there is over-staffing. So that question must be looked at and the Minister will have to tread very cautiously here in order to make amends.

Industrial relations is a thorny problem, something that has been the subject of debate for a very long time. I am sure that you will remember, because you have been in this House for quite some time. Successive governments tried to deal with that. This is a subject that always comes up but there seems to be very little done to keep the industrial relations climate on even keel. There always seems to be a backlog and back pay. Negotiations never seem to be on time; it is always years after the fact. I cannot understand what the reason is. I do not know enough about it.

What I do know, however, is that if the Government of the day does not make a conscious effort to discuss with the union representing the workers, on time, we shall always have industrial problems, which will not be good for the reform. Because you will have frustrated workers, and frustrated workers will not give you the results you anticipate. So I ask the Minister to look into the question of the industrial problems facing public sector workers and see what influence he can exert to get together with the union on a timely basis, so that matters involving the workers can be settled early, and we have a smooth introduction of reform.

2.50 p.m.

And while the Minister is looking at that question, he might wish to look at employment practices within the public Service. I have had many complaints from people who apply to the police service, for recruitment, and who cannot understand why they were turned away in preference to other people. I do not know whether these criteria are understood by all, but employment practices need to be investigated to see whether what is being done is fair, honest and in the best interests of Trinidad and Tobago. I hope the Minister would look into that.

I laud performance appraisal. I believe that is definitely the way to go, but would the rules be fair and honest? Would people believe that they are fair and honest? These are questions the Minister will have to look at very carefully. Right now there are instances in the public service where officers are bypassed and others have taken a jump and so forth. It is replete with that kind of thing. One hears of instances like these over and over. If you are going to remove the existing rules and regulations to put in performance appraisal, which I endorse, it must be well above board, so that all would understand what the performance criteria will

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be. The persons involved in the public service must be aware of the person making the appraisal, and it must be done on a timely basis.

And it must not be done in secrecy. You should not hear that somebody appraises your performance and you are not aware of the appraisal. You only hear afterwards that "John Thomas was given the job because he has a better performance appraisal than you." I only hope that we shall not be saddled with that kind of performance appraisal.

Mr. President, if they are putting in a performance appraisal, would there be some kind of body that one could appeal to? If someone feels that a promotion has been denied him because of the new system, can he appeal to that body? Are you putting in mechanisms whereby people can appeal to that body and say, "I believe that an error has been made, can you check into that?" Or, "I was discriminated against, could you check into that?" I think it is important that the mechanism be put in place so that everybody understands that this is the position, and if I am dissatisfied because of X, Y or Z reasons, there is a body, or a committee, that I can appeal to.

The question of corruption is not something new to us. We seem to have had it for a long time—I believe the world has had it for a very long time. Trinidad and Tobago has had its fair share—some people believe more than our fair share. I think we might rank very high among countries of the world where corruption is widespread. What are we doing in the context of reform? What are we doing to solve some of these problems? Are we going to reform the service in a way that will make corruption more difficult? We have to look at that.

Mr. President, one example is the Licensing Office. You would remember in a debate before today I made this Senate aware of some of the corruption that goes on at the Licensing Office; well, we are now seeing a whole new ball game evolving. That is only one department; corruption is widespread. So, in order to tackle that question of corruption, one must also look, within the service, to see whether the rules and regulations are designed to encourage corruption. Therefore, that needs to be looked at. We must make it very difficult for corruption. It is going to be a very difficult task because the Minister started his job on a negative note. If he can get that negativism out, I think he would stand a better chance.

Mr. President, computerization. I know we are going to hear that there is a cost involved to computerize. I am aware of that. Cost permitting—we cannot do it all in a day, I do not expect that; I do not think it will be done in two years

either, it is going to take a much longer time. We would probably have to clean it up for them. We do not mind doing that, because we know it is important to the country.

I feel that the Minister ought to consider the question of the computerization of documents. I remember in an earlier debate the Government was talking about a library—I am not too sure which one, there are many of them—where it was very difficult to retrieve information. Of course, we are in the computer age and I do not think we can consider reform without considering the computerization of records. I think we have to go that way. I am sure there are some departments that are already computerized. I know the Income Tax Department is already computerized. I do not know if the Value Added Tax section is computerized, but VAT is another subject that will be dealt with, perhaps, next week.

3.00 p.m.

Sen. Daly talked about the conditions of employment. I want to underscore that. If you visit some of the police stations in Trinidad and Tobago you will understand what I am talking about. It is extremely difficult for the police to produce under those conditions. If you visit the hospitals; the kitchen at St. Ann's was the subject of great debate. So you will understand what I am talking about.

If you put people in these conditions, what can you expect from them? What kind of performance would come out of that? Some buildings occupied by the public service are close to dilapidation. I know some may want to use stronger language. I heard my friend Sen. Capildeo talk about some of the courts. And it goes on, the health service—this is no easy job. How it is going to be done and at what cost we have not been told.

I was not here when the motion was moved. I do not know whether Sen. Pundit Gosine gave us an idea of the cost and where we are going to find the money to reform the public service. Certainly I should like to know about that. What is the cost to the taxpayer? Do we have the money? How much of it do we have? Are we going to raise a loan for that? Where would the money come from? We cannot pretend that we are going to reform the public service without having the money to do it. Perhaps, our hon. Minister, would very well speak on this motion today and give us some idea of what the cost is likely to be. Where will we get the money from? Do we already have the money? What about decentralization?

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Decentralization is something that has been talked about now for donkey's years. The people of Tobago have been complaining about this for ages. They have talked about decentralization so that you will not clog up the roads of the country—you will remember that discussion some years ago. I do not think much has been done regarding decentralization. I think the Minister ought to look at decentralization in the context of reform. You have towns that are underutilized and you have a city that is overutilized. It seems to me that decentralization is a natural thing and if you decentralize you can bring the service closer to the people so that they do not have to come from very far areas, and all come to town to get what they want. I have heard complaints from Tobago about birth certificates etc. It is a multitude of them. We need to look at that. I am sure that the Minister is doing so.

What about disciplinary matters? My friend, Sen. Daly, touched on the question of discipline. From a long time ago most people when they join the public service, it is as if they have a licence to work until they die. Because you hear them say, "they cannot fire me, I could do what I want", and that is their attitude. I wonder whether the regulations have something to do with that. Are the regulations so cumbersome that you cannot discipline people within the service? If that is the case, let us change those regulations. Unless you can do that you are actually tying the hands of the employer, and many of the things you want to do with regard to the reform exercise will come to nought. If those changes are necessary, then bring them, let us look at them and put them in train because that attitude is not one that is going to help the public service. It will not help.

People must be aware that they must produce and give good service. The reason why we must give them their salaries, back pay, make the environment where they work safe and comfortable, is for them to produce. And if they have to be disciplined we must be able to do it quickly and within the law. If they still do not behave in the manner in which they are supposed to behave, they must be dismissed like anybody else within the law. So if that has to change, let us change it. One cannot go without the other. Reform cannot be done and leave the other things as they are. You are not going to get anywhere.

Mr. President, I hope, notwithstanding the fact that the motion came extremely late, notwithstanding the fact that the plans are already in place, I do hope that the Minister will take into consideration some of the things that we have said here, if not all of them and see whether he can put them into his plans and see whether we, for the sake of our country, can put the public service right. Let me again

reiterate: Pay the people their back pay, pay it quickly; and then start your reform and you are going to get somewhere.

Thank you, Sir.

Sen. Dr. Harry Kuarsingh: Thank you very much, Mr. President, for allowing me the opportunity to speak.

When I first entered Parliament a year ago I appealed to my colleagues that we should speak the truth regardless of the consequences and the truth will subserve us and the society to the best. A year has passed and I am not going to claim that I am any wiser, but I have learnt a lot and would say that all that glitters is not gold and things are not always what they seem. Let me at least live by what I asked that we all live by: Let me speak the truth and let the chips fall where they may.

3.10 p.m.

Mr. President, you would recognize that a renaissance is taking place in our society.

Sen. W. Mark: Only big words.

Sen. Kuarsingh: You will have your chance. I am entirely prepared to deal with you now if you wish.

The renaissance is threefold. Firstly, we in the Government are making changes for the first time to prepare our country for the next century. We are overhauling many of our policies, and some of these are in urgent need of overhaul. Lastly, this Government, more than any other government, is bringing a certain reality to our affairs. I am happy to support the motion, because I believe that it brings the reality and the truth before us.

I should also like to answer a few of the points raised by Sen. Muntaz Hosein. I know that many would argue that his arguments are circumlocutionary, unconnected with reality, boring; but the truth of the matter is that he raised the issue of poverty and destitution. We on this side are not at all reluctant to deal with this matter and I am going to deal with it. Let me begin.

What is the purpose of the reforms introduced? Why is it necessary that we support the Government's action? It goes to the root of the matter and the nature of the bureaucracy. All of you would understand, or if you have not understood, you should understand, that the bureaucracy is the facilitator of actions in this country, and whether we like it or not, ill-speaking the public service will do us no

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good. What we need to do is to reform the public service so that it can serve the needs of the society.

What really are the needs of the society? The needs of the society at their most basic are that we increase our gross domestic product, and export some of these goods. All members should search their consciences. If we have a sullen, uncooperative public service, are we likely to achieve these aims? The answer is no. If we have a public service that performs well and is well rewarded, we are more likely to achieve the objectives as I have stated here before.

This is the reason why I go even further than the Government and say, not only must we have the best public service, but we must also have the best rewarded public service. Our theme and motto must be, "The best for the best." I will expand in a little while. It is easy to continually march up and down the place playing to the gallery that you believe that you must help poor people and the destitute, and indeed you must. But how are you going to help the poor and the destitute? I am going to tell you because the Front Bench on the other side seemed not to have gotten it altogether.

You can only help the poor and the destitute only if this country produces more. This country will produce more for many reasons, but one of the crucial requirements is in fact that there should be a well motivated and properly functioning bureaucracy. This is the reason why the reforms headed by the hon. Min. Gordon Draper are so important. This country will not succeed unless we have a bureaucracy that is dedicated to these ideas, that is the idea that those who create wealth should succeed.

Before I go on, let me give you an example of how far our public service has fallen behind others. In the United Kingdom, to enter the higher echelons of the public service, you must have a first class honours degree or upper second class and take the civil service exams for assistant principals. You must be among the best, and you are rewarded accordingly.

The senior civil servants in Britain draw salaries and benefits equal to the senior men in industry. The same is true in France, Germany and strangely enough, in India. They make sure that they draw the best. These societies that I have mentioned recognize that for the whole society to succeed you must have a bureaucracy motivated, and facilitating the society as a whole. If I may say this, I think that all of you would recognize that we have fallen from this ideal.

Let me give one or two examples. In Great Britain a policeman earns 10 times what a policeman in Trinidad and Tobago earns and his benefits are far more extensive. If you want to rub salt in the wound, in my respectful submission, the policeman in Trinidad and Tobago has a more difficult job to do.

I go on. In what are the principal areas the Government wishes to bring its reform? Firstly, it wishes to bring its reform in the working environment; in the training of its human resources and computerization. Soon enough the history of our century will be written and the history of our period will definitely be dominated by information technology. In fact, we live in the age of information.

I for one always enjoy the contributions of Sen. Capildeo and his constant quoting of Socrates and Plato. I shall point out to Sen. Capildeo that as much as Socrates and Plato were wise men, they knew nothing about computers. If he had gone on to read the later philosophers—perhaps, I would be out of place to say, this—read and understand—particularly Demonstones, he would have seen that Demonstones had argued that society changes and that you must recognize the change in society and live in that period.

The truth of the matter is that we live in a highly technological age and society, and we must recognize this. The programme of reform instituted by the Government in fact addresses this problem. Public service reform also goes on to touch the very important matter of performance and reward related to performance. As I said, I go further than the Government.

I understand that a senior business executive would receive a basic package of about \$30,000.00 monthly plus benefits. For the life of me, I cannot understand why a senior public servant should not receive a package similar to that of a senior business executive. His job is equally if not more important.

Sen. Hosein: Would the Senator give way, could he tell us who is responsible for that problem? Are we responsible?

Sen. Kuarsingh: I know that your party exists to preach envy and jealousy, but the problem of a senior business executive receiving proper remuneration. I do not view it as a problem. I do not envy those who do well. In fact, I wish that the rest of society would do equally well.

If I may go on. The reform deals with the improvement of the working environment, the training of our human resources in information technology,

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computerization, the relation of performance to reward, a cost effective service in terms and conditions equal to the best. We can only give terms and conditions equal to the best if the same bureaucracy and public service performed well enough so that we could generate the wealth in our society to pay them.

3.20 p.m.

Thirdly, a vision of a society progressing and moving forward. You must bear in mind that the society today faces problems that societies in the past never faced. For example, in my contributions I like to discuss Julius Caesar and his very active Lieutenant Titus Labienus. Does Sen. Capildeo know that Julius Caesar was incapable of destroying the world? But he will be aware that General Colin Powell, if he was so minded, could in fact destroy the world. Let me expand. Society faces problems that require a well motivated, well educated and understanding bureaucracy.

In our country today because of widespread squatting, uncontrolled quarrying, we have introduced so much silt into our drinking water system that our own water authority has to put an inordinate amount of aluminium sulphate to desilt the water. I relate this as only one of the problems that we must deal with and deal with quickly. And while we must have our reformed and far-thinking public service, the excess aluminium in the water surely, will lead to irreversible brain damage and cerebral degeneration in the whole of the society in 20 years, if the problem is not addressed.

Some people will say that there has already been irreversible cerebral damage in the Front Bench over there. I will not say that, nor will I guide you in that direction. From what we hear every Tuesday, from what we know of the plans of Couva North and Couva South to divide and form a new united Opposition for 1996—their plans will throw out Sen. Capildeo because he will not join them; he is undermining the nature of the legal society—I would say that the matter goes beyond brain damage.

I made the serious point by giving you one example of the problems that the society faces that need the best public service, that need the best bureaucracy. Remember, I have quoted only one, but could easily give you 20 problems of a similar nature that ravages the society. I ask all of you: How are you going to tackle these problems? Are you going to tackle them by having a public service that is underpaid, under-motivated, untrained; that is not properly rewarded and cannot give what is best? Or, are you going to follow the example of countries

that have succeeded? Let me list these—Japan, France, Germany, Singapore and to a certain extent the United Kingdom. Are you going to follow these societies and have a public service that is working according to the most modern management principles? Are you going to have a public service that is properly rewarded, that draws the most talented from the society wishing to join it? Are you going to have a reformed and modern public service, or are you going to have a public service stuck to the ground?

The essence of Sen. Gosine's motion is that the Government is moving to have a reformed, modern, highly-motivated public service. I ask all of you to read what we wish to do and, if in your good consciences, you feel that what we wish to do is right, then by all means support us. I know that some will support what is in the benefit of society, and I like that. I also know that some will not support such an idea no matter how progressive it is because it comes from the PNM, and that I do not like.

Mr. President, let me guide you. Some politicians have midday talk shows and to my disbelief I recently heard the argument put forward to show that the borrowings we did internationally under the previous government from 1986 to 1991 did not increase. The offerings were so designed as to show the opposite of what happened. This was truly a case being presented of black being the same as white but I say, always judge the Government by what it does. If the Government acts honestly and in the national interest, then surely your conscience demands that you support the Government.

The motion before the Senate rightly praises the Government for what it is trying to do. It is trying to improve the bureaucracy and its working conditions, trying to make it cost effective and trying to bring modern managerial systems into the bureaucracy. It tires me to continually hear claims of corruption from the Opposition Benches. We are likely to have a less corrupt public service if the ideas being introduced by the Government are implemented. Mr. President, I shall end my short address by saying here—

Sen. Daly: Before my colleague refers to his books, would he indicate whether he would support me with respect to the Constitution and the principles of good industrial relations?

Sen. Kuarsingh: While I said I was going to conclude, you must not conclude that I am going to conclude immediately. I intended to deal with Sen. Daly's matter.

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I found Sen. Daly's contribution to be very moving. I too am sometimes troubled and vexed by the idea that we are delayed in matters. This side understands clearly that this is a Government and a country under law and, therefore, no matter how tedious it is that we should be blocked, delayed, kept back by constitutional matters, we have to accept that. I am with you in saying that no matter what delays come, the public servant and the bureaucracy must be given every opportunity for justice.

On that matter, I do not wish the word to go forward that we are somehow against the public service or the bureaucracy. Not at all. These are the Government's men and women and we are loyal to them. The truth of the matter is that if there are cases of indiscipline and dishonesty within the system, we will deal with them. Notwithstanding that, we as a Government are loyal to the bureaucracy. All of us belong to the Government. To answer Sen. Daly; I will think about his amendment, but I do not need to think about the point he made that every public servant, as laid out in the Constitution, is entitled to this protection. On that matter I am 100 per cent with him.

Let me reiterate that there is a renaissance taking place in this country. One of the pillars of the renaissance is the effective reform of the public service to run it along proper managerial lines, which means better working conditions, better development of the human resource, understanding that we live in the information age, a better reward package for public servants, a better reward package for the bureaucracy and that we must have performance for reward and understanding that we must have a cost effective service.

I appeal to all Senators, including those who feel that they cannot support the Government under any circumstance, to understand that this is a key pillar of the revolution and that these ideas will serve society better.

I am, therefore, happy to support the motion and I ask all to join me in doing so. Thank you very much.

3.30 p.m.

Sen. Everard Dean: Mr. President, the efforts of the Government towards public service reform are both unenviable and commendable. According to the motion, there have been many attempts by successive governments to reform the public service. This Government joins the queue of successive governments in that regard.

I have no doubt that the Minister responsible for the reform of the public service will be successful but I have already taken note of the efforts at reform. In fact, I think the country has taken note of the exercise because I recall some time ago the Minister in the Office of the Prime Minister (Sen. Draper) gave a detailed account of how he proposed to approach the task, giving at the time some deadline dates. It would be interesting to know, Sir, in terms of implementation, whether those deadline dates have been met, they are going to be met, because what matters now is the implementation process.

Mr. President, I speak in support of the amendment to the substantive motion. Hearing from Sen. Dr. Kuarsingh a moment ago that a Government under constitutional law will uphold the law, I refer to the amendment proposed by Sen. Daly and call on the Government to support it.

Much has been said, about attitudes in the public service. I for one, can say, that having been around for some time, and having been a part of another debating organization, we have seen very good public servants and we have seen very bad public servants. I must say that with respect to the systems, also, we have seen good systems and we have seen bad systems.

I take it that in the whole question of public service reform, one would look at the good public servants, one would look at the bad public servants, one would look at the good systems and one would look at the bad systems and take corrective action where necessary so that we can have a public service second to none in this part of the world.

There has been talk about overstaffing in some departments, understaffing in others. This, I think, is a fact, and if I appear to be sectoral, Mr. President, it is that coming from the co-operative movement one can only look at the Co-operative Division of the Ministry of Labour and Co-operatives and see sometimes the poor quality and quantity of staff that are required to do the inspection and supervision of co-operatives generally.

I hope that in the process of public service reform this area would be looked at with a view to upgrading the Division of Co-operatives so that there would be no need for any other ministry to go in and take over the role rightly belonging to the Minister of Labour and Co-operatives.

I read some time ago, that the days of long service for promotion in the public service are over and I want to support that. As stated earlier, some people come into the public service and they feel secure for life, and that after some years there

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must be some place for them in the hierarchy of the public service. They do nothing to uplift themselves and at the same time do nothing to better the service in which they work.

I take it, Mr. President, that this statement made by the Minister some time ago, as reported in the newspapers, is a fact and will be looked at in the same way that the upgrading of staff and the overstaffing and understaffing problems will be addressed.

I feel that the system of public service reform can only work well for Trinidad and Tobago. In days past they were called civil servants or civil masters; now we are saying that the public service is being gradually changed. I have had the personal experience dealing with public servants over several years and I must say that I think that the managers in the public service are second to none, even in comparison with the private sector, and they should be commended and given every opportunity to continue performing in this manner.

I note, too, that one problem that causes the public service to be in such a mess, as it were, is the regulations. They need to be looked at in order to take whatever action is necessary, and on a timely basis.

In taking those actions, one must not forget that there are constitutional requirements and that the law should be followed in all instances. I think Sen. Daly made the point about the matters now being addressed by the courts and we hope that in a more sober time, the decisions taken will reflect a closer look at the law before action is taken.

Thank you very much.

Sen. Ainsley Mark: Mr. President, I rise in support of the motion. I listened very intently to Sen. Daly and, like my colleague Sen. Kuarsingh, I have no difficulty with the amendment, but there is no doubt that I am part of a Government that is committed to the rule of law.

My contribution this evening, has to do with public service reform as it relates to improving accountability. This is an area that all parliamentarians are concerned about and, given the tight fiscal situation existing in the country, we on this side are extremely cognizant of the need for more effective legislative scrutiny and control of financial management in Government. More than ever we, as the Government, are clear that we have an obligation and a responsibility to provide the public with the assurance that a country is getting value for the public moneys expended.

I shall deal with one particular area of the entire cycle of accountability, because it is our view that one of the most critical elements in the cycle of accountability is the production of the public accounts and the consideration of these accounts by the Parliament.

We are saying that in terms of looking at the production of these accounts and their consideration by the Parliament, what we are concerned with at this point should be whether the accounting has been accurate and complete, whether expenditures have been made for the purposes sanctioned by the legislature, whether the amounts voted have been exceeded, whether the necessary degree of probity and prudence has been exercised and whether value has been received for the money spent.

As parliamentarians and as a Government recognizing our responsibility to the public, we are interested in receiving answers to the following questions:

- (1) Do the public accounts give an accurate and appropriately detailed report of the Government's financial affairs so that it can be held properly accountable?
- (2) Were all the taxes and other revenues due to the Government collected and properly accounted for?
- (3) Was the money voted by the legislature spent for the purposes approved and do expenditures exceed amounts authorized?
- (4) How well do the systems of control ensure that public money and property were not lost, stolen or used for unauthorized purposes?
- (5) Were programmes managed in an efficient or in a wasteful way?
- (6) Are programmes being evaluated and the results being reported wherever possible and, if so, are the programmes achieving what they set out to do?

The agencies which have the mandates for providing answers to those questions are the Public Accounts Committee, in terms of the public accounts; the Public Accounts (Enterprises) Committee, in terms of the state enterprises; and the Auditor General. As part of this whole process of public service reform, it is our intention to enhance these agencies to ensure that they are able to conduct their business more expeditiously and even more effectively.

Let us first of all look at the Public Accounts Committee. We on this side recognize that there are several prerequisites for a public accounts committee to

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do an effective job. It requires a clear and appropriate mandate that is understood by its members. It needs suitable powers, membership, leadership, organization, procedures and all the expert assistance and staff support necessary to conduct its affairs. We also recognize that if the work of the Public Accounts Committee is to have any impact, the committee must report its findings, conclusions and recommendations to the full legislature which, in turn, should actively consider them.

We also recognize that there must be a suitable system of follow-up for the Public Accounts Committee's reports and recommendations through which the administration responds and explains what actions, if any, have been taken.

We recognize that no matter how diligent its members, no committee of politicians could be expected to delve into the material lying behind the public accounts in sufficient detail and with sufficient professional competence to form an authoritative opinion about the accuracy and completeness or to discover significant problems with financial administration and resource management. This is the job of the Auditor General.

We know that just as the Public Accounts Committee needs the Auditor General if it is to play its proper role in holding Government accountable, so does the Auditor General need the Public Accounts Committee to ensure that the findings and recommendations are given a public airing and that Government will make a public response to the shortcomings identified by the audit. They work together.

Our concern, therefore, is the enhancement of both agencies to see that a strong and effective Public Accounts Committee, working closely with a truly independent Auditor General, can help ensure that the legislative duty to hold the administration accountable for its management of public money and resources will, in fact, be discharged.

Let me just spend a little time dealing with the Auditor General and some areas of concern. Several conditions must be satisfied if the Auditor General is to serve the legislature effectively: She must have sufficient powers and resources to perform an appropriate audit; she must have sufficient stature to give her credibility in the eyes of the legislators, the Government, and the public; she must be sufficiently independent of the Government to be able to report objectively; and she must discharge her duties in a responsible and effective manner.

We are saying that beyond the traditional examining, reporting, collection and accounting for taxes and other revenues, beyond the examining and reporting on the expenditure of funds as they relate to the limits and the purposes authorized by the estimates, we need to move beyond this to have the Auditor General tell us whether the Government has received value for the money it has spent.

We are, therefore, considering charging the Auditor General with determining whether money was spent with due regard to economy and efficiency in the acquisition and management of goods and services and whether the effectiveness of programmes is being measured and reported in all instances where such measurement is feasible and practical.

There are, however, some areas of concern which we are examining with respect to the independence of the Auditor General. How do we ensure that special provisions are put in place to make certain that the Auditor General has sufficient resources, human and financial, for the management and the operations of the department?

In our discussions, a view was expressed that since the Auditor General is an Office of the Legislature, it seems appropriate that the legislature play a role in determining the audit budget. It has been suggested as part of our discussions that referring the budget to a parliamentary committee before it is printed as part of the general estimates is one way to ensure that members of all parties are satisfied that the Auditor General is properly funded. It also provides the Auditor General with an opportunity to explain her plans and defend her request in person. That is one approach.

Other approaches have been suggested, but the discussions are all leading to an understanding that the Auditor General must have sufficient independence from central administrative controls to ensure that she can organize staff, manage her office and engage outside expertise as she sees fit, within her budget and within the provisions of the legislation designed to protect the rights of public servants.

Other matters of concern relating to the Auditor General's report, have to deal with incorporating the comments of management in the annual report. The view has been expressed that wherever possible and appropriate, audit reports should incorporate responses by the audited organizations to the Auditor General's comments and recommendations.

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A matter that has also been engaging our attention is the whole area of reporting on inconsequential matters. If we were to look at the Auditor General's report, all errors, no matter how small, are reported. The view has been expressed that this approach creates a distraction from the more important and serious issues that may be raised by the report.

It has been suggested that the report of the Auditor General should be written so that it directs attention to significant deficiencies that require attention and aids the Public Accounts Committee in a consideration of important issues in Government administration of funds and resources and that less emphasis be placed on the non-essentials and/or trivialities.

Mr. President, accountability is the fundamental prerequisite for preventing the abuse of delegated power and for ensuring, instead, that power is directed towards the achievement of broadly accepted national goals with the greatest possible degree of efficiency, effectiveness, probity and prudence. The Government is committed to this, and as part of the whole exercise of public service reform, it is looking at ways of ensuring that the Parliament and the country get the very best accountability.

I thank you, Mr. President.

ADJOURNMENT

Motion made, That the Senate do now adjourn to Tuesday, December 1, 1992, at 10.00 a.m. [Hon. L. Saith]

Mr. President: Hon. Senators, before putting the motion for the adjournment, Sen. Wade Mark has been granted leave to raise a matter on the motion for the adjournment. The matter deals with the plight of the street vendors in Port of Spain in particular, and in the rest of Trinidad and Tobago.

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Sen. Wade Mark: Mr. President, the hot and vexing issue of street vending has once again surfaced with a vengeance. Vending, a legitimate form of trade, has been attacked and assaulted by both the NAR and the PNM, but vending is as old as the hills.

The law governing street vending and which was used mercilessly by the City Corporation to harass, prosecute and fine scores of vendors is the Summary Offences Act, and is dated May 19, 1921. This Act, was also used by the former colonial masters against street vendors in the past. Section 64(1)(a) to (n) of the

Act gives the power to arrest and fine citizens, once caught selling on the streets of Trinidad and Tobago.

It is extremely amazing how this so-called caring Government of the PNM has not seen it appropriate to amend and/or repeal this archaic and oppressive section of the Act in its drive to create a hospitable climate for business activity.

It seems that the creation of an encouraging business environment is not really for the small man, but, indeed, only for the big man. How else can one explain this latest round of aggression against street vendors in Port of Spain?

Prior to the 1992 independence celebrations the Government attacked vendors around the Queen's Park Savannah. Not only were doubles and poulouri vendors threatened with removal, but also the coconut vendors. Today, the campaign against the small man is extended by the PNM to downtown areas of Port of Spain. Mr. President, the question must be asked: Is the Government of the Prime Minister, Patrick Manning, really interested in small business, or does it hate small business?

Vending constitutes the foundation block in entrepreneurial skills. It is the foundation of entrepreneurial activity, not only in Trinidad and Tobago, but throughout the world. Is the Minister of Local Government—who seems to have strong Grenadian roots—aware of the thousands of vendors involved in the trade of vending? Is the Minister aware of the volume of trade, the type of items sold or the contribution these vendors make to the economy? Is the Government truly committed to entrepreneurial competition, or continued monopolization of our economy?

The present insensitive Government ought to be complimenting the vendors on their structural intervention, and not accusing them of structural dislocation. Thousands of people, through no fault of their own, have been forced into vending to care for their families mainly because of the Government's abject failure to generate sufficient employment. But it seems, that this Government would prefer to see vendors sell hard drugs and flourish like the local Mafia than to earn an honest living.

The United National Congress is extremely saddened and pained at the insensitive, cold and heartless approach taken by the present regime in addressing this matter. Whilst in Opposition, the PNM defended the vendors against the vicious attacks of the NAR Government. Indeed, it was the present Prime Minister, Patrick Manning, then Opposition Leader, who sought to protect the vendors of

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San Fernando against the attacks launched against them by the then San Fernando Mayor. The defender has now turned into the aggressor. How ironic can life become, Mr. President!

The issue that confronts vendors in Trinidad and Tobago is not of a temporary nature. Why is the Government merely seeking to legalize vending in Port of Spain only for the Christmas season? What would happen to these persons after December 31, 1992? Look at the mess the PNM has created now in Port of Spain! Hundreds of vendors turn up for temporary licences to ply their trade but there is only enough space for 120 persons.

4.00 p.m.

Mr. President, invoking the Immigration Act to divide and rule the vendors is merely a diversionary tactic and will not solve the problem of vending in Port of Spain. Why then is our Prime Minister seeking closer unity with Guyana and Barbados? Which one of us does not have some roots planted in the Caribbean?

The United National Congress is committed to Caribbean unity and solidarity and we therefore strongly condemn this wicked act of aggression by the PNM Government against our Caribbean brothers and sisters, many of whom have had their citizenship status regularized. This virtual outrage by the Minister of Local Government and Minister in the Ministry of Finance is an attack against the people of Laventille, Morvant, John-John, among other areas, and they will never forgive nor will they forget this wicked act of the PNM. The role of the Government in this situation ought to be helpful, not hostile.

Vending has now assumed professional levels in many countries. Jamaica, for example, has a major handicraft centre whilst Mexico has constructed vending plazas.

We need to establish in Trinidad and Tobago greater planning and management in respect of vending. At present, vending is too *ad hoc*, piecemeal and disjointed. Greater and more comprehensive planning is required by the Government in addressing this vending issue. The vendors need to be totally involved in any planning exercise aimed at alleviating their problems. In this regard, we fail to understand the continued refusal of the authorities to hold discussions with the United Vendors Liberalization Movement. That organization represents the interests of a substantial section of vendors. We believe that all the legitimate parties should be involved—those who were there before and those who came after.

The Prime Minister is now talking about *bona fide* associations in order to divide and rule the vendors. This is a typical divide and rule PNM tactic, playing off one group or association against the other. That certainly would not solve the problems of vending or of the vendors. It is rank intimidation and division and will only lead vendors as a collective into the valley of death.

The United National Congress is of the firm opinion that the Government should establish the necessary infrastructural facilities to accommodate the interest of street vendors throughout Trinidad and Tobago. Vending has escalated over the years as a result of the total mismanagement of the national economy both by the PNM and the NAR. This gross mismanagement has led to the creation of an unemployment network in our country.

It is a cardinal sin against God to rob the poor of their limited possessions. It is tantamount and virtually borders on the criminal to deliberately, calculatedly and senselessly harass persons out of earning a decent and honest living. This ought to constitute a serious crime in any civilized society. Mr. President, in this light and against the background of the recent development, the United National Congress calls on the Government to institute the following measures to address the vexing question of vending in Port of Spain and throughout the country:

Firstly, immediately repeal section 64 (1) (a) to (n) of the oppressive Summary Offences Act of 1921 which makes vending unlawful in Trinidad and Tobago. Vending must be seen as a legitimate form of trading. We are all familiar with this historical form of trade involving the coconut vendors, the selling of ice—"hot ice", "cold ice", "ice in your ice"—sharpening of knives and scissors, the selling of nuts. Who can forget that Chinese "nutsman" known as "Mile-a-minute".

Secondly, establish the appropriate infrastructural facilities on a planned and permanent basis for the thousands of vendors throughout Trinidad and Tobago. We propose that lower Frederick Street (from Queen Street to Independence Square) be covered with a space frame and be created a beautiful pedestrian mall, and rent these stalls to the vendors. Further, we propose that the ground floor and the first floor of Salvatori Building be converted into a shopping centre for small merchants at a nominal rent. Properly redesigned, this area could accommodate over 1,000 small vendors.

Thirdly, actively encourage the formation of one strong association of vendors for the purpose of negotiating better conditions, and vending has to be seen as a legitimate form of business trade. There are flea markets all over the world

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manned by small vendors. Customers experience serious savings as a result of low overhead costs of vending.

Fouthly, incorporate the various interest groups and associations in plans of the City Corporation to impose fees. They are imposing fees and they know that the activity is illegal. You need to have the associations and interest groups involved in both fee structure and the allocation of spots. All parties should be involved in this exercise; none should be left out.

Mr. President, in concluding, it is the hope of the United National Congress that this Government would heed the advice of the Opposition and immediately seek a resolution of the vendors crisis which threatens to escalate in the new year as the economic conditions worsen and the unemployment situation deteriorates. A word to the wise is enough. After all, the vendors are human beings and require three square meals per day, a home to shelter their families and an adequate source of income to meet all their requirements that would guarantee, in the final analysis, a decent, dignified and healthy existence. This country must never be allowed to become a land only for the rich, wealthy and greedy, but at all times should be a virtual sanctuary for all regardless of colour, station, creed, status or background.

Thank you very much, Mr. President.

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Mr. President, I find it amazing that my hon. friend opposite can in fact stand up in this Senate and be that irresponsible. Perhaps it is understood clearly now when we say that the PNM is the only responsible party in Trinidad and Tobago.

Obviously, the issue is one of balance. One has to balance the right of an individual to earn a living against the chaos that earning a living in a certain manner could create. That is the fundamental issue.

4.10 p.m.

Before I go along let me inform the honourable Senator, "Yes, my lovely queen migrated from Grenada at age seven." Not only that, I am a West Indian. I am a Caricom person. My father's foreparents migrated from Anguilla. They lived in The Valley. That is how we got the name.

Sen. W. Mark: Valley of death?

Hon. K. Valley: But, Mr. President, I do not think any of us would agree that our friends, our Caricom brothers, should come to Trinidad and engage in illegal activities, whatever they may be. On the basic question of vending, we must realize that vending is not a problem merely in Port of Spain. Some time ago in the other place there was an issue with respect to vending in San Fernando. A motion was made, and it was really a question of the San Fernando Corporation trying to implement the bye-laws of the Corporation.

There is a problem in Arima with respect to vending. There is a problem in Chaguanas. Even though there is a market and we set up a committee, there are still those who prefer to sell outside the market. The question is whether we are going to live by some rules or whether it is going to be a free-for-all. Let me just say that the PNM is a caring party; the PNM will continue to be a caring party; but the PNM would never be carefree.

Mr. President, vending is not a problem only in Trinidad. I think in every major city one would see that there are vendors on the streets. There is, as it were, a natural attraction to go where the traffic is, and what one attempts to do is to control the vending. The Port of Spain Corporation's policy so far is that vending ought to be discouraged. As a fact, one would have some, but it must be controlled.

We say that vending must be controlled, especially in the Port of Spain area, because when we look at the streets of Port of Spain we see that they are generally narrow and congested with pedestrian and vehicular traffic. As a result, vending in these areas seriously obstructs the free flow of both types of traffic, thereby creating safety hazards. Also, there is the past experience of the City Corporation of vendors trying to establish themselves in permanent places, thereby restricting the Port of Spain City Corporation from providing the city with basic public health service—garbage collection and disposal services. Past experience also suggests that there is a correlation in the relationship between innocent vending and the peddling of drugs at the street level. Moreover, the Corporation has received several complaints from the legitimate business people in the Frederick Street area concerning vending in Port of Spain.

Lastly, Mr. President, the decongestion and beautification of Port of Spain is in keeping with the Port of Spain initiative, together with the re-development plan for Port of Spain which is designed to promote and upgrade our capital city to be the business and financial centre of the Caribbean. We want, simply, to have a certain degree of order in our city.

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Now, I think it may be well that our friends opposite bear in mind also that over the last three decades the Port of Spain City Council has made considerable arrangements in an effort to assist small street vendors. Some of these initiatives are: the establishment of the Drag Brothers Mall—I heard my friend speaking about Mexico and Jamaica, but we have done some of these things—the establishment of the People's Mall located at the corner of Frederick, Henry and Queen Streets. And remember the costs the PNM Government incurred in setting up that place. It is not as though we are unmindful of the need of small people to earn a living, but we have to consider what we want in the society. Do we want chaos, or do we want some type of balanced development? That is what we are talking about.

Sen. W. Mark: We are talking about planning, not chaos.

Hon. K. Valley: Mr. President, there has also been the temporary use of the Hart Street Car Park in peak season. There has been the establishment of the Eastern Market Shopping Mall and I can tell you that there is room there for at least a hundred vendors. We want people to go there. If one were to go down there and see the development of that Eastern Plaza and the cost to the Government! I want to ask my hon. friend, Sen. Wade Mark to accompany me; let us go to Eastern Plaza and see what is there and ask why the vendors are not going there.

Sen. Kwabene: Nobody is going there—no buyers.

Hon. K. Valley: Look, as long as people want what you have, they are going to come for it. But if you were to allow 400 vendors on Frederick Street you would have the chaos that you had last week. You can walk down Frederick Street today, because this Government took action and the people—your friend who wrote that thing for you, he stands alone. Do you know he has resigned because even his executive members found the time to go and register quite peacefully? We are handling it in a structured manner.

And there is Tent City, Mr. President. These are all the initiatives taken over the period to deal—because we do not see them as vendors, we see them as micro-entrepreneurs. That is how we see them.

Sen. W. Mark: A new name—micro entrepreneurs.

Hon. K. Valley: We do not want them to face the sun and the rain and to be running from the police and so on; we want to put them in a place and assist them in developing their businesses, because we know very well that the small business of today could very well be the large business of tomorrow.

Right now we are getting people to—if you look at Eastern Plaza when we were putting that Board together we were extremely careful about the persons we would put on it because we wanted persons who would go out and look for people with art and craft, and we want to start exporting these things.

Sen. W. Mark: On a point of clarification? Could the hon. Minister indicate to us, whether he has evidence of vendors pushing drugs; and if he has that evidence what he is doing with it? That is the first question. Secondly, is the Government of Trinidad and Tobago prepared to amend that archaic and outdated law of 1921 which makes vending illegal in Trinidad and Tobago?

4.20 p.m.

Hon. K. Valley: Mr. President, on the first point, the hon. Minister just does not have time to go around looking for persons who are pushing drugs. The information supplied to me is that there is a correlation between the innocent street vending and drug pushing. Secondly, with respect to the amendments to the Act, we are willing to look at anything, but I can assure my friend that the Government has no intention, at present, to amend the Act.

Mr. President, the current issue really arose out of an initiative that we at the Ministry of Local Government took earlier in the year. Early in the year, quite simply, I thought that Port of Spain was really extremely bad. It was not merely the question of the vending, it was the issue with the vagrants, the state of the streets, as well as the scavenging.

Around May of this year, I called the former mayor of Port of Spain, Mayor Williams, the Permanent Secretary of my ministry and some other officers and asked them to look into the problems of Port of Spain and come up with solutions. We call it the Port of Spain Initiative. That committee reported on August 3, 1992. They looked at street vending, Tent City, the Drag Brothers, vagrancy and homelessness, public utility co-ordination, flooding, roads, scavenging, civil works, squares and parks, restoration of the Capildeo building; all of these things.

Quite simply, this was in keeping with the whole initiative to make Port of Spain the business and financial centre of the Caribbean and the gateway to Latin America. *[Interruption]* We have to sing it, because it must sink in. It must be part of our perspective. We must feel it. We need to do it. *[Interruption]* Well, it will be. I can assure you.

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Mr. President, the initiative with respect to vending is part of this larger initiative. Similarly, with the issue of vagrancy. Let me just make the point, because there has been quite a lot of talk with respect to vagrants moving to Nelson Island. Let me say quite clearly that when we said that we were going to Chacachacare and Nelson Island to look at possible sites, we made it clear that there were options available. There are some people who believe that it is better we use a site at Waller Field. Other persons are coming up with other ideas. The simple point is that it seems that we have to do something with our street people.

If we say we care about human beings, the way my friend over there talks, then we must know that we cannot leave those people on the streets. If you pass through Port of Spain at two o'clock in the morning [*Interruption*]. Fine, but first of all you have to find a decanting centre so that you can get them there to analyze what is their problem to determine where they go. We have to deal with it. [*Interruption*] We are dealing with everything. Whatever you want to deal with, we are dealing with it. If you want to deal with the budget, we would deal with that too.

Mr. President: Come back to the issue of the debate, please. I do not want any digressions. This is a straightforward debate between the person who raised the matter and the Minister replying.

Hon. K. Valley: Mr. President, I simply went on to the vagrancy issue seeing that it was all part of the same initiative, vending was another. Also, owing to the fact that the Senator stated that this Minister is a heartless one; that I want to send vagrants to Nelson Island.

Quite simply, it is part of that initiative. We were following that. However, given the directive to the Port of Spain City Council, we agreed that we would allow the legitimate vendors to ply their trade over the Christmas period; that is, between November 16, 1992 and January 6, 1993.

Sen. W. Mark: What happens after that?

Hon. K. Valley: We shall deal with that.

The Mayor of Port of Spain and his council met with the legitimate vendors association last week, and it was agreed that the situation on Frederick Street should be regularized. It was agreed that during the period November 23 to 25, 1992, no vending will be allowed, to enable an appropriate system of registration, allocation and control to be put in place. That is what is happening right now at the assembly hall.

Registration began on November 23, 1992, at City Hall at 10.00 a.m., a fee of \$25 is to be charged for temporary vending permits, which will expire on January 6, 1993. Identification cards or passports will be required for registration. As of yesterday afternoon, there were about 320 persons registered, and my understanding is that it is expected that a further 50 or so will be registered.

Mr. President, I can tell you that they have identified another site. Bearing in mind that Frederick Street will be unable to accommodate all of those vendors, they have found another site where they plan to have 24-hour vending.

Sen. W. Mark: Where is that?

Hon. K. Valley: You would see. If I tell you now, you would go and tell your friends and all of them would go and—anyhow. That is going to be in effect as from Thursday. There will be floodlights in that area, 24-hour vending will be allowed up to January 6, 1993.

After that time, the City Council feels strongly that vending on Frederick Street will not be allowed. There is room in Tent City and at East Side Plaza, and the legitimate vendors will find room in those places.

Mr. President, quite simply, we are saying that there must be some order to what we do. That is it.

Thank you.

PROCEDURE

Mr. President: Before putting the question for the adjournment, I had one or two queries during the course of this exchange, and I just want to clarify the position for Senators.

Any Senator can seek leave to raise a matter on the motion for the adjournment by giving notice, in writing, to the Clerk of the Senate, stating the subject he would like to raise on the motion for the adjournment. When that leave is granted, only the Senator who has been granted such leave may speak and the Minister can reply. Others, unfortunately, are not allowed to participate.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 4.30 p.m.