

*Leave of Absence**Tuesday, March 14, 1995***SENATE***Tuesday, March 14, 1995*

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 to Sen. Carol Merritt to be absent from today's sitting on account of illness.

LATE ARRIVAL

Mr. President: Hon. Senators, three other Senators have indicated that they will be a little late for today's sitting.

PAPER LAID

Annual Report of the Law Commission of Trinidad and Tobago for the year 1992. [*The Minister of National Security (Sen. The Hon. Russell Huggins)*]

ORAL ANSWERS TO QUESTIONS

The following questions stood on the Order Paper in the name of Sen. Wade Mark:

**Retrenched Employees
(Outstanding Money Owed)**

- 16.** Could the Minister of Labour and Co-operatives state:—
- (i) The outstanding sums of money still owed by employers to employees who were retrenched during the period 1981 to 1991?
 - (ii) The names of the companies and the number of workers involved?
 - (iii) What steps are being utilized by his Ministry to have these sums settled?

**National Carnival Commission
(Submission of Financial Statements)**

- 21. (a)** Is the Minister of Community Development, Culture and Women's Affairs aware that for the years 1992, 1993 and 1994, the National Carnival Commission has failed to submit financial statements in accordance with section 24(2) of the National Carnival Commission of Trinidad and Tobago Act, 1991?

- (b) Is the Minister also aware that the National Carnival Commission has failed to submit audited statements of accounts and accompanying Reports of the Auditor General in accordance with section 24(5) of the National Carnival Commission of Trinidad and Tobago Act, 1991?
- (c) If the answers to (a) and (b) are in the affirmative, could the Minister explain to the Senate the failure and/or negligence of the Commission to submit financial statements and audited statements of accounts and reports of the Auditor General referred to above?
- (d) Could the Minister advise this Senate as to what steps are being taken to ensure that the National Carnival Commission complies with the provisions of section 24 of the Act?

**Provisions of Estimates
(Income and Expenditure)**

- 22.** Could the Minister of Community Development, Culture and Women's Affairs provide the Senate with the estimates of income and expenditure of the National Carnival Commission for the financial years 1992, 1993 and 1994 and the final budgets approved by the Minister for the same period in accordance with the provisions of section 21(1) and (2) of the Act?

The Minister of National Security (Sen. The Hon. Russell Huggins): Mr. President, I have just mentioned to Sen. Wade Mark that the Government has not yet completed the replies to the three questions on today's Order Paper. I respectfully request that they all be deferred for a period of two weeks.

Questions, by leave, deferred.

ARRANGEMENT OF BUSINESS

The Minister of National Security (Sen. The Hon. Russell Huggins): Mr. President, at this time I seek your leave for the hon. Attorney General to make a short statement at a later stage of the proceedings.

Agreed to.

CONSTITUTION (AMDT.) BILL

Bill to amend the Constitution of Trinidad and Tobago, [*The Attorney General and Minister of Legal Affairs*]; read the first time.

Motion made, That the next stage be taken at a later stage of the proceedings. [*Hon. R. Huggins*]

Question put and agreed to.

STRATEGIC SERVICES AGENCY BILL

Order for second reading read.

The Minister of National Security (Sen. The Hon. Russell Huggins): Mr. President, I beg to move,

That a Bill to provide for the establishment of the Strategic Services Agency and for matters connected therewith be now read a second time.

Mr. President, it is common knowledge that this Government has, within its term of office, sought to put various measures in place both legislatively and administratively, to deal with the ever burgeoning problem of drug trafficking and the wide range of criminal activity spawned by it.

The recent tabling and passage of the Dangerous Drugs (Amdt.) Bill, 1994 resulted from this Government's recognition of the deficiencies which existed in the Dangerous Drugs Act, 1991 and in particular, with respect to the crime of money laundering; and was a manifestation of our deliberate effort to address those deficiencies so as to provide our law enforcement agencies with an adequate legal framework to assist them in the task of apprehending and bringing to trial those criminals involved in the drug trade, at all levels.

The passage of that amendment to the Dangerous Drugs Act, 1991 has also facilitated the ratification of the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988, which was finally achieved on February 07, 1995.

Mr. President, insofar as Trinidad and Tobago is concerned, the Convention comes into effect within 90 days—at the expiration of the 90th day—from February 07, 1995. I am certain that hon. Senators are fully aware of the implications of this act of ratification by the Trinidad and Tobago Government—that it puts this country within a global context in the fight against the drug menace which, as you would be aware, has in the last decade or so, achieved transnational status. It also tells the rest of the world, and in particular, the leading nations involved in the fight, that Trinidad and Tobago is serious about addressing the drug problem, not only on a domestic level, but that we are willing to act in concert with them in their endeavours to suppress the far-reaching effects of drug trafficking on an international level. It places this country in a more attractive position for the receipt of technical assistance from donor countries and international organizations, and practical support for national programmes.

In addressing the social implications of the drug problem, several initiatives have been taken by this Government at a national level, and these include:

- (1) the establishment of the National Alcohol and Drug Abuse Prevention Programme (NADAPP), a body bringing together both Government and non-governmental agencies to tackle the problem from a demand/reduction perspective.

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- (2) the establishment of the Intersectoral Co-ordinating Council on Alcohol and Drug Abuse (ISSACADA), which acts as an umbrella committee governing the direction in which programmes undertaken by NADAPP are headed.

There has also been established a Technical Advisory Committee on Alcohol and Drug Abuse, (TACADA), which provides expert guidance for the development of a national programme to deal with drug abuse and for monitoring the efficiency and impact of this programme.

Mr. President, in the area of law enforcement and interdiction, the major features of the Government's strategy have been—

- (i) the establishment of the Office for Strategic Services in 1992, as a division of the Ministry of National Security clothed with the task of developing and effecting a structured co-ordinated approach to drug interdiction based on a clearly defined strategy. This Office was also given the responsibility for the implementation of a project entered into by Trinidad and Tobago and the United States which is designed to collect information relating to individuals, vessels and aircraft involved in narcotics smuggling. This project, which is known as the Joint Information Co-ordinating Centre, is spread among 13 countries in the region and is heavily subsidized by the United States Government which has provided computer and other equipment, as well as training of personnel involved in managing the project.
- (ii) the exposure of our law enforcement personnel and, in particular, those who are attached to the refurbished Narcotics and Firearms Control Bureau, now the Organized Crime and Narcotics Unit (OCNU) to training both here and abroad, with the assistance of offers from international agencies and donor governments.

- (iii) the re-organization and updating of the Customs Department with the assistance of the United States Government, again with a view to enhancing this country's interdiction efforts.

Mr. President, I must indicate to you that the Government's decision in 1992 to establish the Office for Strategic Services was predicated on a number of factors. We recognized that there was a flourishing traffic in illegal drugs and we recognized its manifold implications for social cohesion, the crime rate, the economy, as well as Trinidad and Tobago's relationship with other states. This, in turn, led us to the inescapable conclusion that there was a need to develop a comprehensive counter strategy supported by sufficient dedicated resources to enable its implementation and to establish an agency or office of some kind charged with such responsibilities.

In addition, Mr. President, we in the Government recognized the multi-faceted and extremely complex nature of the drug trafficking problem and realized that any strategy being contemplated must be integrated, involving all pertinent agencies, closely monitored and well co-ordinated at the implementation level.

Added to the above, was the fact that the transnational nature of drug trafficking and the kind of money generated by it have resulted in the employment of state-of-the-art technology, as well as a high degree of mobility of products and people in the course of business and in the process of avoiding detection and prosecution. This factor, therefore, further served to highlight the necessity for the establishment of a central office to which would be assigned the task to collaborate with a wide range of authorities in a variety of countries, to facilitate the creation of channels of communication in order—

- to promote and exchange information and intelligence;
- for operational collaboration;
- for sharing resources and training;
- to participate in regional and global initiatives;
- and to harmonize legislative provisions.

Mr. President, the OSS was therefore established, headed by a Director and staffed by personnel from the Ministry of National Security general administration, as well as persons drawn from the law enforcement agencies such as the Police Service, the Defence Force and the Immigration Department, to inter alia—

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- (1) act as a central co-ordinating agency for the development, collection, processing and dissemination of information from all relevant agencies; and
- (2) develop an integrated drug interdiction strategy focussing on, but not restricted to, the key areas of international co-operation, the legal framework, intelligence, foreign technical assistance and information exchange, crime prevention and airport and seaport security.

In establishing this office, now to be referred to as the Strategic Services Agency (SSA), several very sensitive issues had to be carefully considered. At the end of the day, this Government recognized that in order for this office to function efficiently and effectively, having regard to the strict confidential and high security nature of its operations, a certain degree of operational autonomy would be required which should be clearly spelt out in legislation. For example, there was need for the office to be able to recruit appropriate staff, establish disciplinary machinery, prescribe terms and conditions for service, and manage its own budget, rather than rely on allocations from the Ministry of National Security. These are merely some of the factors which propelled this Government to develop and formulate proposals for the drafting of legislation to govern the functioning of this Agency.

Mr. President, I think it is commendable that the Government was able, at least, to achieve the establishment of that Agency in the way it did in 1992. I just want to read into the record the difficulty which the American Government had in dealing with a similar problem which, eventually, led to the creation of the Drug Enforcement Agency, more popularly known as the DEA, which I may add, is an agency which is quite different from the SSA, principally because the Drug Enforcement Agency also acts as an interdiction agency and it is not intended that the SSA will act as an interdiction agency.

If I may quote, Mr. President, from a book entitled *Swordfish* by David McClintick, it is a true story of ambition, savagery and betrayal.

Sen. Capildeo: Actually quoting from a book?

Sen. The Hon. R. Huggins: I quote from page 24, Mr. President:

"Government and police efforts to combat drugs and drug crime had been as chaotic historically as the drug scene itself. Federal narcotics agents in the U.S. had carried a total of 30 different badges since the federal government had outlawed drugs in 1914. The first federal antinarcotics law was a tax law and

was enforced by a small group of agents from the Department of the Treasury. In the late 1920s there was a scandal—drug agents were found to be in business with drug dealers—and in 1930 the enforcement responsibility became the sole function of a newly created Treasury agency called the Federal Bureau of Narcotics, or FBN, which was semiautonomous and presumably easier to monitor. Another Treasury unit, the Customs Service, also had a role in drug enforcement—trying to stop illegal drugs at the borders of the U.S.—and Customs and FBN agents frequently engaged in bitter competition for arrest headlines. Occasionally the White House would ask J. Edgar Hoover's FBI to assume responsibility for drug law enforcement, but Hoover always declined, fearing corruption like that which already had infected the Treasury's drug agents.

Other cabinet departments and agencies entered the fray, however. Fighting drugs became glamorous. By the late 1960s the bureaucracies responsible for the various facets of the drug issue had metastasized. Drug "agencies", drug "bureaus," and drug "offices" popped up across the government—even within the White House—often working at cross-purposes.

BNDD. FBN. BDAC. FDA. HEW. ODALE. ONNI. IRS. ATF."

Those were all agencies that developed in the United States with a view to trying to deal with the drug problem. All of them collapsed principally because of corruption.

"Customs, the only agency without initials, vied with BNDD, the Bureau of Narcotics and Dangerous Drugs, which had been formed in the Justice Department by a merger of the Treasury's FBN with BDAC, the Bureau of Drug Abuse Control, an appendage of the Food and Drug Administration in the Department of Health, Education and Welfare."

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"ONNI, the Office of National Narcotics Intelligence, and ODALE, the Office of Drug Abuse Law Enforcement, also were parts of the Justice Department, though they were being run out of the White House. ODALE, in turn, was authorized to borrow agents from BNDD and three Treasury agencies—Customs, IRS, and ATF (Alcohol, Tobacco and Firearms)—as well as former or detached agents of the CIA.

In 1973 a frustrated Nixon administration decreed the grafting of BNDD, ODALE, and ONNI together with 500 Customs agents to form a 'superagency'

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called the Drug Enforcement Administration. The DEA was placed under the aegis of the Justice Department. 'We have turned the corner on drug addiction in America,' Richard Nixon declared.

There were grim chuckles in the ranks at Nixon's remarkable statement, and more chaos ensued."

Mr. President, what we are seeking to do is to avoid all that chaos, trying to learn from the Americans' mistake, and with the establishment of the Office for Strategic Services in 1992 and the relative successes that that organization, within the Ministry of National Security, has had to date in trying to co-ordinate the whole drug approach—and this was even recognized in the recently published report by the United States Government, I think it is called the INSCE report—I think we are well on the way to having something in place that at least can point the way to dealing with the drug problem.

I now go to the Bill before us. Clause 1 of the Bill—

Sen. Daly: I wonder whether the Minister would give way. If this agency is not to be an interdiction agency, could the Minister in the course of dealing with the various clauses in the Bill, explain what is the purpose of clause 6(2)(a) in the amendments circulated today, if this is not to be an interdiction agency?

Sen. The Hon. R. Huggins: Mr. President, I will get to that in due course.

Clause 1 of the Bill indicates the short title, whilst clause 2 defines certain key words in the Bill.

Clause 3 establishes the Strategic Services Agency as a unit consisting of a director and employees.

Clause 4 gives the President the power to appoint a director for a term of five years and provides for his remuneration and pension to be fixed by the Minister. This clause further stipulates the functions of the director among which is included the obligation to submit biannual reports to the Minister, advise the Minister and report to the Minister on matters pertaining to the legislation.

Clause 5 provides for the employment of staff to man the agency and the procedure governing such employment. This clause further establishes the need for every employee of the agency to take an oath of allegiance and secrecy at the commencement of his duties.

Clause 6 sets out in detail the numerous functions to be assumed by the agency. As I have indicated before, the main task of this agency is to act as a

central co-ordinating office for the suppression of illicit drug trafficking and drug related matters. I should point out here that the establishment of this agency is not a phenomenon peculiar to Trinidad and Tobago. What we have seen across the international community, that is, countries that are party to the Vienna Convention, is the establishment of similar type organizations, set up for corresponding purposes, as well as to oversee the implementation of the requirements of the Vienna Convention.

Like the Vienna Convention, Mr. President, the Inter-American programme for action of Rio de Janeiro, Chapter 3, recommends the establishment of central agencies at the national level, charged with formulating the respective national plans, policies and programmes regarding narcotic drugs and also with exercising general co-ordination, supervision and control and monitoring of activities relating to drug abuse and unlawful trafficking in narcotic drugs and psychotropic substances.

Clause 6(1)(a) talks about the Agency's responsibility to centralize information to facilitate the detection and prevention of illicit traffic. In recent times the strategy adopted by the Government of Trinidad and Tobago with respect to drug interdiction has been developed from a supply reduction perspective. It is understood that the greatest successes that are likely to be achieved in the implementation of this strategy can only be achieved as a result of good intelligence. Recognizing this fact, it means, therefore, that our national drugs supply reduction strategy, requires the establishment of an effective intelligence mechanism, based on the co-operative, co-ordinated efforts of the relevant agencies involved in drug interdiction.

Thus, by incorporating such a mechanism into the functions of the SSA, the Government views this as being at the core of cost effectiveness, by virtue of its enabling resources to be focussed. In so doing, it is expected that the SSA will aim at the fullest exploitation of all available sources of intelligence, including the line units such as the police, military and customs, towards the production of strategic intelligence, as well as timely actionable tactical intelligence.

Clause 6 also contemplates the setting up of channels of communication with foreign agencies, as well as the exchange of information and intelligence with these agencies. It is envisaged that this would be accommodated through Trinidad and Tobago's participation in various bilateral and multilateral agreements and working relationships with external law enforcement agencies. The Joint Information Co-ordinating Centre is a clear example of this latter kind of relationship.

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The role played by the SSA in recent times has been particularly noteworthy, in that there has been a significant rise in the number of seizures of drugs by the police, the largest being 226 kilos of cocaine last year, with the assistance of strategic intelligence emanating from the OSS. I should mention here, Mr. President, that even the US in its International Narcotics Control Strategic Evaluation Report recently carried in one of the dailies, did allude to the improved co-ordination among line units in Trinidad and Tobago in pursuing this country's drug interdiction strategy.

Another important aspect of the drug trade which has achieved great prominence in recent times, is the laundering of the proceeds of drug trafficking. The difficulty of legalizing vast volumes of illicit cash by surreptitiously introducing them into the legal system has been recognized as being perhaps the Achilles heel of drug traffickers. The focus on money laundering has resulted from the recognition of its debilitating effects on legitimate business activity and the economy of a country, as well as the damage to the integrity of the financial system.

As part of its functions, the SSA has already embarked on a close working relationship with the regulatory authorities, the commercial banking community and the rest of the financial services sector in order to develop adequate measures to identify and prosecute those engaged in the illegal practice of money laundering.

Clause 6 of the Bill is also intended to facilitate the requirement of Article 7 of the Vienna Convention for the establishment of the SSA as a central authority to assist administratively in the processing of requests for mutual legal assistance by foreign governments, as well as to channel requests from our government to those governments for similar assistance.

2.00 p.m.

Sen. Ali: Mr. President, may I ask the Minister to tell us with which countries we have mutual legal assistance treaties?

Sen. The Hon. R. Huggins: There are no finalized mutual legal assistance treaties as yet. We have agreed drafts, but it has come to our attention that because of certain provisions contained in some of these documents, in order to give full effect to all the provisions, there will be need to introduce legislation. So we have been acting upon those provisions which could be acted upon administratively. But in order to give full effect to the entire document, there is need for certain legislation to be put in place. That legislation has already been

drafted but it has not, as yet, been submitted to the Cabinet because it has to take its turn behind certain other pieces of legislation.

With respect to clause 6(2)(a) of the Bill, and insofar as that provision is amended to deal specifically with the question raised by Sen. Daly, the fact that the SSA has power to take action against illicit trafficking with the services according to the information available to it, does not, in itself make it an interdiction unit. It is giving it the power to participate with the interdiction units in taking action against the illicit traffic. So it might participate, for example, in the provision of information. It is all part of a co-operative effort in fighting the drug trade. That is what it has been doing in the past. Information or intelligence has come to its knowledge and it has worked closely with the interdiction agencies in moving forward to act on this information. It does not, in itself, make it an interdiction agency. As I said, the only interdiction agencies that we have at this time are the police service and customs division.

Sen. Mahabir-Wyatt: Mr. President, through you, I wonder if the Minister, before he finishes his introduction to this Bill, would explain a little more clearly why it is we need the Bill if the OSS has already been doing this since 1992, as he said. Why do we need to legislate for it?

Sen. The Hon. R. Huggins: Some time ago, I think it was in May 1992 when I made a statement in his House and I alluded to the Government's decision to establish the OSS, at that time I also indicated that it was the Government's intention to bring legislation to deal with the organization known as the OSS, but because of the pressing need then to set it up, we took the decision to set it up administratively because there was a great deal to be gone into in terms of drafting this legislation. There was much consultation to take place with some of those countries, particularly the United Kingdom, which has set up a similar agency called NCIS. It is much larger than the OSS. It performs a similar function but instead of being restricted to matters of drug trafficking as the SSA will be, that similar body, the NCIS, was extended to include, not only drug-related matters, but all forms of organized crime. Similarly, there is an organization which was established in Canada since the coming into effect of the Vienna convention which is, as I said, one of the agencies that really informed the formation of the OSS.

We feel that it is necessary because there are certain matters which can only be dealt with if there are legislative provisions. For example, one of the concerns we have always had with the operation of the agency as it presently is in the Ministry of National Security is the question of dealing with breaches of

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confidence, where information comes into the agency and some employee of the agency divulges this sensitive information. I, for one, have no confidence at all in the Public Service Commission to deal with any such matter, because these matters are very grave matters, having regard to the type of information that comes in there. It is extremely difficult—and I take it we will all know that—to deal with a matter of discipline within the present context of the Public Service Commission.

In addition to which, there is also the sensitivity of hiring appropriate staff for such an agency. We have had situations, for example, where people have been assigned from the Ministry of National Security, the general administration, to the OSS, because they possess certain qualifications, and within about three or four months of their being assigned to a particular project, they have been transferred by the Public Service Commission to other areas of the government service despite objections that the person has been put there to do a particular project and has been doing that project, and that sort of thing. In order for this agency to operate efficiently and effectively we cannot continue to have it suffer because of that kind of insensitivity in the staffing of the organization.

In addition, there is also the difficulty of assigning police officers to the OSS. Because even as established by legislation, there will be the need to assign certain police officers, probably from the Organized Crime and Narcotics Unit, to work within the organization. There is provision made in the legislation for that. But as it operates now, administratively, there are some problems that have developed with respect to that, because the officers stand to lose. They are told that they are not reporting to any senior police officer. So when the time comes for their confidential report to be done, they run into problems, because having been assigned there to assist in a particular matter, they are told that they are not really under the jurisdiction of an appropriate senior police officer who can report on them to the promotions board. All these problems develop. I think that if the agency is to do its work and get anywhere, it has to be developed in this way. Notwithstanding those problems, we have been fighting them as best as we could, but I think if we are to delay this, the fight will surely be lost.

Clause 7 of the Bill seeks to facilitate the transfer of officers from the public service or police service to the SSA, in such a manner as to preserve their pension and other terminal benefits.

Clause 8 seeks to prohibit the disclosure of information by personnel attached to the SSA except where it is done as part of the investigation or prosecution of a serious crime or drug offence here or abroad.

Clause 9 provides the sources of the funds to be made available to the SSA which, significantly, include moneys forfeited from criminal activity.

Clause 10 mandates the agency to maintain proper records and accounts and to submit a financial statement in every financial year to the Minister. It further provides for the auditing of these accounts by the Auditor General or his nominee.

Sen. Mansoor: I wonder whether the Minister would explain how these funds that they get from forfeitures would get into the coffers of the agency. If this is not an interdiction agency, could you just dwell a bit on the mechanism that would bring the funds into this agency?

Sen. The Hon. R. Huggins: The mechanisms that can bring the funds there now particularly relate to funds seized abroad as a result of information supplied. The arrangement we have is that normally the seizing country dictates where the funds should go. Towards this end, for example, we have established a Seized-Assets Fund. Part of the agreement, for example, with the United States is that if we are to provide information to the United States and assets are seized and realized, under the agreement we have, they can direct where the funds are to go and that, in fact, the funds are to be used in the fight against drugs.

2.10 p.m.

Sen. Mansoor: If it is the funds are seized [*Inaudible*] by our own local arrangements those funds would not end up in this agency. Is that it?

Sen. The Hon. R. Huggins: Unless there are certain amendments done to the law, because normally when assets are seized here and realized, there is provision that they have to go to the Consolidated Fund, but there is no difficulty in negotiating with the Minister of Finance, based on the amounts seized.

It is also intended that the Consolidated Fund will, in some way, fund this organization also, so we can always tie it with what has been seized. I do not know whether the minister will fall for it.

Clause 11 defines the financial year of the agency.

Clause 12 places the agency's principal office within the precincts of Port of Spain.

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Clause 13 puts the minister under the obligation to lay in Parliament an annual report on the operations of the agency. I think this is an important provision because Members of Parliament always complain that they do not know what is going on. As the OSS exists now, there is no obligation on the Minister to lay any report in Parliament, but knowing the importance of Parliament and the fact that Parliament likes to be informed of what is happening, we have now made it accountable to the Parliament to a certain extent.

Clause 14 gives the Minister the power to make regulations to give effect to the Bill.

In winding up my presentation on the contents of this Bill, I wish to state emphatically—and I am addressing this specifically to certain persons who seem intent on misinforming not only themselves, but also the public, and even to certain congressmen from abroad who seem intent on making mischief; I cannot remember the person's name but I know where the mischief emanated. As a matter of fact, investigations have revealed that the individual did not even know that in 1994 a report was published.

Sen. Capildeo: Which one of the individuals?

Sen. The Hon. R. Huggins: Try, if you cannot. I wish to state emphatically that it is patently clear that this piece of legislation seeks in no way to establish a parallel police service or anything of the kind. The SSA has no powers of search and seizure since the carrying out of these activities is the province of the law enforcement agencies, to wit: the police service and the customs division.

This Bill seeks to bring together specialist personnel to develop, oversee, monitor and assist in the implementation of Government's drug interdiction strategy with the aid of the relevant agencies, both here and abroad.

Sen. Prof. Spence: Will the hon. Minister say what are the powers referred to in clause 14(a)? Secondly, I wonder whether the hon. Minister can assure the Senate that only a national of Trinidad and Tobago will be appointed as director in this agency?

Sen. The Hon. R. Huggins: Insofar as clause 14(a) is concerned, that refers to the responsibilities to be carried out by the director of the agency.

I think we have sufficient qualified local people to manage this agency. What is not available locally in terms of qualifications, we are certain that appropriate training programmes can be sought with the assistance of the major donor countries.

Mr. President, I beg to move.

Question proposed.

Mr. President: Before I call on Sen. Capildeo, I just want to read a slight extract from page 384 of the *May's Parliamentary Practice and Procedure* dealing with reference to strangers.

"It is not in order to refer to persons in the Galleries (except generally for the purpose of an order for their withdrawal)".

No name was called, no identification was made, but since the matter was raised, I would like to caution Senators as to the rules regarding strangers.

Sen. Surendranath Capildeo: Mr. President, this Bill, without doubt, is serious business, and if I should smile Sir, ignore it, I am deadly serious. Whether both Ministers of National Security, the present incumbent or the previous holder of the office understand it or not, this Bill reveals the innermost recesses of their thoughts and thinking processes. The arrogance of power knows no bounds of decency and the seduction of power has no limits to its audacity.

The arrogance and audacity of this Bill is in stark contrast to all that we, in this beautiful twin-island state have grown up to hold dear and precious. Do you know, Sir, what is ironical about this?

If I may, with your leave presume, I will say that the most precious idea and fact that all of us have grown up with is freedom. That peculiar Trinidadian freedom which allows Minshall, Pastor Cuffie, "Super Blue", ASJA and the Maha Sabha, Archbishop Pantin, Molly Ahyee and Bishop Douglin to live side by side. Freedom that is scintillating and brilliant, free as the bat of our native son Brian Lara, as he caresses the ball to the boundary. We did not invent cricket, but in the words of Shakespeare, "I will better the instruction".

Now comes this dark blot on our society, the Strategic Services Agency Bill (SSA). If I had my way, I would reverse the thing, "ASS". Something that is completely alien. Mr. President, I am serious because this thing is completely alien to our concept of law and order which is embodied in our Constitution, our Police Service Act, our Police Service Commission and our way of life.

When are we going to climb out of this mimic man syndrome? Mr. President, the precursor of this Bill, the two most notorious 20th-century secret police, the Nazi Gestapo and the Russian NKVD counterbalanced by the American CIA, the British MI5, the DGSC of France and lately, the KGB of Russia; and now, we being good little mimic men, we have the SSA of T&T. How and when are we going to grow up? Monkey see, monkey do! But there are certain basic facts which this nation must face and we must confront them head-on before any such Bill becomes law.

2.20 p.m.

I will enumerate for you all 12 basic facts without which this Bill cannot become law. The first fact is that crime is out of control in Trinidad and Tobago. One only needs to look at the newspapers to read on a daily basis how our people are being shot and slaughtered like animals in the hunting season. The police are helpless and incapable of arresting this avalanche of horrendous crime. Even the hon. Minister of National Security has admitted this fact. Permit me to quote page 2 of the *Newsday* dated Saturday, March 11, 1995. The Minister is reported to have said:

"...despite the efforts of Government, the criminals continue to plague the society.

He said: 'Notwithstanding the numerous initiatives taken by the Government to arrest the spiralling increase in crimes—initiatives which, very often, are considerably costly to the national treasury, the criminal elements continue to plague every facet of our daily lives.'

He contended that no one is exempt from the actions of criminals while pointing out that everyone knows another person, school, church, home that has suffered at the hands of bandits, muggers or worse."

What will the SSA do about this? The first fact is that crime is out of control.

Secondly, the police service as it exists is incapable of enforcing law and order. I need only refer to all the commissions of enquiry which have sat on the police service and in particular to the La Tinta Commission of Enquiry, and the final report of Graham Seaby of New Scotland Yard. All these reports speak volumes about how bad the situation is. There is one line in the Scotland Yard Report which clearly sums up the situation. It is contained in paragraph 9. 3. 2. It states:

"Corruption in the police service can be described as endemic. It permeates all ranks."

We have crime out of control and the police service is incapable of enforcing law and order.

The third fact is that the administration of justice has broken down. I refer to every speech for the last 25 consecutive years of every Chief Justice on the ceremonial opening of the law term. I refer also to the *Gurley Report* which is adorning a shelf somewhere. We have just been through the traumatic Justice

Crane affair and the Jamaat appeal. It is a known fact that the High Court and the Criminal Assizes are bogged down with matters. No civil appeals have been heard for a long time now because the Court of Appeal is concentrating on murder appeals. Even there, the pipeline is clogged with dozens of appeals waiting, far less when the civil appeals begin to come forward. The situation is hopeless. There is no solution in sight.

With respect to the magistracy, *mirabile dictu*, even Sir Ellis Clarke has found out and I am quoting from the *Trinidad Guardian* dated Friday, March 3, 1995. Page 1 states:

"Sir Ellis said delays in the magistrates courts were astounding..."

If Sir Ellis Clarke says so, who am I? The article continues:

"...delays in the magistrates courts were astounding. He said there could be no deterrent if there was a system in the country where a wrongdoer believed that it would take 10 to 15 years before his matter was heard."

The third fact is that the administration of justice has gone. We begin with the first fact that crime is out of control; secondly, the police service cannot enforce law and order. The third is that the administration of justice has collapsed.

The fourth fact is that the prison service has collapsed. The *Sunday Express* March 5, 1995 states:

"Powder keg prisons.

Michael Mollineau, general secretary of the Prison Officers' Association confirmed the sweeping fear, but added: 'We have a responsibility to the state...we can't run from it...'

Mollineau agrees that the situation in the prisons is 'highly detrimental and volatile. We are definitely on a powder keg.'"

Here we have, crime out of control; the police service is collapsing; the administration of justice is collapsing; the prisons service is collapsing and, added to that, they have lost the keys. Heaven forbid that V. S. Naipaul should come here and write a Frederick Street instead of a Miguel Street. The keys were lost for weeks and the area is blocked off. No attention is paid to the man hours lost by parents, myself included, who have to go there to drop one child at school and then fly down to drop another child 10 miles away. Absolutely no attention is paid to the discomfort of at least 1,600 parents, morning and evening on that street. Caring Government!

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The prisons service has collapsed and the keys were lost. Do you mean to say that we cannot find the money to buy new locks and new keys? The Government talks about SSA to do what it says in this Bill. [*Interruption*] I am coming. All of this is the background to the Bill. The support services for the enforcement agencies are either non-functional or non-existent.

Let us take one example—I really want to know how this Bill is going to work—the stolen vehicles squad. There is a report which appeared in the *Newsday* dated Tuesday, March 7, 1995. The article is headlined: "Stolen vehicles squad in a jam". The first sentence is:

"The car theft business is now second only to the drug trade in Trinidad and Tobago."

Let us expand on that. The Government says that it wants to fight the drug trade which has international connections. "Car-thieving" is a very localized business. At the beginning it says the car theft business is now second only to the drug trade in Trinidad and Tobago. One would want to believe that the Government would be able to lick that problem because of the facilities provided to the police service.

In the *Trinidad Guardian* dated March 8, 1995, there is a letter signed by Sgt. Thomas Cunningham, Vice President, Second Division Social and Welfare Association. In that letter, this sergeant has written what I would consider a positively frightening letter. It does not only indict the Forensic Science Centre which is essential and crucial to this SSA. This is what this Sergeant says about the Forensic Science Centre in a localized crime situation, motorcar theft.

"The squad relies upon the Forensic Science Centre for its assistance in raising the engine, chassis numbers and column of part so as to determine whether a vehicle on the road is a stolen vehicle or otherwise.

Assistance from this department, though essential, is of itself an impediment in the fight. The fact that there are more than 250 motor vehicles awaiting this analysis speaks much for our drive. It says that we are ill-prepared to combat this increasing criminal activity."

If we cannot catch "car-thief", could we catch the mafia?

2.30 p.m.

This letter is scary. Having dealt with the Forensic Science Centre, he goes to the Licensing Office. This is what he says:

"A further complication sets in when the records of the Licensing Office are used as a source of our investigations. It has been found that many vehicles which have been reported stolen suddenly appear on the street with 'proper records' from that office."

That is the Licensing Office and this Bill says that these people, who will be part of this Act, will disseminate information—collect, collate, provide intelligence, assist in identifying, provide strategic intelligence, establish channels of communication, provide a central point for the receipt of all disclosures. If in the Licensing Office, a stolen car can appear as new, what will happen with this Bill?

He goes on to the question which is *ad nauseam* now in this country—the mobility of the police.

"Additionally, the squad is hindered by the absence of a wrecker...to recover stolen vehicles."

If we cannot provide a wrecker to recover stolen vehicles, can we take on the mafia? No, Sir.

In the body of this letter there are a number of commonsense pieces of advice which would not cost one cent to implement. The sergeant has listed things that could be done to assist in the situation, just as was done in the *Gurley Report*, without incurring a cost. But, Mr. President, we are getting the impression that, for example, in the Licensing Office, nobody wants to trace the life of a motor car from a high official to a drug dealer, so that they will always remain in chaos.

We come to fact number 6. It is a fact, a shameful fact, that many communities in this Trinidad and Tobago survive in totally lawless conditions. By that I mean that there is no mobile rapid response or police presence of any kind, and this has led to the phenomenal growth of the private security industry. The thought struck me very, very early this morning, and I would like to know if the Strategic Services Agency will not be the private security firm for the Minister of National Security. That is what it is about. Is he by-passing the police service and setting up his own private security firm? This is what it looks like to me.

Fact number seven—I am taking sequentially the facts why this thing cannot operate: Our health services cannot deliver the necessary relief to the population in times of violent physical distress. It is far from a healthy health service. Be it domestic violence, murder, rape, wounding, vehicular accident, natural disaster, we are not equipped. We do not have an ambulance service worth its name. We do not have trained staff. How will this Bill work?

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Fact number eight: Nothing, absolutely nothing is being done to address, curtail and eventually eradicate the major causes of crime. They are these:

- (a) A failed education system and consequential functional illiteracy amongst our population.
- (b) Poverty manifested in all its forms and various levels. There is the dirt poor, absolute poor, new poor and what I have noticed now in decent families—vagrancy, which is taking many forms and is widespread but unseen in many households. Vagrants are not only the people we see as human detritus on the street. There are vagrants in many households now. There is the new poor, the dirt poor, the absolute poor and the poor. They are not doing anything about them.
- (c) They are not doing anything about job creation and employment. No impact is being made on the unemployment situation in this country, and I do not care how they juggle the figures and what percentage of phenomenal economic growth we have achieved this year, there are thousands of persons unemployed or under-employed.

Fact number nine: All the basic infrastructure to facilitate, encourage the growth of, and institutionalize crime exist—poor education, no jobs, no housing, no health care, no transport, break-down in family life, endemic corruption which leads to the most important point, fact number 10, the drug trade. We can go back to the complaint of the Secretary of the Prisons Officers' Association. I quote him:

"The so-called drug mafia is being fingered by all observers. On Friday, one official said: 'The influence of the drug mafia has made the situation extremely volatile and we're very concerned that inmates will revolt'.

They note that the 'mafia', elements of which are behind bars, has the wherewithal to buy out prison gangs with drugs, guns and money."

If inside the prison, where we have lost the keys, the mafia is in control, what will the SSA do outside the prison where we are out of control?

On page 1 of the *Trinidad Guardian* of Tuesday, March 7, there is a headline, "US hits TT for lack of action on drugs" and in the body of that is a sentence which is very, very disturbing. It shakes one because one begins to believe all manner of things. It says this:

"The report criticises the government for not initiating investigations into corruption."

[Interruption] You have just heard the President read *May's Parliamentary Practice*. What is wrong with you? Do you want to get in trouble?

"Unsubstantiated rumours regarding corruption has mentioned ministers, politicians, judicial and law enforcement personnel at every level; however, no investigations have been initiated'."

This is not a TT report, you know. This is not the notorious *Scott Drug Report*. This is a report which is making the front page; it is a state department report which is going all over the world. It says ministers, politicians, judicial and law enforcement agencies. Heaven help me! *[Interruption]* I am not a politician *[Inaudible]* but this thing about judicial and so forth. Mr. President, this is a shameful report and this Government is bringing this SSA and up to now in this Parliament we have not heard a word about it. Nothing about this work! Absolutely nothing! Silence. *[Interruption]* At least say so.

It continues in the *Trinidad Guardian*, a red headline, dated Saturday, March 11, 1995, "Trouble for TT in Washington. US Congressman seeks to block aid over drugs." I will not go into the details. I am sure everybody has read this, but there has been no answer forthcoming.

2.40 p.m.

Mr. President, we have the weeklies; the TNT *Mirror* of Sunday, March 5, 1995, which in great detail spells out everything. "US State Dept. Slams TNT" on drug trafficking. It has a complete summary,

"Status of Country: POLICY INITIATIVES: ACCOMPOISHMENTS: LAW ENFORCEMENT EFFORTS: CORRUPTION: AGREEMENT AND TREATIES: CULTIVATION/PRODUCTION: DRUG FLOW/TRANSIT: DEMAND REDUCTION:"

The same NADAPP the Minister was talking about, here is what it says about NADAPP:

"The National Alcohol and Drug Abuse Prevention Programme (NADAPP), funded mainly by a grant from UNDCP, is largely ineffective, and the second phase of the grant is still being negotiated."

It goes on:

"US Policy Initiatives and Programmes:

BILATERAL CO-OPERATION: ROAD AHEAD:"

I quote from the weekly of Friday, March 10, 1995. Oh, this is the man you were referring to, I might as well read it properly for you:

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"US Congressman to President Clinton

"Extension of remarks

Congressman James A. Traficant, Jr.,

March 2, 1995

Prohibit economic and military assistance
to the government of Trinidad and Tobago

Mr. Traficant, Mr. Speaker, Trinidad and Tobago are the southern-most islands of the Lesser Antilles chain in the Caribbean.

At present illicit drugs are smuggled from South America through Trinidad and Tobago and end up in other Caribbean islands as well as the United States, Canada and Europe.

The Coast Guard and the Police Service, the two most important agencies in the government of Trinidad and Tobago's counter-narcotics efforts, have arrested several low-level drug offenders, but have been virtually ineffective against major traffickers.

Cooperation with the government of Trinidad and Tobago's law enforcement and counter narcotics agencies has improved, but allegations of corruption persist."

Mr. President, what is hurtful about this is that these people are abroad, this is not Trinidad and Tobago. We are being scandalized in somebody else's congress and there is absolutely nothing being done about it. Nothing being done about it because they cannot do anything about it, because as the man from the prison says, "the mafia is in control." It goes on:

"Mr. Speaker, the problem of drugs in our society is getting out of control."

The man could have been talking about Trinidad and Tobago. The whole speech is here. It is an insulting speech to the national spirit of Trinidad and Tobago and nothing is being said or done about it. This Government has absolutely lost its feeling of nationalism. It went through the window with trade liberalization. They will sell everything, including the idea of nationalism, if a price is attached to it.

Fact No. 11, the most important fact, and the one why the Bill will not work, the lack of credibility. There is a total lack of credibility and this is the basis for the failure of this Bill. People do not believe the Government. Let us begin with a document which we referred to here before, Sir. It was issued by the USIS entitled

Opinion Research memorandum dated June 23, 1993. On page 5 under a big bold headline:

"MOST SAY CORRUPTION LIKELY; GOVERNMENT DRUG EFFORTS INADEQUATE

Nearly all (94%) think it likely that drug trafficking could corrupt public authorities in Trinidad, and three-in-four believe it is 'very likely'."

That is the survey, 94 per cent believe that we are corrupt in our public authorities and three in four believe it is very likely that the public authorities could be corrupt. There is a total lack of credibility.

Mr. President, there is this statement which I referred to before which keeps irritating me. It has appeared, and it is appearing again and again. I am going to read it into the record again. It appeared earlier on, it appears now on page 3 of the *Sunday Express* dated March 12, 1995, the very same statement. It says:

"Another controversial paragraph in the recently released INCSEr suggested 'ministers, politicians, judicial and law enforcement personnel at every level' had been named in 'unsubstantiated rumours' regarding corruption."

It is like a mantra and people abroad are repeating it. Goebbels said a long time ago, "if you keep repeating lies people are going to believe them," and we may very well end up—for all the snickering over there—where the Congress might believe that these statements are true and correct, then we will see how much snickering will take place.

Fact No. 12: This crisis of credibility has been concretized by a report of *Newsday* dated Friday, March 10, 1995, headlined:

"1,000 cops want out."

In a country of 1.2 million, with a police service of 4,000 to 5,000, that is trouble. It goes on:

"About 1,000 police officers out of a total of just under 4,000 serving officers, are willing to hand in their uniforms, guns and batons for civilian life."

If ever one wanted a lack of credibility in a government, in a service that is a career professional oriented service, the most important service in the life of the country—the police service—if at any one point in time 1,000 people want out, something is radically wrong.

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In the *Newsday* editorial the next day, it hit the nail on the head. I see "Drucker" gone [*Laughter*]. Sen. Draper has gone, I wanted to talk to him about this. Mr. President, I wanted to talk to Sen. Draper about this, because if this were a means to get the policemen to retire peacefully, suppose all the good policemen walked and they left all the bad policemen there, what are we going to do? [*Interruption*] Do not be misled by my smiling, I am deadly serious. If it is that the idea to assist 1,000 cops to leave the service is an idea to get rid of the bad eggs, suppose the bad eggs remain behind and the good cops leave, what kind of service are we going to have? [*Interruption*] I am coming to that.

Now that we have the background of the 12 facts, I am going to repeat them, Sir.

FACTS:

1. Crime is out of control.
2. Police service is incapable of enforcing law and order.
3. Administration of justice has broken down.
4. Prison service has collapsed.
5. Support services for the law enforcement agencies are non-functional or non-existent.
6. Entire communities in Trinidad and Tobago live in totally lawless conditions.
7. Our health service cannot deliver the goods.
8. Nothing is being done to address, curtail and eventually eradicate the major causes of crime.
9. All the basic infrastructure to facilitate crime exists.
10. Drug trade is unassailable.
11. There is a lack of credibility.
12. Crisis has compounded itself with the report of the 1,000 cops wanting to leave.

2.50 p.m.

Mr. President, when are we going to be man enough to implement the measures that are really needed to destroy this present drug problem? Why, Mr.

President—I have listened very carefully to the hon. Minister—was it necessary to bring this Bill now? What is the reasoning behind it? Why is the Bill brought in its present form now when the basic infrastructure does not exist to give the Bill the support? Had it not been for the amendments which I am now seeing before me—and which I have not had time to look at, we just got it—nowhere in the Bill could one find the word "police"; it is now in the amendment. When the makers drafted this Bill, how did they expect the Bill to operate? Mind you, Mr. President, the director is supposed to employ—if he only recruits lay persons who is going to enforce anything under the aegis of this Bill, what kind of Bill is this? What are they going to do?

If the Government is going to tell me that the only reason for this Bill is the whole alphabet of the functions of the agency to collate, digest, disseminate and co-operate, after I have read to you the total breakdown of every administrative sector of this country, how is the Government going to guarantee that to me when the sergeant of police says, "you cannot guarantee anything in the Licensing Office"? How is the Government going to guarantee that to me when the prison's keys have been lost, and the secretary of the Prisons' Association says, "the mafia is in control in the prison"? Could the Government guarantee that to me, the security of this country under the SSA? How can the Government guarantee that to me when the police service, in the Scotland Yard Report, has "endemic corruption"? Mr. President, what has happened to the 100 policemen? Suppose this director employs them?

Sen. W. Mark: That is quite possible.

Sen. S. Capildeo: We have the La Tinta Report—the names are there, Mr. Frank Solomon spelt out all the names; I see he is now head of the Bar Association. *[Interruption]* I was not there. I used to be unopposed for 20 consecutive years—they trusted me with their money.

Mr. President, if this director can employ and he is not subject to anybody save this Minister, what is to prevent him from employing 100 policemen? What guarantees were in this Minister's introduction to the Bill to tell this nation, "Look, I can guarantee the security of this country when I form this agency, because the men and women who will be staffing it will be specially trained." Absolutely nothing said. He cannot come now to tell me that for security purposes he cannot reveal that. Where is the personnel going to come from to staff this department? Is there a minimum and maximum? Can the director employ any number of people, or, is he limited to employ only himself? The Bill is silent. Mr. President, I will leave the details of the Bill to my colleagues.

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Before I conclude, I want to ask one question—the Bill will be dealt with in detail by my colleagues; I dealt with the background to the Bill to show that the Bill cannot work—if I were to become the Minister of National Security tomorrow morning, would the present Minister, or the past holder of the office, the Smokey and Bunty man, trust me with the powers which this Bill confers? I ask the question in all seriousness: Would this Minister trust me with the power that this Bill confers on the Minister if I were to become the Minister in the morning?

Mr. President, I thank you for your indulgence.

Sen. Martin Daly: Mr. President, I am sure that with your usual astuteness you would have detected, as my colleagues have, my very great reluctance to speak on this Bill; a very great reluctance, indeed. My reluctance stems from the fact, that so far as the Government's record on crime and punishment is concerned, I am totally fed up. I am almost fed up of the fact that each time anything has to be debated in the Parliament concerning crime we do not hear any constructive proposals from either the Government, or anyone else, about what they would do. We do not hear any constructive proposals. My sense of being fed up is underlined when I see us getting hung up on who can score more political points out of the fact that people who really are of no relevance to us whatever, are bad mouthing us in some other part of the world. They are of no relevance whatever.

If it is that what they say in another country is going to affect our ability to get funds from that country, then the Government must deal with that and it must deal with it externally. Having dealt with it externally, it must tell the population that these are the steps it has taken, these are the statements it has issued in the appropriate quarters where we are being bad mouthed. Of course, I am very disappointed that that has not happened yet, because it does alarm the population—whether the person is of significance or not—to know that we are being bad mouthed abroad.

It is really of no significance to women who have imposed curfews on themselves because they cannot go out after dark. In any event, we do not need some statements in other countries to tell us that Trinidad and Tobago has acquired a very unfortunate reputation as a country that is significant in the drug trade. I defy anyone in this Parliament to gainsay the statement, that rightly or wrongly, Trinidad and Tobago has obtained a significant adverse rating as a key player in the international drug trade. We cannot deny that.

3.00 p.m.

If one flies to London, one's luggage nearly always takes a significant amount of time, when compared to the luggage of other airlines, before it arrives at the carousel in Heathrow or Gatwick Airport. Why? Because when the flights from the Caribbean arrive in London, they have standing instructions to send the sniffer dogs and other devices to the planes from this country because the country is suspect. So we do not need some sterile debate abroad to tell us that we have a very unfortunate reputation. The question is: What are we doing about it?

If the reputation is not deserved, then as I have indicated, we must deal with that—with the public relations that we are sometimes so adept at—to show that the reputation is not deserved. If the reputation is deserved and we are a significant player in the international drug trade, what are we going to do about it? It is in that context we must enquire whether the establishment of this Agency is a valuable measure against Trinidad and Tobago's involvement in the international drug trade. That is the question that has to be asked: What is this going to do about our involvement in the drug trade? Is this Bill going to assist us? There is no escaping the fact that this Bill cannot be analyzed and commented on in isolation—removed from some of the deplorable conditions about which Sen. Capildeo has spoken and to which I will refer, albeit, in less extreme terms.

Motor vehicles play a very important part in the drug trade and in the banditry and hold-ups that are associated with it. But, as Sen. Capildeo has pointed out, the records in the Licensing Office are unreliable. What is being done about that? If the Ministry of Works and Transport has a security problem, or is concerned about security problems, I would suggest that there are far more important security problems in the operations of the Licensing Office than there are about the silliness about who is going—it is not silly to exclude somebody—to be allowed to attend a press conference or who is not. So, against that background, if one is setting up an agency with its most important function being the processing of information, one must examine the sources of information that are available in the country and find out whether they are reliable, because if they are not, then the operations of this Agency are going to be hamstrung to begin with. I dare say that wherever they intend to source their information, we are going to have similar problems.

Now, the fact is, Mr. President, that the Government says repeatedly—and the Minister repeated it today—that it is taking steps to deal with the drug trade and with crime legislatively and administratively. I think by now the country knows

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what we think about passing legislation that cannot be enforced, so one does not need to dwell on that; and I do not know what are these administrative steps.

What I know is that we have a serious crime problem that is simply not being addressed; and I am fed up about it and of hearing that the Government is moving legislatively and administratively; and while it is doing that, women in the country have to impose a curfew on themselves after dark! The fact is nothing is happening! Portfolios are shifted around; people take charge; and transfers are announced that never take place. This is a serious business!

There is a frontal attack on the holder of a key office in law enforcement. Certain things are said that are going to happen and they do not happen. That is totally unacceptable! I am not concerned about whether the frontal attack should have been made in the first place, or not. The fact is certain things were represented to the population and a complete state of impotence was revealed. Why reveal it in the first place? Why make the frontal attack in the first place and make everybody feel something is happening when nothing is happening at all?

Now, of course, the Government feels able to relax on crime because it can say that the first outcry—and I want to put what happened in Westmoorings in perspective, because it all has to do with this Bill; and unless one understands what are the sources of crime in this country and what people are concerned about, one cannot evaluate this Bill. I think it is important to put what happened in Westmoorings, which we now hear about in critical terms, as though it is no big thing that people lost their lives there.

What is happening, broadly speaking, is that we have a spate of murders that are clearly related to the activities of bandits. I use the word "bandits" to cover all of these activities because popularly that is what it is known as. So there is a spate of murders which is linked to the activities of bandits—it does not necessarily threaten the everyday citizen directly. Then there is a spate of murders that arise out of situations of domestic violence; and there are persons who understand that better, no doubt, will speak on this Bill and one cannot dismiss that either and say, "That is not a problem because it is domestic violence", because I am absolutely certain that the experts will confirm that domestic violence grows out of certain social conditions; and the Government is responsible for those social conditions. That is its responsibility—whatever forms the Government—and I say Government with a capital G—whatever forms the Government.

Therefore if we are debating anything to do with crime we must hear from the Government and the Opposition what are their plans to fight the drug trade; we

must hear them in detail; and we must hear what are their plans to alleviate the social conditions that are conducive towards domestic violence. We must hear that, otherwise the debate is totally sterile; and we have to hear it from Government and Opposition—both sides.

And then there are, on occasion, murders that are committed against persons in circumstances which suggest that the murder was motivated neither by connection with banditry nor by domestic violence; and the country is, naturally, very upset about that. I do not feel in any danger of being murdered as a result of connections with crime. I do not feel I am in any danger in a domestic violence situation, but I am, certainly, concerned about the fact that, as we debate here, another spate of murders can arise where our spouses and families are followed home from the grocery and murdered for completely innocent reasons.

I am not suggesting that domestic violence is a good reason, but "no traceable reason" is a better way to put it—no traceable reason. Naturally, if people are murdered for no traceable reason, the fear level which some Members of the Government like to describe as "hysteria" will arise. People will say "What caused this to fall upon me?" "I have never been in any monkey business; I have never abused my partner—what caused this to fall upon me?" I think it is very important, in the context of this debate, that people understand that the significance of the Westmoorings murders was the fact that there was no traceable reason and, naturally, people felt a much greater—an even greater, if it is possible to have degrees of outrage—sense of outrage fuelled by insecurity; and it is important to understand that.

That is not to say that one victim is more hapless than the next and I do not intend to say that and I will not be represented as saying that. All of the murder is wrong; all of it is senseless; all of it makes one want to vomit; if that is parliamentary language—But the aftermath, and the circumstances in which it takes place, will produce differing senses of outrage.

3.10 p.m.

It is against that background that we have to examine whether this is a meaningful measure or whether it is simply another thing to put on the checklist to tell people that we are moving legislatively and administratively against crime. We created a Strategic Services Agency Bill. What is this agency going to do to the ordinary terrified citizen? My suggestion, Mr. President, is absolutely nothing.

Therefore, as someone who has to decide whether this is a worthwhile piece of legislation and whether to support it, I am entitled to demand of the

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Government which is failing on crime, as a condition of my support for this Bill, to know what it plans to do about crime, how it plans to alleviate the conditions causing domestic violence and how it plans to alleviate the conditions that produce these kinds of murders which I have tried to categorize. I am entitled to know that before I support a bill like this which will involve considerable expenditure and which will put very stringent powers in the hands of persons outside of the conventional law enforcement framework.

Whether the Government likes it or not, its record on crime has to be examined and its failure on crime must be underlined in the context of this debate; equally, the failure of all the other political commentators on crime who have not given us one single alternative programme, or one single programme of theirs, also has to be examined. Because I go so far as to say that like war and other things in the society, the approach to the drug trade should be bipartisan and it is not an occasion for scoring points.

The country demands of everybody who is involved in political activity that they put their heads together to deal with this particular menace in society and stop scoring points about who induced what to say what in the United States. The country demands that everyone involved in political activity put their heads together to decide what they plan to do about this. That is what the occasion demands. That is why I was really very, very reluctant to take part in this debate, because I am absolutely fed up of hearing all these trite statements, and day after day after day, there is blood and gore on the front pages of the newspapers.

How ridiculous is it to talk about NADAPP and these other organizations for reduction of demand? How ridiculous is it to be talking about that as a positive achievement when there is absolutely no policy in any ministry of Government about the consumption of alcohol? There is no policy about consuming alcohol before one drives. Let us start with that.

Then there is the very serious question—and I enjoy it as much as anybody else—which is repeatedly raised—it is one constructive thing that I can point to—by a Member of the Opposition in this Senate about the use of advertising of alcohol in prime time and in relation to premium sporting events. It is completely ridiculous to have one foot straddling over here, NADAPP and all these other things, and completely ignoring the alcohol-related problems in the society. I dare say it will also be confirmed, by those who know about these things, that they have a significant part to play in domestic violence, but we do not have any policy about the use of alcohol in the society. I am not suggesting we ban it. I like to

drink just as much as anybody else, but we have to recognize that all these things require a co-ordinated approach.

Against that background, we could examine this Bill to see if it represents anything useful in the overall fight against crime. I take this head on, because the Minister repeated this business about moving legislatively and administratively. Moving where? We are not moving anywhere, or if we are moving at all, the target is moving as well.

I would not even mention the courts on this occasion because Sir Ellis Clarke, who is the Chairman of the Crime Commission, has said it all in the quotation which he has made, that there is no longer any crime and punishment. Detection and punishment is no longer a deterrent in the society. I did not say that. A Member of the Opposition did not say it. One of the most respected and experienced citizens in this country said it. Do we just read it and rest it down? Or do we not say, look at the situation, a former President, a legal luminary, one of our foremost and experienced citizens is saying this, and we just rest it down. No one gets up and says, even if he is right, this is what we propose to do about it, other than we are moving legislatively and administratively. What is that? What does that mean? There is simply no policy in the key areas affecting crime. There are no policy statements coming from anybody who is active in politics and that is a crying shame.

Then they trot out this and say this is part of what we have done. Is this going to stop somebody chopping up his wife and children? Is this going to stop somebody going into a house in Westmoorings in the middle of the day and chopping up innocent people? Is it going to stop bandits gunning down each other in the streets? Is it going to stop the fact that one can go in broad daylight, gun someone down outside the medical clinic and nothing ever happened? Not another word is heard, in broad daylight, jump in a taxi and off one goes. Is this going to have an effect on them?

It is no point the Attorney General or anyone else getting restive when these points are made, because I, as a parliamentarian, am entitled to demand of the Government, to know what it is doing about these things before I lend my support to this Bill. Then they tramp up and down the place and say look what we are doing about crime; we passed this. I am not going to lend myself to that. They can do it on the backs of someone else's vote, not mine.

However many points they may be scoring for the management of the economy, the management of anything else, they are failing in crime. They need

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to be told it; they need to be reminded about it. I am not saying it is on my account. The last time I spoke like this in the Senate, we had this whole charade that this high official was going to be moved, the Ministry was being taken over, and so on. Then what happened? Did anything happen? Nothing concrete came out of it.

I am sorry, Mr. President, but this is one occasion where it is very, very difficult to be sympathetic to the passage of this legislation if it is just going to be a tool for telling people that we are taking action on crime. Against that somewhat extended background, I would like to examine the particulars of this Bill.

First of all, if this is not to be an interdiction agency which it cannot be, the clause to which I referred in the amendment has to be reworded or removed, because it is a total misrepresentation to say that this agency can take action against illicit traffic with the services. It cannot take any action. In fact, in precisely the same way that a serving police officer gesticulated, I believe with something in his hand, to a Scotland Yard officer when he appeared in his office, exactly the same thing could happen with this agency. It is no point putting anything about taking action. That either has to be deleted or reworded to make it quite clear what is this agency.

There are other things in this Bill that are misrepresentations. They cannot act as an office to suppress illicit drug trafficking. I am referring to page 3 of the amendments, because they do not have the power to do it. That is a misrepresentation. They cannot co-ordinate operations to the suppression of such drug traffic because they have no jurisdiction over the police and the customs, so that must come out.

Incidentally, we reach new lows in drafting each time and the Attorney General will no doubt say that in the use of the words "formal feedback mechanisms", feedback is a user friendly word. For one thing, feedback is actually the informal dissemination of information if it means anything. "Formal feedback mechanisms" is just legal rubbish as far as I am concerned.

Mr. President, we then have some attempt in these amendments which we got a few minutes before the debate to link the activities of this agency to the law enforcement agencies. We now have a definition of services as the people with whom the agency is going to work and the Ministry of National Security, customs, police, defence force and any other department which may be so declared by the hon. Minister are defined. That is a very big improvement on the original draft which talks in a very vague way about appropriate law enforcement agencies.

I am not drafting the amendments because I am tired of doing it, but I believe that this expression "appropriate law enforcement agencies" must come out and "services" must replace it, because we do not know what the appropriate law enforcement agencies are.

3.20 p.m.

It must be made very clear with whom this agency is to interact, otherwise we will have it interacting with services in one part of clause 6 and interacting with the appropriate law enforcement agencies in another part of the Bill.

Now we come to something else which I regret that I have to repeat. The Minister made me a promise and I would like to remind him of it. Where is the Board of Inland Revenue in all of this? I have been talking about this over and over. The Minister eventually told me that it had their support, in principle; that the experts said that the income tax legislation needs amendment. I told him I do not accept that. I told him what a source and application audit is and how that is the quickest and surest route to jail for people who have illicit incomes. But if they need amendments, then this is the time to bring them and this is the time, in an appropriate way, because I do not want the Inland Revenue giving out everybody's information to this agency. So I say, in an appropriate way this is the time to make sure that it is expressly stated in this piece of legislation, that the Board of Inland Revenue is one of the services with which, under certain guarded conditions, the SSA can interface.

It is not my job to do that drafting; it is their job. The Board of Inland Revenue, under certain guarded conditions, must be one of the agencies with which the SSA must co-ordinate, because the Board of Inland Revenue has very sweeping law enforcement powers and it has key information about persons who may or may not be involved in the drug trade. So under certain guarded conditions that must find its way in the legislation. And unless and until there is some amendment to the Income Tax Act or some reference in here to the use of information in the possession of the Board of Inland Revenue, I will not support this legislation, because I am tired of talking about the use of the Board of Inland Revenue. I have had a promise from the Minister and nothing is happening.

All that happens is the Board of Inland Revenue will write you a letter—and all of us have experience of it—fifteen years in a row, asking to see your deferred annuity plan which was registered with them when you bought it. But 15 years in a row they write you about it. Now the new enforcement agency—I have forgotten what it is called; the people going out in the field—is going back in the

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same offices over and over again. It is not making any attempt to bring new people into the tax net. It now comes and takes up time in the offices of the people who are already paying tax and whose tax is in order. They have a key role to play in this and there is nothing in here about that. It just means the thing has not been properly thought out. It is just an attempt to pass something and to bungle along. This is the occasion on which I demand of the Minister that he redeem his promise to me and bring the Board of Inland Revenue into this operation which concerns information, under certain guarded conditions.

Then we have the oath of secrecy. The only sanction that I have been able to find is, you lose your job if you break the oath of secrecy. Every time legislation comes here someone on the Independent Benches has to point out that no serious sanction is provided for. What is the problem? You take the oath of office, and what?

That is symptomatic of the approach of this whole thing. This is just a long catalogue to be able to go and parade somewhere and say, "Do you see what we are doing about the drug trade?" That is all it is, because basic simple things are missing. The link with the Board of Inland Revenue is missing and there is failure to provide any sanctions for the breach of the oath of allegiance—a fairly careless definition or cataloguing of the responsibilities of this agency, some of which do, by the language, at any rate, take it into interdiction.

It is very important when we actually look at the details of some of the things that this agency can do, that we understand what it is that this agency is doing. Implicit in the Minister's presentation is that it is some kind of super agency. One of the things it can do—it is page 6 of the original Bill; it is now 6(1)(g); it was originally 6(1)(b) before we got the amendments—is disseminate information and intelligence to appropriate law enforcement agencies. Before that, it is going to act as a central office, and so on, for centralizing information.

I have spoken generally and I continue to speak generally. I am not suggesting that this Government would tolerate it, but we need to look very carefully. If this agency is going to collect all this information and disseminate it, what is to prevent this agency from being used to collect information about a robust journalist and disseminate it to other agencies? What is to prevent that? What is the safeguard against that? "I do not want you to come into my press conference; you offended me a year ago, so let us see how much information we could collect on this young woman and disseminate it all about the place." A perfect example of the absolute abuse of power! What is the safeguard against that, other than this oath of secrecy, the only sanction for which is, you lose your job?

I ask these questions because it is not my business to draft the legislation. I come as often as I can with amendments and I am suggesting certain ones as we go along and there are others I am going to suggest in committee. But there are much larger issues which require the Government to go back to the drawing board and think out these things. I ask again: What is the safeguard against the abuse of the collection of information, *mala fide* against persons who have offended others in high authority and who are not connected with the drug trade? I do not see any at the moment.

Therefore, I would like to see some safeguards in here about the use of information other than the oath of secrecy. If this is such a common type of agency all over the world, go back in the books and see what they have in Canada, Australia, or whoever else is advising on this. Go back and see what is the safeguard. I am also very unhappy about the lack of safeguards against the misuse of information. I am also concerned about the very wily explanation we have had about the funds and the seized assets accounts, and so on. I would like more information about that.

Another matter that concerns me is that one of my colleagues asked whether we would get an assurance that the director of this agency would be a national of Trinidad and Tobago. I entirely agree. But there are other things that concern me. I have no problem with recruiting a suitable national from abroad, but maybe this is an occupation where not merely having a Trinidad and Tobago passport is sufficient, but where a substantial period of residence in Trinidad and Tobago is required as a qualification to hold this appointment. Because we have seen when we have debated bills concerning other agencies, that Trinidad nationals have suddenly arrived from different parts of the world to be groomed to take these jobs. I seriously think that a residence qualification is necessary to hold this job, unless there are special circumstances, unless you can identify somebody who is so suitable that you will ignore the fact that they do not have any local knowledge. They do not know who is who in the society. They do not know who is linked to whom. They do not know where I, or my good Friend, the Attorney General, take our drinks in the evening, because they are so far removed from the society.

So I think a residence qualification, in the absence of special circumstances, is also required. Moreover, I would like to see some other qualifications. Are we going to take someone out of the television industry or the airport industry to make them director of this agency? What qualifications do you have to be director of this agency? We have particularly unfortunate experiences with airports and

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other things, and I would not like to think that because you have been involved in the airport industry you can come and head this agency.

3.30 p.m.

What type of person and what is the qualification to hold this job of intelligence gathering? Does one have to be a policeman, soldier, lawyer or a doctor? I do not know what one has to be. I am asking that the Government go back to the drawing board and conceptualize what are the qualifications for this job and put them down, however loosely. This Government would not do it because I know it has learnt from its embarrassments, but I suppose we have to legislate for all governments.

I do not want them to take somebody out of running carnival and put them to run this agency. What are the qualifications for this job? For nearly every other major job in the society there is some spelling out of the basic qualifications required for this job; I suggest that that be required in this legislation. That will allay some of the more moderate fears—I am not chasing any extreme arguments—about the misuse of this agency for political purposes by knowing what type of person and what qualifications one must have to be the director of this agency that is going to be in control of this information and dissemination about a person. I think it is very important.

The Government may take the position that it has to pass this in order to access funds and none of these things are important. If people are alarmed about it, that is fine. I feel very strongly about the Government's failure on crime and the failure of anyone else in politics to put forward alternative solutions to deal with crime and the conditions that breed domestic violence and the misuse of alcohol in the society to the detriment of others. I think these things are very important.

I am no great inflexible fan of the service commission system, but I noticed that there is a bill on the Order Paper to amend the Constitution in relation to the Police Service Commission that we are simply not bringing forward for debate. I do not care if the fate of the Bill is regarded as certain because it requires a majority, bring it forward for debate and let us deal with it. We keep hearing over and over again that we have to do this because the service commissions are a problem. I, and many of my colleagues, devoted many hours to a committee that came up ultimately, albeit, not unanimous, about a draft of the service commissions. Bring it forward for debate. Stop hiding behind the skirts of the service commissions.

As I said in a previous debate, if there is a problem with the service commission, attack it! If the Government does not succeed and the country thinks that unreasonable obstacles have been placed in the way, the country will know what to do. Do not keep shadow-boxing and saying there is a problem with the commissions and other people are in the way. Bring it forward for debate and let the country make a judgment. And one never knows, the Government might be successful.

It is really amazing after the outcry over certain things how much simidimi and movement went on in relation to the crime situation. It is very important. Let us get cracking if the commissions have to be reformed. Do not keep giving us legislation and when objections are raised, say there is a problem with the service commissions.

To summarize, the Government has failed substantially to deal with the crime situation, and against that background one has to ask whether it is worth supporting this measure. It is not going to make any dent in the crime situation. Assuming, however, that one can put aside one's disgust of the situation with crime and one examines the Bill away from that background, then my respectful view is that one of the agencies with which this new agency must interface under guarded conditions, is the Board of Inland Revenue. I expect to see an amendment so providing, particularly in the light that the Minister of National Security has promised me that that would be considered and the Income Tax Act would be amended. If it is that this has to be done by way of amendment to the Income Tax Act, let us get that on board right away.

Mr. President, I have a problem with the lack of proper sanction for the breach of the oath of secrecy. I have a problem with many of the phrases which I have identified in this Bill which take this agency into the area of interdiction. I have a grave problem with the failure to spell out any qualifications for the office of director as one safeguard against political abuse of this agency. I also have a problem with the lack of any safeguards against political abuse of this agency, apart from not specifying the qualifications for the office of director.

I am completely unclear about how this seized assets fund is working, what are the arrangements with foreign governments and what kind of moneys we raise as a result of these activities. If the Government has had success in this area, it is something that it should be willing to boast about and should give us a great deal more information.

I also believe, Mr. President, that we must stop hiding behind the so-called problem of the service commissions and if that is a fundamental problem, we

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must attack it. The first step in that attack is to bring forward the Bill that has been lying on the Order Paper for months and months, into which a great deal of work and thought has gone. Bring it forward, whatever its fate, the country will decide. When one is pitching marbles there is a thing called "lay-lay". Stop "lay-laying" with the Bill or the service commissions. I dare say Sen. Barnes's contribution will correct me if I am wrong in ascribing "lay-lay" as the state of the Bill. Everybody knows what I mean. It has been lying there and no action is being taken about it and people are tramping up and down the country while lives are being lost saying oh! oh! oh!, we have a problem with the service commissions, that is why people are being killed. That is absolutely ridiculous. Attack the problem! Make it an election issue if there is a problem with it but do not hide behind it. I feel very, very strongly about it.

Mr. President, I have summarized what my concerns are. Some of them are sufficiently fundamental that I would be looking forward to the amendments emanating from the Government. For some of them, if time permits, I will attempt to offer amendments. Some of them are very fundamental and I absolutely insist that if this agency is not going to have any interface with the Board of Inland Revenue under specified guarded conditions, I will not support it.

Thank you, Mr. President.

Mr. President: Before I call on the next speaker who will be Sen. Prof. John Spence, Senators would recall that under Statements by Ministers, the Minister of National Security indicated that the Attorney General had to make a statement relating to the Constitution (Amdt) Bill which had a first reading at an earlier stage of the proceedings. I asked if it was the wish of the Senate and there was a positive response.

The Attorney General is now present, and I think it is a convenient time to allow him to make this statement before we continue with the rest of the debate.

CONSTITUTION (AMDT.) BILL

The Attorney General and Minister of Legal Affairs (Hon. Keith Sobion): Mr. President, for some time now there has been general concern over the use by persons of the processes of the Constitution of the Republic in a way that the framers did not contemplate. These concerns have been expressed by citizens in public fora, by lawyers in their role as officers of the court and by judges who administer our system of justice.

Of note, also, are the concerns expressed in the *Report of the Constitution Commission of 1987* and I quote from the report:

“...any person alleges that any of the provisions of this Chapter has been, is being, or is likely to be contravened in relation to him,...may apply to the High Court for redress...”

This process has proved to be extremely popular especially as it may be resorted to even when some other legal process in respect of the very matter complained of is available.

There have been cases where convicted persons have been able, by the constitutional motions, to re-litigate the matter of their conviction and sentence even though the appeals against them have been rejected by the Court of Appeal and the Privy Council.

Re-litigating a matter that has already been finally determined offends against a principle of law that there should be an end to litigation and it may also be considered as an abuse of the court's process.

Mr. President, Trinidad and Tobago is a country which has demonstrated over the years its commitment to recognize democratic principles such as the rights of the individual and the rule of law. These are principles which we as a Government believe to be the pillars and planks of a free and just society.

3.40 p.m.

Indeed we have held fast to the statement of intent contained in our Constitution which reads as follows:

"Whereas the People of Trinidad and Tobago—

- (d) recognise that men and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law;"

The enshrinement of fundamental rights in our Constitution and the establishment of a mechanism which provides to an individual, recourse to the courts in the event of any perceived abuse, is designed to ensure that our society remains a free and just one. However, when these safeguarding provisions are used in a manner calculated to achieve other ends, including but not limited to frustrating the course of justice, then the society could find itself precariously perched on a perilous precipice.

It is having regard to these considerations that the Government has laid in this House today, a bill which seeks to amend the Constitution by streamlining the safeguarding provisions of section 14, so as to ensure more effective judicial control and management of our system of justice. Our judges are the guardians of

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our democracy. It is their function and responsibility to protect the citizen from abuses by the Executive. It is their function to protect the Parliament from itself, by virtue of the review power in respect of legislation. It is their function, as well, to manage the judicial system and to interpret the provisions of our Constitution in the context of our social and economic circumstances and our national aspirations.

The Bill which was laid, has as its primary focus, the continued protection of the individual from abuses by the Executive but streamlined to ensure that the Constitution itself is not abused. The Bill seeks to strengthen the Judiciary in bearing its responsibility as guardian of the Constitution. When we come to debate this Bill, we will see that in the exercise of the judicial function, the judges will now be able to scrutinize applications alleging breaches of fundamental rights to determine whether or not it is necessary to embark on a full-scale hearing of the application. In other words, matters which are frivolous, vexatious or otherwise an abuse of the process of the courts will no longer engage as much judicial time or contribute to the delays which now plague our system.

The Government is of the view that before commencing debate on this bill, there should be a period for public comment and for consultations to be had with the Opposition and Independent Benches, with the law association and other interested persons and institutions. These matters have been in the public domain for a long time, so that the period for public comment and consultation need not be protracted.

Given that fact and the urgent need to protect the Constitution from further abuse, the Government proposes that debate on the Bill should commence in this honourable Senate on April 4, 1995. In the interim, the public consultations will take place with the focus on sovereignty, nation building and national unity; matters in which this Government has placed great store. The national community is therefore asked to note that contributions on this matter would significantly aid the deliberations of this Parliament.

Thank you.

STRATEGIC SERVICES AGENCY BILL

Sen. Prof. John Spence: Mr. President, I find myself at some disadvantage because that interruption has caused me not to be thinking about the comments that were made before. I also found it difficult to understand the point of interruption; it seemed to be an introduction to the Bill, rather than a statement.

When I started thinking about this Bill, at first I noticed that there seemed to be some suggestions in the press that there was a risk to the creation of an agency

of this sort. Then, when I read the Bill, it seemed to me that it was in that regard rather innocuous. At first, I could not see that it was creating any great risk to the society by having an agency such as this, the principal function of which, it seemed to me, is to collect information.

Over the weekend there were two items in the news media which made me think again about the Bill, to look at it a second or third time. One of these has been referred to by previous speakers. That, of course, is the designation by a Minister of Government of a journalist as being a security risk. I think we all were horrified by this development. Again, I looked at the Bill in the sense of determining whether that sort of attitude, which had been present in the past among government circles, was present in the Bill.

There was a period in this country in which it was clear that there was a great deal of paranoia on the part of persons in political power with respect to individuals in the society. Again, I looked at it in that regard. Again, it seemed to me that after all, a lot of information is disseminated in this country by the weeklies and even sometimes the dailies which is addressed to individuals. So the dissemination of information itself did not seem to me to be a problem in that regard. Of course, I am still concerned about issues such as the one to which I referred.

Then I also thought about the way that our society seems to be moving at the moment. Quite frankly, I am extremely concerned about the attitudes which are developing; they have to do with the way we see our economic lives being organized. They seem more and more to suggest that those who have will have more and the devil will take the hindmost. It seems to be generally the way in which we are moving and we are not addressing those issues.

Our reaction to violent crimes, especially as nothing is being done about it, as has been indicated by previous speakers, is to ask for more violent methods. If one takes a survey of the population now, one would perhaps find that a vast majority of people are strongly in favour of flogging and capital punishment. There may be differences of opinion about capital punishment, but quite frankly, I am horrified that anyone in a country which has emerged out of slavery should be in favour of flogging. I just cannot conceive a society wanting to retain that sort of activity. The funny point is that societies which have not had that recent history have moved away from that sort of punishment, yet here today, in this society, that is the way in which we are moving. I am alarmed at the way in which the society is reacting to the problems—the frustration, I suppose—because we seem unable to deal with the issues.

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Nevertheless, as usual, I feel that one has to support the Government in whatever measures it feels have to be taken to address the serious problems. Like other speakers, I have some scepticism that these measures will work, but I believe that it is not possible to oppose them. I think one has to support them in order to give whatever tools the Government may say it needs. Then, of course, we must judge whether, having been given all the tools, the Government, in fact, is able to do the job. I really think that in assessing whether it can do the job with the tools it has been given, we have to look at some of the issues which perhaps might have been used even without this legislation, or also, as Sen. Daly had suggested, should be adjuncts to the legislation which we are now considering.

I certainly agree with him fully about the linkage to the activity of the income tax department, with respect to addressing the problems of the drug trade. I am fully in support of that. I certainly hope that the Government would agree to that amendment, and to bring the legislation if there needs to be a change in the Income Tax Act.

More generally, I feel that we must use every opportunity to urge the Government to deal with the general social issues. Of course, the area which I speak about frequently and so again raise at this time, is what is happening with our rural communities.

3.50 p.m.

You cannot delink collapse of the rural areas and possible movement into the urban areas of those rural folk from further escalation of the problems that we face with respect to crime. Again, we have to address the problem of the sustainability of our rural sector in relation to the economic systems that we are so rapidly adopting.

I also agree with the comments which were made with respect to alcohol. I am very sorry that the Minister of Public Utilities is not here because I certainly was horrified to find that one of our public utilities was advertising during the carnival period, not that one should have a good carnival and then perhaps a little sign about a little alcoholic commodity, but that we should have a good "so-and-so" rum carnival. I really would like to know what it cost to put these signs up—and they were actually put up by the public utility, I saw it being done myself—and what the profits in it were. Even if there were profits, was that really the way to go? I certainly agree entirely with the suggestion that the advertisements on the television particularly, which link glamour with hard alcohol, should be looked at very seriously.

I have frequently made the point in this Senate, and I make it again, that many of these issues have to be addressed with urgency and aggression. To do this, the only thing that I can see that will really help is a state of emergency. I repeat again that when the drug report was originally handed in, the then commissioner, or whatever he was called, proposed a state of emergency. It is interesting to note that he is perhaps the only Member of the House of Representatives who does not have a Government position. He is neither a parliamentary secretary nor a minister. Perhaps it is his punishment for making such a suggestion. If it is felt that that remark is out of order, I withdraw it. Certainly, I would still make the point most strongly that in order to collect the information which this agency is called upon to do, the one way it would be possible to do it, is by having a state of emergency.

A state of emergency does not necessarily mean a state of emergency over the whole country. They can declare it on a certain area where they know the information resides and they want to collect it. It need not be a curfew for the whole country, it could be a curfew for those parts of the country where at least the law-abiding citizens have given themselves a curfew anyhow, and the lawless ones still roam. If there is a curfew by law, both sets would then have to obey.

Quite honestly, I am very sympathetic to the position that says that we are making more legislation, but we are not doing the serious things that we need to do if we are really to deal with the situation. It is a difficult problem to deal with the law courts. Clearly, that is a long process over a period of time. It is not a difficult problem to declare a state of emergency and to deal with the issue here and now, as if it were a war. I agree entirely about the bipartisan approach to these issues, this is why I say that one cannot really vote against legislation that is supposed to move us in that direction. There should be bipartisanship over the possibility of a state of emergency.

Certainly, Mr. President, I would support this legislation for the reasons that I have given because I think that we must support any possible measure that would move us forward to this front. I certainly feel that one has to knock away, continually, at the lack of initiative in dealing with the situation. I believe that there are measures that we can take both to deal with the social situation, that is by arranging our economic affairs a lot differently than we are doing, and to deal with the drug and crime problem, by addressing it aggressively through a state of emergency.

Thank you, Mr. President.

Sen. Muntaz Hosein: Mr. President, this Bill before us today is a creation of the Trinidad and Tobago gestapo. It is a red herring. It is a red herring to bring this Bill, the SSA, when we have a police service starved for funds, vehicles, housing and weapons, and the Government of the day is doing precious little to address the situation.

We have a Board of Inland Revenue with no will to act. We bring before this Senate this SSA Bill as if to say that notwithstanding all the difficulties that we have with the agencies that we now have under our care, this SSA Bill will be the answer to the problem of drugs in Trinidad and Tobago. This is what is coming over.

We have a Government without the political will to deal with drugs in Trinidad and Tobago, and we are saddled today with the SSA Bill. In the introduction of this Bill, sad to say, the Minister was not able to put forward any convincing arguments that will allay our fears and that of the population that bringing this Bill would put us in a better position with regard to drug trafficking and the drug problem in Trinidad and Tobago.

The Government seems detached from the problems of Trinidad and Tobago. I say this because if it was not detached, it would understand the needs of the population of Trinidad and Tobago. It would understand that what Trinidad and Tobago needs today is not more and more legislation about the drug problem, but action. Even if it brings 100 bills and 2,000 SSAs and it does not have the political will to take action, it is of no use, absolutely no use.

What is being done is that the Government is trying to mamaguy the population. The Government is trying to mamaguy the agencies abroad to say that it is putting legislation in place which will deal with the drug problem in Trinidad and Tobago.

4.00 p.m.

Mr. President, it can neither mamaguy the population, nor can it fool the agencies abroad.

Clause 4(1) of the Bill it says:

"Subject to subsection (2) the Director shall be appointed by the President for a term not exceeding five years terminable at any time and shall be eligible for re-appointment at the expiration of the term."

What it is talking about here, is that the Cabinet will appoint the director. In introducing the Bill, the hon. Minister had cause to talk about the FBI. The FBI is a

part of the Department of Justice in the United States, responsible and subordinate to the Attorney General of the United States. It is instructive to understand how the Director of the FBI is appointed as opposed to this Bill. The Director is appointed on the advice and consent of the Senate of the United States with the President and he makes the appointment. Do you see the difference, Mr. President?

We, here, are now saying that the President is appointing, but we know very well what they mean—that the Executive, the Cabinet, will make the appointment. There is a big difference.

Sen. Capildeo: They have an inner Cabinet and they will make the appointment, not they.

Sen. M. Hosein: I want to quote from the *Encyclopedia Americana* page 68 for the benefit of this Senate, and what it has to say about the FBI.

"FEDERAL BUREAU OF INVESTIGATION, the investigative division of the U.S. Department of Justice. Since 1934 the FBI has had general charge of investigating violations of federal laws,..."

I want you to take particular care of that and note it.

"...excepting those specifically assigned to other federal agencies,..."

What is our position here in Trinidad and Tobago, Mr. President? Do we need that kind of agency? We have 1.2 million people. The size of Trinidad and Tobago is smaller than some of the states in the United States of America. There is no need for that kind of thing. We do not need several layers, we do not need another organization to collate and investigate on drug matters when we have a police service which can do that. We are also living in times when—if we are to believe the other side—money is a problem, but we are now creating other agencies and we are going to be spending more money. One must question, Mr. President, what is the real purpose behind this SSA. It cannot be the same that was cited.

The Minister continued to talk about the development of the Federal Bureau of Investigation. I want to continue giving some indication of what the FBI is about. It is important because we will understand the thinking of the Minister. It was by no mistake that he read about the FBI. It means that there is a thought link between the SSA and the FBI. *[Interruption]* You read it, not me.

Sen. Huggins: I talked about the DEA.

Sen. M. Hosein: And the DEA, both of them.

Within the FBI there were major scandals. I quote:

"Scandals within the FBI. Two momentous events in 1972 altered the course of the FBI and the public's perception of it. In May, 48 years of authoritarian rule by J. Edgar Hoover ended with his death. In June the discovery of the Watergate break-in triggered investigations that revealed widespread wrongdoing by the FBI.

President Richard Nixon appointed L. Patrick Gray to succeed Hoover. Gray introduced some reforms—opening the doors to women agents, for example—but he resigned in 1973 after admitting he had destroyed papers found in the White House safe of a Watergate burglar."

Do you understand what is happening here, Mr. President? When we give this kind of power to politicians this is what is likely to happen. It continues:

"A staff report of the Senate Select Committee on Intelligence disclosed that the FBI did political work for Presidents Roosevelt, Kennedy, Johnson, and Nixon. Roosevelt and Johnson had Hoover investigate the personal lives of some of their critics."

I repeat, the personal lives of some of their critics. Mr. President, you can understand what is happening to the hon. Leader of the Opposition right now, and we do not have the SSA as yet. It goes on:

"Johnson, for example, sought information about the staff of Sen. Barry Goldwater, his opponent in the 1964 presidential campaign. Hoover kept files on the sex and drinking habits of many public figures."

I repeat, many public figures. Do you understand what can happen when this kind of power is given to politicians? It continues:

"In 1956, believing that the United States should confront the presumed threat of domestic subversion, Hoover had initiated a counter-intelligence program, dubbed Cointelpro. The FBI's Cointelpro tactics included sending anonymous or fictitious materials to groups to create internal dissensions, informing employers of employees' political activities in attempts to get them discharged, illegal wiretappings, burglaries, and kidnapping. The FBI burglarized the offices of the tiny Socialist Workers party hundreds of times. After three (of four) Black Panthers were killed in gang warfare, an internal FBI memorandum boasted of the FBI's role in stirring up the dissension that had led

to the deaths. The Senate committee in 1976 called these Cointelpro activities 'indisputably degrading to a free society.'

Hoover had become angry at the Rev. Martin Luther King, Jr., who had criticized the FBI. The black leader was subjected to FBI wiretaps and bugs. Hoover ordered that a tape of a party allegedly comprising her husband be mailed to Mrs. King. Hoover also ordered a note sent to King suggesting he commit suicide."

Mr. President, do you see what can happen if that kind of power which is contained in this Bill is given to politicians? One can see the thinking of the Minister, and where his thoughts are in moving the Bill.

4.10 p.m.

The Minister cited a host of agencies that bit the dust as a result of corruption, but what the Minister did not tell us, Mr. President is what the Government can do to avoid what is already in place. Senators, before me have made similar points. The Minister ought not to have told us that corruption caused the death of several organizations, similar to the one that he is now introducing. What he needed to tell us is how this is going to be different with the organization being managed by this administration. He has failed to convince us that he is going to do anything to allay our fears of corruption in this organization.

The question of money laundering was mentioned also by the hon. Minister in his introduction. The Board of Inland Revenue was spoken about by my esteemed colleague. In the last three years, Sen. Daly and I were in the forefront of fighting for reforms via the Board of Inland Revenue. It will be recalled that that is a key in the fight against drugs, because it was and still is in the United States of America, that when it is difficult to catch the drug barons the method used is the IRS, the Internal Revenue Service of the United States, which would come down on these drug barons and cause them to say where they got these vast amounts of money, wealth and property. When they failed to say how they were able to get that they are then brought before the courts for tax evasion, and the penalty for that in the United States is very high.

We have been saying that for three years in this Senate. I am hearing today, that Sen. Daly got an assurance by one of the Ministers—he has now found out that he can no longer be naive about the promises from the other side; no matter what kind of promises the Government gives, whether it is in the back room or in the front room, it will be renegeed on. It is not in their interest to do that because those people opposite, very suspiciously, seemed to be involved. What else could

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be the reason? The Government goes all over the place and cries that the Opposition is preventing it from dealing with crime and when the Government gets the suggestions it does absolutely nothing. The Government gets away with that, because the diligence and the resilience of the free press in Trinidad and Tobago sometimes are not present when these statements are made, therefore, it gets away with it; so they do not even come to the media's attention. It is neither in the newspapers nor on the television. Look at what is happening today. I cannot understand what is happening.

It is well known to the other side that a popular pizza parlour is selling much more than pizza; much more than pizza is delivered to homes—the Attorney General is aware of it; the Minister of National Security is aware of it, but who is doing anything about it?

Mr. Sobion: Mr. President, I wonder if the hon. Senator could state his source of information as to my knowledge of the matter he just raised.

Sen. M. Hosein: I shall meet you privately and let you know about that. *[Laughter]* Yes, I will tell you. I was told that in one of the public meetings you were aware. It was held in Woodford Square. *[Laughter]*

Sen. Barrack: On December 16.

Sen. M. Hosein: If you want the information and if you are now claiming that you do not know, then I will give it to you. I will give you the information after this session, so do not pretend that you do not know, because you know that you know.

Mr. President, I am not at all happy, nor am I naive about this Government and its behaviour—no way, because I know that Government knows and I know that it is not prepared to do anything about it. Wake up, the penalty will come! Time is longer than twine, and judgment day is not very far.

We must ponder a little as to the intention of the framers of the Constitution of Trinidad and Tobago. We must ponder to find out why is it that the framers of the Constitution of Trinidad and Tobago did not put the police service under the Minister of National Security or any other Minister? We must understand that. Do you know why, Mr. President?—because of the coercive power of the police service. They knew somehow instinctively, or, perhaps, by experience from other countries, what is likely to happen when there is a minister in charge. What has happened here is that the Government, having found the front door locked—could not get at the Police Service Commission; could not get at the Police

Commissioner—is now trying to barge its way through the back door to get coercive power to be used in a clandestine way.

Sen. W. Mark: So the Government wants two police services; one under Sen. Huggins and one under Jules Bernard.

Sen. M. Hosein: The framers of the Constitution were very clear that we should not put it in the hands of politicians. We on this side believe that—whether it be those politicians or these politicians or the politicians who are not even here. Let us make it very clear, it has not to do with this Minister, it has nothing to do with this Government, it has to do with all politicians. We are against the principle of the police service under a particular politician—none.

We must wonder—what will the Government do with the drug information that it is going to get? The people working there are sworn to secrecy; they cannot tell anybody anything, so they have to keep the information. To whom are they going to report? The Minister of National Security! That is the Minister they are reporting to.

Sen. Barrack: Oh God! Lord help us.

Sen. M. Hosein: I saw it, the director has to get advice from you; you have to give the advice, that is what it says. Are you advising him or is he advising you? Which way is it going? Let us look at the record. If, for example, information reaching the director and the Minister of National Security is that the hon. Attorney General is involved with people who are drug dealers, what would the Minister of National Security do? He told me that he will be cleaning up, but he already has information that the Attorney General was involved with the late Charles Stewart, who was a pimp for Colombian prostitutes and who was involved in all kinds of drug dealings and he did not do anything about it, but he is now telling us that he will "lick them up". Do you understand what is happening [*Interruption*]

4.20 p.m.

Sen. Huggins: Mr. President, on a point of order, that was a very serious statement which I think he should withdraw, unless he has some proof of that. The man happened to live in the constituency.

Hon. Senator: He never denied it.

Mr. President: Senator, I think you know you are making very serious charges. That is imputing improper motives. If you can substantiate the statements that you make, then you can make them. You have freedom of speech, but you

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cannot—there are certain limitations—you cannot impute improper motives under freedom of speech.

Sen. M. Hosein: Mr. President, I made this remark several times. I even read it in the *Hansard*, Mr. President. It is nothing new. The Minister was here and he sat there motionless. He never got up and said that that is not true, so to come now and tell me that I do not have information, I mean, come on, Mr. President!

Sen. W. Mark: The Mirror has it.

Sen. M. Hosein: Mr. President, I read the report in the newspapers—several reports, Mr. President; and *Hansard* can bear me out on that. This is not the first time.

Sen. W. Mark: It is a fact.

Mr. President: I remember—

Sen. M. Hosein: You remember? [*Laughter*]

Mr. President:—some remarks—

Sen. M. Hosein: Thank you, Mr. President.

Mr. President:—being made concerning the attendance at a funeral in Elephant Walk and I had to intervene on that occasion as well, I remember, not to make reference to it and delete it from the *Hansard*.

Sen. M. Hosein: Mr. President, that matter was mentioned in the House several times and in the presence of the Attorney General and he has never said anything; and up to now he has not denied it.

Mr. President: The Minister of National Security has risen on a point of order that you are imputing improper motives and I am saying that unless you can substantiate it, on this occasion—

Sen. M. Hosein: All right, Mr. President.

Mr. President:—you should be sure of what you are saying. The fact that you have said it on occasions before and it has not been challenged, does not mean that you are free to say it at any time.

Sen. M. Hosein: I shall furnish the information, Sir. On this occasion, I will temporarily withdraw it and furnish it another time. I hope you will be there when I read it.

Hon. Senator: Well said.

Sen. M. Hosein: I shall give you an invitation.

Sen. Ojah-Maharaj: Do it in public, when you are not here.

Sen. M. Hosein: Mr. President, the Attorney General and the Minister of National Security both had information about the sale of the Prime Minister's car [*Laughter*] and they did nothing about it!

Mr. President: Senator, I think you are drifting.

Sen. M. Hosein: No, no, no, Mr. President, I am talking about what they will do with the information they get. I am saying that if they get information regarding one of their colleagues, I want an assurance that they will do something about it. I am saying that the evidence is that they have not done anything about it when they get the information. That is what I am saying.

Sen. Capildeo: Which car are you talking about? The Volvo or Santika?

Sen. M. Hosein: No, no, Santika. Mr. President, the same thing occurs in the Prime Minister's house sale. They did nothing about it. They never called a probe. So that when you get information now in the SSA that one of their "boys" is involved or implicated, what will they do?

Sen. Barrack: Answer the question.

Sen. M. Hosein: I am saying they will hide the information to save their neck, Mr. President. That is what they will do.

Sen. Barrack: Answer!

Hon. Senator: Please give us the information.

Sen. M. Hosein: And up to now we have not got the assurance. You see, Mr. President—

Sen. Barrack: And the Minister of Misinformation is leaving.

Sen. Draper: Follow me nuh? [*Sen. Draper leaves the Chamber*] [*Laughter*]

Hon. Senator: He cannot take it.

Sen. M. Hosein: You see, Mr. President, we have counterfeiters in the Government and they are not doing anything about it now. What will they do when they get information that there are drug people in the Government? What will they do? That worries me.

Sen. Barrack: Answer—do not laugh!

Sen. M. Hosein: When they have that kind of power. That is the problem.

Sen. W. Mark: And the State Department talked about corruption.

Sen. M. Hosein: Mr. President, what has happened? You know, the hon. Minister of National Security made a big boast, you will recall, that the Trinidad and Tobago Government and police service has such a great relationship with other officers abroad, in Miami, Atlanta, and so forth; and it is because of that relationship that they were able to do some drug busts outside of Trinidad and Tobago. All these things have been happening. Why is it they want an SSA now? If things are so good, why do they want an SSA now? Why? I am suggesting, Mr. President, there are ulterior motives.

Mr. Sobion: Do not impute.

Sen. W. Mark: Because we already have intelligence in the army.

Sen. M. Hosein: Yes. But you see, they have everything in front of them, they are not dealing with it, but they want more. It is a gluttonous approach!

Sen. Barrack: Too much on the table, they do not know what to eat.

Sen. M. Hosein: Ravenous creatures. Mr. President, I want to deal now with the remuneration and pension entitlements of the director which "shall be fixed and be subject to review by the Minister."

Hon. Senator: That is amended.

Sen. M. Hosein: That is coming to Parliament?

Hon. Senator: It came late.

Sen. M. Hosein: When they bring it last minute, I do not have time to read that last minute. Give it to me in good time!

Sen. Huggins: You only have time for rumours.

Sen. M. Hosein: I am not here at your beck and call to come and give me information two minutes before the debate starts.

Sen. Huggins: Address the Chair.

Sen. M. Hosein: Mr. President, the Minister must have better sense than that and give the information earlier. I will address the Chair, do not worry. I have the greatest respect for the Chair.

Sen. Barrack: Of course. We are a respectful bunch on this side.

Sen. M. Hosein: We want to know, Mr. President, how much they are going to pay—

Sen. Dr. Saith: Tax free cars.

Sen. M. Hosein: All right, we want to know what they are going to pay. You see, Mr. President, the pattern of this Government is "jobs for the boys". That is the pattern and God alone knows what it is paying them off for; or is it giving them jobs in advance of what it wants them to do later on. I do not know. So the Parliament must know how much it is going to pay these people. What are the perks they are going to be given. The Parliament is the supreme court of the land. Come here and tell us. The Bill also says—and this is dangerous, Mr. President—if you look at clause 4(5) it states:

"The Director shall be subject to the directions of the Minister."

You see what I was saying just now?

Sen. W. Mark: That is the caddy boy.

Sen. M. Hosein: The directions. Therefore, any kind of information they get, he can direct them on how to deal with it. "You see this information? Is meh good pardner living in Ellerslie Park, so dump that." "You see the other one, I want you to go and get information on Sen. Mark. We want to lock he up." You understand? That is what this SSA is about! That is what it is and the country must be aware of that. [*Interruptions*]

Mr. President, if you look at clause 6:

"The main functions of the Agency are to—

(a) collect, collate, evaluate, analyze, develop and retain information... " So what is the police service doing? What was it doing all along?

Sen. W. Mark: What is Special Branch doing?

Sen. M. Hosein: Mr. President, we want to know what they were doing but the Minister does not tell us that;

"...and intelligence in respect of drug trafficking and other related crimes and major participants or suspected participants in such crime nationally and internationally;"

Well boy, we cannot even handle those little fellas around there, but we are going international now. We are really in bad trouble. Look at this on:

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"(d) assist in identifying sophisticated drug-related criminal activity and those who engage in it;"

Sen. Barrack: Let us start to laugh, nuh?

Sen. M. Hosein: Mr. President, are these not the same people in 1990 who had a big contingent on the lands of the Jamaat and right under its nose the Jamaat came and held up the whole country? Is that not what we are talking about? What were they doing? What kind of sophisticated information did they have about arms and ammunition and the country was held up and put in turmoil? What they have to come and tell us is how they are going to solve that kind of problem. That is what we want to know.

Sen. Dr. Saith: Ask Ramesh next time.

Sen. M. Hosein: People playing "bad john" all over the place and they go and say "Okay boy, hush, hush". Give them two pats on the back.

4.30 p.m.

How is the SSA going to help here? How is it going to be different from that group of people who, in 1990, was on the Jamaat's property, were completely hoodwinked and still are sitting and they come and hold up everybody? How did that happen? We want to know how that happened?

Was there any analysis done of the 1990 situation to know where we went wrong? What is the position?

Mr. President: I think this is a convenient time to have the intermission. The sitting will be suspended for 30 minutes. The Senate will resume at 5.00 p.m.

4.31 p.m.: *Sitting suspended.*

5.00 p.m.: Sitting resumed.

Sen. M. Hosein: Mr. President, if we look at page 12, clause 14, it says:

"The Minister may make regulations generally to give effect to this Act and in particular regarding—

(a) the exercise of the powers and the performance of the duties and functions of the agency;...

Here we are again with another Bill coming before this Chamber and the regulations are not with the Bill. We have warned the Government several times, in order that this Senate may understand the implications of the Bill, the

regulations, are important, but it continues to bring Bills to this Senate minus the regulations.

I want to appeal once more to the Government to do the decent thing, when it is bringing Bills, bring the regulations also, because they form an integral part of the Bill itself. When one looks at the regulations that the Minister may make, one will see how wide it is: “the exercise of the powers and the performance of the duties and functions for the agency.” That is the heart of the very agency. We know nothing about those regulations.

I believe it is disrespect of this honourable Senate to bring Bills before this Senate and not bring the regulations pertaining to them. It may be that what we say to the other side goes through one ear and out the other. The only way that our Friends opposite will listen is when they have to face the ultimate challenge, when they must face reckoning day and judgment day. When we go to the electorate and tell it what has been happening in the Senate, they will then have to give account for their stewardship. They will have to explain why it is that they continue to treat the Parliament with contempt by not bringing the regulations with the Bills before the Senate. No amount of grinning by no funny-looking Minister is going to wipe it away.

I want to make a point here. I listened to Sen. Daly attentively. He seemed to be saying that neither the Government nor any other organization—and I think he meant the Opposition—brought any constructive proposals to deal with the issue of drugs, and other issues. I think the words he used were, “from anybody”. I must enquire of the good Senator, who is my Friend—it seems to me that the good Senator must have been asleep for three years. It seems that he has now awoken from slumber. But let me set the record straight. It may very well be that on the days in question he might have been absent. If he was absent, I now want to put the record straight and I want him to know of two measures that the UNC is proposing. If we were on the other side, this is what we would have done.

We would give the police the vehicles, the weapons, the training and the housing that they require to do their jobs. Every day we are hearing and seeing newspaper reports—

Sen. Huggins: When last you heard that?

Sen. M. Hosein: Last week. People call the police all the time and they say “we have no vehicles”. I want to make the point again so that my good Friend, Sen. Daly, will hear what I have to say and it will go into the records. I said it

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before and I say it again, the money will come raising a bond issue specifically for that purpose.

Hon. Senator: You do not pay back bonds?

Sen. M. Hosein: Yes, I am not suggesting you do not pay it back, so you do not have to be facetious. It seems that the hon. Leader of the other side's mind is clogged about not paying back. So he cannot seem to understand what I am saying to him.

I am showing them how to get the money, because the first thing they will tell you is: "We do not have any money." I am saying the money is there. Because when it is convenient for that side, it raises money via the bond issue for all kinds of purposes, but the security of the citizens of Trinidad and Tobago is paramount for the United National Congress. Where we are concerned people come first, and we will not leave any stone unturned to deal with the security of the citizens of Trinidad and Tobago. I want them to be aware of that.

Sen. Daly would be aware that I am making the suggestions today again, for the umpteenth time, and I hope he is awake and he is listening.

Sen. Daly: What suggestion is that?

Sen. M. Hosein: Do you see? He is asleep with his eyes open.

Sen. Daly: I want to assure the Senator, if he would give way, that I am wide—

Sen. M. Hosein: No, I am not giving way.

Sen. Daly: Very well. Thank you very much.

Sen. M. Hosein: I am in full flow. I do not wish to be interrupted by my good Friend. I am in full flight.

The next thing we will do is forge a relationship between the state and the police service, not the kind of adversarial relationship that now exists. We will reach out, because of our superior human relations, not *à la* Drucker style, not boardroom style. Our style is down in the trenches, talking to the people and bringing them closer to us, not Drucker style, sitting in a boardroom and giving orders. That does not work. Drucker ought to know better than that.

5.10 p.m.

Mr. President, that is an outdated method. Sen. Draper needs to go for a refresher course. His methods are outdated. With respect to the other suggestion,

we would ensure that the Commissioner of Inland Revenue deal with drug dealers re: tax evasion. If an amendment of the law is required we would amend it if that is the case. We have not determined if an amendment is required. You yourself said that you did not think an amendment is necessary, and I myself do not think an amendment is necessary. *[Laughter]*

What we think is necessary is the political will to get the job done. That is what the Senators opposite do not have. They cannot do it.

I agree with Sen. Daly when he said that crime is a matter for all of us. The United National Congress stands firm that crime is a matter for all of us. We all have to deal with it.

Let me put the record straight. We, on this side of the Senate, offered our assistance to that side on many occasions—I want it put in the records again—and they turned it down on several occasions. To talk about drug and crime being a matter for all of us is something of which we are aware. We have offered our assistance to that side and they have rejected it. However, if they have a change of heart, we stand ready, willing and able to assist Trinidad and Tobago in the drug problem.

I thank you, Sir.

Sen. Everard Dean: Mr. President, I want to start my contribution by quoting from page 10 of the *Trinidad Guardian* dated March 14, 1995 in a statement made by Dr. Mansoor Ibrahim, President of ASJA; among other things he said:

"...drug lords and barons and drug users are taking control of not only the city streets, but also powers of authority."

Mr. President, I think the nation is petrified about these crimes and drug-related crimes. What the Government is doing is attempting to address the situation by introducing appropriate laws in the country. But the more things change, the more they remain the same.

The question of security of the person is questionable, or what the Government is doing leaves much more to be done. I say this because at night people have to stay in their homes behind locked and burglar-proof doors. They are afraid to go outside on the streets.

I read this morning that there are bandits at it were, using bullet-proof vests. Imagine what this country has come to. It is a country where, even our fishermen cannot work in order to sustain their family.

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In his presentation, the Minister of National Security alluded to the fact that the drug menace has achieved transnational status and the money generated by drug traffickers is quite enormous.

I recall when I made my contribution on the Dangerous Drugs (Amdt.) Bill, I held up a paper—indicating that Trinidad and Tobago is in fact a transshipment point for drug trafficking. The retort I received from the Minister of National Security was, "I shred that" That, to me, is attempting to deal with the drug situation in a cavalier fashion. That is not good enough.

With respect to the social summit that is taking place in Copenhagen, I tried to inform myself on what it is all about. I got this flyer, *World Summit for Social Development* which is a United Nations paper. Mr. President, with your approval, I quote:

"Crime:

- Reported crime has grown at a world-wide average of 5 per cent each year since the 1980s;...
- Illegal drug trafficking rakes in profits of some \$500 billion a year—a sum equal to the combined gross national products of two thirds of the UN Member States put together.

Domestic violence:

- Violence in the home is both a symptom and a result of the breakdown of family values. Children are tragic victims. So are women, who are at more risk of being killed by their male partners than by any other kind of assault.

Changing Course:

'It is unacceptable that individuals and societies with the fewest resources—the poor, the unemployed, the weak and the vulnerable'—should have to bear 'the greatest burden of the economic and social transformation of our world.'"

Mr. President, I introduced this leaflet into the debate for two reasons, firstly, to address the question of the illegal drug trade and the kind of money that it rakes in, and secondly, as an aside, the reason we should have better representation at this social summit.

I want to quote from the *Parliamentarian, Commonwealth Currents* on page 3. This is to support the view expressed by Sen. Daly that the Inland Revenue

Department should become involved in this legislation. Among the agreement reached by the G-7 leaders in 1989 on the Financial Action Task Force, it said:

"procedures be established for mutual assistance in criminal matters regarding financial records, the search of persons and premises, seizure etc."

This, to my mind, supports the view that we have to do something more about the financial records in dealing with these drug criminals.

"Ministers also agreed that money laundering should be an extraditable offence."

We have been hearing from time to time that we want to make Trinidad and Tobago the Singapore of the Caribbean, and I agree with that, but we must "go the whole hog".

When people are convicted for drug offences they should be treated with capital punishment. It is no sense saying that we want to be the Singapore of the Caribbean in one breath and on the other we just slap you on the wrist. This is a country where it is difficult to understand about crime and punishment.

5.20 p.m.

One disrespecting the anthem could be jailed for a month; one found with a marijuana stick could be fined \$500, and one found guilty of fraud—receiving money for a dead person—could be placed on a bond. Where are we going? This is the kind of situation in which there is no norm or pattern to follow with crime and punishment in this country. I am not blaming the Government for this, but I am sure the whole question of the administration of justice, as indicated by some of my colleagues here today, needs to be looked at.

The whole question of the freedom of our citizens is what prompted Sen. Capildeo to give, in his view, 12 basic facts why this Bill should not go through. Among them are: crime is out of control; the police service is incapable of enforcing law and order; the breakdown of the justice machinery; the prison service has collapsed and eight others. There is a pattern. I think these same 12 basic facts are the reason this should be passed.

I am of the view that the Government is taking the appropriate step to put something in place, but I am also of the view that because of the track record of non-implementation, I am suspicious about the whole idea of bringing law after law. This is probably where we will part company. I would support the law; I would hope for implementation, but the track record is not good in the area of the operations.

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I just want to make one comment on clause 7 of the Bill itself. This deals with the question of secondment. It states:

"An officer in the Public Service may, with the approval of the appropriate Service Commission and the consent of the Minister, consent to be seconded to the service of the Agency..."

To my mind, for an organization as sensitive as this, there should be no secondment. I know that in this country we have scarcity of the technical expertise to do certain things. I say this because I do not feel that any officer who is seconded to this agency would have the kind of commitment to follow through with what he or she ought to do because his substantive job would always be open to him. It is a question of reverting there. I feel that if we are looking at an agency such as this, we should not provide for secondment, and if that is left there, it should not be used. I have had the experience with secondments and it did not work—those I know about. I think that the Government may be well advised to look at that section once more.

As a matter of fact, I think the whole question of drug-related crimes, violence and dealing with these drug criminals is taking a little too long, notwithstanding the process through which this must go. I do not want to refer to something else which was said on another matter by the Attorney General, but I hope that when that time comes we would deal with that situation. I feel that notwithstanding what the track record of the Government may prove of the non-implementation, this Bill should be supported.

With these few words, I thank you very much for your patience and time on this contribution.

Sen. Andre Maloney: Mr. President, in joining this debate I wish to recognize an atmosphere which is permeating out of society presently; the realization of key issues that surround our youth and youth population. Today we face critical issues which are highlighted by our calypsonians, politicians, religious bodies, media and concerned citizens. It is reflecting the thinking of examining options that we face and making varied views.

I say this in light of the comments made on this Bill today, where Senators, are introducing a long background of the problems that we face and some of the challenges that we have to face in the future. I would like to take this opportunity to reflect—just over this weekend the Islamic community celebrated the spirit of youth alive in 1995.

As the above theme suggests, our leaders shared some thoughts on it. It is here that an effective leader, recognizing the potential of our young people, quoted:

"The need for religious tolerance, love for our country and environment which is culturally diverse."

On the other hand, there is a leader who is fragmented, a separatist, based on racial overtones embedded in a culture of a racially divided society. I say this because it was the same tone on which Sen. Capildeo started off his debate, on a cross-section of Lara, and a society that is free. Oh! What contradictions! Now I really begin to understand what our beloved calypsonian said, a nation and a breed of lawyers; a nation full of doctors and lawyers; a new breed as the people say.

This leader continued with his rhetoric.

"We must face the facts with boldness and courage. We must look for the root cause of the catastrophe that has befallen our children."

I sometimes really wonder. *[Interruption]* It is my handwriting.

In creating this backdrop of thoughts from our society as we approach this Bill, it is important for many of us to have the opportunity to hear a society that is calling out; parents, teachers and even Senators calling out in their loudest tones today for some sort of approach to assist in helping us out with these problems.

5.30 p.m.

It is important as we approach this Bill, for many of us to have the opportunity to hear the society, the poets and calypsonians who are searching for new solutions and new paths to follow. This Bill seeks to approach the critical issue of contemporary criminal activity which has grown to a complex network. I believe that some of us are still caught up in that outdated structure, not recognizing the complex problem that we face out there. Even our young calypsonians have been analyzing our present predicament. We all know that any country in the world can name its cartel. Which is the newest cartel? This is one calypsonian's quote: "Pablo Escobar living right here," and I would not go any further.

I have heard much talk about political will and I throw out the challenge to my honest fellow Opposition Senators to be really bipartisan and let us approach this issue of political will equally. *[Interruption]* Their leader spoke of courage. I would say that it takes courage to look ahead in an unpredictable world, and moreso to stand up in a small country such as ours. *[Interruption]* I begin to feel

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sorry for my fellow Opposition Senators. I heard the comment that some people have sold out in this society and I wonder who they are.

Life has a way of rewarding courage to make the necessary changes. I wish to congratulate the Hon. Sen. Russell Huggins on this Bill, the Strategic Services Agency Bill. I congratulate him for his courage, vision and ability to deal with the real issue, recognizing the need for independent intelligence, in synergy with other departments; courage to understand the changing dimensions of criminal activity; effective legislation which is vital for prosecution, and to separate the sharks from the sardines. This is a move towards giving legislation its full bite.

This is why we must have the courage to set aside strict ideologies and outdated structures if we realize that they would not work in today's environment. We must face new paths and ideas.

I agree that there will be concerns because as we move along we must be careful how we move and at what pace we move to ensure that we have the necessary contributions coming from here to forge that right path. I am young and I need to be guided. All of us need to be guided as we go along that steady path. I must add that we are dealing with a complex network and a complex problem of crime in these situations.

As a Parliament, I would like us to focus on our population, especially our young population, and relate drugs and the term drug trafficking to the term and the ideas of an industry. This is what we are dealing with. Drug trafficking is an operation in an industry which has many components. It is a worldwide network with significant foreign investment in our small country. It would make our simple divestment programme look very bad.

As with any industry, there exists varying organizational levels. In Trinidad and Tobago, one of the levels starts from above. It starts with the drug industry with toothless creatures; it starts with a drug industry with ineffective and outdated structures; it starts with an industry with chief whip lawyers who act as lobbyists, even congressmen as chief lobbyists and advisers, judges, lawyers, businessmen, all backed by a strong cartel. However, that is not my concern, for I am a simple, black, humble youth from an urban community and this is where I wish to identify our problems in the drug trafficking issue.

It is here that we see the mirror of the cable mentality creeping into our community. The drug supply is there. There is a demand. There exist territorial interests and eventually the problems that the urban population in America faces with gangs and drugs are ones that we might face with that cable mentality that is

creeping in. We must be very concerned. When looking at this Bill, let us keep all that in perspective. Clearly, this Bill addresses issues from the supply side by providing adequate information from a kind of network and synergy for great and effective use.

As the ugly cycle continues, we all see another level. There are drug mules—and we know who they are and where they come from—gang warfare, senseless killings and drugs in schools. We recognize that these are the ones who are given high fines and bail. We begin to ask ourselves where they get the money to pay that high bail or legal fees and we begin to understand David Rudder's comments about our lawyer and doctor society. They have to find that money to pay the fines and the fees.

As I said, coming from an urban community, I share Sen. Daly's concerns though our concerns are on two different dimensions. He has a concern and I also have a concern. Where do they find that money to pay this bail and high drug fines? One then begins to understand the criminal activity which comes into play. Fellow Senators, this is the price our society has to pay—it is one of constant violence. I would advise Mr. Ramesh Lawrence Maharaj to take that and package it to the Supreme Court. [*Protest*] Because that was his comment in relation to this Bill. He said that he would take it to the Supreme Court. Let us deal with the people and the issues. [*Further protest*]

Indeed, Mr. President, the evidence is there for all of us to see because there exists just another level where one sees the young addicts peddling in our streets, especially the streets of our city. We see the young female prostitutes; we see family breakdown, the question of unemployability—a hopeless breed, a breed for which I am sure that Sen. Capildeo is famous and noted. He noted the hopeless breed earlier on. It is at this final level that the strategy for reduction of the demand for drugs may be effective. It is really this final level which includes the rehabilitation of adults, drug awareness education, school and family programmes and community seminars among others.

5.40 p.m.

The violence in our society has its roots in the success of drug trafficking. In this Bill, the objective clearly sets out to work in synergy and to provide the intelligence to go at the supply side of the problem. Even with the arguments for an improved police service by fellow Senators, I remain confident that the structure and the organizational culture of the present police service cannot fit into our complex problem, the complex situation we face. It is a whole retraining tool and a whole new situation that would take much time, time that we do not have.

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I want to support this Bill, mainly because of a term I used earlier on, separating the sharks from the sardines. I wish to state clearly that I do not want to live in a future society—as the calypsonian again suggested—where I might be forced to live in jail with all the prisoners sent out in the society, to lead it to the ruins.

As I indicated earlier, we need the functions to be executed by the Strategic Services Agency to analyze, to understand the data concerning drugs and its related activities; the function as outlined in the Bill. It is clear, it is well focussed and I remain confident that it would achieve its results.

I would add that this legislation is vital for effective prosecution, coupled with a police service which is a breed of dedicated police officers whose organizational culture is not grounded in corruption, inefficiency and lacking leadership. Our young people demand results, not rhetoric, paving the way for new and exciting paths.

Thank you, Mr. President

Sen. Junior Barrack: Mr. President, as I listened to my good Friend and former classmate, Sen. Maloney, *[Interruption]* I was moved by his budding eloquence. I am sure that when he becomes fully aware of the nest, the den in which he is, he will take a quiet stroll over to this side, and he will be welcomed with open arms. *[Interruption]*

The young Senator has pointed out a number of very important things which, I believe, he is aware of as a member of a community, such as his name suggests—Maloney—and the problems that affect that particular community. The way in which the drug trade is crippling the youths in that community; the way in which they are virtually abandoned to their own ways; the way in which, at times, the very residents in the area are held hostage by the activities of the youths as they seek to fulfil the requirements of their trade, either in banditry or drug dealing, and even hinder the progress of young, bright and intelligent individuals, as Sen. Maloney, who might at times have to live in fear to walk the neighborhoods in their own communities. When he raised these questions, I was struck by the fact that he must be aware of this.

What I did not hear the Senator say at any point in time was—*[Interruption]* I was not speaking to you. What I did not hear him say, Mr. President, is what is being done for our youths in the communities that he has identified. I am seeing 10 years from now a situation of total lawlessness and anarchy. Communities in which there is no economic infrastructure whatsoever to embrace the youths, to caress some of the ambitions, to soothe some of the unfulfilled hopes and dreams—

Sen. Draper: And aspirations.

Sen. J. Barrack: You can say that because you know what they have but you are not so organizing the society for them to realize it. This is what I want to see. I want someone to tell me what this Strategic Services Agency Bill will do for these youths. In the final analysis we have to speak about results. How is this going to interact with the present spate of the killings of witnesses? How will it solve such a problem? How will this Bill handle it when a man is killed in front of five or 10 witnesses and nobody sees? There is no guarantee, even now, that the present security arrangement can take care of one or two witnesses—not even the whole community. To preserve the life of one witness, we witnessed one of the greatest hoaxes ever perpetrated on the citizens of Trinidad and Tobago. I want to know how this piece of legislation will impact on the witnesses.

We speak about crime as though it exists in a vacuum, that criminals just fall from nowhere and landed in the depressed areas of Trinidad and Tobago. That is how we address the question of crime. We are forgetting, Mr. President, that a particular party headed the Government in this country since Independence—

Sen. Huggins: Before Independence.

Sen. J. Barrack: —and had the greatest opportunity to lead our people and set the correct social foundation. If, as Sen. Ojah-Maharaj is saying, that that foundation is set, well that is the result. Near anarchy!

Mr. President, when a man is not killed in Trinidad and Tobago, it is because people who are operating their sinister ways and trade, do not see the need to do so. It is that simple. There is no compunction whatsoever in terms of preserving human lives. The moral fabric has disintegrated completely. The more we listen to some of the hon. Senators on the other side—

Sen. A. Mark: Mr. President, I rise on a point of order. The Senator is engaging in—I quote from Standing Order 43:

"...tedious repetition..."

We have been hearing those arguments all afternoon, I beg for a ruling, Sir.

5.50 p.m.

Mr. President: Senator, you have heard the point of order raised, and I think you have heard me in the last two or three meetings refer to that particular Standing Order. I do not like to deny people opportunities to use their time to speak, but if you can try to deal with matters that have not yet been raised during

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the course of the debate, the Senators would appreciate it very much. There is no need to re-emphasize the points that have already been stated.

Sen. J. Barrack: Thank you very much, Mr. President, for your intervention, and Sen. Ainsley Mark for his intervention. I am not above the law, I like to stand by the Standing Orders, therefore, I will move on to another point, which I believe, would not be as tedious as this one to the hon. Senator.

Mr. President, we come to the point of the functions of this particular agency. I will like to read some of the functions of this particular agency. Clause 6(1) says:

"The main functions of the Agency are to—

- (a) collect, collate, evaluate, analyse, develop and retain information and intelligence in respect of drug trafficking and other related crime and major participants or suspected participants in such crime nationally and internationally;"

It goes on:

- "(f) provide strategic intelligence to assist and promote the efficient and effective use of operational resources so as to enable the development of law enforcement strategies;
- (h) provide a nucleus of specialist intelligence personnel who are able to advise and assist investigating officers concerning operational priorities and deployment of resources;"

Mr. President, this organization, obviously, has a significant amount of work to do—I will read from clause 6(2)(b), just to highlight that, and then I will go into the meat of the argument surrounding this particular point. It says:

"facilitate and monitor the enforcement of requests for assistance relating to the proceeds of drugs and other serious crimes, made under bilateral and multilateral confiscation agreements;"

I can go on to a number of functions that this particular organization has to carry out. Under clause 6(1), there are from (a) to (j), then there is 6(2) and one can go on to a number of functions. It is a highly daunting task, if one wants to call it from that perspective, it entails a number of things that this particular organization has to do.

Mr. President, I have a problem with this agency on the surface of it. We were recently told that Trinidad and Tobago does not have proper managers; we cannot

manage WASA, for over 30 years we have been bungling it. At present, it is in shambles—that is what they are saying—

Sen. Hosein: Tell them who is the "we" you are referring to—

Sen. J. Barrack: It is the PNM Government, so we have to get rid of them. We cannot deal with T&TEC, the PNM has failed as managers, as a people—that is the PNM, rhetoric.

Sen. Hosein: You better say the PNM—do not mix us up with them.

Sen. J. Barrack: So we have to sell T&TEC. Here we are creating an agency to do a tremendous amount of work and we have already said that we are poor managers. What I will like to ask is: Are we going to bring in one of the multinationals to monitor it? Are we going to bring in the CIA to head the organization? Are we going to import somebody from MI5, or from the Mosad—

Sen. Dr. Saith: We want Mervyn. *[Laughter]*

Sen. J. Barrack: Are we going to do that, Sir?

Sen. Hosein: He is not working for you all, he is reserved for this side. You all are too crooked.

Sen. J. Barrack: Mr. President, one of the functions of this organization is to monitor the movement of proceeds and properties derived from international drug trafficking. That is one of the things the agency has to do, co-operate and monitor these areas and so forth. It is a tremendous amount of work, but we have already proven that we cannot even manage T&TEC, so what is the Government doing? *[Interruption]*

Mr. President: T&TEC is past tense, there is a Standing Order that says you cannot refer to any debate that has taken place in a session unless you bring a motion to rescind it. This is the second time that you have referred to T&TEC, once you could say that you are making passing reference, but you have gone back to it again. Try to get along with what you want to say. The Bill is here.

Sen. J. Barrack: Mr. President, I did not know that I was reflecting on the debate. I was taking it in isolation with this area. My point is quite simple. I hope that I have made it quite clear—I am not speaking to you, Senator—that we have a situation where we are creating agencies to do work and we are employing managers locally to do it when the Government has said that those managers, our nationals, are not good managers and has sent that signal to our people at all stages of our operations, particularly, when it has to do with economic matters.

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6.00 p.m.

Mr. President, I was listening to Sen. Martin Daly earlier and he made a particular point on which I believe he wanted some information and I am going to furnish him with that particular bit of information.

Mr. President, the hon Senator asked what is the use of a debate that takes place outside of Trinidad and Tobago concerning the problem—

Sen. Daly: The relevance.

Sen. J. Barrack: What is the relevance of a debate that takes place outside of Trinidad and Tobago as it deals with the drug trade in Trinidad and Tobago; and matters associated to it.

Sen. Dr. Saith: "Incidental thereto".

Sen. J. Barrack: Mr. President, the Senator himself lamented that he has been involved in instructing this Government, giving it information, trying to seek out certain positions; getting assurances from the Minister that he will do certain things, and so forth; the numerous reports and recommendations that are before us; the numerous legislative and other measures that have been taken; and there seems to be nothing done on the matter of arresting the crime situation and dealing with it head-on.

Mr. President, I am of the opinion that the hon. Senator will find that if the matter is raised internationally and the Government is asked to look at its position from a perspective where sanctions might be taken, we might get some results.

Sen. Daly: I wonder if the Senator would give way. Does he have any information about who asked the Congressman from Ohio to raise this matter?

Sen. J. Barrack: Mr. President, I do not even know what he is talking about. [Laughter] I am speaking in terms of the raising of the matter of the drug trade in Trinidad and Tobago and the response of our Government to that internationally. Is Sen. Daly speaking about something specific?

Sen. Draper: Tell him they kept you out of the caucus.

Sen. J. Barrack: Mr. President, what I am saying is, should we realize that the Government is not doing anything about the problem of drugs and crime in the country, and that, substantially, our position five years ago was the same, or worse; then possibly, if this matter is raised on the international scene in a very serious way we may get some results—may. Mr. President, in that case, anything

to help the youths of our country who stand by the wayside with nothing to do and find themselves involved in crime; anything that is necessary to preserve our youths and our country, let us do it—and I know I will have the support of Sen. Ainsley Mark in this particular regard.

Hon. Senator: You are supporting the Bill.

Sen. J. Barrack: Mr. President, the United National Congress has never failed this country.

Sen. Draper: What!

Sen. Hosein: Hear!, Hear!

Sen. J. Barrack: On the question of our contribution to this country, the way in which our party has conducted itself in this House and the other place, there can be no debate that could be adverse to the good reputation of this party.

Sen. Hosein: Yes, man. Talk to them, man.

Sen. J. Barrack: Mr. President, when a gentleman—and I do not know if it is right to call his name, but if I am wrong, you will correct me, Sir.

Mr. President: When in doubt, leave out.

Sen. J. Barrack: Thank you, Mr. President. [*Laughter*] I think you should be a candidate for the next calypso competition! When the matter of a drug cartel in the police service came up and a particular gentleman raised the matter—and I am referring directly to questions raised by my good brother, Sen. Maloney, and my good brother, Sen. Daly—that there was a drug cartel in the police service, our party moved swiftly to determine whether or not that was true and what measures the Government was going to take, if that were true, to correct the situation.

When that matter was raised in a particular place, Mr. President, it was the fortitude, steadfastness and selflessness of the politicians and representatives of the United National Congress—

Sen. Hosein: Yes, man!

Sen. J. Barrack:—that caused this matter to be debated and eventually, Sir, a particular group—Scotland Yard—was asked only out of pure shame by the Government to come here; and its terms of reference have not yet been passed on to the Police Service Commission. They were frustrated and they left us with a report of which you heard Sen. Capildeo make mention. In order not to be tedious, Sir, I will refrain from mentioning it. [*Interruption*]

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Mr. President, our party has committed itself to the people of Trinidad and Tobago. I will request that sad sack stop harassing me. Our party is committed to the development of the people of Trinidad and Tobago; and the drug trade is one which has a debilitating effect on the development of our people, particularly our youth who, we hope, will be the men and women of tomorrow who will lead us. I see one in the Senate here and I hope he develops into becoming one of our strong leaders in the future.

Sen. Draper: PNM leader.

Sen. J. Barrack: He has my support—when he comes on this side.

Sen. Hosein: We already talked to him, you know.

Sen. J. Barrack: Mr. President, there can be no question as to where the UNC stands on the question of drugs and related matters. Therefore, Mr. President, I want to put to rest any suggestion that the UNC is not prepared to work with anyone, including this Government, in the reduction of crime and drug-related activities in this country—

Sen. Dr. Saith: You are going to get in trouble for that.

Sen. J. Barrack:—for we have already done that. We extended our hands to embrace them in love and affection, Sir. Not for the PNM, but for the people of Trinidad and Tobago.

6.10 p.m.

But our gesture went a begging, Sir. That is right. We still have our hands outstretched. Where are they? They are busy profiting. They are busy making themselves rich, while the whole country becomes poorer and poorer, and any time one wants, all one has to do is to look in the direction of the United National Congress. They will see outstretched arms waiting for them to come and say, "Let us deal with the problem of Trinidad and Tobago."

Thank you, Sir.

ADJOURNMENT

The Minister of Planning and Development (Sen. The Hon. Dr. Lenny Saith): Mr. President, I beg to move that the Senate do now adjourn to Tuesday, March 21, 1995 at 1.30 p.m.

Mr. President: Before putting the question, if I can crave the indulgence of the Senate to deal with a matter which is on the Order Paper under "Private Business—Bills Second Reading", unopposed business really.

Calvary Revival Centre (Inc'n) Bill

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CALVARY REVIVAL CENTRE (INC'N) BILL

Question put and agreed to, That a Bill to provide for the incorporation of the Calvary Revival Centre, hereinafter called The Church or The Corporation, be now read a second time.

Bill accordingly read a second time.

Bill referred to a special select committee of the Senate chosen by the President as follows: Sen. J. Elder (Chairman); Sen. S. Callender; Sen. C. Merritt; Sen. Rev. D. Teelucksingh.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 6.12 p.m.