

*Leave of Absence**Tuesday, March 02, 2004***SENATE***Tuesday, March 02, 2004*

The Senate met at 1.30 p.m.

PRAYERS[MADAM PRESIDENT *in the Chair*]**LEAVE OF ABSENCE**

Madam President: Hon. Senators, I have granted leave of absence to Sen. The Hon. Knowlson Gift from today's sitting of the Senate.

SENATOR'S APPOINTMENT

Madam President: Hon. Members, I have received the following correspondence from His Excellency the President, George Maxwell Richards.

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency Professor GEORGE MAXWELL RICHARDS, T.C., C.M.T., Ph.D., President and Commander-in-Chief of the Republic of Trinidad and Tobago.

/s/ G. Richards
President.

TO: MRS. JOAN HACKSHAW-MARSLIN

WHEREAS Senator Knowlson Gift is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, GEORGE MAXWELL RICHARDS, President as aforesaid, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in me by section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, JOAN HACKSHAW-MARSLIN, to be temporarily a member of the Senate, with immediate effect and continuing during the absence from Trinidad and Tobago of the said Senator Knowlson Gift.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 2nd day of March, 2004.”

OATH OF ALLEGIANCE

Senator Joan Hackshaw-Marshlin took and subscribed the Oath of Allegiance as required by law.

PAPERS LAID

1. Erratum in respect of the Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Land and Settlement Agency for the period June 01, 1999 to December 31, 2000. [*Minister in the Ministry of Finance (Sen. The Hon. Conrad Enill)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Regional Health Authorities Pension Fund Plan for the period September 22, 1999 to December 31, 2000. [*Sen. The Hon. C. Enill*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Environmental Trust Fund for the year ended September 30, 2003. [*Sen. The Hon. C. Enill*]
4. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Environmental Protection and Rehabilitation Programme for the year ended September 30, 1999 as required by Loan Contract No. 857/SF-TT between the Government of the Republic of Trinidad and Tobago and the Inter-American Development Bank. [*Sen. The Hon. C. Enill*]
5. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Environmental Protection and Rehabilitation Programme for the year ended September 30, 2000 as required by Loan Contract No. 857/SF-TT between the Government of the Republic of Trinidad and Tobago and the Inter-American Development Bank. [*Sen. The Hon. C. Enill*]
6. Report of the Teaching Service Commission for the period January 01, 2002 to December 31, 2002. [*The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith)*]
7. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Port of Spain City Corporation for the year ended September 30, 1999. [*Sen. The Hon. C. Enill*]
8. The Civil Aviation Regulations, 2004. [*Sen. The Hon. Dr. L. Saith*]

CIVIL AVIATION REGULATIONS

The Minister of Public Administration (Sen. The Hon. Dr. Lenny Saith): May I also advise that the Statutory Instruments Committee considered the regulations and found that there is nothing to which Senators' attention should be drawn. The Minutes of the committee were circulated to Senators.

ORAL ANSWERS TO QUESTIONS**Unleaded Gasoline**

32. Sen. Wade Mark asked the hon. Minister of Energy and Energy Industries:

- A. Could the Minister state:
 - (i) what type of unleaded gasoline will be sold on the local market; and
 - (ii) precisely what policy would be adopted in ensuring proper working catalytic converters are installed in all vehicles?
- B. Could the Minister also state whether unleaded gasoline to be used in this country has benzene and other harmful cancer-poisoning chemicals?

The Minister of Energy and Energy Industries (Hon. Eric Williams): Madam President, I rise in response to Senate question No. 32 which was posed by Sen. Wade Mark. The first part reads as follows: Could the hon. Minister state what type of unleaded gasoline will be sold on the local market and precisely what policy would be adopted in ensuring proper working catalytic converters are installed in all vehicles?

My reply, Madam President, is that Petrotrin currently supplies the local market with three grades of motor gasoline. They are 83 octane, RON, regular leaded, and two grades of 95 RON, one of which is leaded and the other unleaded. The Government has announced plans to introduce a new unleaded grade of gasoline, 92 RON, in April 2004 and to discontinue the supply of leaded 95 RON and 83 RON gasolines.

For information purposes, RON is Research Octane Number. Octane number is defined as the percentage by volume of isooctane that must be mixed with normal heptane, and these are all compounds of carbon and hydrogen, and so forth, in order to match the knock intensity of the fuel undergoing testing. Various test methods were developed in an attempt to duplicate road performance in the laboratory. The research method is conducted at an engine speed of 600 revolutions per minute, while the motor method, which is another one, is at 900 revolutions per minute (RPM). The difference between the two numbers is called the spread or sensitivity. These are the gasolines that we intend to introduce.

The use of catalytic converters in vehicles in Trinidad and Tobago must be viewed in the context of broader Government policy to control emissions from vehicles. The major initiatives being pursued by the Government in this regard are as follows:

1. The phase out of lead in gasoline, which is expected to have a major positive impact on the physical well being of the nation.
2. The incorporation into the Motor Vehicles and Road Traffic Act of standards set by the Trinidad and Tobago bureau of standards for vehicle emissions that involve the parameters of opacity or black smoke, carbon monoxide and hydrocarbons.
3. The use of compressed natural gas (CNG) as a practical alternative to gasoline and diesel, and increasing the quality of fuel currently being sold on the domestic market.

The standards set by the Trinidad and Tobago Bureau of Standards (TTBS) include performance requirements for vehicles with catalytic converters, but the use of such equipment is not mandatory. It is recognized, however, that properly functioning catalytic converters will help vehicles achieve TTBS standards.

The next round of vehicle emission control measures will look at the effectiveness of techniques which have already been implemented and seek further improvements through other measures such as mandating the inclusion of catalytic converters on all new gasoline powered vehicles. It would be inappropriate to install catalytic converters in all vehicles in Trinidad and Tobago.

First, the technology is inappropriate for vehicles that use diesel fuel and secondly, it would be uncommon, to say the least. In fact, it would be unheard of that existing vehicles be retrofitted with catalytic converters. The experience across the world is that new design requirements that directly impact on exhaust emissions usually apply to new vehicles entering the market. As older vehicles are retired, these requirements begin to have the desired effect.

Part B of the question: Could the Minister of Energy and Energy Industries also state whether unleaded gasoline to be used in this country has benzene and other harmful cancer poisoning chemicals? We had a little difficulty determining what "cancer poisoning" meant, but we figure that he meant cancer causing.

My reply is as follows: The new grade of unleaded gasoline to be introduced in April 2004, 92 RON, will contain 2.1 per cent of benzene by volume. It should be noted that for the leaded and unleaded 95 RON gasolines that are currently

supplied to the market, benzene averages 2.1 per cent and 2 per cent by volume respectively. These benzene levels are all consistent with existing levels in developed countries including the United States where it is 2 per cent. They are also below the Trinidad and Tobago Bureau of Standards specification whose maximum limit is 5 per cent by volume.

It should also be noted that included in the plans for the upgrade of the Petrotrin Refinery are proposals to enhance the quality of gasoline produced by modifying existing plants and adding new processes. This would result in a further reduction in benzene levels to less than 1 per cent. According to the material safety data sheet, benzene is the only listed carcinogenic compound present in gasoline everywhere else, and I repeat that the levels are well within the standards set by the Trinidad and Tobago Bureau of Standards.

Sen. Mark: Madam President, I wonder if the hon. Minister could indicate whether the April 01, 2004 deadline set by the Government to phase out leaded gasoline in T&T would be kept by the Government? Is it on schedule?

Hon. E. Williams: Madam President, while that is in fact another question, I would say that I have just today requested a formal update of all of the stakeholders in a meeting this week. So, of course, I would make the appropriate announcement to the society, the country as a whole, or if the hon. Senator wants me to come back and make a statement here, by all means he is free to request it, but I will be making the appropriate statement.

Sen. Seepersad-Bachan: Madam President, through you, I wonder if the hon. Minister could indicate to us if any studies were done with respect to the cars, the car population—the older cars that would be using this unleaded 92 RON, if these cars can work with the 92 RON unleaded or may have to use the 95, which has the benzene and so forth in it, and those cars do not have catalytic converters.

Hon. E. Williams: Madam President, as I thought I mentioned, all of the gasolines do have benzene. That appears to be a normal component, so it is not a specific thing to any of the different grades. But the answer is yes; my advice is that all of the vehicles in the population can use the gasoline grade that is being introduced without harm to the engines.

Sen. Seepersad-Bachan: Just to clarify. Is the Minister saying therefore that the older cars that were using leaded gasoline, will be able to use that 92 unleaded?

Hon. E. Williams: That is correct. In fact, I am advised that the fact of lead in the gasoline, the lead became a lubricant in the engines, and so, that contributed to

the life of the engines. However, engines retain something known as a lead memory. That is to say, having run on lead over a period of time, the lead is imbedded in the machinery and would not come out, so that the lubricating property remains in the engine.

**Inter-American Development Bank Loan Agreement
(Programme Operations Manual)**

33. Sen. Wade Mark asked the hon. Minister of Housing:

- A. Is the Minister of Housing aware that section 3:02 of the IADB Loan Agreement between the Ministry and the National Settlements Programme stipulates that a Programme Operations Manual be approved before any funds are disbursed?
- B. If the answer is in the affirmative, could the Minister state:
 - (i) whether the Programme Operations Manual has been duly approved and the date on which it became effective; and
 - (ii) provide copies of the Manual to Members of this Senate?

The Minister of Housing (Hon. Dr. Keith Rowley): Madam President, as the Minister of Housing I am aware that section 3:02 of the loan agreement, loan No. 1402/OC/TT between the Republic of Trinidad and Tobago and the Inter-American Development Bank stipulates that a programme operations manual must be approved before funds are disbursed. The programme operations manual was duly approved and became effective on June 12, 2003 and copies of the programme operations manual are provided to Senators and available from the staff.

**Inter-American Development Bank Loan Agreement
(First Annual Work Plan)**

34. Sen. Wade Mark asked the hon. Minister of Housing:

- A. Is the Minister of Housing aware that the IADB Loan Contract No. 1402/OC/TT National Settlements Programme required that a final version of the First Annual Work Plan for the Programme must be produced and agreed to by the IADB?
- B. If the answer is in the affirmative, could the Minister state:
 - (iii) whether the work plan was agreed to; and
 - (iv) the agreement date of the plan?

- C. Could the Minister provide the Senate with copies of the First Annual Work Plan?

The Minister of Housing (Hon. Dr. Keith Rowley): Madam President, as Minister of Housing, I am aware that IDB loan contract No. 1402/OC/TT National Settlements Programme phase one requires that a final version of the First Annual Work Plan for the programme be provided and agreed to by the IDB. The First Annual Work Plan has been agreed to by the IDB. The agreement date for the First Annual Work Plan was February 24, 2003. Copies of the First Annual Work Plan are provided to Members and circulated by the staff.

**Payments to Robert Lindquist
(Details of)**

50. Sen. Sadiq Baksh asked the hon. Attorney General:

Would the Attorney General provide this Senate with:

- (i) a detailed breakdown on a monthly basis of all payments made to Mr. Robert Lindquist or companies owned or affiliated to him from the date he was first engaged to December 31, 2003; and
- (ii) the name of the country and date of the incorporation of the company owned by Mr. Lindquist?

The Attorney General (Sen The Hon. John Jeremie): Madam President, the response to the question which is posed requires me to investigate records in the Attorney General's office which go back 18 years, and the sheer volume of work which is involved in that has made it impossible for me to finish the task by this afternoon. If I could have an extension of three weeks, I think that I would be able to do justice to the question.

Sen. Mark: Madam President, if I may, he did raise that matter with us earlier, and while we sympathize with the hon. Attorney General, we felt that three weeks was a bit too onerous for us on this side and we would like to propose a week. We think that he has had this question for some time now and we feel that it is adequate for him to bring that answer to this Parliament.

Madam President: Members, as you know, I cannot force a Senator to answer a question or to bring it in a specific time, as such. If he says he is not going to have the answer ready for three weeks, I have to believe the Attorney General has a reason for so saying. I do not know if we are being fair to ask him to bring it in a week. Let us think about it.

Sen. Mark: Madam President, as I said, we are sympathetic, but the three weeks' arrangement we find too long. We are prepared to even compromise if he says at least two weeks, but we are not prepared to go three weeks. So we would like to propose two weeks.

Madam President: Mr. Attorney General, would two weeks be adequate?

Sen. The Hon. J. Jeremie: I have to be honest with this Senate and three weeks is the best estimate which I have been given by my technical people. The work carries me back to 1986 when Mr. Linquist was first engaged by the State. This is 18 years of work.

Sen. R. Montano: When? You said 1986? What was that? The O'Halloran matter?

Sen. The Hon. J. Jeremie: The O'Halloran matter.

Madam President: So, hon. Senators, will we agree to the three weeks' extension? Thank you very much. The Senator is hereby granted the three weeks' extension.

Question, by leave, deferred.

Deoxyribonucleic Acid (DNA) Identification Act (Proclamation of)

51. Sen. Dana Seetahal asked the hon. Minister of National Security and Rehabilitation:

Could the Minister inform the Senate:

- A. (i) why has the DNA Act, No. 27 of 2000 not yet been proclaimed; and
 - (ii) when will the Act be proclaimed?
- B. What plans are in place to upgrade/improve/increase the services offered by the Forensic Science Centre to provide DNA testing for us in court?
- C. Whether police officers have been trained in gathering and securing DNA samples and if not, why not?

The Minister of National Security and Rehabilitation (Sen. The Hon. Martin Joseph): Madam President, in answer to question No. 51A, proclamation of the DNA Identification Act, 2000 is dependant on the achievement of a state of technical readiness by the Forensic Science Centre and the completion of

regulations to give effect to the Act. The Director of the Forensic Science Centre has advised that the centre should attain readiness by April 2004.

With regard to the enabling regulations, the Minister of National Security is liaising with the Legislative Drafting Department of the Ministry of the Attorney General which is in the process of drafting the required regulations. The drafting process is being given priority and it is anticipated that that exercise will be completed by the end of March 2004.

In response to 51A(ii), proclamation of the Act will take place on completion of the above activities.

With respect to 51B, to ensure its readiness for the introduction of the DNA testing that will be admissible in court, the Forensic Science Centre has acquired the necessary equipment and training of officers is ongoing. The centre has also undergone three foreign based proficiency testing programmes and was successful on all occasions. The Director of the Trinidad and Tobago Forensic Science Centre has advised that the centre should achieve readiness by the end of April 2004.

In response to 51C, with regard to police officers who will be engaged in gathering and securing DNA samples, hon. Senators are asked to note that all police officers are trained to collect exhibits and samples for analysis. In the investigation of crime there are a number of analyses that can be requested, which include hair and fibers, semen, spermatozoa, toxicology and DNA, the findings of which are of great evidential value.

In view of this, particular emphasis is placed on providing training for all officers and, particularly for first responders to crime scenes, such as officers attached to the E99 unit, for whom further training is provided in the Preservation of Crime Scenes course of which handling of exhibits is a core segment.

Additionally, 87 crime scene officers have been trained locally and abroad to identify, collect, record, protect, preserve, package and transmit physical evidence including body fluids and blood samples, and approximately 750 detectives received advanced training in sample collection and preservation of exhibits for forensic analysis. The Commissioner of Police has advised that training in this area will be ongoing and that efforts are in train for the conduct of refresher training in areas as specified by the Forensic Science Centre.

Thank you.

Sen. Seetahal: Might I ask a follow-up question on B? The hon. Minister said that the centre has had three foreign-based proficiency testing programmes—that

is the centre—and was successful. I am not sure what that means. Do you mean the people who are employed there?

Why I ask this, before you go on, in a recent Privy Council case about two months ago, DNA results were thrown out because of the lack of adequate training of the persons who gave the evidence, and the evidence in the collection and testing of the DNA. So, we do not want to have all of this elaborate system set up and we do not have the people and equipment. When you say proficiency programme, I want to just get some more details on that. What do you mean really?

Sen. The Hon. M. Joseph: Madam President, my understanding is that it relates both to equipment and the people who are handling the equipment. If there is a requirement for additional information in that regard, I would be prepared to provide it.

Sen. Seetahal: Yes, thank you.

Prison Reform Legislation

52. Sen. Dana Seetahal asked the hon. Minister of National Security and Rehabilitation:

- A. Would the Minister inform the Senate:
- B. Whether the proposed Prison Reform Legislation includes revision and reform of the outdated 1843 Prison Rules?

When will the proposed Prison Reform Legislation be brought to Parliament?

The Minister of National Security and Rehabilitation (Sen. The Hon. Martin Joseph): Madam President, in response to question 52A, the honourable Senate is advised that Cabinet had appointed a multitask force to address the issue of prison reform and transformation in Trinidad and Tobago. The report of the task force was subsequently accepted by Cabinet in March 2003. Included among the recommendations of the task force was the immediate need to review all outdated legislation governing the operations of the Trinidad and Tobago Prison Service as well as to draft new legislation where necessary.

In this regard, the Ministry of National Security and the Attorney General's Legislative Drafting Departments undertook first and foremost to review and reform the outdated 1838 prison rules, which hon. Senators may wish to note still govern our penal system.

In response to 52B, according to information provided by the Ministry of the Attorney General, a first draft of this revision exercise has been completed. I anticipate, therefore, that the final draft will be completed by May 31, 2004, following inputs from the Commissioner of Prisons and other major stakeholders. Thereafter, the proposed amended rules will be gazetted and published. Upon completion of the review and reform of the prison rules, the other aspects of this prison legislative package will receive similar urgent attention.

Sen. Seetahal: May I ask a follow-up question on that, through you Madam President? Minister, you had said that you propose to submit these draft rules, I think you mentioned, to certain stakeholders including the Commissioner of Prisons. Could you tell this Senate who are those stakeholders?

Why I ask this, if I may say, I am not sure if you are aware but there are continuing breaches, as we speak, of the existing prison rules, and one of those rules that are being breached daily—and I have to say this on behalf of the profession of which I am a member—is rule 264 which demands that prisoners be interviewed in the sight but not of the hearing of prison officers. Every day this is being breached.

Secondly, the same rule talks about reasonable facilities to be provided. If we are talking about amending the prison rules and the prison rules talk about the provision of reasonable facilities, my question is if you are aware of the breaches and two, what about the reasonable facilities to ensure that we do not have these ongoing breaches as there are no lawyers' office in the state prison right now.

Sen. The Hon. M. Joseph: It is a lot to respond to. I am fully aware of some of the concerns raised as they relate to the facilities. As a result of that, we have been talking with the Commissioner of Prisons to see in the shortest time possible whether or not some adjustments can be made as it relates to that.

With respect to who are some of the major stakeholders to which we refer, we are talking about some of the very same legal people who are required to represent the prisoners. We are talking also about some other local and international agencies that have some interest as it relates to the improvement of prison facilities. These are some of the stakeholders.

Madam President, let me inform the Senator, the Senate and, by extension, the national community, that this Government is really concerned about the question of prison service reform. We are concerned also about the facilities that currently exist that house our inmates and efforts are being made to address those things in the shortest possible time. We have a Minister in the Ministry of National

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Security whose focus is on prison and he is doing an excellent job and the results of those things will be borne shortly.

Thank you very much.

Sen. Seetahal: My final question is, until these new prison rules come into force, when we are now dealing with the 160-year-old prison rules, how do you propose, if you have any proposal, to deal with the breaches of the existing prison rules, or should I say, the breach of the lawyer/client privileges of which your Attorney General can advise you which are countenanced in the existing prison rules? I know that you have had correspondence on that.

Sen. The Hon. M. Joseph: I have had correspondence and I have visited very recently, and we are looking at. I am not in a position to tell you exactly, but that is one of the things that I am sure can be addressed almost immediately and we have requested that it be addressed, and hopefully, in the shortest time possible, it would be addressed, Madam Senator.

Sen. Seetahal: Thank you.

NATIONAL HOUSING AUTHORITY (VESTING) BILL

Order for second reading read.

The Minister of Housing (Hon. Dr. Keith Rowley): Madam President, I beg to move,

That the Bill to provide for the vesting of certain states lands in the National Housing Authority for a term of 999 years, be now read a second time.

The matter before us today is one of great importance to many citizens, but it is a relatively straightforward procedure. I do not propose to detain this honourable Senate very long with the details of it.

By way of background, on August 04, 1988, the Cabinet agreed that all existing NHA estates and settlements, as well as any lands for which the authority is already responsible, or which it acquires in the future for housing purposes, should be vested in the NHA, the reason being that without these lands being vested in the NHA, the NHA would not be in a position to pass title to its tenants or mortgagees.

So we have a situation where across the country, from Northern Tobago to the deep South, a number of locations on which the NHA built houses and entered into mortgage arrangements with a number of citizens, in some cases persons would have paid off those mortgages but they do not have title to the property that they

have paid for. Some of those properties have been there for as long as 20, 30 years, and for the NHA, as it evolved over the years, this had been a low priority and it has caused and is causing hardship to a number of people. So, in 1988 the Cabinet intervened to ensure that the vesting procedures would be carried out as to allow the NHA to have the titling done.

In accordance with this Cabinet decision, the NHA proceeded to arrange for the vesting of certain lands already developed and the vesting of the state lands for 999 years was viewed as the best arrangement. In this case, when the land is owned by the State, it goes to the NHA for an estate in fee simple, which is a term that the lawyers use to confuse us non-lawyers, but it means that—I should not say what it means, it might mean something else. Then the lease is granted for 999 years.

There are a variety of categories of lands that would fall under this operation. There are lands that are state lands, which the NHA would have used for its building programmes, and in which case those lands are vested from the State to the NHA, but there are other lands owned by some state agencies that came into the programme, and those lands are Caroni lands, Port of Spain Corporation, the San Fernando Corporation, PidCott, which is a subsidiary of Tidco, the old IDC arrangements and lands belonging to Trintoc and Petrotrin.

These are the sources from which the lands would come to be vested in the NHA and would allow the NHA to pass title to the persons who would have been allocated housing units. The vesting procedure requires the participation of divisions in all of these agencies, and I need not tell you, Madam President, once you start getting involved with a number of agencies, the procedure can be quite tedious and drawn out, but it may very well be that this was not viewed as a very high priority item, because the information I have is that in 16 years since the Cabinet took that decision, the vesting process has been completed in 15 sites and 33 sites are still to be concluded.

There was a problem in the interim between then and now, and that is the amendment of the State Lands Act by Act No. 74 of 2000 which required that all leases of the state land to be affected under the provision of the Real Property Ordinance had the effect of exacerbating the already difficult situation with respect to the vesting process and, in fact, this amendment to that Act resulted in a halting of the process. But recently, that was repealed and this permitted a resumption of the vesting process and there are now some now 7,500 units in certain areas being looked at for completion.

The present situation is that notwithstanding the relief which has been brought about by the repeal of Act No. 74 of 2000, and in spite of the fact that 43 new sites have been vested in the NHA since 1988, some new and old sites are not vested and existing housing developments which are to be vested are in a schedule there, and maybe I could just give you an idea, Madam President, as to where these are.

A number of sites are in the San Fernando, Mon Repos area, because there is a schedule which goes with this Bill which says, as this Bill is passed today by the honourable Senate, it will apply specifically to these sites: Mon Repos, San Fernando; the Malick housing scheme in Malick, a series of parcels of lands there; the old Morvant housing scheme, a number of parcels of land in that area. In fact, the whole of Morvant, as was developed by the NHA, would fall under this vesting arrangement. There are sites in Malabar which would be affected, two sites in Pleasantville; Real Spring East, Valsayn South; Edinburgh South in Chaguanas; Sobrian Street in Siparia; Crowne Street, Arouca; Guayaguayare; Mayaro; Maracas Valley settlement; Old Boys Lane in D'abadie; Tumpuna Road in Arima; Picton Hill, Laventille; Curepe; Huberts Town in La Brea and Valencia.

These are the areas which are covered by the Schedule which would be immediately affected by the passage of this legislation. However, the legislation has provision for additional sites to be brought on to the Schedule by way of negative resolution of the House by order of the Minister, or to be taken off the Schedule. So the Bill, as we are trying to pass it, will have provision for that because there are a number of other sites which eventually will come into the same kind of situation to require a vesting arrangement.

I need not emphasize the point, Madam President, that the Government's accelerated housing construction programme aims to achieve the objective of building on a number of sites to give us our targets that we have set ourselves in order to house the country's citizens. To do that, the NHA will have to acquire a number of sites both from the state sector and the private sector. Coming in from the private sector, I guess we go by purchase and other arrangements, and the state sector, we go by vesting of those lands which have been deemed to be suitable for housing, wherever they come from.

The Authority, as we speak, has identified 38 sites which are earmarked for housing construction projects, and those sites will eventually be brought into the vesting arrangement. One of the reasons we need to do this expeditiously and not allow what has happened in the past to happen again is that a lot of what we are doing now in the housing construction programme requires mortgaging, whereas

before, many NHA programmes were for rentals and, therefore, there was no real pressure on a lot of sites because the NHA still owned the property and, as they were rented, the users did not have the problem.

The vast majority of the units that we are building now are going to be for sale by a variety of operations, either through rent-to-own or direct, immediate purchase, so the mortgaging arrangements are important and the financial packages we are putting in place require expeditious execution of these mortgages.

So we cannot allow a situation to develop again in this phase of the programme to have houses built and allocated to people and the vesting arrangements not done and titling not done. In fact, titling, to keep the cost down and affordable, we have to be very careful in our management of the housing programme that it be done as quickly as possible so that the mortgage costs and all the financial arrangements that have been put in place can be expeditiously transacted so as not to incur unnecessary cost in the programme.

Sen. Mark: I wonder, the Minister did indicate, Madam President, that there are some 38 sites that will come into existence for housing development purposes. I do not know if the hon. Minister could identify for us those sites he had in mind.

Hon. Dr. K. Rowley: My friend looks a little nervous when he hears there are 38 sites to be built up. I do not know why. We are just building houses. I do not have that information with me at the moment. I cannot tell you the names of the 38 sites, but it is not a secret. I can make it available to you any time. I do not have it now as I speak to you.

The Act will have a provision whereby the Minister with responsibility for housing, I said before, from time to time can add, so those 38 sites will be brought on board in the scheme of things.

Madam President, one of the reasons we would like to have this done and we must have this done is that the housing market in the country now is such that a tremendous number of the houses in the national housing programme have not been active in the economy of the country, largely because the owners have not been able to show that they have title to it and to proceed to sell, transfer, even to repair.

In many instances, owners could not borrow money to do the necessary repairs because they could not show their bankers that they had ownership of the property. In some cases, I do not want to go into that aspect of it about the nature of the NHA's record keeping—that is another story—but suffice it to say, when we

do this vesting and the titling that will follow, because already we have geared up in the NHA to ensure that the titling will be done expeditiously, what we expect is that that will have the effect of allowing those owners to use their property in the market as property should be used. That would have made a positive contribution on the economy insofar as the real estate market is concerned.

In fact, with the growth of the economy and the positive changes taking place over the years, a number of what was deemed to be low cost or low quality NHA housing are, in fact, the units that are now most actively requested in the national housing market, and the owners will now be able to participate in an active housing market. Both the older units and, of course, the new ones, there is a bit of restraint as to how soon one can transfer, but certainly areas such as Morvant, Buccoo, Tobago, San Fernando, those places, many of those units will come into the market and we expect to see owners taking advantage of the situation.

Madam President, I do not have much more to say on the issue except that I hope the Members of this Senate will appreciate how important it is to have this legislation passed so that the State's agency will be able to carry out its required function to bring relief to those persons who have been denied that relief and to give effect to a Cabinet decision of 1988 which said that this should be done and we are now clearing the way to get it all done.

Madam President, I beg to move.

Question proposed.

Sen. Sadiq Baksh: Madam President, we want to assure the hon. Minister of Housing that we will not detain the agency, the National Housing Authority, nor the Ministry of Housing in terms of ensuring that this vesting order be passed expeditiously, because we recognize the importance of giving title to owners of property that was held for decades.

I am appreciative of the Minister, in fact, bringing out in a very sober manner the main issues as they pertain to this Bill, but today is an historic occasion in this Senate. We are faced in the housing sector with the backdrop of having four Ministers of Housing in the past three years. It is the first time in the history of this Parliament that we have three past Ministers and one present Minister of Housing.

I would have thought that the Minister of Housing would have brought to the attention the history of housing in Trinidad and Tobago. The main reason for doing that is to show the importance of this Bill that after the first houses were

built under the National Housing Authority as early as 1963, it took over three decades in the year 1988 for the Cabinet to take a decision to recognize the importance of giving title to the people who held these mortgages. It was simply a case that the then government recognized that they needed to empower the people and not enslave them. That was the first sign since then.

I go back to the budget speech of 1957. I want to quote from the budget speech on November 30 of that year when the then Chief Minister announced a plan for 107,000 new houses by the year 1965. The then previous incarnation of the PNM, the real PNM, promised 107,000 new houses by the year 1965. That was just eight years away from 1967. To quote from the then Chief Minister, he said that priority would be given to an urban redevelopment scheme of the types associated with Caracas involving large blocks of workers' flats. That included nine-storey buildings without elevators and we have now some more houses promised in San Fernando, without elevators again.

Dr. Williams had promised 107,000 new houses in eight years, and in 1962 he had the honour to report to the Parliament that they have completed—Mr. ANR Robinson was then the Minister of Finance—5,900, meaning that they had three years to address a shortfall of 97,000. It was on that occasion in 1962 that the then Minister of Finance, ANR Robinson, announced the administration of housing services was to be streamlined by the creation of a single National Housing Authority and, in fact, that is the reason the National Housing Authority was formed in that year.

The record will show that after all these decades the PNM still has a shortfall of 100,000 houses for people in Trinidad and Tobago. It was recognized since then. We now see a strategy, and I said that when the NAR came into office they recognized that problem, that people could not raise finance. They did not have title. They could not use their homes and the land on which they had their houses as a platform for progress and prosperity. They could not go to the bank and raise finances to either improve their houses or to send their children to school, and because these people were either in a rental apartment or in a mortgaged building and these lands were not vested, people could not get these titles.

I would have thought that the Minister would have also looked at the whole issue of regularization of squatters, the whole issue of housing the population, the issue of people not being able to improve their homes in terms of there being a dying breed of landlords in the country, whereas the landlords provided housing for people in the past, it is no longer lucrative to do so. That is why the Government finds itself in this particular position.

Madam President, what is even more important is that this new administration, coming into office as it did in the year 2001, on December 24 enunciated a housing policy that would have seen the construction of 10,000 houses annually by simply paying one dollar down. You recall that? This administration advertised to the public and the citizens of Trinidad and Tobago that they would be housed, that they will provide 10,000 houses annually. The same promise from 1957 rehashed in the year 2002 for the population, and some of the population bought that.

In reply to a question not long ago in this Senate, the hon. Minister of Housing indicated that for the two years they were in office, in the first year the National Housing Authority and the Ministry of Housing provided 230 houses in 2002, and in 2003, 261 houses. Therefore, in two years, this administration chalked up a deficit of 19,500-plus houses. That was an answer provided, and they could say what they want, that is their history.

They will promise everything, deliver nothing and try to fool the population into believing that everything is nice and easy. Tell the people of Cashew Gardens that things are easy out there. Tell the people of Wallerfield that things are easy out there. They are the enemy of the poor! That is their history.

As I told the Minister, we will support everything with this Government to ensure that they house this population. We will not oppose things for opposing sake. We will point out the problems, point out their history, but our commitment is to make sure they fulfil their promise. Not of a dollar down. I think they changed that policy. No more dollar down, because many people out in Cashew Gardens and Wallerfield have a dollar and want to pay down on a house, but while they are waiting, and while this administration played mas' on carnival day, they are making mas' with people out in Wallerfield and Cashew Gardens.

We have homeless people out there. People living under one sheet of galvanize propped up by a piece of wood, children sleeping under those conditions. That is the reason the Minister of Housing will get the full support of this party. We will make sure that we provide all the resources to this administration to fulfil that pledge, but we want to warn this administration that they cannot go out there and fool people.

I want to read from the minutes of a meeting held in Tarouba on July 7, two weeks before the last local election in 2003 at 7.00 p.m. This is the Minutes of the meeting by the Chairman of the National Housing Authority giving a commitment to bring life to the vesting of lands in the Tarouba area and other areas, and talking on behalf of the Government on the housing policy of this administration.

Madam President, quoting from the Chairman of the National Housing Authority, he said:

“Let me put things into context. As you are aware, the PNM has espoused a policy to build 10,000 houses per year over the next 10 years, and recently the Government signed an IDB loan to deal with the regularization of squatters and to improve the conditions—”

Hon. Dr. Rowley: I thank the Senator very sincerely for giving way, but I would wish to respond to him so he might assist me if he could identify the document from which he is reading and the author.

Sen. S. Baksh: Madam President, this is from the verbatim minutes of a meeting held at Tarouba on July 7, 2003 at 7.00 p.m.

Hon. Dr. Rowley: By whom?

Sen. S. Baksh: This one was Mr. Noel Garcia, the Executive Director.

“...the PNM has espoused a policy to build 10,000 houses per year over the next 10 years, and recently the Government signed an IDB loan to deal with the regularization of squatters and to improve the conditions of these people throughout Trinidad.”

Obviously, they meant Tobago also.

“I was told by my technical advisors that the persons who lived on that side really fall under the Sugar Welfare Committee and that plans are put to regularize the status of people who are occupying those lots. Mr. Carlton Mustapha who is the CEO of the Sugar Labour Welfare Committee is the person who is liaising with some of the workers.”

Madam President, it is the intention of the Government not to displace persons. We will not unilaterally move and demolish people's homes.

2.30 p.m.

Madam President, that was the Executive Director of the National Housing Authority who gave that commitment, yet we have homes being demolished, maybe as we speak, in Wallerfield, Cashew Gardens and other squatter houses earmarked throughout Trinidad and Tobago. We on this side had put a settlements programme in place during the administration of the UNC government, and from 1995 to 2001 not one single squatter home in Trinidad and Tobago was demolished. [*Desk thumping*]

We had put the Regularization of Tenure Act in place so as to give an amnesty to people who squatted before 1998. We also put in place a mechanism to digitize all squatter homes and houses in Trinidad and Tobago so that we could administer that programme. We established containment units, because the Regularization of Tenure Act of 1998 brought into being the Land Settlement Agency, which was responsible for ensuring that all our people who squatted and all our settlers who occupied state lands were taken care of.

At the same time we established containment units in the Land Settlement Agency, the National Housing Authority and the Lands and Surveys Department to ensure that new settlers did not move on to state lands. In addition to that, Caroni (1975) Limited also had their own people responsible for containment. In other words, having found what we thought was a solution to the spontaneous settlements problem in Trinidad and Tobago, we had set up mechanisms in place to contain further expansion.

This present administration, in their own way of doing things underneath and denying it in public, encouraged people to occupy further state lands in other parts of Trinidad and Tobago in defiance of that. After they took office in 2001, in 2002 we saw an expansion of settlements throughout Trinidad and Tobago quietly being endorsed by individual members, possibly of the other party. *[Laughter]* We now find ourselves in a position where, after encouraging people to settle on these lands without containing it further, we are now seeing this Government going early on mornings at 10 o'clock, 11 o'clock or 12 o'clock knocking down people's homes in many parts of Trinidad, and I have no doubt that it would spread to other areas.

We must recognize that the right to adequate housing is widely recognized as a fundamental human right. Every government would like to house all its citizens, and we are pleased to see this Government following through on the loan with the Inter-American Development Bank. However, I would point out to this Senate and the hon. Minister that the Inter-American Development Bank work programme just provided is one designed, not to displace squatters or spontaneous settlements, but to take care of those settlements that are approved under the programme, but at the same time not displacing other citizens.

We cannot turn a blind eye to the current circumstances taking place in Trinidad and Tobago. We cannot turn a blind eye as we vest these new lands in areas throughout the country, and, obviously, other areas would come into being. We cannot turn a blind eye to the fact that while we vest lands for people to build

their homes, and provide a subsidy in some cases of \$36,000 or \$24,000 depending on the means of the family, we have immediately found ourselves in the position, as if a blight has taken over Trinidad and Tobago, that once the Government said it would provide a subsidy there is an escalation in all the prices of building materials, which would completely erode the very subsidies, thus putting citizens back to the position they were in before the coming into being of this particular programme.

Madam President, I rest at the feet of this present administration the rising cost of building materials for the housing sector in Trinidad and Tobago. Because of poor planning they have overheated the sector, so including the world rise in prices based on demands in Iraq and China, we also find an artificial position in Trinidad and Tobago, because of the overheating in some areas of housing construction, thus making a short supply of skilled workers, a high demand for steel, concrete, glass and all the other basic building materials. I have no doubt that the well-intentioned Minister and ministry will not be able to achieve their objectives because of poor planning and because of implementing the administration of providing houses for the poor in a haphazard manner.

The most pressing problem in the housing sector today is how this administration would deal with the poorest of the poor and the people who are no income earners; not low income earners, no income earners. We have some female-headed households. The majority of families in Cashew Gardens and Wallerfield are single female-headed households. I do not believe that any of us here could fully understand the plight of these people. While they may see this Government planning for housing for the future, they do not have a place to rest their heads tonight. They did not have any last night, and some of them did not have any since Carnival Saturday; that is the kind of situation with which we are faced; 100 families.

Some of these families listed what they had lost as the demolition crew went in. They listed the entire contents and building materials as \$2,800. Can you imagine that? In fact, the highest cost item lost would have been foodstuff, some of them \$50, \$60 and \$100 worth of foodstuff. These are not people who inflated the cost; they went with the actual cost of their homes. Could you imagine, Madam President, a house on which the owner placed a value, that was his assessment, minus labour, of course, because he built it himself, of all the building materials that went into it, all the contents of that home, and in some cases with three and four children? That is what we are faced with.

While we have a situation that will redress what took place over four decades ago, and that is a good step, we have a situation that continues to worry the

national community, and should concern us in this Senate because they are victims. They are poor; they are in need of help, and they need us to come up with a plan that would ensure that every citizen in this country owns a spot of sand in this land that we call Trinidad and Tobago. We have to devise that plan.

I am also certain that as we vest these lands and implement the new Inter-American Development Bank second settlements programme, that the IADB would not stand and see the removal of all these citizens—whether we call them squatters or settlers, spontaneous or otherwise—from these lands to make room for expansion or construction, whether it be for housing, for a university or whatever it is. It cannot be at the cost of the poorest of the poor.

Yes we are for development; yes we are for housing; yes we are for vesting, but we are against the destruction of the property of the poor. We are for the assistance of those who need help. Those among us who are most in need at this time are those people who are displaced from Wallerfield, Cashew Gardens and other areas in Trinidad and Tobago.

I call upon this administration and the Minister of Housing to develop an immediate plan to contain further spontaneous settlements; that he put into place a plan that would take care of the plight of those who were allowed, encouraged or simply went on their own and settled on those spaces of land; that he enforces vigorously no future expansion of those spontaneous settlements, because we recognize that it would create a further problem for the ministry. [*Interruption*]

Hon. Dr. Rowley: With respect to the enforcement that you suggested to prevent future expansion, could you assist me by advising how you do that without breaking down structures that are built as an expansion?

Sen. S. Baksh: Madam President, I am most willing. In fact, it was a stated policy of the past administration to do that. It must be that in every county, in every area that there are state lands you have a state land administration authority that must be given the proper tools to ensure that at the first sight of any construction of homes, the owners are warned, and the structures demolished immediately. [*Interruption*] Yes, immediately, that is at the first sign, on the first day. That is an immediate programme before the homes are completed and people put things in them.

It was, in fact, a complete programme; this is not new. Whereas we gave an amnesty, I am calling upon this administration to expand that amnesty to the present time and immediately put in place a containment unit under the state lands ministry, under the National Housing Authority on lands administered by the

NHA, on lands administered by the Land Settlement Agency (LSA), and by the Public Transport Service Corporation which owns a lot of land throughout the country, and they established a containment unit.

In other words, the Regularization of Tenure Act took into consideration state lands. I ask the Minister to consider all the people who previously squatted on private lands, that the Government has a stated policy of acquiring these lands for the people who occupy them not by acres, but to a maximum of 5,000 square feet for citizens over the age of 18 who do not own or have a share in any other property, and that containment be part of the administration's policy after giving an amnesty at a day that suits the Minister.

I am not for further expansion, and our policy is not to encourage people to just walk into private or state lands and settle; we must recognize that we cannot allow it to continue. They must implement the policy of making sure that 10,000 new homes are afforded to citizens in Trinidad and Tobago, especially no income earners and female-headed household members, to make sure that we take care of them. We will be willing to work with the Minister in terms of making sure that takes place.

It is not a question of just saying what is not good; we are not about that. We are about making tangible suggestions, especially when we are dealing with the poor, dispossessed and disadvantaged in our communities. We also recognize that there might be some unscrupulous settlers who settle from place to place and then sell their right at certain places. We are not encouraging that; we are not for that.

We have stated our support for the Vesting Bill. We have called upon the Minister to put into action the vision for 10,000 houses, and he could expect that support. We ask the Minister to be sensitive to the needs and aspirations of the people in Wallerfield and Cashew Gardens. We are calling on the Minister to contain further expansion of the settlements programme. We are calling on the administration to give an amnesty to all those who were allowed, encouraged or who went there spontaneously. If the Government is really serious about providing houses for the people of Trinidad and Tobago, it should put in place a proper plan that will not allow the escalation of building material prices to absorb the entire subsidy.

Madam President, based on current prices of steel, steel as an input to production for houses accounts for about 13 per cent of the cost of the house. If you have a 40 per cent increase on 13 per cent of the value of that house, you have an erosion of the subsidy. The subsidy is about 25 per cent of the cost of the

house that the Government plans under the IADB loan. Plumbing materials could go as high as 5 per cent of the total cost of the house, and we had a 25 per cent increase on that.

I know that the Government cannot regulate prices, but it could regulate demand. It could plan better; it could have a phased programme, and not give this pie in the sky story of 10,000 houses per year for the next 10 years, when we know that is not possible, giving people false expectations, and when the people cannot get houses and have lost hope in the administration they are then left with no other choice but to go out and look for available land to settle on.

Madam President, the new sites—I warn this administration that in choosing new sites for the expansion of housing—we do not have a problem with the 10,000 houses, but we are viewing with concern the Government's attempt at the social reengineering of the population. I am not saying that the Government went out there with a plan to gerrymander the boundaries and to input people. Maybe they did a study, and based on demand they recognized that in San Fernando West you need 10,000 houses. I have no problem with that, if that is the case.

If they went to Ortoire/Mayaro and saw that it needed 10,000 more houses, I have no problem with that. It may be because of the expansion of BP and other things; I have no problem with that, once they are providing the infrastructure, the school places, the recreation facilities and employment opportunities. If they are going to Tunapuna, whether they start houses on Green Street and stopped them, I have no problem with that. If they see the need for 10,000 houses there, I am okay with that. But I am seeing a pattern of the administration.

I am not blaming this Minister; he would have gone in there and met the plans, and he needs to follow through on some. I am sure he would change some based on efficiency, demand and a number of factors, but the point I am making is that if this pattern continues then the citizens of the country would recognize that the undermining of the democracy continues to take place at a pace that we cannot allow in a society like ours. We cannot allow the democracy of this country to be undermined by the strategic intervention of social reengineering. We cannot allow ourselves to fall into that trap, because the same people will turn against you when you cannot fulfil other needs and other dreams.

Education, health and shelter are among the most fundamental needs of our people. The improvement of the quality of housing for our citizens is an important ingredient for the development of this society and we need to pursue it vigorously. We cannot pursue it vigorously at the expense of the poorest of the poor. We

cannot pursue it vigorously by making sure that the price of building materials skyrocket and ordinary citizens are denied the opportunity to own a decent home.

I am calling on the Government to include in its policy for housing, not only the construction of homes and the rental apartments, but also the provision of lands for people who would like to start with a starter home, who would start with a kitchen and maybe living room and bathroom facilities, and then expand as they earn or their circumstances improve.

I end by making a special appeal to the Minister of Housing to meet and treat with the settlers at Wallerfield, Cashew Gardens and other settlers in Trinidad and Tobago with the view of sharing their pain, but, most of all, bringing an end to the pain they suffer minute by minute, day by day, and week by week under this present administration.

Madam President, I thank you.

Sen. Prof. Ramesh Deosaran: Madam President, first of all, the question of housing in this country, at the present time, has become a very volatile political issue. If at all this debate could help to remove some of the heat and insert some more sobriety in planning for the people who need such homes—not merely houses, it is more a matter of needing homes—I think we would have advanced our cause in this honourable Senate.

It reminds me of the other issue of crime, and my own consistent appeal that the more you can de-politicize crime as a public policy, the better the chance of having a collective response to decreasing this particular problem. It is the same context in which I view this matter of housing.

Furthermore, let me say that any minister of housing in today's circumstances does face a very difficult task, and even those previous ministers, including Sen. Baksh, would recognize the tremendous difficulties in terms of supply and demand, and the many complexities which surround promoting that public policy, especially on state lands. I certainly do not envy the present minister, especially when I read the newspapers as to the difficulties he, himself, has in carrying out public policy within the law.

Sen. Baksh, himself, ended up with a touch of statesmanship, I must say, in offering to support the Government in this endeavour, but of course within certain parameters that he has established. I say through you, Madam President, to the Minister that I, for one, recognize the tremendous difficulty you have. I would like to explain briefly where I stand on this issue, once and for all.

You cannot execute public policy which gets attacked because of sporadic outbursts and intermittent protests, because the people who sometimes protest are not the only ones affected. So whether it is Mango Hill or Cashew Hill, while you might respect the need—and I would say a few words about that in a minute—you cannot shape public policy by bringing in the exceptional cases as the platform for your policy, or by diminishing the implementation of the law where it is supposed to be applied, because then you would be subverting the very democracy and the very principles upon which this democracy ought to exist, by trying, with all the good heartedness that we have, to establish it.

It is difficult to find a side without feeling some sorrow for those who are in need, which brings me to another fundamental point. The present Minister, of course, has inherited a legacy of mal-governance and maladministration, in this particular matter. So there are two levels of public policy: What the Government does and what the Government stands for—one government after another—and the particular minister as a person who has to carry that burden through, and that legacy of incompetence and neglect and maladministration, such as what we are witnessing here today by the presentation of this Bill. And the sins of omission which the Minister, himself, has enunciated through no personal fault of his. That is a cycle of maladministration in this country. Whether it is crime, housing or health; the present minister pays for the sins of previous administrations and, possibly, other ministers, so it is a dilemma.

On the human level I sympathize with such ministers who are carrying this particular burden. I wish we could put an end to this problem of squatting. In 1998 there was a cutoff point which accompanied the appropriate legislation, and people were told loud and clear that if you go and squat on state lands illegally—which is the same thing, squatting is illegal—there are consequences to follow. I thought that message was given loud and clear in the name of having a civilized democratic society. As I remember, there were provisions being made for those who were in need of housing at the same time. If it is the case that the Government of the day did not make enough provisions to satisfy the demand from the poor sectors of the community with respect to housing, that, too, is a serious sin of omission.

I am very worried, as I believe most citizens in this country, about this matter of squatting. It seems as if there is no end to the problem, one administration after the other. I thought that when the Regularization of Tenure Act came into force that would have put a significant end to this problem, because we cannot have in this country, in this day an age, with the kind of wealth that we have, whether you use the gross domestic product, or whether you use capital floating in business or

the profits from banks, that kind of visible prosperity, with so many people struggling to find a home and a house. It just does not fit.

I would like to hear something initiated by the hon. Minister and, of course, recently indicated by the previous speaker, about putting an end to this squatting issue, not only in a legal way, but in as humane a manner as possible, which really is the dilemma. How do you deal humanely when people break the law repeatedly? That is the dilemma. We do not want to sound as if we have hearts of stone, but at the same time people in public office have a responsibility to preserve law and order, otherwise they would really be subverting the very oath of office they took; that is the dilemma.

My appeal today is to ask all politicians to desist from using housing and even crime as a political “bobolee” in this country. That is one of the major aspects of my contribution. I certainly do not have, in this area, perhaps the knowledge of Sen. Baksh, neither do I have his flair and political passion, which he ably demonstrated, but I want to insert into this debate a measure of reason, because without reason these errors in housing the poor will occur time and time again.

That is why it was a happy note when Sen. Baksh promised to work with the Government, not only in healing the current breaches, but in trying to put a stop to this, strictly speaking, lawlessness and public disorder which upsets all of us. On the one hand we want to see the law upheld, and on the other hand we do not want to see poor people suffering from a need for homes. The way to do this is by proper public policy, both in its concept and implementation within the framework of effective law enforcement.

One of the reasons for the inefficiency that we have witnessed today, and giving rise to the necessity for this Bill is the inefficient record keeping in government ministries and departments. Record keeping in the government offices across this country is a nightmare! I have made that point several times through you, Madam President, to the appropriate minister, the Minister of Public Administration and Information. It brings tremendous problems to the policymaker who wants the data to develop the policy, who wants some historical records so as to know what decisions to take, and he is left almost as if he or she has to guess what to do next, because the record keeping, be it in health, education or crime particularly, and even so now as we have heard today in housing, record keeping is a nightmare in this country.

I did suggest to the Minister that he initiate some special programme, not only to beef up the competence of those in record keeping now, but also to put in track a train of technologies and competencies within the realm of record keeping.

Record keeping is the science of proper information. It is no use talking about the Freedom of Information Act, whereas you do not have the facility and the system to produce that information rapidly. I make the point because it is that inefficiency which has helped to contribute to the necessity for this Bill and all the other ills that flow from that kind of omission, in terms of the vesting of state lands.

As far as the work of the Minister is concerned, a lot of us do not know the very difficult challenge he faces, and I wish the Opposition would keep to their word, and rather than inflaming the situation, try to put some light and reason for a very congenial ending, so that the people in need of housing would recognize that they must do so within the law. If there are cases of emergency or extreme destitution, some solution should be found for that kind of situation.

It is not nice to see everyday in the press people threatening a government minister trying to do a job that he has taken an oath to do. I do not feel easy about this situation, because I put myself in his position. I have a deep interest in lawlessness in this country, not as a practitioner, of course, but as an analyst, because I see how little things can grow into bigger things. In fact, this is a matter I looked at very carefully.

Squatters themselves, would be helped if they take up residence in better surroundings, because it is not just a house they want in Cashew Hill, Mango Hill, Tamarind Hill, Wallerfield or wherever, because their problem would not end there. They would like to live in a home with proper basic amenities: a playground for your children, a school nearby for them to be educated and removed from that cycle of destitution and poverty. So it is a vision that they should be searching for, and not as transients embedded into the whole political mish mash of controversy. They do themselves greater injustice by taking that route. I, therefore, hope that all sides of the Parliament could reflect and, perhaps, come up with what should be, not only a humane solution, but also a solution within the law.

Record keeping is a nightmare. Let me repeat that, because if I say it gently sometimes nobody listens. This is a country where you have to say things a million times; you have to shout it. Perhaps that is why people protest so easily. I want to say it again: Record keeping is in a mess in this country. That is what would lead us to, perhaps, as I said with respect to law, that government is a science of inefficiency. They always have to redo something, be it bills, policy, be it in housing or health. It is a sort of cycle; they should all be riding bicycles, because it is going around and around.

I say this not out of disrespect to the Minister, I think he would appreciate the point, because I agree with him on several fronts. The point he made once, if I

might give an illustration, about the need for the Central Statistical Office (CSO) to tighten up on its competencies, production and records, I think he was right. It was unfortunate that it was taken to be a personal attack on the CSO, but I think he was right. We need proper, efficient and expeditiously produced records to run a country.

To repeat something said here, “information is the oxygen of democracy”, and that information should be properly specified and produced; it is not; I say so with deep regret. It is an issue that the Government, the Cabinet and, in particular, the Minister should take up with full force, because it has downstream implications for all ministries.

You ask the Land Settlement Agency or any government agency how many squatters we have in this country, some would tell you 15,000, somebody else would tell you 25,000, and somebody else would say 30,000. These are crimes; each squatter is committing a crime. That is what squatting is. Squatting is not leisurely moving onto land, and waiting for a few years to build up what is called an expectation, and then take it to court. You manipulate the system through a criminal conduct. When you think about it this way you realize the morass we find ourselves in over this issue of squatting.

It is not your fault. It is not the Minister’s fault; it is a system that we have not been attending to over the years. A minister has a responsibility to act within the law, especially in these days of judicial review. This is one example; we do know how many squatters there are. I know that there are thousands. I pass through Bangladesh, Mango Hill, and Wallerfield, anywhere I go in this country, even up Carenage when you go through it, on every little street there are squatters.

Sen. Baksh is right, in his wisdom, and I compliment him for being so frank towards the end of his address. That is why I said that he ended with a touch of statesmanship; I compliment him for that. He should walk the whole mile with the Minister, as a sense of collective responsibility to deal finally, once and for all, with this problem of squatting. *[Interruption]* Well, you will talk when you want to talk.

I am trying to create a bridge that I believe has been initiated by Sen. Baksh, and I wait to see what happens towards the end of this debate. Squatting produces a number of other problems. I saw some homes that brought grief to my heart. If you had seen them you would feel the same way; seven or eight children in one shack, one cardboard structured home; that is not the way you would want to live. That is not the way you would want your children to live. Squatting is not the

answer; it is the problem. You must not allow that problem to remain. What you want is a better home.

If the Minister and the Government could facilitate such an outcome, I think we would all have to work at this problem together. There is too much lawlessness in this country; there is too much disorder, and there is too much recalcitrance, even by those people who commit lawlessness. We have to get out of this quagmire; we have to set a new level of public conduct. We have to set some standards, and the way to set them is to draw a line between lawlessness and lawfulness.

Madam President, there was a time when this Senate used to start at 1.45 p.m., sometimes 1.55 p.m.; that was before your time. I am giving an example. Since you came you laid down a rule that the Senate would start at 1.30 p.m. because you made a rule and you maintained that if there is not a quorum here you would walk back out. Down in the dining room every “man jack” gets ready, they keep on watching the clock; they have never watched the clock before as much as they watch it now, since you have assumed the presidency. [*Desk thumping*]

It tells what setting a standard and living up to it causes. It shows you the need for leadership, in the traditional sense, but more so moral leadership, which is lacking very severely in this country. So everybody feels he or she could break the law and get away with it; not only breaking the law, but also getting away with it, because that is the genesis of the Mucurapo scenario with the Muslimeen. It was over a squatting issue, over land, over the politics of land ownership and the neglect and irresponsibility of certain politicians in power, including ministers of government, that allowed that situation to deteriorate, and what I would call “generative lawlessness”: every step it became more and more lawless and more and more contentious.

With the squatting issue we are playing with fire. Sen. Baksh is right; let us put an end to it; I commend him. Of course, they see themselves as the alternative government so they have to make their presentations and so on, but he was quite sensible. The correct thing to do is what he has said.

I am always amazed when I hear about building houses through public funded NHA and as a medium to get votes. I never understood that strategy. How do you know whom they will vote for? How do you know how to select them, to put them in which house? How do you know who is a PNM or a UNC? I must tell you, I would like to know that formula, that secret. It seems to have something very secretive that I hope somebody would tell me about. How can you really distribute houses as a means of getting votes for your party?

Sen. R. Montano: Holy cow! I will tell you.

Sen. Prof. R. Deosaran: Somebody has to tell me. I put it on the record; because when I see it advertised in the newspapers, and I see people drawing lots or whatever it is, I thought that is how it works, but if there is a backdoor scenario that I need to know about, please educate me.

Sen. R. Montano: I promise that I would sit you down and educate you.

Sen. Prof. R. Deosaran: You do not have to sit me down.

On the question of containment Sen. Baksh made a good point. They made a line in 1998 and said that after that there would be no more squatting. What he did was an intriguing solution. I am not being critical of what he said; I have sympathy for the policymaker in this particular regard, because with housing you are speaking about people's lives. The press takes it up in such a way that it continues to give one side of the story. When the UNC was in power it was the same thing. The press should have the greater intelligence to give all sides of the story when it is dealing with the squatting issue; we do not hear that as much as we should.

Sen. Baksh made a very interesting point; he said there was containment, and if you put up a post after 1998 it would be pulled down; if you dug a hole, he would fill it up. How come after 1998 so many squatters assumed the position, as it were? He gave the answer; he said that the PNM allowed that to happen. Perhaps we should get an answer for that too. Is it so? We want now to put a stop to this. I appeal to all sides of the Senate, all the agencies, let there be no further squatting in this country from today. We have to draw that line.

Assuming that the UNC gets into power, they will have the same problem, and, as usual, the other side might accuse them of similar things, so we have got to put a stop to this. Let us deal with public policy in the productive, consensual way that it should be dealt with, especially when it is implemented, and we are far from that particular outcome. What we have done, perhaps, through politics in a certain way—because people have constituencies, and what I have found out too, unfortunately, is that if you live in a constituency where there are plenty squatters, you are always running to their defence. You block the police, almost; you intimidate the police; you run to the press and so on.

That might have short-term value, because you do not want their houses to be destroyed, but it does sink us more deeply into the pit of lawlessness and public disorder. We should put an end to that, because you create a Frankenstein; the metaphor in the Frankenstein story is that it returns to haunt you. Perhaps, as a

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start in this new era, on every state land that exists, the Government should put up a sign, “No squatting; you will be prosecuted according to chapter X, Y or Z.” Visibly set up your monitoring squads. For those in need of houses, there should be offices across the country to which they can report and fill out a form. Let us do things in a decent and civilized way.

Madam President, having spoken as I did, I do not want it to appear as if I am against people who are poor and in need of housing. I am for satisfying that housing need in a proper, sanitary and sustainable way, including those from Cashew Hill and Wallerfield.

Thank you. [*Desk thumping*]

The Minister of Legal Affairs (Sen. The Hon. Danny Montano): Madam President, this is the first time I ever heard a former Minister of Housing stand and virtually admit that he knew absolutely nothing about housing. I listened to Sen. Baksh talk for half an hour, and the more he talked, the more I realized that he knew absolutely nothing about housing. He seemed to know quite a bit about squatting, but he did not seem to know as much about the business of housing and how the Government must go about trying to provide housing and shelter to the citizens of the country. It was very clear that he does not understand even the most elementary fundamentals of housing.

In order to build a house you need two things, [*Crosstalk*] you need land and money. You need a place to put the building and you need the capital, first of all, to build it, and then the capital can be rolled over to finance the acquisition by the purchaser; those two things are necessary. He started to talk about what happened back in 1957 and 1962; clearly he did not understand what he was talking about.

The government of the day then set a bold objective of 107,000 houses, coming out of the colonial era, and that was still when we were a colony, up to 1962. What he failed to understand is that the banking system in the country, and all the institutions that had a residue of capital—I am sure Sen. King would understand this—stored all their savings overseas in Britain, and there was very little capital available locally for the acquisition of houses; it was very, very simple. You had to be rich, you had to have your own money to buy your own house; the money was simply not available.

Therefore, when the government started to build houses in 1957, it had to borrow the money itself on its own financing. What it found was that it could not sell houses, it had to rent them, because the capital simply did not exist at affordable rates of interest to be able to empower the people who needed houses

to buy them; it was as simple as that. The first limiting factor in the delivery of houses going right through the 1960s up to the 1970s was a shortfall of finance; very, very simple. The finance simply was not available. After the 1960s, when the banks and the insurance companies were forced to localize and maintain their savings in the country, they had no option but to invest in instruments such as mortgages and so on, and then the housing market began to improve; that is the simple fact. I do not have all the facts and figures, but you would see that is exactly how it went.

As you all know in 1974, at the start of the oil boom, the government had significant revenue. The government had the revenue and, therefore, used it to start a massive housing programme that went into the 1980s. Thousands upon thousands of houses were built during that period. But it was not until this administration came into power in 2002, that the dynamic really changed. In fact, it changed back in 1995/1996, but the government of that day did not understand the dynamic, and simply did not understand how the element of financing fitted into the equation of housing. They simply did not understand it.

As we came out of recession in 1993/1994 when the currency was floated and the government began to experience financial surpluses, it then became possible to start investing in a housing programme. The government changed in 1995? What happened? The UNC administration between 1995 and 2001 built approximately 300 units, of which some were already in progress when they came into office in 1995.

When I came into office as Minister of Housing in January 2001, and I asked, "What is in progress here; what is happening; where are the plans to build houses?" I will tell you what I found. There was a plan to build four houses in La Horquetta. There was another plan that had completely stalled because it was being built by the Lands Settlement Agency. It was building about 40 odd houses in different areas. There was not any kind of development, there was just one off houses in different areas. The houses were being built with no water, no lights, no sewerage and no roads. That was the UNC plan for housing. The rest of it was simply a squatting policy, "If you need a house, go and sit down and squat somewhere."

What was astonishing, when I physically arrived in the minister's office at the Ministry of Housing, I said, "Okay, what is going on here now; what are the plans?" There was a room attached to the minister's office; on the left of the minister's desk there was a bathroom, you could walk straight through it and there was another room on the other side where I was told that the minister had his

adviser and one or two others in there. When I got there, there was nobody in that room, but there were several desks and filing cabinets.

When I opened the drawers there were all kinds of applications for housing stuffed in the drawers and filing cabinets in no apparent order; it was in a completely haphazard condition by the hundreds and thousands. I also found copies of letters going out to applicants saying, “We have received your application; we have put it on file on the database”; the database had crashed. At that point there was no database. There were letters saying, “We will be building 2,900 houses next year and you were on the list.”

I then asked, “If you have a plan to build 2,900 houses, where are these houses going; what is the plan?” I would keep it going; I would not stop it; let us try to get things moving. I was told, “Minister, there is no plan; there are no sites.” I asked, “Well, what is happening?” There was nothing going on. I then had to summon the NHA and the LSA, and I said, “Tell me and show me all the possible sites that you know of where we can build houses.” We just sat and asked, “Where is land ready and where is it available; what can we do as quickly as we can?” There is such a huge backlog.

At that point, the Land Settlement Agency told me that it had about 25,000 applications for land. So we said, “Let us see what the demand is like for houses.” We then said, “Okay, everybody, if you want a house, apply for a house.” We got 31,000 applications by the time I left office in September of 2002. Sen. Prof. Deosaran talked about the allocation of these units. I heard something that was absolutely shocking on TV6 this morning: a fellow called in and was making all sorts of racial allegations against this administration. The shocking and disgraceful thing is that when you look at the shortfall in what that administration did over the six years, and you look at the profile of the applicants who applied in 2002, it condemns that administration and not this one from any standpoint. If you want to talk racial bias, it belongs there, not here.

You only need to look at the list and count it up. One of these days I would give the facts and figures as to what it actually looks like. What is unthinkable and the arrogance of that Senator to stand here and talk about “the plight of the poor”! Those were his words, “the plight of the poor”. Madam President, every Friday I had, depending on how you look at it, the misfortune or the pleasure of meeting those who were applying for houses. When you listened to the horror stories that they went through—and every Friday I had to go through this, I had to live with everybody’s torment. I saw what they did over the six years, or what they failed to do over six years. Bearing in mind that one of the basic most fundamental needs

in housing is finance, when you understand that and you look at that obscenity at the airport that cost about \$2 billion, and they built barely 300 houses, you have to know that God in His infinite wisdom put them out in 2001. [*Desk thumping*] It was only right that should happen.

It was clear that my predecessor knew absolutely nothing about the business of housing and about the needs of the poor. He knew nothing about the families. He knew nothing about the men who came into my office and wept, tears rolling down their faces saying, “Minister, I am a man and I am unable to provide for my family; I have nowhere to live.” And he had daughters. On one occasion there were 17 people, three families living in a two-bedroom house of about 650 square feet; you had young girls with nowhere to change; no privacy.

I asked them, “How do the children manage in school when they have no privacy to sit and study?” They could not stay up late at night because they would disturb those who were sleeping. They had no chance for the future. But what happened? The UNC had the audacity and arrogance to build an airport for \$2 billion, and said that it was a good deal, and then signed a deal with DesalCott! No, Madam President, they knew nothing at all.

3.30 p.m.

The Senator talks about the policy of \$1.00 down and you will get a house. He does not understand the basic or elementary fundamentals of financing. This was done in a number of different ways and my colleague spoke about the rent-to-own situation and basically that was the form of it. He does not understand it. For the first time, this administration has empowered those who could have never before owned a home, now they can, and it is this administration that has done it. For the first time, persons earning \$2,000 per month would have the opportunity to own their homes—and not just rent—because interest rates have gone down and we have set up the financing facility so that they can acquire the capital.

Madam President, I want to suggest to my good friend, Sen. Prof. Deosaran, that Sen. Baksh exaggerated grossly the UNC’s practice of containment of squatters. He said he had all these mechanisms set up, but what he left out was the thousands of illegal immigrants who were regularized in more ways than one in 1998 under the State Land (Regularization of Tenure) Act. It was a diabolical plan. You talk about voter padding? You have no idea of the science that was worked on that side, you have no idea what was done, but we are now seeing it and we are going to plug all those holes and it will not happen again.

He has exaggerated grossly. The things they do are exaggerate, distort, and lie completely and it sounds fabulous but it simply is not true.

Sen. Mark: Madam, President, is the word “lie” parliamentary language? I think the Senator should withdraw that.

Madam President: Minister, please do not suggest that anybody is lying. Maybe you can say they spoke untruths, or something like that.

Sen. The Hon. D. Montano: I will be guided. Madam President, he also spoke about hardware prices and the price of steel. Again, he failed to understand some fundamental economics. The reality is that we are in a free market economy, we do not make iron ore, we have to import it in a different form, but we have the natural gas so we can do the conversion to steel, but the raw material comes from outside Trinidad and Tobago. The raw materials for the manufacture of glass come from outside; much of the raw materials for the manufacture of cement come from abroad; all the resins that are made in the manufacture of PVC are imported; all the resins that are used in the manufacture of paint are imported; most of the lumber used in the construction of housing are imported. Therefore, there is not very much that a government can do in a free market economy, in terms of the world trade arrangement, to stop the importation of inflation, and that is precisely what we are experiencing at this point.

One of the things about which we have to be very careful is price gouging, credit or repricing, and the use of monopolies to gain unfair advantage in the marketplace. This is certainly something that the previous administration completely ignored, but this administration, as I have been saying over and over, is looking at that very closely and legislation has been drafted that would deal with that and which is coming to this Parliament soon.

I would like to refer to one last thing which Sen. Prof. Deosaran said; that his colleague should not be criticized for having to deal with the sins of the past. But just by talking about it the way he did, and the fact that he referred to it as sins of the past, the reality is that the last administration did nothing about it. They did not even talk about it. They may not even have known about it. I do not even think they cared about it. The reality is that this administration knows about it, understands the nature of the problem and is now beginning the process—because it has not ended—of rectifying these types of problems. The fact of the matter is that this administration is moving forward; it is not looking behind at what happened in 1957 or what did not happen. We are looking forward to the future. We are building houses, roads, schools, and we are building a future for the citizens of our country.

Thank you, Madam President.

Sen. Wade Mark: Madam President, I rise to make a contribution on this very important Bill, the National Housing Authority (Vesting) Bill, but in listening to my colleague who just spoke, one could well appreciate and understand why the hon. Prime Minister had to remove him from the Ministry of Housing. He was a total failure! Not one house was built. He does not understand the poor, but he comes here bleating.

My colleague is the new Minister with responsibility for Consumer Affairs, as you are aware, and all we get from him is bravado. All he does as the new Minister is watch and monitor increases in prices. That is his function and he does nothing else. In fact, the hon. Camille Robinson-Regis was a much more effective Minister of Consumer Affairs and I think the Prime Minister should remove this Minister from that ministry.

Madam President, I begin by saying that the purpose of government is really to lay the basis for the provision of happiness for all the people in a society. That is our collective responsibility; laying the basis so people in any society, or any country can experience some degree of happiness and peace. Housing is a fundamental human right: shelter, food, clothing, and health care are some of the fundamental basic conditions or necessities that are required for happiness, peace of mind, the development of culture and spirituality. So we cannot be speaking today of housing and vesting of state lands, or the vesting of certain state lands belonging to the State in the National Housing Authority to enable the authority to grant leases to persons who have acquired these properties through the provision of titles and just leave it as is. We have to look at this matter in a comprehensive and holistic framework.

Sen. Prof. Deosaran says it is a systems problem; we are caught in a system that generates inequality that promotes political and racial discrimination. We are caught in a system but we are not helpless, we have the responsibility to change the system, overhaul it, or overthrow it in order to bring about the kind of society that we would all like to have.

How does one explain—in a country of 1.2 million people, with a GDP of over \$67 billion per year, with a per capita income of US \$8,000, and a budget of over \$20 billion—the plight of the oppressed and the exploited in this land? There are 300,000 persons living under the poverty level, they live on less than US \$2.00 per day. That is our plight, it is virtually our location today in this nation.

We have to look at the National Housing Authority (Vesting) Bill in a very broad context. I want to look at the question of shelter because it is one of human's basic needs and the quality and distribution of the housing stock is a

powerful indicator of the state of development and the way the wealth and income are distributed in any society. We believe that the ownership of property, particularly homes, provides the present and future generations with not only a place to live, but also a stake in this society. Housing ownership in a country like ours or any other country, promotes stability in our community, stable family life, and brings about joy and happiness on the faces of parents.

This trouble for housing is a long-standing one and the issue of stability in our country has to be allocated to the question of the lack of housing for our people. We need—as we have been told, and based on the analysis we have made—about 10,000—15,000 houses a year to satisfy shortages that exist today and when we take into account the growing population, we need about 15,000 houses or thereabouts. So it is heartless, brutal, and senseless for any government to move in a callous manner against persons who are homeless, people who are settlers—we refuse to call them squatters, they are settlers. [*Desk thumping*] Squatters are when the colonialists and the imperialists occupied our country. We are now in charge of this land and we cannot describe our citizens as squatters.

I agree with Sen. Sadiq Baksh that the Minister of Housing is attempting to do a good job, but I want him to be fair, he must be just. There must not be one law for the Jamaat and another for the squatters. Citizens must not be treated unequally in the country when the Constitution says that we are all entitled to equality of treatment before the law.

The Prime Minister of this country cancelled a visit to Mexico—where he was supposed to deal with poverty and underdevelopment—in order to save a building that was illegally constructed without any approval from Town and Country Planning Department. He stayed away from Mexico to go on a walkabout. I think the hon. Minister of Housing did not attend that walkabout and he was right because he was upholding the law, but his government apparently speaks from two sides of their mouth at the same time.

They demolished the homes of squatters in Cashew Gardens and Wallerfield, and other areas are earmarked for the demolition squad. Do you know what it reminds me of? In their haste to construct homes in an area of the country in Ramgoolie Trace, Curepe—at that time it was not the hon. Keith Rowley in the saddle, it was Sen. The Hon. Martin Joseph, the Minister who has criminalized that authority because it was under his watch when there was mayhem.

Sen. Joseph: Madam President, on a point of order. Section 35; the Senator is imputing improper motives to a Member. I criminalized nothing.

Madam President: Yes Senator, please be careful with your language.

Sen. W. Mark: If he said he did not criminalize it, I would say that under the watch of the hon. Minister, all kinds of activities of an illegal nature took place.

Sen. Joseph: Madam President, again on a point of order. The Senator is imputing illegal motives.

Sen. W. Mark: Not illegal, I—

Sen. Joseph: Improper motives without sufficient evidence to justify. He cannot be allowed to make all these accusations.

Madam President: Okay, Mr. Minister. Senator—

Sen. W. Mark: He did not give me a chance to develop my point.

Madam President: No, please do not impute motives.

Sen. W. Mark: Madam President, okay, if things were fishy and he is not happy with that, no problem. Fishy activities were taking place there, but what I was about to develop is that there was a situation where some of the best agricultural lands like the University of the West Indies tropical experimental station in Ramgoolie Trace, and we know what was done under the auspices of the hon. Minister. They demolished, they destroyed. For what? For housing. That is why my colleague, Sen. Prof. Deosaran, said he does not understand what is house padding, and I can tell you that we would like to ensure that what happened in Haiti does not happen here. There is an old saying that when your neighbour's house is on fire, wet yours, and this Government came into office—we must never forget—through illegal means by stealth and violence during their period.

It is our view that the haste and pace in which the Government went about bulldozing agricultural lands in Ramgoolie Trace, Curepe; the way they dispatched 9,000—10,000 workers from Caroni (1975) Limited; the way they have gone about dispatching or about to dispatch hundreds of workers at National Broadcasting Network (NBN). When we look at the policy of this Government towards the poor, the oppressed and the working class, the PNM is the enemy of the poor in Trinidad and Tobago. [*Desk thumping*] Madam President, there is no excuse whatsoever for the kind of bulldozing we have witnessed on our television to the population in Cashew Gardens and Wallerfield.

We call on the hon. Minister of Housing to declare an amnesty because it is clear that the PNM Government is unable to satisfy the housing requirement needs of the people and the poor need to live, and if they need to live and you cannot

give them shelter and they are unemployed, then you have to find some kind of means in order to allow them to subsist. Like water, people are going to find their own levels and that is why we feel that this matter is of critical importance.

They are destroying people's homes on the one hand, and on the other hand Government Ministers—not Government Ministers but they are Members of Parliament—who, whilst people's homes are being demolished and sledgehammered, there are persons in this Parliament who have been able, under the NIS statute-barred arrangement, to get hundreds of thousands of dollars written off. That is why I want to ask the hon. Minister of Finance this afternoon—because I came into contact with some documents from the National Insurance Board (NIB) and they stated in part, report on statute-barred accounts for the period April 01, 1996 to December 31, 1999. I would like the hon. Minister of Finance who is in charge of the NIB to tell this honourable Parliament whether he is aware of a Member of Parliament who cannot be located.

Madam President, can you believe that? This report that I have before me says that this Member of Parliament who owes the NIB and the people of this country over \$267,000 cannot be located. They cannot locate the man, and he is in the Parliament.

Madam President, I am saying we must be fair. We are destroying poor people's homes on one hand, and on the other hand we have a Member of Parliament whom the NIB says it cannot locate and according to the report I have—and I can pass a copy to you, Madam President—he is owing the NIB \$267,882.57. And this loan became statute barred on April 15, 1990 because the Member of Parliament could not be located.

This Member of Parliament never sent the deed of conveyance and the mortgage to the board and it was found that the documents were never registered. So we would like the hon. Minister of Finance, Sen. The Hon. Conrad Enill, to investigate this matter. I just want to bring to the attention of the Minister that they must be fair, and I impute no improper motives here; I cast no aspersions; I deal with the facts in accordance with what is before me.

Sen. Enill: Just for clarification, Madam President, could the hon. Senator state whether in fact that represented debt forgiveness or whether the property was sold and the amount outstanding represents the difference between the sale price and the debt?

Sen. R. Montano: So you know what he is talking about then?

Sen. Enill: I talked about it last week. It is something we did when we were closing off the accounts; it is nothing new. What is disturbing me is the

representation of the information that is not correct. The fact is that the property was sold and the difference between the sale price and whatever was recorded on the books of accounts was written off. The property was sold. Forgiveness means that I have something, I retain it, and you are forgiven. There is a difference.

Sen. W. Mark: I understand what you are talking about, you know. There is a difference between debt forgiveness with my friend, Sen. The Hon. Dr. Lenny Saith. That is a different thing. Madam President, I am on a serious matter here and that is why I ask my colleague. I understand what he is saying, but this is the pattern of the PNM.

Hon. Senator: He was not a Member in 1990.

Sen. W. Mark: He is a Member now and all I am saying to my colleagues, particularly the Minister of Finance, is that I was under the impression when he spoke to us on the last occasion that these people could not be located and when they sold the property, the difference that was owed—in other words what I owed, what they received from the property and the difference they wrote off, was simply because they could not locate Wade Mark. I was not in the country. I went abroad. But in the case of Fitzgerald Hinds, he is in the country. *[Interruption]* My property? “Well, if it is in trouble, the mortgage company ain’t take it back yet.” I still trying to pay. “Dey could locate meh.” All I ask, Madam President, and I cast no aspersions, is that the hon. Minister tell the Parliament whether Fitzgerald and Margaret Hinds owe the NIB at this time \$267,000 and they cannot be located. I want to know if it is the correct Fitzgerald Hinds. I could be wrong, that is why I seek clarification whether it is the correct Fitzgerald Hinds of vintage claim. I want to know. I bring these things because whilst they are attacking the poor and demolishing their homes, we have these kinds of discrepancies that we need to correct.

4.00 p.m.

Madam President, I am concerned also, and I want the hon. Minister of Housing to tell us whether there is something called the Urban Development Corporation of Trinidad and Tobago that falls under his jurisdiction. The gentleman who is in charge of that institution is called Calder Hart. I have evidence and information where this particular institution—an institution that was incorporated by an Act of Parliament to provide citizens at the middle-class level with access to mortgages at a cheaper rate so that the home-ownership democracy could be widened in our society. I would like to know, Madam President: Is the Minister of Finance aware that efforts are being made by this gentleman—who is in charge of this particular institution—to privatize this institution? Is he aware of

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any moves on the part of this gentleman to privatize the operations of this very important institution?

I have a letter from a mortgage bank dated October 02, 2003. It says, Madam President—[*Interruption*] You see, we are talking about housing here. We are talking about vesting lands that are owned by the State into the National Housing Authority (NHA), so that the NHA could provide people with titles. Homeownership is very important for democracy, the stability of our communities and our families. [*Desk thumping*] I would like the hon. Dr. Keith Rowley who seems to be the person in charge of UDeCOTT at this time—[*Interruption*] Are you in charge of UDeCOTT? I would like to know! [*Interruption*] Madam President, if the Minister is not in charge of UDeCOTT, maybe someone else would be able to clarify this issue for the Parliament. [*Interruption*] All I am seeking is clarification. I have no other motive, Madam President, just clarification. So I ask the question whether the Minister of Housing is aware that, and I quote:

“At the 106th Executive Committee Meeting of The Home Mortgage Bank held on September 23, 2003, it was agreed to call a Special General Meeting of Shareholders at which time a resolution will be presented for approval, supporting the amendments to the Home Mortgage Bank Act. These amendments will enable the Bank to proceed with having its shares listed on the Stock Exchange.”

Madam President, all I ask for is clarification since this institution is incorporated by an Act of Parliament. We would like the hon. Minister to tell us if there is any truth in this particular development.

As we are on this question, I believe the Government has to be very careful as to how it proceeds with its business of destroying settlements and settlers in this country. We are getting the same impression from this same UDeCOTT, which seems to be a runaway horse. I will tell you what I mean by that. Madam President, UDeCOTT falls under, from my understanding, the Ministry of Housing. There is a relationship between UDeCOTT and the Minister of Housing, and the Minister of Housing must take responsibility for whatever takes place at UDeCOTT.

Madam President, I bring to your attention a document issued by the *Urban Development Corporation of Trinidad and Tobago, Request for Proposals, Design and Construction of Coastal Protection Works at Invaders Bay*. [*Interruption*] No, this is a document issued by UDeCOTT! The Urban

Development Corporation of Trinidad and Tobago (UDeCOTT) is involved in housing, and there is a vested interest in housing. I would like the hon. Minister to tell me if this is not political discrimination, and whether you, Madam President, could ever recall in your mind, or in terms of your contact with the State, a provision such as what I am going to explain to you in this document. It reeks of political discrimination. I have sought to get clarification on this matter. I will read from page 38, which says:

“STAFF AND LABOUR

Engagement of Staff and Labour”

When we talk about discrimination in this country, people say that the UNC is using discrimination as a rouse, as a cover, and that there is no discrimination in this country. Madam President, I am dealing with political discrimination here.

“All such arrangements shall be in accordance with the general local usage and subject to such regulations as the Government of Trinidad and Tobago may from time to time require to be observed.”

Madam President, follow this carefully. This is the Republic of Trinidad and Tobago. This is not the College of Science, Technology and Applied Arts of Trinidad and Tobago (COSTAATT), which we had to expose and cause the current Minister to be where he is today.

“In engaging staff and labour preference...”

Not “may”, Madam President, not “could” but “shall”;

“shall be given to nationals of Trinidad and Tobago resident within the County of St. George.”

I sought to get clarification from persons who are involved in these kinds of exercises. If there has ever been a provision in a document coming from a state institution that is seeking to institutionalize discrimination—How could you have in a document, from UDeCOTT, which is an arm, a subsidiary, a body, falling under the control of the Minister of Housing, that when you are employing citizens of this Republic to work on this particular project, you shall give preference to nationals of this country? Madam President, it has nothing to do with skills!

“...nationals of Trinidad and Tobago resident within the County of St. George.”

It is here in black and white! I ask myself why would a government allow a foreigner, an alien, by the name of Calder Hart to include this in a document and

have it circulated for public consumption. Madam President, as a citizen of this Republic you and I have a right to seek and to gain employment opportunities in any part of the Republic of Trinidad and Tobago. [*Desk thumping*] Why do you put in a document this provision that says, to the person who is going to win this bid to deal with the construction of Coastal Protection Works at Invaders Bay on Wrightson Road, that you must only employ people in the county of St. George? So nobody from Cashew Gardens; nobody from Wallerfield; nobody from Penal; nobody from south Trinidad; only people from the St. George County—

Madam President, I call on the Attorney General to investigate this matter. This is a scandal! This is an abridgement of our constitutional rights in this country! This is a violation of our constitutional provisions! How could you have this in a document? Every creed and race must find an equal place in this society. Why do you say to confine it to the county of St. George? Madam President, I bring this to your attention because I feel that the Attorney General needs to investigate this. I do not know how many more documents like this, signed by Calder Hart, are out there. This document came from UDeCOTT! The Urban Development Corporation of Trinidad and Tobago is 100 per cent state owned and look at the kind of scandal, Madam President. I am ashamed! This is a clear manifestation of political discrimination being practised by the PNM for everyone to see—the whole world. I call on the Attorney General to investigate how they could have allowed UDeCOTT, a 100 per cent state-owned corporation, to issue this public document “*Request for Proposal*” and have in this document this offensive and abominable provision? We feel that there is need for the Government to look at what is taking place.

Madam President, I raise this particular matter to let you know that when we deal with this question of vesting, who could be against giving to poor, ordinary people in this country; people who have been living on state property whether it is in Diamond Vale, in Real Spring, Valsayn, or in Tunapuna, wherever there is housing constructed by the State? It is time that people are given their title. Nobody could be against citizens being given their title. As the Minister said, title is important. If I do not have the title to my property, I do not have the capacity to go on the money market, to the banks or to the credit unions to borrow. I believe this is not a negative development. It has come somewhat late, I must admit. The Minister said that since 1988—under the NAR—a decision was taken and we are now effecting true legislation on this decision and policy. Madam President, it covered properties before 1988, and as the Minister admitted when he came here today, out of 33 sites so far, only 15 have been approved in terms of the granting of vesting orders and people being able to access titles to properties. That is what I understood him to have said when he spoke earlier.

I would really like the hon. Minister to provide this Parliament—I think he has his technical people here, they could fetch for him, and he could circulate for the purposes of this Parliament, these 38 sites. We, on this side, would like to know where these 38 sites are. We have been getting information that the Government, in its haste to construct ghettos, not housing developments—the PNM’s history in this country is the construction of ghettos for people. Madam President, there is no kind of planning; no kind of visioning; if today you go to Maloney, La Horquetta or Bon Air, it is a concrete jungle. They have recently put things like schools up there; there were no schools before.

Madam President, do you know why they are going to build those houses in Ramgoolie Trace, Curepe? The purpose of those homes is that place is heavily trafficked by people and vehicles. I am talking about the Southern Main Road coming out of Kay Donna, as if you are going north and on your left; inside there, Madam President. They want to build about 600 units, I understand. To put whom? The people of Curepe, Madam President?

The PNM believes that the people in this country are foolish. They feel that they could undermine the democratic process by stealing election after election in a legal way. [*Interruption*] You are going to build houses; you are just, for instance, an agent now of the PNM; you are facilitating their policy, and that is why I have no sympathy for you; whatever Manning wants to do with you he does. I am saying that you are trying to do things in a legal way but, you check it out properly, you are undermining the democracy of this country.

Madam President, the PNM is house padding because they want to win the next election, and the areas that they feel are going to be troublesome are Baratania/San Juan, St. Joseph, Ortoire/Mayaro, Tunapuna and San Fernando West. So they want to win election by house padding. I want you to take a lesson from Haiti. You cannot continue to undermine the democracy of this country; the people would rise up against you! I do not know what happened to Aristide, if he was kidnapped, abducted or thrown out. I do not know. All I can tell you is that any government that attempts to undermine the democratic process in this country and denies the people the right to choose a government of their choice is a government that is heading for trouble! [*Interruption*] And you are heading for trouble!

Madam President, this house padding must stop! The only way it could stop though is through constitutional reform and an introduction of proportional representation. They could build how many houses they want, once we have proportional representation everything would settle. That is why I am saying that

we do not want to go down the road as Haiti. We want to be at peace in this country. So we call on the Government, in accelerating its housing policies and programmes, to do it legally.

I saw a statement by a lady who is now before some other institution, where she claims that she has evidence that the Government of Trinidad and Tobago, through the National Housing Authority and the Ministry of Housing, are building multi-storey complexes in San Fernando—

Madam President: Hon. Senators, the speaking time of the hon. Senator has expired.

Motion made, That the hon. Senator's speaking time be extended by 15 minutes. [*Sen. S. Baksh*]

Question put and agreed to.

Sen. W. Mark: Thank you, Madam President. I call on the hon. Minister of Housing, Dr. Keith Rowley, to tell the Parliament whether he has any evidence—we have—that the Government of Trinidad and Tobago—under his watch, under his Ministry—is building multi-storey complexes in different parts of this country. He was forced to close down the Green Street Housing Project because of the fact that they were building that project without any approvals. If I am wrong the Minister could correct me. I understand the Minister took the decision to close down the Green Street housing project because they were building houses on Green Street, Tunapuna without the necessary approvals. This is what I am concerned about.

Hon. Dr. Rowley: Madam President, I thank the Senator for giving way. But just for the benefit of the public who might be misled by this misinformation, nothing is further from the truth.

Sen. W. Mark: Madam President, I am glad that my hon. colleague has cleared it up. Could my hon. colleague indicate to me what is the truth? Has the Green Street Housing Project been stopped? I would also like to find out whether the Ramgoolie Trace project has been stopped. We just want to know! Tell us! Probably when the Minister is winding up he would address those matters for us. Madam President, if the Minister says no, I have no problem with that. He says he has not done that so all I can tell you, Madam President, is that information has reached us that two projects have been closed by Dr. Keith Rowley: Green Street and Ramgoolie Trace. That is what we understand; we do not know. [*Interruption*] I am not glad, I would say that the people, in terms of promoting democracy should be somewhat happy.

As I have said, we have been getting information about the illegal construction of high-rise multi-storey complexes by this regime without any approval from the relevant agencies. That is what we have been told. There is a document, which I would not read because the lady is before the High Court. She has taken the Government to court. I have an affidavit before me, which says what he has said, but I would not detain the Parliament on the matter. What I would say is that we would like the hon. Minister to detail for this Parliament the 38 sites that he has identified for housing. We want the 38 sites named. We want him to tell us this afternoon whether those 38 sites have been granted the necessary approvals by the relevant agencies, including the Town and Country Planning Division. We want to know that because there is a lot of lawlessness taking place.

The hon. Minister of Housing stood his ground and I can compliment him for that. When the Minister of Housing gave instruction, we understand, to the army and the police—

Hon. Dr. Rowley: Madam President, again, for the benefit of the public who might suffer at the hands of this Senator, I gave no such instruction. I have no authority to give any instruction to any of the country's security services.

Sen. W. Mark: Madam President, I will withdraw that, he did not give instructions.

Hon. Dr. Rowley: What is wrong with you? What is wrong with you all?

Sen. W. Mark: What I understand, Madam President, is that an illegal structure was put on NHA's land in Laventille, and I understand that the hon. Minister of Housing was unhappy about it. He probably did not give any instruction but he was not happy about it.

Madam President, all I bring for your attention and the Senate's attention is that you have a situation where the Prime Minister of this Republic is upholding lawlessness. On the one hand he is promoting lawlessness and on the other hand—

Sen. Joseph: Madam President, again, on a point of order, the Senator is imputing improper motives, especially to a Member who is not here, and the Prime Minister of the country.

Sen. W. Mark: But if he is lawless, what do you want me to do?

Madam President: Hon. Senator, please be careful with what you are saying. You should withdraw what you have said, because you cannot say that any Member of this House or of the other House is promoting lawlessness in this country, that is not—

Sen. W. Mark: Madam President, if I may, with your leave. I am just presenting to you and this honourable senate a hypothetical situation. If, for instance, I construct a building on state property without the relevant approvals from the state agency, along with other agencies and, for instance, I am the Prime Minister, I go to that site and I say, well look, leave it so; it is okay; it is fine. But you know what, Madam President, I know in my heart, and the whole country knows that that construction site; that building that was constructed was illegal. It is in that context that I raised my point. If the Minister is saying that did not take place, I will understand, but from my readings, and maybe after tea, I will have five minutes—[*Laughter*] I could bring the relevant *Guardian*—

Madam President: I will let you finish before we go to tea.

Sen. W. Mark: Okay. Well you would have denied me and yourself of the quotation because I wanted to quote extensively from that particular article, Madam President.

We, on this side, as I have said—and my colleague indicated very early—when it comes to the issuing of titles to properties, have no difficulty. Who could argue with the hon. Minister of Housing who seems to be at odds with his Cabinet colleagues today? But who could be at odds with him? We support him on this matter. We think that the measure has come too late. We feel that the poor in this country who have acquired NHA properties should have been given these titles to their properties years ago, since 1998. [*Interruption*] We were about to do these things and we were illegally removed. They conspired with the then President and removed us from office, so we did not get a chance to complete our job. We had started, do you remember?

Madam President, I want to remind the Minister of National Security and Rehabilitation that the UNC was elected in 2000 for five years. [*Interruption*] We were there for five years with 19 seats and then in-between while we were doing all the things we had before us we were interrupted when the PNM conspired with terrorists and insurgents and the ex-President to remove us from power. That is why we did not bring these things to this Parliament before.

As I said, Madam President, we on this side have no difficulty with the principle or the policy enunciated in the legislation this afternoon. We believe that it is something that is long overdue. We want to ask the hon. Minister of Housing and, of course, the Minister of Finance, in this instance, and the Minister in the Ministry of Finance, Sen. The Hon. Christine Sahadeo, to honour their commitment to the 10,000 sugar workers. They promised the workers that they would get land to build homes. If they had homes, however, they would give them

a piece of land to grow agricultural crops. We have now heard that the new Minister of Agriculture, Land and Marine Resources had said to the country—*[Interruption]* I do not know if he is being misquoted. The Minister has said to the country that the Government is rethinking its position. We want the Government to indicate in a very clear and categorical way—*[Interruption]* No, I am dealing with housing and I am saying that those 10,000 workers were promised land to build houses. Those who did not have a home would be able to get a piece of land, Dr. Rowley, in order to construct a home. That is what I am talking about, home construction; home ownership.

I call on the Minister of Finance and the Minister of Housing to clear the air this afternoon. Let us know what the Government's position is on the question of lands for the 10,000 Caroni (1975) Limited workers. Is the Government “reneging” on its commitment to the Caroni (1975) Limited workers, or is the Government going ahead with its position? *[Interruption]* Renege, renege, renege. Okay, reneging. We say it differently, Rowley, that is all. You say it one way; I say it another way; I am from Trinidad; you are from Tobago, right. *[Interruption]* That is no problem; we just pronounce things differently. *[Laughter]* *[Interruption]* Okay, Keith.

Madam President, the important thing is that we would like Hon. Dr. Rowley to indicate to this Parliament what is the position of the Government as it relates to those 10,000 sugar workers, and the Government's commitment to them as it relates to land and land distribution? We would like the hon. Minister to clear the air on that for us.

Madam President, insofar as this matter is concerned, I think I have made my contribution and have enunciated a clear position. We will, in fact, be identifying with this particular policy today, and the hon. Sadiq Baksh our former Minister of Housing is prepared to lend some direction; *[Laughter]* strike a match; give some light to the hon. Minister in terms of direction. We know that the hon. Minister is in a sea of darkness at this time and we want to give him some direction. Our former Minister of Housing would be in a position to provide him with such guidance.

Thank you, Madam President.

Madam President: Hon. Senators, this sitting is now suspended for tea. We will return at 5.10 p.m.

4.31 p.m.: *Sitting suspended.*

5.10 p.m.: *Sitting resumed.*

[MR. VICE-PRESIDENT *in the Chair*]

Sen. Prof. Kenneth Ramchand: Mr. Vice-President, I will be very brief. As I sat listening to the debate I got very depressed because, if one has been talking about health, education and transport, the same underlying problem would come up and that basic problem is the unequal distribution in our country of resources and opportunity. I feel that whatever we do, whether it is in health, housing or wherever, one should hold that broader perspective that one is dealing with a country in which about 5 per cent of the people enjoy around 90 per cent of the resources and 95 per cent of the people have to share 10 per cent. So when one is talking about housing, it is almost the way one talks at Christmas time about giving hampers to the poor. I do not like giving hampers to the poor. I would like the poor not to be poor. I would like the poor to have jobs; I would like the poor to buy their own food. Why should they have to be given handouts and why is one in a situation where housing is a handout? One is in that situation because of that fundamental problem I am talking about. I have not heard anything in the debate to suggest that one is thinking seriously of how to dismantle a system of persistent poverty that began with enslavement and continued throughout the colonial period and continues even today, because the pattern set down by the slave plantation was that a minority lauded it over the majority, a minority controlled the resources and the majority had to scramble.

Mr. Vice-President, I just wanted to put that perspective and to suggest that while one thinks about housing, one has to find ways to enable the persons for whom one is thinking about, to take pride either in land or to take pride in their houses and they would not take pride in those things if one does not give them the opportunity, the training, the education and so forth so they could buy for themselves.

Some people say there is a distinction between the attitude of the two political parties; that one party wants to give you a piece of land and let you build and the other party wants to build a house for you and let you supposedly rent it. There may be some persons who just like the rent but I believe that our housing policy should be one that encourages citizens to have a stake in the country, to own a piece of land. And so if I had to come down on one side, I am of the view that a housing policy has to be a policy of making land available to citizens and putting machinery in place for them to get loans so that they could buy materials to build the houses according to their own minds and their own imaginations. One of the worst things one can see is these housing estates—if you were to give me ten of

them free I do not want them even to rent out to people because they are all the same, same thing. I do not know what pride one could take in one's house if one's house is exactly the same as 300 others in the same block. So that when you sit in your bedroom you know the angle of the other fellow in the next house and the next house is sitting in.

I once lived overseas in England in an apartment complex. I was by myself so I had plenty time to think and imagine foolishness. Every time I did something I would say, ah, ah, in the other 33 houses the fellow who wants to go in the toilet was walking in the same direction as me, he is turning right at the same time as me and so on. I think one has to have in this housing policy—I would go for land and one has to enable the people to build their own houses but it brings us back to education, training and the creating of employment. I do not mean hiring 400 persons to work on a building that some company has got a massive contract for. To me that is not employment; that is a handout. When people talk about employment being created by the government building projects, to me that is a handout. That is not sustainable employment. That is not the kind of job where a person says I am working here over the period of 10 years, I can build up seniority, I could learn skills, et cetera. It is not the real job, and one has to think of jobs related to the country that one is living in and I am just serving a warning about agriculture. If the policy of this Government is that it has gas and oil and it can buy food and it can displace agricultural workers and put them on the Unemployment Relief Programme or the Community-based Environment Protection and Enhancement Programme, it is a dreadful mistake one is making. One has to think of employing its people in the kind of activity that would give them pride and that would sustain the country and does not depend upon the seasonal demands for houses or this kind of space and so forth.

Mr. Vice-President, I am coming to the question of squatting. And I want to tell you about a manuscript I have been reading over the last three weeks by an 80-year-old gentleman, who in 1931, wrote an article about the barrack yards of Trinidad, but mainly in the Port of Spain area. There are ghettos; there are slums; there are little boxes in which horses would be transported; they have a window and a door and everything has to happen in that box, and if it does not happen in the box it happens in the yard so you have the barrack room and you have the yard. In 2004, this gentleman has written a book about the barrack yards and what both the article and the book show, is that the tenants in the yards, the poor people, the agglomerated mass called “the working people”, these tenants are not only underprivileged in a social and economic sense, but they are the victims of the law. If they cannot pay their rents, they are going to jail; if their daughters go

into prostitution, they get jail; if their sons have no job and they are gambling, jail; if they are frustrated and they fight, jail. So poor people are victims of collusion between the authorities, landlords, the owners, the house agents and the bailiffs, so the whole monument of the law is used to perpetuate the victim hood of the vast majority of the people.

I am just returning to something Sen. Prof. Deosaran was saying, that we do not want disorder, we do not want lawlessness, we are against squatting but we have to be very careful how we train the law upon the people who are already victims of the inequalities in our society. On the question of squatting I think it is a very bad policy to regularize squatters free sheet. I think it is a very bad thing for people to squat on crown lands that ought to be preserved for environmental reasons. I think it is wrong for people to squat on our forested lands and cut down the forest trees. I think it is wrong for people to squat in places where they will disfigure the water table and cause floods and so forth.

Mr. Vice-President, one cannot talk housing policy or distribution of land until one has a planning and development of land bill. Year after year after year, we have been asking where is the planning and development of land bill? That Bill would indicate—you see if you have crown lands and people are squatting on it, it is because you do not have any use for it. If you do not use it, you lose it. A government cannot afford to put itself in the position where a citizen would say about the land if you do not use it you lose it. The government must clearly indicate that these lands are not for squatting; it has plans for these lands. These lands are for agriculture; these lands are for forestry and very strict laws. If you go and squat it would move you the same day.

Mr. Vice-President, I am very unhappy about the fact that one is thinking about closing down Caroni (1975) Limited; there are plans for agriculture; one is talking about housing; one is talking about distribution of land and one does not have a blueprint about what one is going to do with the land in this country.

This is only a brief intervention through which I wanted to make the perspective point that people need a stake in the country; housing policy and land distribution policy have a bearing upon crime, violence and alienation. People would love their country, they would work hard for it if they know they have a share in it. It is a very important thing we are dealing with but I believe we are going to make a mess of it if we do not frame that within a larger policy and a sincere one.

Mr. Vice-President, a fellow came to me and said he was building some nice two-bedroom apartments, it would be a good investment of \$2 million. What

trouble is this! That is what is happening in this country! People with big, big housing are investing \$2 million, \$3 million and \$4 million in apartments and there are people who cannot even get a little 9,000 square foot to put two boxes with windows and doors to live in. Nowhere is the inequality in our society more evident than in the appearance of the houses. You drive along anywhere and look at the houses, look at the contrasts and one would see how unjust this society is. I do not know if those of us of the upper class and the upper middle class would have the sincerity and the commitment to say that we are too privileged. We want a good house, we want a car, et cetera, but we do not want three, four and five and we do not want 11 cars and we do not have to have so much while other people have so little. Where is the social conscience in the whole political process? When are we going to set the example and say that we know we are privileged, we are part of the 5 per cent and we are committed to redistributing the resources of this country? Ever since slavery, that is the problem. We have not done a thing to alter that unfair distribution.

Mr. Vice-President, with that, I welcome this attempt which I regard as a very puny and putrid attempt to deal with a major problem in our society, which is the problem of poverty and the problem of the inequality of the distribution of resources. I still welcome the move and I am going to vote in favour of it but I really wish that we would think of the larger issues. Thank you.

Sen. Roy Augustus: Mr. Vice-President, actually I did not intend to speak this afternoon but having heard my colleague and friend of long standing articulate his position in general as he told me afterwards about the question of law and order, I felt that I must make a brief intervention. I found it really difficult to sit and listen to my good friend thinking to me in terms only of the fact that the law is—

Sen. Prof. Deosaran: Could he tell us who this good friend is?

Sen. R. Augustus: I could not understand the thought processes of my good friend, Sen. Prof. Deosaran, thinking to me at that point of the law only in black and white. I thought that here we have been experiencing, over the years, a major social problem and I could not put it in finer language than the other Senator Professor as to the problems that have been created because of the unequal and inequitable distribution of the resources of the land over the years. If the problems are there now, they have been generated by the lack of attention to the problems over the years and when one can reach to the stage of evicting at all hours of the morning, families inclusive of babies and say that is the law, I worry as to the state of our civilization.

First of all, sometimes crimes are committed, and I am not saying crime is justifiable at all because of situations created by persons who should not have allowed the situation to develop. If squatting has become a necessary evil today, whose fault is it? Is it the fault of one administration or the other or is it the fault of us, as Sen. Prof. Ramchand has put across so very nicely? Is it not the fault of us who are probably not doing enough to prevent the need for persons to break the law to go to squat and, therefore, for other persons to say you are breaking the law, and destroy what they call their castles, their homes? As my colleague, Sen. Baksh, said sometimes two galvanize sheets, not even four walls and I challenge anybody here, as much as we say is the law, to be part of a demolition crew at 5.30 in the morning. I do not think we have the heart for it but we send other people to do it. One has to balance one's social conscience against what one considers to be law black and white. I am not saying to break the law. I am not saying this at all. I am supporting fully the intent of this Bill.

When the leading speaker on our team this afternoon led off, the compromise was there. We fully support the Bill. There is nothing we can do to go against this Bill and one could always make jokes when one is talking about serious business and, sometimes mature people, I think should stay out for a while of the jocular aspect of the debate and let us continue along the serious path. I consider this to be an extremely important thing; the question of people having homes, the question of persons being able to provide homes for their children, their families and all of us, whether we are in Opposition or in government, have a responsibility to do everything that we can possibly do to assist in providing.

That is why I was a little worried that the cold stand was taken of getting rid of squatters, but it worries me even more and it carries me back to the question of the unequal distribution and the unequal treatment, because it is not every squatter who faces the demolition squad. There are persons who are squatting for years in certain areas who would never see the demolition squad, and I do not have to pinpoint areas. The world knows it and when I heard the hon. Minister of National Security and Rehabilitation get up to advance that one should not talk about lawlessness, I cringed. We on this side were saying that the Town and Country Planning Division indicates that you had no approvals and, therefore, you were breaking the law. This was lawlessness and apparently it was because we mentioned the Prime Minister, a very sensitive topic, that there was this jump to rebut and I casually noted one can have lawless buildings by the Government and lawful demolition of poor people's quarters. [*Desk thumping*]

Mr. Vice-President, again I was moved to make this contribution when I heard the last speaker on the other side as I could not understand, I do not know, the

point that was being made by Sen. Baksh about the 1957 promise by the late Dr. Eric Williams and how he interpreted it. In fact, he strengthened Sen. Baksh's point because the point we were making on this side is the PNM is given to promises. There was no access to money and land to build 107,000 houses. The very revered Dr. Williams must have known that. I do not think the Senator is more aware of these things than the very revered Dr. Williams. So he must have known that there was no money or available land when he was making the promise but it is the usual thing that we get from that side. They promise, and promise but they do not deliver. Just as there are 10,000 houses—and notice we did not have any problem with water shortage in a very, very dry season about a year or two ago, so we were able to provide. I am saying 10,000 houses per year for the next 10 years, and instead of building 10,000 houses we are breaking down structures. One always promises and one does not deliver. And this is what worries me. And we do not deliver to the poor. That is the problem.

Again I go back to my good friend, Sen. Prof. Deosaran, who wondered about all this talk going around about house padding; how do people know who their members are. I do not know if people know who their voters are or who their members are, but I know another statement he made was that we do not have proper record keeping. One thing I am sure about is that the record keeping on that side in that party is excellent. I am tying this into how we are going to get, I hope, persons into those houses, because persons on that side are so excellent and they use it very well.

I remember a time there was a calypsonian pelting real blows at the government of the day—that was before 1986 so one knows it is not this side. They took it for two, three four years, then one day in the *Guardian* one saw a membership card signed with some bubbles by that particular calypsonian and since then he has stopped singing about them; membership card for that party. They keep their records. He probably forgot he had signed that somewhere so since then he has stopped singing about them. I have absolute respect for the present general secretary. His record keeping is even better. And one wants to know how they know their members?

Prior to 1986, if you had lined up at the Savannah to get tickets to attend the Dimache Gras or Monday and Tuesday shows—they advertised tickets on sale from 8 o'clock, and by 8.30 p.m., there were no tickets because all were not put on sale at that public venue.

So when one sees lots drawing; lots drawing for how many houses; how many other houses have their records taken care of? And that is why when there was

National Housing Authority (Vesting) Bill
[SEN. AUGUSTUS]

Tuesday, March 02, 2004

this big wash in 1986, Laventille, East and West and Point Fortin did not go, and they were sure they were not going. Do you know why? The last Government Senator who spoke also mentioned that we put illegal immigrants in some parts of the country.

Mr. Vice-President, they are talking to us about illegal immigrants, Laventille East and West and Point Fortin. One could talk about up the islands, Grenada, St. Vincent otherwise—

Sen. Yuile-Williams: Mr. Vice-President, I want to know how very relevant is the contribution to the topic.

Mr. Vice-President: Sen. Augustus, could you please return to the Bill?

Sen. R. Augustus: Mr. Vice-President, I am on the Bill. I am talking about housing and I am responding to two speakers prior to me. Sen. Prof. Deosaran wanted to know how they would know about their membership, and the Senator said that we planted immigrants and I am asking where are the immigrants really planted in this country? I am saying not only were they planted there but when the population there grew to the extent then they were transported just as is being done now into the eastern areas, Arouca North and South, Maloney, Bon Air, La Horquetta which is—they should not have brought it into the picture—what is happening now, but the backlash is always there.

I remember when I was in teachers' college and a friend of mine indicated the way they were building those settlements we are going to have crime in this country in the next 15 to 20 years. That was the subject of a debate because they were not providing land policy; they were not providing recreation spaces; they were not providing schools; they had not taken the transportation and recreation space into consideration and it is the same thing that is going to happen now. So I am talking about housing.

5.40 p.m.

Mr. Vice-President, I also heard Minister—he changes ministries so often that I cannot remember which ministry he is in now.

Sen. Mark: Legal Affairs.

Sen. R. Augustus: Yes. He talked about 1974 onwards—[*Interruption*] I should not say that he changes ministry, they do not know where to put him so they move him from here to there. They do not know where to put him.

I heard him speak about how much building took place 1974 when the government of the day got money. I always argue—again it comes back to the

point of the equitable distribution—where did that building take place? I would tell you where it did not take place. Do you remember the urban redevelopment council or corporation? They had this big plan to urbanize the East Dry River/Laventille area. Prior to 1974 they moved people from their spots, put them into decanting centres so that they could build enough houses there after which they were to return where there would have been additional accommodation for the people of East Dry River/Laventille.

At the time the first set of people were moved into the decanting centres, money started to flow in 1974/1975 and the people are still in the decanting centres up to today. [*Desk thumping*] Where were the houses built in 1974 plus? That is the kind of thing I am talking about. While I support the Bill 100 per cent, I want to fully share with the opinion of Sen. Prof. Ramchand that the land policy is extremely important and that there should be a little more equity in the distribution of the resources.

Sen. Brother Noble S. A. Khan: Mr. Vice-President, I would like to add my little quota to what is before us. There is a relationship that exists—some may say it is primordial—that has close links with our spirituality and it also links us with the land. This Bill before us deals with land and very often the break with that relationship, which is sacred, results in untold misery. Perhaps, the situation in the world today is because of that break with the land. Some of us—I dare say the majority of us—are connected to our land through our faith base systems and there is still a little element of that connection that exists within us.

We know for a great time now our society has been dominated by what has been referred to as the economic social elements and pressures. Today what is before us seeks to bring a better way of life and a higher standard of living for the people from the east to the west and from the north to the south.

Mr. Vice-President, if the equation of the link between us, which is spiritual, moral and ethical, does not have the correct balance with the economic earthly hopes and aspirations that problem will occur. Intention, therefore, plays a very important part in what we are about and what our purpose is. Those in authority and in decision-making positions are but trustees of whatever is around us. If our system does not point that way and we hold other than, it still exists. We are but trustees. It is a sacred trust particularly in our land where the Parliament is the supreme authority, so to speak—at least in veneer—but where the decisions may be made elsewhere, again, brings to bear on which way our nation will go.

I am sure all of us have listened to what has been said by previous Senators. I, myself, have been very impressed and am elated to know that we have such fine

people among us who have expressed themselves. I cannot help but say that, to me, many of the expressions seemed to extend an excuse for failure and incompetence. This has been around for some time because we are thinking in terms of 40-plus years for which we have been responsible for ourselves, but this, again, is very complex as so many other things and even the matter before us. As previous speakers have indicated, the question has been around us as to distribution, inequity and all these elements that put us in the position we are in today.

We are moving through an agency, National Housing Authority, which I remember was created when I was, maybe, around 17 years old. Before that, there was a public service mechanism through which one could have gotten loans for housing, the net was widened and we now have the National Housing Authority. This form of mechanism made its entrance at that time following, of course, the North Atlantic models and it was a hope to bring great relief to us but, regrettably—if we were to take what has been expressed in this Senate today and even before—many of these agencies have become other than what they were meant to be.

One wonders if the National Housing Authority is meeting its aims and objectives for which the people had hoped. For example, if one were to examine or seek to find out what was the economic viability of the National Housing Authority in terms of dollars and cents and the objectives that were set, I do not think they would reflect successful decisions having come out of that. That is: Has the National Housing Authority met our needs as an agency?

I would not like to go into the question of why, perhaps our academics and even we ourselves at a later time could go into that. What has emerged, therefore, is the question of our visioning. It is correct that there is always need for revising, reviewing and overlooking as this is part of any dynamic or organic system and one wonders if we are on line with that. I guess that is why so many Senators have asked the question as to whether we have it right with respect to our policy.

Again, the question of the intelligence and the system of information gathering. We are looking forward to reaching high standards by the year 2020 or before, but if some of the very basics are not in place one wonders if we would really be able to meet that aim and objective.

Also, much has been mentioned on what has been referred to as squatting. This question of squatting, to my mind, is part of our historical baggage. Some attempts, some may say feeble attempts—but as one goes out and one comes in,

the whole apple cart spins around. So meeting that challenge in any one way or in a consistent way is still under a big question mark. We have heard about the attempt at regularization by the last administration and one gets the feeling that that is not being pursued by this present administration because they have other aims and objectives of how they intend to meet this challenge that continues to be before us.

At least one Senator made mention of the experience the Haitians are having now and seemed to make a link with that and what is in our land here and that we should be careful too. Much of the squatting, as has been inferred here, has been brought about by people who are disposed and referred to as the poor. As we know Trinidad has been the area to which many of our people from the North islands have come and formed large squatting areas. This is part of our heritage within recent times, some may say part of the legacy of maybe the last 40 years or thereabout.

Even before that, say following the end of slavery, there was squatting in Trinidad. Very often in the fringed lands and even after that, following the indentureship period, there was squatting too.

I, myself, am aware of that because my family, with the first movement out of the estates, had that urban pull. My mother's grandparents, so to speak, were of that and it was in the East Dry area, which was a famous area for that. These were fringed lands in those days. If you were to look into the history of it you would see that, subsequently, an element of regularization took place at that time and so we have this concept of squatting taking place.

How we meet that is still a challenge now but what is important here, too, is that as we move forward and become more socially conscious of our people and being responsible for ourselves, the approach to dealing with it was always one, to a great extent, still part of the heritage but of the negative heritage which we inherited of the "massa" dealing with you in that way.

I remember driving along the Beetham with my little children in the car and watching people's houses being broken down. They were poor people in the swamp and it was a very traumatic experience then as now, yet this continues.

In some of the traditions that we have in our land, breaking down of people's homes is a big crime, and could apostatize crime—even the breaking down of places of worship. These are, as I said before, within the ambit of my own personal traditions and we have even seen attempts at that within recent times. Some with the houses, as I understand in the area of Cashew Gardens and other

areas too, that took place, I think, under the umbrella of this National Housing Authority. They could not fulfil the reasons for which they were created but here they were destroying people's houses. I think our dear colleague made mention of one's castle being one's home and a man having a right to defend his castle. That came out of our English heritage and here you had this taking place within recent times.

Now, I know one gets the impression that our Minister of Housing—a person for whom I have the highest respect as a man having a caring heart, so to speak, and has definitely had the experience to meet challenges that are before him and we wish him success in that. I understand that he, to some extent, had stepped in and caused the cessation of this sort of crime that has been perpetrated upon helpless people. Having a house—I will just divert for a moment.

Some time ago in this Senate, a matter was raised on a motion for the adjournment and the argument was put forward of some attempts being made to bring housing into place and where some of the laws were not being followed. The response to what was raised—forgive me if I am wrong, but I am telling you how I felt—coming from the other side was that you did it too. I looked up at my colleagues when that was said and I saw shock and anguish on their faces. Because how I internalized that was hear this one saying that against the law and that one saying that against the law. I wondered where we were going. I share this here for what it may be worth.

So, towards the end of breaking down people's houses, I think we should have a second look at that because my own limited knowledge of the law is that if a person has constructed a house there is a legal process which one should go through. I may be wrong on this, but definitely—if that is not so I would think there is need to look at that. We should have some legal process before a man's house is broken down even if he did not have permission to build it there. Because if we were to go by what we say, then they should go and break down the airport and those structures that are being built now without the approval of the relevant authorities and what have you. This is just by the way to strengthen the point that once people have built their houses—Of course, the point has been made here, too, that if the houses are being constructed they could be stopped before, but once they have been built and people have moved in, we should look at it a different way and go through the processes.

On the question of record-keeping, this, again, is part of our cultural history. I will draw, as one of our colleagues has drawn, against the background of our Carnival history. Some of us may remember, in the old traditional mas', there was what has been referred to as a "bookman" where the ground man would be using

a book in his hand and a quiver as a writer and he will record into a book. We could possibly draw on that on the question of recording.

On the question of the Central Statistical Office (CSO), I would not like to cast aspersions on what exists because they themselves—as my former colleagues in the public service—would have had their constraints. If I have to have a say I would think they work with what is available to them. Obviously, we, and particularly the administration, should definitely give them the resources to do a proper job. One knows that if one has to do anything one must have data and it is important to have correct and timely data to be applied in this modern day and age. That is as far as record-keeping is concerned.

I would also like to touch on the conceptualization or the political will to get things done. We have heard some expressions made here about when housing started and so on, but my memory could go back to the days when the Diamond Estate was constructed and when quite a lot of building took place. Even at that time a priority was established in the Port of Spain area. I am sure some of my colleagues here—one in particular will definitely—would remember the St. Joseph Road area and what has been referred to as the Mango Rose area where our late father of the nation—the original father of the nation—Dr. Williams had said he would get rid of them and he did. These are some of the things, when we think in terms of if there is political will, on which we could make an impact.

About one year or so ago a project was started in the Beverly Hills, Laventille area and one got the impression—I was there—that there was a new concept being put into place. I am sure that new concept had a better appreciation for our people then because the type of houses that were envisaged were a little better than what exist now. I always felt that we have entered a new stage and I think the present Minister of Housing was there at that time and I still look forward to this going on.

I think that our colleague Sen. Roy Augustus mentioned the plan that existed before that was to take over the entire Laventille Hills and go into Morvant. These files may still be there and perhaps we can look at them to improve that housing area. I think there was also one for the Maracas Bay area. These are some of the things that exist. Long ago Mr. Chimmings, one of the old surveyors, told us that all the layouts were there as far as the surveying was concerned. So there is work that exists as far as these are concerned. Of course, there are new ideas and concepts so there is some basis upon which we could go forward and which I suggest we look into.

In the area of agriculture, land is limited. Any student of elementary economics would tell you that, and I speak here actually of the physical land not in the true sense of land, labour and capital, but land itself. If we do not manage that land properly we are in for plenty trouble and I think that trust that has been placed in us would have been betrayed.

We have heard the point made of agricultural land being used for other resources. I would share a thought here too, that my father-in-law was a man who had spent all his life in agriculture and had raised quite a large family from agriculture. He was very independent and always a wise man to speak with. When I go to Tobago I speak with the older people, those who are in agriculture, and get a wealth of information from them. One of the things I remember he mentioned to me was that there was really no bad land. One just had to know what to plant on it. This is an important aspect and I would interpret that to mean that one's priorities must be measured against one's needs to determine what is the best use for it.

Again, the question of land use—I think it was mentioned and I would like to stress that—I think Dr. Redwan Ali had done some work many years ago. I do not know if there is need to update that, but these are important aspects if we are to go forward. I know that time is short as far as the political directorate is concerned and whoever is there has five years to show that they have done something. There are many drags that would act in a way that is not really productive, so to speak, and there is always the urge to do other than what there is a need for as far as what is before us. These are things, as I have mentioned before, if we do not have them right they would not reach the extent to which we can get the best benefit. In other words, I am speaking about the planning process and we definitely have a need to follow that.

The question of where we would go with this is now before us. I have mentioned before the National Housing Authority, the question of its economic viability as a unit. We would definitely have to look at that; the authority that it has with it and the question of giving it its resources is an important aspect of it. This does not only apply to the National Housing Authority, it applies to all the agencies and even the Central Government itself. If our people do not have the technical, human relations skills or conceptual skills and the training and development of these skills, it means to say we would not be getting the best of what they are capable of.

I would say we are fortunate here in Trinidad and Tobago to have a good pool. Leadership is most important—giving them that guidance. I know there is much

hope on 2020 and I would like to mention here too, that my whole feeling is that apart from what is taking place within 2020 there is need to have an outside view which could be given in the old traditional way so that a direction could be given. Even what has been happening over the past few years within the agencies where the political directorate has been using contracts and other mechanisms to get things done, the whole question of these things being deliverable, still have large marks over it.

Mr. Vice-President, these are some of the thoughts I have on this matter and I would like to reiterate and make a special appeal for those people with respect to those houses that are there, that there should be some constraint or restraint in breaking them down; legal or otherwise.

I think the step being taken here is one that is worthy of support and I, myself, give support to the Bill before us. What is before us is very fundamental; as has been said by many Senators, very basic. Over a period of time, like so many other things—even the water system and road system, which are all linked together with the housing initiatives—if we do not have all these things working together—some may say over the 40 years that some progress has been made and there is so much more that could be done and why they have not been done. So coming together in some collaborative effort, in some cooperative effort and providing the necessary political will to have it done, I think is the way we should go and I suggest this for the leadership, the Executive and all of us here in the Senate.

May God bless us in our efforts to make our country a better place.

Thank you.

Sen. Carolyn Seepersad-Bachan: Mr. Vice-President, I rise to make a brief intervention on this Bill to provide for the vesting of certain State lands in the National Housing Authority for a term of 999 years.

It was not my intention to make a contribution on this Bill this evening, but after hearing many Senators I felt it important that I add my own concerns to some of the comments made.

Let me first of all join with my colleagues on this side of the Senate in stating that our hearts go out to all those squatters who had their homes demolished. Like my colleague, Sen. Roy Augustus, I make the point that whereas Prof. Deosaran has stated, mainly on a legal issue, on the law, this is not a legal problem, it is a social problem.

6.10 p.m.

Sen. Prof. Deosaran: Mr. Vice-President, please excuse me and I would be grateful to the Senator for giving way. I am sure that perhaps she does not mean it that way. I was at pain, excruciatingly so, to try to reconcile the needs of the law with the humanitarian concerns. I capped off my discussion by saying that I do not want to give the impression that I am against squatting or using a purely legal approach. I know that there is a problem, so I would be grateful if Senators could understand the nuances that I presented in that matter before the Senate.

Sen. C. Seepersad-Bachan: Mr. Vice-President, I was about to go on to what he had said coming to the end. At the beginning of his contribution, I was very concerned to hear only about the criminal and legal issues as opposed to the social aspects. Whereas I agree that we cannot allow squatting because it is illegal, I am not saying that we should allow it illegally, but there must be some interim solution. There are innovative people on that side, or so they say.

Let me ask a question. How can they say it is illegal to squat and then break down these very same homes? Where would these children, babies, husbands and wives sleep in the night? Do they want them to sleep in the drains? Are we not creating an even greater social problem? My point is that demolition of squatter buildings will not help the problem. Whereas, as our lead speaker said this afternoon, we are interested in containment, we agree and support this Bill, but we cannot support the Government in the demolition of squatter homes.

I want to respond to Sen. The Hon. Danny Montano, Minister of Legal Affairs. The minute he stands up he gets all irritated and red in the face and attacks the UNC on this and that. Obscenity! Obscenity! He stood there in that administration and saw on television the demolition of homes and he did not consider that an obscenity, Mr. Vice-President. I think that was the biggest obscenity I have seen under this administration. After they did it at Cashew Gardens, they went up to Wallerfield. Where is next?

He talks about the obscenity of the airport. Everything for this Senator is the airport. God helped that UNC came into power, or they would never have seen an airport in this country. When I was a university student and had to travel between Barbados and Trinidad, they used to joke with us: "Do you want our old airport?" The Bajans would tell us to take their old airport, but here it is that the UNC came into power and in five years they built an airport that they could not build for 40 or 50 years. *[Interruption]* It is what you consider a shed. You call it a shed. *[Interruption]* That is what you consider an airport? *[Crosstalk]*

Mr. Vice-President: Senators, please. I think we have had a good day so far, could we continue in that vein?

Sen. C. Seepersad-Bachan: Mr. Vice-President, I would like the hon. Minister to understand that he talks about DesalCott every time in this Senate. Last year, when we had one of the worst droughts—and they will never come to this Senate and state how much water had to be provided for domestic use by that same plant—if they did not have that DesalCott plant, everybody would be without water every day. That plant was able to make up the shortfall. They do not see those things because they do not understand planning.

The Minister is always so concerned when bakers raise prices. In every statement he is concerned about the price of bread and so on, but I did not hear him say that he is concerned about the demolished homes and all the people who are living on the streets. He should have said that. My heart goes out to them. Not one of them on that side has expressed any form of regret in something like that. I find that act demonizing. For him to stand there and justify that, I can never understand. This is the caring Government.

We have heard a lot about policy issues in this country and it reflects on everything that is happening right now. There is no land distribution policy. There is no land utilization policy. There is no housing policy and this is why we get into controversy. If there are such policies, why are they not being put out for public comment?

The last time I raised a matter on the adjournment, it was on the distribution of Caroni lands. I pointed that administration to a land utilization and distribution policy that was done by them in 1992. According to that document, every form of action they have taken on Caroni is counter to what is stated there. The policy is very clear—you cannot take a huge piece of agricultural land and break it up because you reduce the viability of agriculture in this country. The policy had the objective of increasing, not reducing; but here we see them reducing.

This administration keeps the policies, but they are very, very secret. Then they come to talk about the United National Congress and about Sen. Sadiq Baksh and his performance, but do you know what happened in the five years? I would like the Minister to indicate what has happened to the Planning and Development of Land Bill. I remember when this issue came up during those five to six years there was a plan to look at how to develop housing and how to allocate. That was not the kind of approach we see by this current administration.

Let us look at developing urban areas. You do not put houses in areas that are already densely populated. You do not put up a housing area in San Fernando, on

National Housing Authority (Vesting) Bill
[SEN. SEEPERSAD-BACHAN]

Tuesday, March 02, 2004

Circular Road. Why would they want to move people into San Fernando? They talk about 2020 Vision and becoming a First World nation. Most countries today move out of the urban areas. You develop a rural area and provide the facilities.

PROCEDURAL MOTION

The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith): Mr. Vice-President, I beg to move that the Senate continue sitting until the completion of debate on this Bill.

Question put and agreed to.

NATIONAL HOUSING AUTHORITY (VESTING) BILL

Sen. C. Seepersad-Bachan: Thank you, Mr. Vice-President. As I was saying, before, one of the things that happens when we build these multi-storey concrete jungles, is that we bring more people in, put them to live one on top the other and then we have to ask ourselves: Where will the jobs come from for these people? Where are the school places for the children who live in these apartments? This becomes a tremendous burden on the systems within the town area, for example, San Fernando. Have they built extra school capacity to accommodate the number of persons they want to bring into these housing projects? I would have thought that one of the things they would try to do is to move people out from, for example, the Embacadere area, where it is so crowded, and carry them into the rural areas and develop them.

It will turn out to be healthier—if you look at all the studies around the world—and they will be away from all the hustle, bustle and pollution problems and they will be able to provide the necessary facilities. These are the things we see never went into the planning of housing projects in Trinidad and Tobago.

The United National Congress recognized this problem and started with proper planning and policies. This is why the UNC administration took four to five years looking at policies, procedures and systems. That administration always jokes about policies, procedures and systems. They feel they do not need them. They do not understand that once they have proper policies, procedures and systems, they have a lifetime in front of them. They neglect that every day.

Sen. Seetahal mentioned to me earlier that one of the 38 sites is at the doorstep of the Sir Hugh Wooding Law School. What selection criteria could they have possibly used to determine a site like that? Why was that site selected? Why Ramgoolie Trace and Green Street in Tunapuna? The East-West Corridor is the most densely populated area in this country. We should be trying to move people out of that area.

Have you ever seen the Eastern Main Road? As a student, I remember going to the back of Tunapuna and St. Augustine. They have to cater for the university student population and here they want to move more people in. It just does not make sense! This is again as we expect and the reason is that we do not want policies and procedures. Every time there are policies, procedures and systems, they do not mesh with the PNM's objectives because they are always political. Their decisions are based on political motives and nothing more. This is why they always end up in this situation.

I remember as a young girl that my aunt used to live on Nelson Street. There were a lot of dwelling houses and, as soon as these apartment buildings went up, all these homes had to be sold at peppercorn values. They were of no value after that.

Do you know, Mr. Vice-President, when I was a Form III student—those from San Fernando would remember—the schools got together—Naparima Girls' High School, Naparima Boys' High School, Presentation and Convent—as a group and marched, for almost six months, to save San Fernando Hill. We begged and begged to stop the quarrying because we wanted to save the hill. There was restoration of that hill. Do you know why? We felt it could have been a tourist attraction.

Now, when you stand at the top of Jarvis Street and look across the hill to see what has become of San Fernando Hill with those buildings, these fellows are criminals. Nobody should have done that. They have destroyed the City of San Fernando. If they had policies and procedures and some form of planning, that would not have happened. All those things would have been taken into consideration. They will regret this. For a short-term political objective, we are going to have a long-term disaster. All the people on Circular Road have put up their houses for sale and they cannot get anybody to buy them. St. Joseph Village is right now concerned about moving out of San Fernando. Why? Because there has been a trend.

Every time they put up these apartment buildings for whatever reason, what happens? What is the end result? The end result is crime, rapes and killings. Once those apartment buildings go up, nobody wants to live in those areas. They cannot be oblivious to those things. They have to face up to these problems and we must be realistic when it comes to this.

I also wanted to ask the Minister because it all seems to be coming together now. Everything is a promise and, as my colleague here said, they promise and

promise and never deliver. They cannot talk housing in isolation. It has to be part of a broader policy of land utilization and distribution. This is probably why we are spending so much time here today with all the speakers on this issue if we had a really clear picture of what is happening.

Last year, the Opposition Bench in both Houses called for the Government to be transparent on the Caroni issue and to indicate their plans before they retrenched workers. The Government gave all kinds of theories. Those who take VSEP, some of you will get land. They gave them all sorts of false promises. Go ahead and take VSEP and if you do not take it, you will not get anything—threatening people. Yes, we are a caring government.

I was shocked when I looked at the *Guardian* on Monday to see the current Minister of Agriculture, Land and Marine Resources stating that the Government has revisited its position and they were not so favourable at this time in giving out Caroni lands to Caroni workers. I thought that was a blow. It was amazing that this Government could have the audacity to do this at this time. After all the things they said last year; all the untruths, because everything they have said now is totally untrue.

Sen. Dr. Saith: Mr. Vice-President, with your permission—Sen. Mark also made the same point and the hon. Senator is continuing along the same line—let me give them the assurance that this Government will stick to the terms and conditions of the VSEP offer that was made to Caroni.

Sen. C. Seepersad-Bachan: I gather from that statement that the decision of the Minister of Agriculture, Land and Marine Resources may be overturned by the Government.

Sen. Dr. Saith: Mr. Vice-President, if the hon. Senator takes a report in the newspaper and assumes that that is correct and makes a statement, I have no objection to that. However, if I get up and correct the statement, she should not extrapolate that I am saying that the Minister of Agriculture, Land and Marine Resources is changing his statement. Please!

Sen. C. Seepersad-Bachan: That is what I meant. I find that from that administration, you never seem to know what are the facts coming out, so you get even more baffled by the time they are finished. You never know if they are giving it or they are not giving it.

The hon. Sen. Noble Khan spoke about the 2020 “thing” and I can understand why he referred to it as the 2020 “thing”. There is nothing you can speak to in 2020 because everything they say runs counter to what 2020 is supposed to be or

what a First World nation is supposed to be. This is one example—the crisis in terms of housing. This is an administration that did not achieve any housing for 40 years or 50 years. We had an oil boom and money flowing, but they wanted Sen. Baksh and the UNC to come up with plans, policies, and procedures and to build houses too, in five years. That is expected, but they will sit right there and accomplish nothing.

My concern is that transparency is very important and if they are committed to transparency, let us understand how you select these sites. What are the criteria used? In what document or policy statement are these criteria espoused? This we want to know.

Sen. Prof. Deosaran mentioned that information is the oxygen of democracy, but this is the first time I have seen where this very administration has used the Freedom of Information Act to avoid transparency and freedom of information.

I thank you.

Sen. Dr. Jennifer Kernahan: Thank you, Mr. Vice-President, for giving me the opportunity to make a few remarks on the National Housing Authority (Vesting) Bill.

The horrifying images emanating from national TV—the tears, the terror, the destitution that we saw coming out of Wallerfield and of Cashew Village forces me to agree very strongly with my colleagues who have said here today over and over that the PNM is the enemy of the poor. These images also frighten me a lot because I know that they are the root causes of the social instability that is growing in our society and which the Prime Minister of this country mistakenly attributes to the UNC.

Mr. Vice-President, this is a brutal, repressive regime, a ruthless regime that manipulates, uses and preys on the needs and the aspirations of people for land and for a place to call home and to raise their children. It preys on these aspirations, uses these people only to promote the supremacy of the PNM party. I found it very ironic that the Minister of Legal Affairs would have attacked Sen. Sadiq Baksh and the UNC for dealing head-on with the whole question of squatter regularization.

It was under their administration that the problem first emerged. Laventille, Picton, John John are areas where people are still living cheek by jowl in little abodes that have no infrastructure—no roads, no drains, no services after 40 years. These areas—the heartland of PNM support—did not come about by

accident. People from the smaller islands in the 1950s and the 1960s were attracted to Trinidad and Tobago because of a higher level of industrialization in the oil fields and in Port of Spain—the wharfs would have provided a lot of employment and people from other islands came to Trinidad looking for a better way of life. They found work at the ports, in the factories and in the commercial areas in and around Port of Spain and in Point Fortin in the oil areas. Obviously, they needed housing, so the PNM regime cynically used these people, gave them ID cards, canvassed them, asked them to vote for the Government, promise 107,000 houses in the 1957 budget, as Sen. Baksh mentioned, encouraged them to stay here under the most desperate conditions and, as the Minister of Legal Affairs pointed out to us, knowing full well that there was no capital mobilization possible to deliver on these promises. They just cynically, brutally and openly fooled these people with a promise of a better life of housing in the future. They knew very well at the time that they were not going to deliver. This is the history of the housing policy of the PNM regime.

The squalor and the poverty in which these hardworking ambitious people, who have built and contributed so much to this country, were forced to live under is the worst abuse of human rights that it is our misfortune to witness in this country in 2004; in a country that is characterized as oil rich. *[Interruption]* I am talking about the environment in which these people live. In their own little abodes, people are very particular. They keep it very clean; they try their best, but when you step out you are talking about open drains, garbage, and filth. You are talking about an impossible situation.

Mr. Vice-President, I have walked the hills of Laventille because I grew up in Gonzales. In our community we had a firsthand view of what happens when these “unregularized” settlements are allowed to develop. When I was growing up, at the back of my house were trees and forest that went right over to the Laventille hills. It was an eco sort of situation up there, where there were streams and trees with fruits and so on. After 1970, when the PNM cynically encouraged people to settle in these areas without any containment policy, any respect for the environment and for the future planning for these areas, there was a denudation of the hills. All the trees were cut away.

There was a tremendous flooding problem and even the stability of the houses, including our family house, was threatened because all the run-off water came down the hills. There was no infrastructure—no drainage, no roads—yet every five years the candidates found themselves up these hills to solicit votes. The communities that were there before suffered tremendously.

On the question of garbage disposal, there was a tremendous amount of garbage build-up all over these areas because there was no plan for these extra populations. People had nowhere to put their garbage. The garbage disposal facility was inadequate now for the tremendous volume that came down off these hills and piled up in the streets. This has caused the development of a whole ghetto in these areas that were once serene, sublime, relatively clean, semi-urban environments. This is a tremendous social problem, which has developed under the watch of the PNM. We went into it headlong to solve these problems and they are saying all we know about is squatter regularization, but this is a serious aspect of the social ills we have generated in this country over the last few years.

We can talk about vesting lands; we can talk about vesting ownership of houses in our people at this time, but tremendous damage has been inflicted on our people over the years—psychological damage, moral damage, spiritual damage—coming out of the squalor and the crime due to lack of infrastructure and the lack of any social cohesion in these communities. How are we going to repair that damage? There is damage that was inflicted that can never be repaired. We are seeing the consequences of it in the society. We are seeing the tremendous escalation in crime in the whole seize-and-settle ideology. That seize-and-settle ideology, Mr. Vice-President, was promoted by them for their own political ends. How are they going to tell people now that they are going to break down their houses? It is pure hypocrisy.

According to the history of what we have witnessed in this country, the PNM policy has never been to empower people; has never been to benefit them with respect to housing; has never been to vest land or property in our people because that policy would mean independence. It would mean access to resources. It would mean being able to pull themselves up by their own bootstraps. It would mean being able to go to the bank and borrow money to ensure the education of their children. It would mean being able to better themselves educationally. It would mean advancement for the generations. It would mean that they no longer rely on the patronage of the political bosses in order to earn a living and survive; and clearly this is not what the PNM wants.

6.40 p.m.

They want perpetual dependency. They want to be able to go out there and patronize people with the “rum and roti” politics. They want to be able to canvass the hills, Laventille, John John, Cocorite and Mount D’or, carry hampers and institute SHARE programmes. Every six months they would give the young mothers and fathers hampers for their babies and children. That is the mentality

that the Government wants to perpetuate. The Government is not interested in vesting in property, houses and lands. As I said before, the damage is already done and there is nothing the Government can do to repair the damage unless it revamps its whole approach to policy and social development in the country.

Mr. Vice-President, what we have is a generation of families who have borne the brunt of this policy, who have been damaged and hurt. We are seeing babies who are going to grow up—the images of those babies at Wallerfield, which we saw on the television—knowing that they are not considered to be citizens of this country with any right to be here. They are going to grow up knowing that as a three-month or four-month old baby the powers that be, at that time, did not consider them as human beings who had a right to shelter in this country. That is the reality. When we talk about social instability and social problems that is where we create it. That is the mentality we are creating when we inflict these brutal acts on our people.

I would like the Government to be realistic and frank and let us know exactly where they are taking us with this so-called Vision 2020. I do not see this vision for development and independence—which we would interpret as the goal: the vision for independence nation building and pride in self—as having anything to do with the stated goals of Vision 2020.

Every one of us in the society today has to protest vigorously at what is happening in our country. I agree with Sen. Prof. Deosaran who abhors the whole question of the lawlessness of settlements. We have seen it first hand.

Mr. Vice-President, I live in Cumuto. When I drive down the highway and go through Wallerfield, it is extremely hurtful to see settlements going up willy-nilly in these areas. We have the Aripo Reserve area where we actually see people very close. I do not know if they are on the Aripo Reserve lands, but they are extremely close. There is a line of trees and between the trees there are small settlements going up all around. This has been taking place over the last two or three years. There is no effort at containment. There is no effort to nip these situations in the bud. We would wait until four years down the line and there would be well-established families with children who are going to be totally traumatized by these events.

Sen. Sadiq Baksh made the point this afternoon that, in addition to being firm, you have to be humane. There is that concept. As Sen. Augustus pointed out earlier, there is the concept of decanting centres and temporary shelters through which we can deal with people in a more humane manner. Nobody is saying that squatting is good. Squatting is awful. It causes tremendous environmental, social,

health and sanitation problems. There is no possibility of planning holistically for our society if we allow these illegal settlements to go up. We have to take firm decisions to nip these things in the bud very early and, at the same time, deal with them in a very humane manner.

All the people in Wallerfield were canvassed for elections. Candidates went in these areas and canvassed. They used those people for their votes. Right after election, as soon as the Government got what they wanted, they went there and broke down their homes. They are the people who would have supported the Government. They are the people who would have voted for the Government. They certainly did not vote to have their houses broken down. They did not vote to have a future so bleak that they have to actually defy authority and try to rebuild their structures from the ruins. I do not think anyone wants to be in that position or would be happy to be in that position. It is terrifying! That is a terrifying position to be in.

Mr. Vice-President, we are not a poor country. We are a country enriched and endowed with resources. We have to deal with our people in a firm but humane manner. This was one of the greatest achievements of the UNC. We had deadlines, an amnesty and a containment mechanism in place to solve those problems. I see no reason why the Government—if it is going to renege on its old history of use, refuse and manipulate the needs and aspirations of the people of this country for its own political supremacy or repudiate that—cannot do the same. The Government should follow the lead of the UNC, when we were in power during the period 1995 and 2001 in order to deal with this problem in a humane, but firm manner.

I do not think I need to detain the Senate much longer. [*Desk thumping*] Most of the points were made by the other Senators. This issue has been very well ventilated this afternoon. I think we are all of the same mind. As legislators, policy makers and leaders in the society, we have a duty and a commitment to the young people of the society, the mothers and especially the single mothers who have the responsibility of raising productive, young people who would not gravitate to a life of crime. We have to tie all these loose ends. We have to connect the dots. We have to understand that what we are doing today in Wallerfield or Cashew Gardens would have tremendous repercussions 10—15 years down the road. This is not something that we could do today and when the policemen and wrecking team leave that is the end of the matter. This would have tremendous social and political repercussions down the road because people would not forget. That would be the history which would be written in the psyche of the young people and babies who have experienced that. The Government is

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building negative collateral for our society 10—15 years down the road. That is a serious problem.

I want to end by asking the Members of this Senate. What sort of future do we contemplate? What kind of future can we contemplate if there are so many among us who contemplate no future at all? I thank you.

Sen. Basharat Ali: Mr. Vice-President, I expected that this would have been a very short debate, since we all appear to be on the same page. We have taken quite a long time at it. I do not propose to spend too much time in my contribution.

I would like to get back to the Bill for a moment. We do not seem to have had anybody going into the Bill. [*Desk thumping*] I seek clarification on a couple of items. Firstly, I expect that this Bill will become an Act and it would be proclaimed very soon. One of the immediate things, almost, would be vesting of all these lands in the National Housing Authority (NHA).

Straight away what kicks in is the Second Schedule, Part I. The title of that is “Terms and Conditions of the Building Lease”. I would like to refer to a couple of items on the second clause. The first clause is a boilerplate clause. The second clause states:

“Without prejudice of the generality of the foregoing the Authority shall—”

I would leave out (a). Let us look at (b).

“(b) pay all rates, taxes, duties, charges and assessments, out-goings and impositions whatsoever whether legislative, municipal, local or otherwise including any charges made by the State for providing water and sewerage facilities which are now or at any time hereafter shall be assessed, charged or imposed upon or become payable in respect of the demised lands or any buildings or other erections at any time standing thereon or on the owners or occupiers in respect thereof;”

Since most of these sites are active sites; they are places where there are houses and there are users of utilities, I am wondering what is the position of the Authority which, I believe, would become liable for whatever these charges are going to be.

I ask this question because a couple of sittings ago, there was a question relating to arrears owed to WASA. WASA, evidently, is not an efficient collector. The answer to Senate question No. 16 was that the arrears as at December 31,

2003 was \$568 million owed to WASA. What is significant and to which I want to relate today is that the category of residential customers was \$384 million, which represents 68 per cent. I am not saying that the customers of the NHA are the delinquent ones, but being residential people, I would expect a fair amount of arrears could be attributed to them just by looking at the numbers. I would like to find out what is the position with respect to arrears that the NHA may have on all these premises which will become theirs, basically, under this Act.

Also, if we look all at clause 2(h) of the same schedule, it says:

“repair and keep in tenable repair all buildings erected on the demised lands and all other buildings at any time on the demised lands and all additions thereto and all sewers, roads, drains and all boundary, walls, fences and hedges;”

I would like to know what is the state of repair or disrepair on all these properties in all of these areas? What is the status quo, from the point of view that soon, directly, the National Housing Authority will have the full responsibility for doing these things? I am not going to go through all the clauses up to “(n)”. I think there are quite a number of things for which the NHA is responsible. I would like to have a comment from the Minister as to where we stand on that.

The second point which I want to make relates to the Preamble of the Bill, which states that the Vesting Act is required to facilitate the accelerated housing delivery policy of the Government. That I understand, but I would like to know what accelerated housing development policy is there for the provision of the required infrastructure? I speak specifically of the physical infrastructure such as water, sewerage, roads and transport. I know that sewage disposal is a problem. I would like to know from the hon. Minister how they propose to handle the situation. Even within a private development where I live, it is a problem because there is much building going on in the area and there is no development in the water system; especially the sewerage system. I would be very pleased to learn from the hon. Minister how the coordination is taking place on these elements related to providing supply and disposal, particularly, of water and sewage with respect to the Government’s development policy.

Of course, there are other items such as roads, transport and education because we are building communities. The Minister of Community Development and Culture will have a say with respect to community facilities. Is there a coordinating task force within any of the ministerial structures which will cover the provision of all these elements, which would ensure that when we build a

house everything is there and the people who move in can get in and out, the children can be placed in schools, and that there are common facilities for their recreation and the welfare of the community? This has struck me as being something which has not been mentioned. I would be very pleased to hear something. I know the Minister has a very good track record in planning, which was his previous portfolio. I have every confidence that he has all of this well in hand.

Mr. Vice-President, those were the areas which I want to have some clarification on. I support this Bill in common with all of us here although we have different ways of showing the support. Thank you very much.

The Minister of Housing (Hon. Dr. Keith Rowley): Mr. Vice-President and Members of the Senate, I want to thank all who have participated in the debate and who have expressed an understanding of the issue before us and have indicated their intention to support the measure. When that intention is expressed as a vote we would have solved one of the billions of problems this country has, because there will always be problems. As we solve them one by one, new ones will crop up. Today we are going to solve one.

Mr. Vice-President, if I had unlimited time I could have spoken on a number of issues to clarify much of what has been raised, either indirectly or directly, against the Bill. As you know, we have limited time in the arrangements, but there are some things which I must address.

Let me begin by just commenting on a couple of pertinent issues raised by the last speaker, Sen. Ali. He made reference to the Authority and its requirement in the Second Schedule, to be responsible for rates and taxes. This is the normal legal proceeding. What we are doing is passing ownership of the large block of land to the NHA. The NHA would be responsible for these levies. However, as I said earlier, some time subsequent to that, the NHA will deed parcels or sub-parcels of those lands to other people who will then become the owners by virtue of their own lease, so it is on leasing. In that arrangement, those persons would then take up their own individual requirements. If his concern is that the NHA would be responsible for paying all the water rates for the housing estates that are going to be deeded to odd people, that is not so. When it goes from the State to the NHA, the NHA as the land owner of that parcel of land which has come to its asset base from the State would be responsible for these things. I hope that clarifies that for the moment.

With respect to the accelerated housing programme, I think this is a good point for me to debunk much of the mischief that my political colleagues—by

political colleagues I mean those with whom we engage in the political arena—the Front Bench on the other side. There is much political misinformation that is either deliberately or strategically being put out there so as to create a certain impression. As I sat here this afternoon I have seen that even some Members of Parliament are taken in by the misinformation given by some of our colleagues in the political arena.

One such example is the whole question of approvals. I have heard it said this evening, on so many occasions, by so many Senators of this Parliament, if I did not know better and was not so close to the system, I too might have begun to doubt myself as to whether this is not so; that Government is building housing projects willy-nilly all over the country without approval. That has been the position of the Opposition, which resulted in a Motion being brought in the other place. I had to go there and respond to the Motion and state exactly what the situation is. Of course, it has made no difference. I come to this Senate today and every Senator of the Opposition who spoke still holds on to this, trying to mislead the country that the National Housing Authority—[*Interruption*] A question was raised because this idea was put out in the public domain that the Government was house padding and building left, right and centre.

Sen. R. Montano: You cannot say that is not true. That is true.

Hon. Dr. K. Rowley: Mr. Vice-President, is manners still a virtue in this Senate?

I sat here for four hours. I sat here for how many hours and listened to everything the Senators had to say. I simply want to respond so that the public record can carry, in effect, the facts of the situation. I am talking about the whole question of approvals; where it appears as though we have managed to convince our colleagues that—the agencies involved in the housing programme have granted no approval. Housing units are being constructed on 59 sites throughout Trinidad and Tobago. I would come back to that.

The National Housing Authority is the major agency for those sites. Twenty-seven sites are green field sites and the NHA is working on them. All 27 sites have outline approval. Work has commenced on 11 of those projects. There are 16 projects that are in the planning stage. The Urban Development Corporation of Trinidad and Tobago (UDEcOTT) is doing part of the housing programme and has 21 sites on the programme. All 21 projects have received outline approval. Eight of those required EMA involvement and have received EMA's approval. Thirteen projects have final approval and the other eight are awaiting final approval. That

being the case, why then are Senators of the Opposition, led by Sen. Sadiq Baksh, telling the country that the State is building houses all over the country willy-nilly for some ulterior, political motive? It is simply because the Opposition is uncomfortable with a housing programme, because they believe that political benefits will fall to the Government.

They are hell-bent on trying to create an impression which is not true. I have no problem with them being nervous about our housing programme. In fact, so nervous is he about the housing programme, that in his presentation—I am not sure when I leave the Senate today what his position would be—in one breath he started off by saying, notwithstanding our lofty promise, we built no houses, so we have this deficit of 19,000 houses. Before the spittle was dry in his mouth he was telling us that we were building so many houses that we were overheating the construction sector. Which is true? Both cannot be right. Of course, either way—

Sen. R. Montano: Of course both can be right.

Hon. Dr. K. Rowley: Of course, you would think that. The point I want to make to my colleague, Sen. Ali, who wanted to know if there was a coordinating effort—the answer is yes. In order to expedite the projects and programmes—we make no apologies for it. We have put it in our manifesto. It is printed big, in black ink, for the population. They voted us into government so we are here and they are there. [*Desk thumping*] That is our manifesto position. We are committed, by way of a manifesto, to a housing programme. We are not going to apologize for it. In order to expedite that programme—

He touched on the point of coordination. At the Ministry of Housing we have put a coordinating team in place which involves the Ministry of Housing which is responsible, its agencies: the National Housing Authority; the Land Settlement Agency; the Town and Country Planning Division; the Environmental Management Agency and the Urban Development Corporation of Trinidad and Tobago. They work together as a planning team, to look at the sites which are considered for housing. That grouping—these are all agencies with their legal responsibilities—is coordinating the approval process for the National Housing Authority's housing programmes. That is what I am overseeing at the Ministry of Housing, not what the Opposition is trying to tell the country.

On that point—all this nonsense about social engineering! Do you know what that means? It means that the PNM is building houses and our policy in the area of housing might be one that is different from the UNC's policy. The PNM has said all along that the State has a major role to play in housing construction. The UNC's position has been public. Mr. John Humphrey, a UNC housing minister is on

record as saying: “The State does not need a housing ministry.” The PNM has a policy of building houses—again, we make no apologies—from Charlotteville to Buccoo, from Bon Accord to Diego Martin, from Diamond Vale to Couva, to San Fernando. We have built communities throughout Trinidad and Tobago. Throughout the PNM’s period of governance, we have always built houses and we have built this country. [*Desk thumping*] That is how we are different.

7.10 p.m.

The United National Congress (UNC) policy was that if they made lots available to people, laissez-faire would take place and people would build. They tried it for six years, and when they left office after six years, all they left were about 360 houses and approximately 1,000 lots on which no building took place, in a country where the experts say—and they themselves have told us that there is a shortage of about 100,000 units.

The reason why the State in Trinidad and Tobago should play such a major role in housing construction is because our economy is slightly different. The Government is trustee of the financial resources of the people, and the financial resources are being used to build houses to house the people, so that the people’s money would house the people. We make no apologies for that.

When Sen. Baksh comes here and attacks that policy, I am not surprised. I heard somebody say this evening that the Government was put in office illegally, and so forth, but if that comforts him, fine, and if that makes them feel good, fine. They could say so until the next election comes, but we know the facts. The facts are that they were in government in 2000—they won the election and they should have been in government for five years, but they stole themselves out of office—and three ministers left their government and it collapsed. We went to the polls and they were voted out of office. [*Desk thumping*]

While we are saying that we will spend billions on a housing programme, they spent \$2 billion on a shed—not an airport, because the airport is not the terminal building. We had a terminal building which was inadequate, and the PNM Government decided to build a new modern terminal building, but we went out of office before it was done. When they came into office—after having said no to the terminal building when they were in Opposition—we were building a terminal building for \$400 million and they said no, they would build one for \$600 million, and the terminal building ended up costing us \$2,000 million. The Senator had the unmitigated gall to come in here—bringing in people behind him, who he says have been forced to squat because they have nowhere to live. The Senator

oversaw an expenditure of \$2 billion on a \$600 million project of which \$1.4 billion was lost and stolen. *[Interruption]* If you want to get rid of your colleagues, I will not help you. When the Senator was carrying on I did a little calculation.

Sen. R. Montano: Mr. Vice-President, on a point of order. I just want to know if there is one law for the rich and one law for the poor in here. I would also like to know if accusations like that could be made when earlier today my colleague was talking about criminality—I want to know if this sort of thing could be said.

Mr. Vice-President: Please take your seat. You have requested an answer in terms of whether there is one law for the rich and one for the poor, but there is no such thing. Could the Minister please get on with his response without the aspersions?

Sen. R. Montano: Mr. Vice-President, you have not dealt with my point of order, which is Standing Order 35, imputing improper motives. We were told that \$1.4 billion were being stolen and the imputation is against Senators on this side. *[Interruption]*

Hon. Dr. K. Rowley: The Senator knows something.

Sen. R. Montano: Mr. Vice-President, we are not virgins here, and we know very well what is going on. The imputation that is being made is quite clear. If my friend is allowed to make those imputations, fine, I have no problem with that, but when we make imputations in the future, do not tell us that we cannot do it.

Mr. Vice-President: Sen. Montano, if you were listening to me you would have heard me when I told the Minister to go on without the aspersions.

Sen. R. Montano: Thank you very much.

Hon. Dr. K. Rowley: Mr. Vice-President, the point I was making—if the Senator knows something he could tell the Attorney General or he could tell the police or he could tell me—is that a terminal building for Trinidad and Tobago, which was supposed to cost \$600 million, ended up costing us \$2 billion of borrowed money. I am saying that the difference of \$1.4 billion—the same money that was borrowed in excess of the \$600 million—if it was applied to low cost housing—let us assume that a low cost unit could come in the order of \$60,000, which is what we are aiming to do now. We are in discussion with the private sector trying to design an affordable unit for the basic housing need that could come in the order of \$60,000. Instead of spending an excess of \$1.4 billion on one

shed at Piarco, if that \$1.4 billion were directed to low-cost housing, they could have built 23,000 units and there would have been no need to squat. [*Interruption*] I am not surprised that I am hearing that behaviour.

When we were told that the PNM is the enemy of the people, I want to know that with an expenditure, which ended up depriving 23,000 persons of housing units, who is the enemy of the people? That was borrowed money. If they did not overspend by \$1.4 billion, we would not be paying interest on \$1.4 billion at 10 per cent interest per annum, which comes out in the order of \$140 million per year, which means that, in the last four years, approximately \$560 million have been paid in interest on that \$1.4 billion, and that could have built almost 10,000 houses. So, do you understand how one shed at Piarco deprived thousands of persons of houses in this country?

Today, we are being accused of all kinds of things. If I were the Senator, I will not be so quick to ask what happened, because it is not too late. I think I have touched on the points made by Sen. Ali. I hope that I have given him some comfort that this programme is being dealt with in a serious way.

Mr. Vice-President, I would like to commend my colleague, Sen. Prof. Ramesh Deosaran, because he gives me hope. You see, ever so often in this business of being in the politics and the governance, if one is not careful one could be overcome by cynicism, and say that there is no hope for Trinidad and Tobago. Today, when I heard the Senator's intervention saying what was not politically correct—because he knew that there are times when you have to call a spade a spade; there are times when a man has to do what he has to do; and right is right and wrong is wrong, and today his speech gave me hope that all is not lost in this country. [*Desk thumping*] However, no sooner the Senator sat down, up jumps another Senator on the other side again to make me wonder if there is any hope for this country.

Mr. Vice-President, as we aspire as a people to become a developed society by the year 2020—and I could tell you that my genuine belief is that we could do it, and all of us would benefit—the greatest hurdle to this country becoming anything—whether it is 2020 or 2045—is lawlessness. Trinidad and Tobago is descending into a spiral of lawlessness in every sphere, and if we do not take stock and allow the laws and regulations to prevail, we could only aspire and we are not going to achieve the lofty heights that we have aimed at.

I have come from a rural community in this country. I know poverty; I know hardship. I came from Mason Hall in Tobago and there were certain things we

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had such as pride, ambition and respect for the law. Those are the three pillars that we grew up with. I would commend these pillars to the whole of Trinidad and Tobago to become the best we could be. These things could change this country. It will not serve us at all to be hypocritical.

I saw an editorial in one of our newspapers accusing me of being heartless for breaking down squatters' sheds in Wallerfield and Cashew Gardens. Again, without knowing the facts, or not caring to want to know the facts, they have personalized the issue. I am the Minister, and this is only a job. I am not in love with the job. I do it because I think I am making a contribution, and I get paid for it, because it is a job.

This job involves managing the agencies that have the responsibility for treating with that problem. There is a Ministry of Social Development and Gender Affairs in this country. This ministry is probably the largest ministry in the Government, because there are five Ministers in that ministry. There is a sub-committee of the Cabinet, which is chaired by the Prime Minister; it involves Minister Kangaloo, Minister Mustapha Abdul-Hamid and the Minister of Community Development and Culture. The point I am making is that where there are social problems to be addressed, they are not to supersede other aspects of governance. If there are people who do not have anywhere to live or anything to eat or no clothes to put on, there is an arm of the State to deal with that matter. That is not a matter for the Ministry of Housing.

The UNC government—as my good friend, Sen. Baksh knows—brought a bill to Parliament and there was a debate very much like today's debate as to how do we treat with this squatting issue. The Parliament of the country dealt with this matter. Mr. Vice-President, let me tell you how this matter was dealt with in the Parliament. The State Land (Regularization of Tenure) Bill, which is Act No. 25 of 1998, was passed after a full and comprehensive debate. As Sen. Prof. Deosaran pointed out, this issue of squatting must be dealt with once and for all. We thought we were doing that then.

The Bill was passed on October 28, 1998. In the Bill, there was something called an “appointed date”. The country was photographed, and there is a photograph of every squatting area in this country. So, when a person comes and tells me that he has been in an area for 10 years and so forth, that person thinks he is fooling the Minister, but he is not fooling my staff and me. There is a photograph of the area and if a person went in an area last month, we will know, because that was a requirement to make this law effective.

The appointed date was January 01, 1998. So, if you were a squatter before that date, the law says that it would take your circumstances into account. Certain areas were specified in the schedule for regularization, and there were certain no-go areas, that could not be regularized at all. The time was extended and one had to apply for a Letter of Comfort before October 27, 2000. Persons who occupied state lands illegally after January 01, 1998, and persons who did not apply for the Letter of Comfort before October 27, 2000 had no protection. That is the law of Trinidad and Tobago.

When I stand here and swear to uphold the law, that is a requirement to do this job. If I am moved to the Ministry of Legal Affairs, I have nothing to do with housing or squatting, because I will be doing another job. It is misleading and unfortunate when Members of Parliament, who break the law, mislead the citizenry about breaking the law, as if there is some benefit. What is even worse is when they misrepresent the facts as if there is some sinister motive on the part of the Government.

Mr. Vice-President, let us talk about Cashew Gardens because, suddenly, Cashew Gardens is a cause célèbre. What is Cashew Gardens? Cashew Gardens is a piece of Caroni land, and under the UNC this piece of land was passed to the housing agency for housing. A plan was drawn up. I should have brought the plan here this afternoon—a major development plan. It is a parcel of land that is earmarked for a public purpose. This law which was passed here made it quite clear that no regularization of squatting could take place on any land which is earmarked for a public purpose. That is the law. Cashew Gardens was lotified for public housing.

Recently, word got out that land was available in Cashew Gardens, and before you know it, there was a rush to occupy space in Cashew Gardens. Government land was being traded in Cashew Gardens. There were entrepreneurs who were buying and selling land. Now, for heaven's sake, it is all well and good for the editor—wherever he or she came from—to accuse me of being heartless, but my agency, the Ministry of Housing and I have a job to do. Our job is to—what Sen. Baksh said—contain squatting. The Senator made very fancy footwork today, because he said we must contain squatting. Now, how does one contain squatting? If you see someone passing with a baby in hand and says that she is going to squat, do you say that you will contain that person? *[Laughter]* One could only contain squatting when someone has expressed an action of squatting, which is building something in an unauthorized way, and then you will have to deal with the structure.

I keep telling my children that the people I serve within the Parliament are my colleagues, because we are not going to be there forever. I would like to be able to say that I have served with so and so, and Sen. Baksh annoys me from time to time. The Senator must learn to speak the truth. The Senator got up here today—I heard him say it publicly before that under the UNC they did not break down a single house. I know the Senator so well; I knew he was going to say that. *[Laughter]* I asked my staff to go into the Land Settlement Agency (LSA) records and bring me the UNC's performance with respect to demolition of squatter units.

Mr. Vice-President, just give me some time to find it here. I really need to show Senators, who may have been taken in by the Senator, the level of deception that takes place. It is a pity that Members of Parliament could descend to that kind of behaviour. Mr. Vice-President, I crave your indulgence to find my document. Mr. Vice-President, this is very strange. *[Laughter]* I also brought the pictures. The Squatter Regularization Unit, which became the LSA, broke down hundreds of units—here it is. You thought you hid it. *[Laughter]*

Mr. Vice-President, the Senator told us in the Parliament—and he also said it publicly—that under the UNC, they did not break down a single house and a joint statement was issued. Now, why do parliamentarians behave this way in Trinidad and Tobago? We only devalue ourselves, and, in the eyes of the country, we score no points. A total of 39 units were destroyed in Tarouba South, 12 units were broken down in February; in KP Lands, Valencia, 38 units were destroyed—May to April, 13 units and in April 1998, 11 units; in Demerara Road, August to September 1999, 26 units were destroyed; from 1997 to 1999, Bon Air North, 405 units were destroyed; La Paille, 4 units were destroyed; Five Rivers, 17 units were destroyed; River Estate, Diego Martin, 19 units were destroyed; Wallerfield, 138 units were destroyed; Santa Cruz, in March 1999, 4 units were destroyed; Bolai Trace, Chase Village, in June 1999, 12 units were destroyed; Sangre Grande, in September 1997, 53 houses were destroyed, in August 1997, 16 units were destroyed and in October 1997, 12 units were destroyed.

So, the Senator had a containment policy in place, and that containment policy was no different from what the LSA is doing now, but now that the LSA is doing it under the PNM, it is heartless and we are against poor people. Look at this picture! This is a picture of Arouca and it is dated March 10, 1999. I could pass these pictures on since they consist of a whole stack of units. These are the units which were destroyed by the demolition crew in 1999 alone yet, a minister who was part of the Government, and who followed that containment policy, comes today as a cause célèbre, behaving as though the LSA, which is carrying out its duties under the laws of the country to contain squatting, is carrying out some nefarious policy.

They are always seeking to introduce all kinds of twists to this matter. I have heard—I would not go there this evening. I would leave that for another time. The point I am trying to make is that they are deceitful, dishonest and untrustworthy and they have a difficulty with speaking the truth. How could the Senator stand here this evening and say that the UNC did not break down one house, and then bring poor people in the public gallery to see him play champion? This is the government's record and this came from the LSA. The Senator does not believe me, but I could have borrowed the pay sheet. I intended to bring the demolition squad's pay sheet, because I know the Senator would say that it is not true. The pay sheet for the demolition squad exists at LSA for those periods. What was the demolition squad being paid for when the Senator was there, if they were not demolishing houses? The Senator now stands here and tries to give me a solution, and that is to have containment. Sir, there could be no containment if there was no breach. Some of our citizens are taking the position to defy the law because they get sympathy for their unfortunate circumstances.

When the land grabbing started at Cashew Gardens, the end results were—there was a layout for the development and we were about to put the contractor there to build the units so people rushed in and built on the open space for schools, community centres, roads and even on lots that were properly allocated to persons—people had rushed in and started building on these lots. Clearly, notwithstanding whatever sympathy we have for those persons, we cannot allow this to continue. This is anarchy, and we cannot have anarchy disguised as sympathy.

Recently, I was told that in one of the units, which was demolished in Wallerfield, there was a gentleman who was a stroke victim. This is heart rending. I directed my staff to direct that problem to the Ministry of Social Development and Gender Affairs. I trust that the relevant state officers would have gone there and seen that gentleman.

Hon. Senator: He is still there.

Hon. Dr. K. Rowley: Of course, you will know that he is still there, because, as a Member of Parliament, you went in there to help people break the law rather than explain to them what the law says and how they should try to comply with the law. What we had instead was a Member of Parliament, who made the law, went there and told people to defy the law. I am not going to take that position. My position is that we are going to try to make the housing programme as comprehensive as possible, and all I am asking is for our people to have a little patience.

When one makes a story for empathy and sympathy, there is one missing component. The family with seven persons the Senator spoke about came from somewhere. A number of the units we have removed are frames—people have just moved in and started to build and we have stopped them because it is wrong. Now, all I am asking is for people to just hold it a little longer and, whatever the circumstances, at least the PNM is in office and there is hope. [*Desk thumping*]

Mr. Vice-President, even as I speak to Senators, the Ministry of Housing is engaged in discussions with the private sector, and I believe that it is going to come to fruition very soon. We are trying to mass-produce a number of relatively cheap units, which will form a significant part of our housing delivery programme. The persons who appear to be the ones who are forced to squat—if that is what was being said—such persons should be able to access those programmes. What we are doing is putting the basic infrastructure, and then they would be able to move in and, at least, use their own initiative and complete the house and so forth. There is a housing programme in place.

There was a government in office that was building no houses, and Cashew Gardens was there and there was no rush for Cashew Gardens, but now that there is a national housing programme in place—we are being told that this housing programme is overheating the economy—so people are being encouraged to squat. Let us not encourage people to do this sort of thing, because it is not in their interest.

Mr. Vice-President, every time they talk about La Horquetta and Maloney they would say that the PNM built La Horquetta and Maloney for seats, but they are missing the point. La Horquetta and Maloney is space occupied by people. If those same people had remained in Laventille or wherever they were, Laventille would have had four seats instead of two seats, because seats are allocated by numbers of persons. How “dotish” could one get? [*Laughter*]

This Government is being pilloried for building houses. That is a badge of honour, and I will wear it proudly. We are building houses. Since the Senator spoke about engineering, it was the PNM—while the Senator was trying to mislead the country, I made a note of a quick rundown of the areas where we are building houses. The position of the UNC is wherever we build houses it is wrong. If we build houses in a PNM stronghold, it is discrimination, or, even worse, racial discrimination; if we build houses in their constituency, they are saying that we want to take their constituency; if we build houses in the East-West Corridor, it is too crowded, and the Government should not build any houses there and if we build houses in Couva—their colleague in the Lower House said that, “The PNM

build houses in Lisas Gardens and, as a result, we have brought down criminals from Laventille, and Indian people cannot walk again in Couva.” That is the kind of nonsense that is going on. I appeal to my colleague to stop that kind of foolishness. It is only that our people are sensible enough to disregard them; that we did not have a confrontation in this country. It is nonsense! [*Desk thumping*] This must be stopped.

At the moment, our housing programme is being expanded by the month. We are building houses in Diego Martin—maybe we are padding down there; we are building houses in Barataria, Laventille, Mount Hope, Curepe, Oropune, Arima, Valencia, Sangre Grande, Mayaro, Caroni, Cunupia, Couva, San Fernando, Tarouba, Princes Town, Rio Claro, Point Fortin, Ortoire/Mayaro, Castara, Roxborough, Arouca and D’Abadie. Those are the housing construction sites that are currently being dealt with.

7.40 p.m.

How in the face of that wide distribution from Roxborough to Point Fortin, from Mayaro to Barataria, could we have Members of Parliament who are fearful of persons being housed and they know the problem we are trying to solve? The experts have told us they, themselves—John Humphrey, one of their colleagues, was a major spokesman for this. There are 100,000 families in this country who need to be housed and this is a programme to house most of those persons. Why then are they trying to mislead people by talking about house padding? That is a nonsense term, if ever there was one. They were accused of voter padding. That meant something. [*Laughter*]

Hon. Senators: No it did not!

Hon. Dr. K. Rowley: Voter padding means one voted where one did not live. [*Interruption*] You are lucky you escaped jail! You could talk foolishness now!

Sen. Seepersad-Bachan: Mr. Vice-President! [*Laughter*] I want the Minister to withdraw that statement, because there was never any such thing about jail. So please! [*Laughter*] Standing Order 35!

Mr. Vice-President: Mr. Minister, could we please wind up the debate without casting any aspersions?

Hon. Dr. K. Rowley: Mr. Vice-President, I respect your ruling, but I—

Sen. Seepersad-Bachan: Who is misleading and who is telling untruths now? Do not make up lies! [*Laughter*]

Hon. Dr. K. Rowley: I was being nice.

Sen. R. Montano: He voted in a constituency where he did not live.

Hon. Dr. K. Rowley: Mr. Vice-President, you asked me to be nice to her and I am being nice to her. I always know when one gets arrested, jail is also an option. I do not know what she is carrying on about. Maybe she was not.

Sen. R. Montano: Mr. Vice-President, just for the record; the Minister is now misleading the Parliament. My colleague, Sen. Seepersad-Bachan, was never arrested, never charged or never anything and this is certainly uncalled for! He should withdraw. He should be made to withdraw that statement.

Mr. Vice-President: I did not hear an accusation of being arrested, and all of that.

Hon. Senators: He did say that!

Mr. Vice-President: If this is so, please withdraw that statement.

Hon. Dr. K. Rowley: I will take care of it. I did say when one is arrested, jail is an option. If it is my colleague is saying "I was not arrested, I was charged", I withdraw the statement.

Sen. Seepersad-Bachan: I was never charged! I was never arrested! I want this withdrawn, Mr. Vice-President. Standing Order 35! He is deliberately misleading the Senate and he talks about misleading. That is the example they have set for time immemorial.

Mr. Vice-President: Please, could we get on? Could we just wind up the debate without the crosstalk and without any aspersions?

Hon. Dr. K. Rowley: Mr. Vice-President, I was simply trying to deal with the house padding issue that was raised by my colleagues.

Sen. R. Montano: Mr. Vice-President, on a point of order. I must ask that you insist that all references to my colleague being charged, arrested or otherwise be withdrawn. It is not right. It is not fair. We have been forced to do that when we have made these statements. If he does not have to withdraw it, fine, but remember, what is sauce for the goose is sauce for the gander, and then the next time we are asked to withdraw it we will say no, because you did not ask him to withdraw it! That is my point!

Hon. Dr. K. Rowley: Mr. Vice-President, I withdrew the statement.

Mr. Vice-President: Sen. Montano, the Minister did withdraw the statement.

Sen. R. Montano: I am so glad to hear it because I did not hear it before. [Laughter]

Hon. Dr. K. Rowley: You do not have to hear it. Mr. Vice-President, I am speaking to you in the presence of this expression of—anyway, it was not only on the issue of not a single unit was demolished that Sen. Baksh did not speak the truth. He spoke about us building high-rises in San Fernando, seven-storey buildings without elevators. Mr. Vice-President, that also is not true. I do not know if he is saying it because he does not know, or if as in the case of the squatter demolition that he knows better and he is saying it to create a particular impression. That is not true.

On the issue of the housing grant, one cannot win. Either way, one cannot win. All afternoon we are being told the Government does not care about poor people, but the Government is cognizant of the fact that there are a number of people, especially pensioners, in this country, in some instances government employees who worked very hard for the State and are on a pittance as a pension because they have lived long enough that the economy is such that their pensions are now minuscule in the local economy, and many of them cannot find the reserves to do minor maintenance on their homes.

The Government intervened and said for circumstances like that, in a one-off situation, in the budget we said we made a small provision to give a \$10,000 grant to families that are earning less than \$24,000 a year, and that grant is specifically to do minor repairs on homes. Fix a leaking roof, a broken window, certain things like that.

Sen. Mark: We support you on that.

Hon. Dr. K. Rowley: You did not! Your colleague said that as a result of doing that we have caused an increase in the price of building materials. We have been accused that the building grant—by giving the building grant— [Interruption]

Sen. Baksh: Mr. Vice-President, the Member is misleading the Senate in that I made no reference in my presentation to the housing grant. It might have been the subsidy for \$36,000 and \$24,000, but not the housing grant.

Hon. Dr. K. Rowley: If that is the case, I misunderstood him and I withdraw my comment. [Interruption] I give you the assurance that the agency will treat you very fairly and very squarely.

One of the things that we propose to do, Mr. Vice-President, but which we have not yet finalized—it is an idea which we are looking at—is that we are

National Housing Authority (Vesting) Bill
[HON. DR. K. ROWLEY]

Tuesday, March 02, 2004

looking for one, two or three areas in different parts of the country where the Government would put in the basic infrastructure and identify the lot in such a way, and those persons who feel sufficiently desperate that they must go and do something now for themselves, because we do not want to kill that initiative, that these sites can be made available and we can say, “In this area you can go on these parcels and use them in such a way, knowing—”

Mr. Vice-President: Hon. Senators, the Minister's speaking time has expired.

Motion made, That the hon. Minister's speaking time be extended by 15 minutes. [*Hon. Dr. L. Saith*]

Question put and agreed to.

Hon. Dr. K. Rowley: I thank the Senators for the extension. I was saying that we are looking at the idea of finding two or three sites and putting in the basic infrastructure, and asking people to use those areas. That should be a disincentive to the squatting.

One of the things that we find quite appalling and will not tolerate are smart men taking advantage of poor people and trying to sell government land to people who are desperate. We will not tolerate that. Some of that is happening.

On the question of housing being a handout, that is a misconception which we ought not to encourage. The National Housing Authority, in fact, in this arrangement, the policy we are pursuing is one of ownership. Back to our manifesto, the speaker on the other side who made the point that owning a home and having a stake in the country, that is emphasized in our manifesto. That is why we are putting in place a variety of opportunities for persons, even those of meager means, to work towards ownership, even if they enter the programme as a rent-to-own programme where a portion of what they pay as the rent would eventually go towards the cost of the building which they will own when their circumstances change later on.

So we are at one on that issue that ownership of property and all the benefits that go from that, but of course there are those persons who may never qualify in that way or who may not be interested, and some persons would have to look towards some rental and that also forms part of the programme, but the majority of the units are for mortgaging or rent-to-own arrangements, so we are at one on that.

On the question of use it or lose it, I cannot support that. The law should be made clear that squatting is wrong and, therefore, if I did not put a sign up or I am

not using it or the State is not using it, then the State should not use it. Because it means that every piece of state land around this country should have a big sign, and if you misplace and not put a sign on the playing field or on the watercourse, they will say, "Ah, there is no sign here so you have lost that." We cannot have that.

Sen. Brother Khan said he would like to see us move from Laventille into Morvant and all those things. If I do that they will accuse me of discrimination or favouring the PNM strongholds, but I hear you and the Urban Renewal Programme is on the drawing board now. We are working with the UNDP and the special units in the Ministry of Housing, and very soon we will be saying what we are doing with respect to the Urban Renewal and Extension Programme.

Now, if I did offend you, I am very sorry. I do not like to see you look like that. I unreservedly withdraw any comment I made that made you look like that. I prefer to see you with the dimples. But you did raise a point this evening, Sen. Seepersad-Bachan, about DesalCott. I do not know if you all know what DesalCott is. It is not what you think and said it is. Before DesalCott came on stream, WASA was and still is producing 180 million gallons of water per day. The DesalCott arrangement added a further 20 million, so the national production is approximately 200 million gallons per day. From the sale of all that water, 200 million gallons, WASA earns approximately \$45 million a month.

WASA has to pay almost half of that to DesalCott for the 10 per cent. That has to be bad business. The end result is, you know what the UNC did? Just before the election of 2000, they signed an ironclad contract and borrowed money in US dollars to make sure that DesalCott was paid by WASA. They are out of government. That money lasted for 13 months. Millions, US \$30 million. A 20-year contract!

So every 13 months, we have to find US \$30 million to pay DesalCott, and it is cast in iron. We cannot get out. WASA is paying almost half of its revenue for 10 per cent of its water. That is the scandal. And if anybody should go to jail, Senator, it is not us! It is whoever did that, and somebody might still go to jail. *[Laughter]*

I am simply telling you this so you will not get up again and say anything about DesalCott saving us from any dry season. That is what the UNC represented in this country. That is only one of their transgressions. Water for all by the year 2000 sounds good, but they found a way to lock the country into a 20-year contract where every 13 months we have to find US \$30 million to pay a small

group of people who are multimillionaires in our attempt to provide water for the very same poor people they claim that they love.

Sen. Seepersad-Bachan: Mr. Vice-President, just on a point of clarification, I thank the Minister for giving way, but the water that is supplied by DesalCott is sold to the consumers on the Point Lisas Industrial Estate. Do they sell it at a cheaper price or are they selling it at a higher price?

Hon. Dr. K. Rowley: Now that you are up to your normal self, I am happy. Before DesalCott came on stream WASA was selling water to Point Lisas at \$7 per cubic metre. We are buying the water from DesalCott and selling it to Pt. Lisas Industries at the same \$7. So what you were supplying before and getting the whole \$7, you are buying from your friends for \$4 and selling for \$7, so you are making \$3.

Now it is being supplied to the domestic system. The domestic system, water is being sold at \$1.50 per cubic metre, so here you have a situation where you are buying it at \$4 and selling it at \$1.50 in the domestic system. That has made WASA chronically bankrupt. WASA is now bankrupt and is owing \$2 billion and every hour it is getting worse. That is what they have done to the water system.

The Senator is looking at me and does not believe me. That is what it is. I will tell you. You are not a part of it, so do not feel obligated to defend it. It is indefensible. Let those who did it get up and say so. Let them speak about it, because that scandal is going to come to haunt this country in a way that this country has not yet understood, so it pains me when I see parliamentarians getting up in the Parliament to defend something that I am sure they do not know about, and those who know about it are keeping very quiet [*Laughter*] but we are the Government and we will have to deal with that.

I will tell you, however it is dealt with, it will be at the expense of the people, and those who are hurt most are those who are the poorest. Do you know what this Government and this country could have done with US \$30 million every 13 months? Do you have any idea? Do you have any idea what we could have done with \$200 million every year and a half, if it was put in the social programme, or any programme, for that matter? That is how corruption destroys the prospects of the poor in any country, ours or otherwise. [*Desk thumping*] That is why you do not blame the President or the electorate for where you are. We do not take you on because we know you got there because you did things like that and the population put you out of office.

Sen. Seepersad-Bachan: I just want to ask another question. This is not about defending and indefensible. This is about how you make a decision, and in going

forward, because at the time when the idea of DesalCott, a desalination plant was conceived, WASA could not supply the entire country. When it had to supply to the Point Lisas Industrial Estate it could not supply the domestic needs.

Mr. Vice-President: Hon. Minister, could we please get back to the Bill? Let us focus on that so you could wrap this up. You have five minutes.

Hon. Dr. K. Rowley: Mr. Vice-President, Senators have been so generous in indicating their support, that we had time to go into other matters. [*Laughter*] I simply want to advise my colleague not to pursue this matter in that way because she is clearly not informed, because the situation that she is trying to deal with, she does not have the information and that matter is something about which she requires the information, otherwise she will find herself being embarrassed.

Mr. Vice-President, I think I have touched on most of the issues that were raised in what has been quite an interesting debate and I hope that I have given Members of this Senate some element of assurance that the housing programme is a serious programme, a major programme. It is meant to bring about considerable relief to our citizens within the ambit of the law. We empathize with those persons who are in desperate circumstances, but insofar as there are those persons like that, the Social Welfare Department needs to be brought in to try to assist them and not try to massage or make the law a malleable or ductile thing. We would do what we can to assist those persons because we recognize that we have an obligation to assist all our citizens.

Mr. Speaker, having said that, I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Senate in committee.

Clauses 1 to 6 ordered to stand part of the Bill.

First and Second Schedules ordered to stand part of the Bill.

Preamble ordered to stand part of the Bill.

Question put and agreed to, That the Bill be reported to the Senate.

Senate resumed.

Bill reported, without amendment, read the third time and passed.

*Adjournment**Tuesday, March 02, 2004***ADJOURNMENT**

The Minister of Community Development and Culture (Sen. The Hon. Joan Yuille-Williams): Mr. Vice-President, I beg to move that this House do now adjourn to Tuesday, March 09, 2004 at 1.30 p.m. We have the Bill to amend the National Lotteries Act and we have the Trinidad and Tobago Postal Corporation (Amdt.) Bill.

**Cashew Gardens
(Demolition of Houses)**

Sen. Sadiq Baksh: Mr. Vice-President, in accordance with Standing Order 11, Motion on the Adjournment, the demolition of over 70 houses at Cashew Gardens in Carlsen Field, Chaguanas. Notwithstanding the way in which the matter was handled earlier, I draw to your attention what must be one of the most callous events of the year so far. The Members on the other side will try to make it appear that somebody on this side or somebody out of space is selling lands at Cashew Gardens. Based on my information, that is not so, and whereas some people settled there before 1998, many other people came after that.

Mr. Vice-President, they just did not come there and I am sure, having interacted with some of them recently, it is not because they could do better that they chose to eke out a bit of space in Cashew Gardens to house themselves. It is mainly because the system failed them in the past that they are forced to take action on their own.

At present, there are over 70 houses that were broken down over a period of two years and, in some cases, seven and eight times. It has reached a stage where most of the building materials used by these residents, they are unable to use them now because they are damaged. One of the residents there, in fact, when her house was broken down she was four months pregnant, and I was at pains today to learn that she actually had a miscarriage since then.

I understood what the Minister said in discussions before and that he would direct them to the Ministry of Social Development. I am hoping that the Ministry of Social Development would act in some of those instances because the people from Cashew Gardens, the vast majority of them, cannot take care of themselves at this time.

What makes it even worse is that some of these people applied to agencies of the State, namely, the Self Help Commission. They were requested to contribute towards the improvement of the roads and the provision of water and electricity in that area. I have learnt that they in fact contributed funds for the clearing of the lands, the making of roads and the laying of water mains in that area.

I do not have all. I am not intimately acquainted with the Cashew Gardens community until just recently, within the last two weeks, after a number of demolitions, mainly because they were adequately represented and assisted by the shadow Member of Parliament for Caroni Central. It is based on requests from members of the community, that I became involved to try to assist in bringing some help, firstly, to those people that occupied those lands before 1998 and secondly, to seek some assistance from members of the community to assist where the Ministry of Social Development failed in terms of bringing immediate relief in terms of food stuff and other items for the members of that community, because they lost everything.

I am also pleased that as the Minister—I am sure he will reply on it and raise and counter a lot of the arguments that we have placed forward here but we have people from Cashew Gardens and they know the truth. They know the circumstances as to how they are there. They know who advised them to be there. They know whether they contributed money to the improvement of the infrastructure or not. They would know, as the Minister claimed, if they paid anybody. You could fool some of the people some of the time but you cannot fool all the people all the time. They would not be able to fool the people from Cashew Gardens. You would not be able to fool Ms. Jack who lost her baby. She knows about it. I do not know about it. She was here and she heard the Minister say okay and she went out and maybe just felt like squatting.

Mr. Vice-President, the effect or forced eviction is to criminalize the attempts by the poor in society to satisfy one of the most fundamental basic and essential human needs. Mr. Vice-President, you cannot imagine how the children in that community feel and how they are forced to survive at present.

Most of the forced evictions in Trinidad and Tobago have a number of general characteristics. It is always the poor that are evicted, most times. Forced evictions are often violent and Ms. Jack will know how violent it was in her case. Mr. Vice-President, forced evictions include a variety of human rights abuses beyond the violation of the right to adequate housing.

The demolition of homes at Cashew Gardens should be seen as an expression of policy failure, irrespective of which decade it took place in. It is the failure, at a policy level, failure of the Government that is either unwilling or unable to provide for our citizens.

Mr. Vice-President, this is an urgent matter, since the homes of all these citizens have been destroyed thus rendering all the residents homeless. They are

now at the mercy of the elements and have their belongings thrown all over, without any protection from the weather or the would-be criminal elements that some of them suffered from in terms of the moving away of many of their building materials and households items.

Mr. Vice-President, the matter is important, since it concerns the lives and welfare of a significant number of the poor in our community. We cannot be callous and heartless to encourage the vindictive act of demolishing people's homes and then expecting the Ministry of Social Development, whether it is the largest ministry and whether there are four or five Ministers, and put all these people at the mercy of that ministry.

Mr. Vice-President, you would hear the sugarcoating of these acts that are nothing less than proving, on a daily basis, that this administration was, is and will always be the enemy of the poor. Very skilfully, one would find Ministers shirking their responsibility, passing the blame to either a Cabinet-appointed committee, the Ministry of Social Development or their favorite whipping horse, the UNC. That is how it ends up. When you hear them speak, you would believe everything because they are good, really good. “Yuh” hear untruth? That is untruth. They will come here and sugarcoat everything and anything and make it appear to be what it is not.

Mr. Vice-President, I am calling on the Minister of Housing to elicit the help of whatever Ministry he would like to, every Minister, but just bring some relief to the people of Cashew Gardens.

Thank you very much.

The Minister of Housing (Hon. Dr. Keith Rowley): Mr. Vice-President, having gone through the debate, which was timely today, in the context of this, I thought we had dealt with this matter comprehensively, but certainly Sen. Baksh has no intention of abiding by what he himself was party to in creating the laws of the country. I think it is quite unacceptable for Sen. Baksh, after all we have gone through this afternoon—even as we acknowledge the plight of poor people who find themselves in a situation where they think they have to go and squat—to come here and talk about vindictiveness. What does that mean? Who is being vindictive? He is trying to personalize the administration of the State.

I tried to make it quite clear before. The Ministry of Housing, its agencies—the NHA and the LSA—were not being vindictive. We have a requirement to do certain things. He himself made reference to it, squatter containment. In this particular instance, the vast majority of people are recent arrivals on this site.

They are not protected by the Squatter Regularization Act, which said specifically that if you were not there by the appointed date and you go and do it, you are breaking the law.

Sen. Prof. Deosaran was very clear today in dealing with it. It is a situation where, in enforcing the law, there are hardships being created. I know that; we empathize. But to come and talk about being vindictive is too much to bear, especially when we are doing nothing that his government did not do. The LSA was created by the UNC to do exactly what it is doing now, which is to contain squatting. Mr. Vice-President, this is a plan for the orderly development of Cashew Gardens. It contains three phases: Phase one, 164 lots; Phase two, 92 lots; Phase three, 313 lots—569 lots in total. This Government is moving post-haste out of its own mouth too fast. We are overheating the construction economy in trying to build all these units, so that these same people can have access to proper housing. We are saying to them, be a little patient, help is at hand.

The mover of the Motion was a Member of the Government that sat there and did absolutely nothing about this. Last week I went to Buen Intento where we are constructing houses. I met roads abandoned in a housing development with bush growing taller than me with a brand new sewer treatment plant, never used, because the mover of the Motion and his government abandoned an area where you could have built houses. Their policy is to build no houses. We are here with an organized, orderly development and he is accusing us of being vindictive. The persons have gone in desperation and have occupied the site. The site has community facilities for primary school, recreation grounds, homesteads and micro-enterprise. They have gone willy-nilly all over the site and are building. We have had to take action to contain. Did he not say to me today to effect containment? But now he is accusing me of being vindictive and trying to personalize the actions of the State.

Mr. Vice-President, it is our intention to develop this area in an orderly manner. It is our intention to provide assistance to those persons who are desperate. There are areas in the State's machinery where they can look for assistance. What cannot be is that we allow a situation to develop where persons run on to lying, word spread that land is being given out in Cashew Gardens, you go from 10 to 20, to 30 to 70 in three or four weeks and if you do not intervene, the entire area would, instead of being developed in this orderly way, become another squatter settlement. We have a different vision for the people of Central Trinidad and the people of Cashew Gardens. We are talking about building an orderly development. We cannot have both.

Cashew Gardens
[HON. DR. K. ROWLEY]

Tuesday, March 02, 2004

While we empathize, sympathize and put systems in place to provide support for those desperate people, we have to be careful that in expressing that sympathy we do not send the wrong signal. If the ones who obey the law are bypassed by the ones who break the law, what are we doing as a state? That is a signal to others that the way to get a piece of land is to break the law. We cannot encourage that, colleagues. While we empathize and sympathize, Members of Parliament ought not to encourage that. I do not know if you see yourself as a champion but what you are doing is destroying the society. You can empathize and sympathize without taking the position that would create a second state that is far worse than the first state.

Mr. Vice-President, we will try to assist these people as much as we can, across Government policy, but what we will not do is go back to a situation of the UNC policy of making squatting an official part of the national housing policy.
[*Desk thumping*]

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 8.27 p.m.