

*Leave of Absence**Tuesday, June 28, 2005***SENATE***Tuesday, June 28, 2005*

The Senate met at 1.30 p.m.

**PRAYERS**[MR. VICE-PRESIDENT *in the Chair*]**LEAVE OF ABSENCE**

**Mr. Vice-President:** Hon. Senators, I wish to advise that the President of the Senate, Sen. The Hon. Dr. Linda Savitri Baboolal is ill. During the absence of the President, the Vice-President will preside over the sitting and Mrs. Magna Williams-Smith will act temporarily.

Hon. Senators, I have granted leave of absence from today's sitting of the Senate to Sen. The Hon. Hazel Ann Marie Manning, who is out of the country.

**SENATORS' APPOINTMENT**

**Mr. Vice-President:** Hon. Senators, I have received the following correspondence from His Excellency the President, Prof. 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 Hazel Manning is incapable of performing her duties as a Senator by reason of her 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 effect from 28<sup>th</sup> June, 2005 and continuing during the absence from Trinidad and Tobago of the said Senator Hazel Manning.

*Senators' Appointment*  
[MR. VICE-PRESIDENT]

*Tuesday, June 28, 2005*

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 22<sup>nd</sup> day of June, 2005."

“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. MAGNA WILLIAMS-SMITH

WHEREAS Senator Dr. Linda Savitri Baboolal is incapable of performing her duties as a Senator by reason of illness:

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, MAGNA WILLIAMS-SMITH, to be temporarily a member of the Senate, with immediate effect and continuing during the period of illness of the said Senator Dr. Linda Savitri Baboolal.

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 28<sup>th</sup> day of June, 2005."

**OATH OF ALLEGIANCE**

*Senators Joan Hackshaw-Marslin and Magna Williams-Smith took and subscribed the Oath of Allegiance as required by law.*

**OFFENCES AGAINST THE PERSON (AMDT.) (HIV) BILL**

Bill to amend the Offences Against the Person Act, Chap. 11:08, brought from the House of Representatives [*The Minister of National Security*]; read the first time.

**PAPERS LAID**

1. Annual audited financial statements of National Helicopter Services Limited for the financial year ended September 30, 2003. [*The Minister in the Ministry of Finance (Sen. The Hon. Conrad Enill)*]
2. Administrative report of the Mayaro/Rio Claro Regional Corporation for the period October 01, 2001 to September 30, 2002. [*The Minister of Local Government (Sen. The Hon. Rennie Dumas)*]
3. Annual report of the Arima Borough Corporation for the year 2002. [*Sen. The Hon. R. Dumas*]
4. Annual Report of the Arima Borough Corporation for the year 2003. [*Sen. The Hon. R. Dumas*]

**ORAL ANSWERS TO QUESTIONS**

**National Housing Authority Housing Project  
(Green Street, Tunapuna)**

- 69. Sen. Sadiq Baksh** asked the hon. Minister of Planning and Development:
- (a) With respect to the National Housing Authority (NHA) Housing Project located at Green Street, Tunapuna, could the Minister of Planning and Development provide this Senate with:
    - (i) a detailed status report on the project;
    - (ii) a list of the firms that tendered for the project and the details of their tender price;
    - (iii) the name of the contractor to whom the contract was awarded and the tender price; and
    - (iv) a detailed breakdown of expenditure incurred as at March 23, 2005?
  - (b) Could the Minister also inform the Senate of:
    - (i) the number of houses and/or apartments to be constructed; and
    - (ii) the number of houses and/or apartments that have been completed as at March 23, 2005?

**The Minister of Planning and Development (Hon. Camille Robinson-Regis):** Thank you very much, Mr. Vice-President. The Housing Project located

at Green Street, Tunapuna is not a National Housing Authority Project. It is an Urban Development Corporation (UdeCott) Project which is being developed for the Ministry of Housing. The project is referred to as the “Green Street Garden Apartments”.

Mr. Vice-President, in order to better understand the series of events at the Green Street project, it is also necessary to detail events at the associated El Dorado Road project. In September, 2002 tenders were invited separately for both projects from pre-qualified contractors. After closure of tenders in November, 2002 UdeCott and its project consultants, Planning Associates Limited, reviewed the tenders with a view to awarding one contract for both projects, especially with regard to the potential cost savings that could be achieved.

After a comprehensive assessment of the tenders received, UdeCott’s Board of Directors took the decision on February 20, 2003 to award the contract for the construction of both projects to the second lowest tenderer, S&M Construction Limited, subject to negotiations over whether cost savings could be achieved as a result of the merging of both projects into one. The lowest tenderer, Moosai Development Caribbean Company was not awarded the contract for three reasons:

- (a) The size of their net error;
- (b) A pending court matter; and
- (c) Questions about their financial capacity to execute the project.

Negotiations were held with S&M Construction culminating in the acceptance of the offer of a total construction budget of \$10,350,000 for both projects by S&M Construction. Out of this amount, the contract sum for the construction of the Green Street Garden Apartments was \$4,140,000 (VAT inclusive). The commencement date for the construction works was April 04, 2003 and the contract period was nine months.

In August, 2003 UdeCott became concerned about the execution of its contract as well as the timetable for completion by the contractor. In October, 2003 UdeCott removed S&M Construction from the El Dorado component of the project with the hope that by providing the contractor with a smaller project the Green Street Garden Apartments would be completed on time. This however, did not materialize, and on December 11, 2003 UdeCott also removed S&M Construction from the Green Street project. An evaluation period followed and it was determined that S&M Construction Limited had completed approximately 29 per cent of the construction works. Legal action is now being pursued by UdeCott against this contractor.

In order to expedite completion of the project, and since the tenders from the original prequalification exercise had expired, UdeCott's Board took the decision to utilize the sole selective tender process and invited a new contractor to complete construction works at Green Street, Tunapuna. UdeCott's tender rules allow for the use of the sole selective tender process in emergency situations such as this one. China Jiangsu International Corporation Trinidad and Tobago Limited, which had a good track record on other UdeCott housing projects, as well as very competitive prices, was subsequently invited to submit a tender for the construction works.

In March, 2004 China Jiangsu International submitted its tender in the sum of \$5,414,805.20 (VAT inclusive) and it was evaluated by the projects consultants, Planning Associates Limited. Negotiations between UdeCott and the new contractor were completed in October, 2004 when China Jiangsu International accepted the contract in the amount of \$4,953,888.24 (VAT inclusive).

China Jiangsu International Corporation Trinidad and Tobago Limited started operations in January, 2005 and has undertaken remedial works in addition to advancing the project. Completion of construction is scheduled for mid-September, 2005.

Mr. Vice-President, the following contractors tendered for the project:

- |    |   |                                  |
|----|---|----------------------------------|
| 1. | Andrew Manwaring and Sons               | - \$7,397,871.60 (VAT exclusive) |
| 2. | Contractors and Decorators              | - \$7,254,875.02 (VAT exclusive) |
| 3. | H. Lewis Construction Limited           | - \$6,014,834.70 (VAT exclusive) |
| 4. | S&M Construction Limited                | - \$5,910,299.76 (VAT exclusive) |
| 5. | Moosai Development<br>Caribbean Company | - \$5,482,719.35 (VAT exclusive) |

The contract for the construction works was, as said previously, awarded to S&M Construction Limited.

The project consultants, Planning Associates Limited, reviewed the tenders. Several of the tenders contained arithmetical errors. It was recommended that the tenderers with arithmetical errors be requested to indicate whether they wished to stand by or withdraw their tenders pursuant to clause 23.1(b) of FIDIC rules (1999). The corrected tenders did not change the standing of the tenderers and Moosai Development Caribbean Company remained the lowest bidder. However,

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Moosai Development Caribbean Company was not awarded the contract for the reasons outlined previously. Accordingly, the tender was awarded to S&M Construction Limited, the second lowest tenderer.

As indicated previously, the contract of S&M Construction Limited was terminated for non-performance and a new contract was awarded to China Jiangsu International Corporation Trinidad and Tobago Limited on a sole selective basis for completion of the project.

Expenditure incurred to date is as follows: S&M Construction Limited, \$1,238,608.44 (VAT inclusive); Amalgamated Security Services Limited, \$482,870.25 (VAT inclusive); and China Jiangsu International Corporation Trinidad and Tobago Limited, \$430,772.89 (VAT exclusive); in the form of a mobilization payment.

Mr. Vice-President, 20 two-bedroom garden apartments are to be constructed. The units will be constructed in three blocks comprising of eight units, 10 units and two units respectively. Each apartment unit has a floor area of 93.32 square metres and will consist of the following:

- (1) two bedrooms;
- (2) one bathroom;
- (3) one half bathroom;
- (4) a living and dining area;
- (5) a study; and
- (6) a kitchen.

To date, that is June 06, 2005 no houses and/or apartments have been completed at Green Street, Tunapuna. However, the overall project is about 50 per cent completed.

Mr. Vice-President, it should be noted that the final budgeted cost of this project is expected to be virtually the same as, or less than, the aggregate amount of the lowest tender for the two projects.

Mr. Vice-President, I thank you. [*Desk thumping*]

**Sen. Baksh:** Mr. Vice-President, could the hon. Minister state what is the present cost overrun and what is the expected projected cost overrun?

**Hon. C. Robinson-Regis:** Mr. Vice-President, as I said, there is no cost overrun, and the amount as I said, “It should be noted that the final budgeted cost of this project is expected to be virtually the same as, or less than, the aggregate amount of the lowest tender for the two projects”.

**Sen. Mark:** Mr. Vice-President, could the hon. Minister indicate what is the exact sum of moneys that were paid to S&M Construction Limited upon its termination of the said contract by UdeCott? What was the total sum paid or expended on the project by this same particular company, S&M Construction Limited, before the termination of the contract by UdeCott?

**Hon. C. Robinson-Regis:** Mr. Vice-President, as I said in the answer, but if those on the other side were not listening or did not hear, S&M Construction Limited has to date been paid \$1,238,608.44 (VAT inclusive). Thank you.

**Official Government Rented Buildings  
(Details of)**

**83 . Sen. Wade Mark** asked the hon. Minister of Public Administration and Information:

- (a) Could the hon. Minister of Public Administration and Information state:
  - (i) How many buildings or parts of buildings in Trinidad and Tobago are being rented by Government for official purposes in respect of the period January, 2002 to April, 2005?
  - (ii) What are the addresses of these premises and the square-footage of each rental space?
- (b) Could the Minister also state:
  - (i) What is the rent being paid for each of the rented spaces?
  - (ii) Who is the owner of each of the rental spaces, and to whom is the rent being paid?
  - (iii) For each building or part of a building, when did the lease or rental begin and when does the lease end?

**The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith):** Mr. Vice-President, as I indicated on the last occasion, I needed some time to get this information. Unfortunately, the information came to me last week and I sent it back for some more. In mitigation to the department, I

should advise that they had recently moved from the office they were occupying in the Financial Complex to new offices and in the move took sometime to get the information. I believe that I could provide this information in two weeks' time.

**Sen. Mark:** Mr. Vice-President, I would reluctantly agree to the two-week period. I am on my legs, may I ask you to guide us on all the written answers that are due. If you look at the back of the Order Paper there are about 10 written questions that are now due, including about five or six which belong to my side. I would like you to indicate, or if the Leader of Government Business could indicate when those written answers would be forthcoming. I would like to get some guidance, because all are overdue, in terms of the deadline that the Parliament accept for them—all of them. Maybe the Minister could give us some idea as to how soon those written answers would be made available to us?

**Sen. The Hon. Dr. L. Saith:** Mr. Vice-President, I believe the reason that they are there for written answers, is because the amount of information required is quite a lot. I cannot speak for the other Ministers. In respect of the question that is there for my own response, I have to indicate that I have since got some information from the Statutory Authorities Service Commission and my hope is, after checking it, to bring that pretty soon. The rest I am afraid, I cannot answer for.

**Sen. Mark:** I want to inform this honourable House, a date has been set by you or the President, and it is not, with respect, for the Minister to simply say that he does not know. We have a deadline, he has to, at least, give to the Parliament some undertaking that, at least, as Leader of Government Business he will enquire, and at least, report to you and the Senate as to what is the state of play with those questions that are overdue, according to the Senate dictates on the matter.

We need to get some clarification from him that he will report to you, at the next sitting, bring you up-to-date and by extension the Parliament on these outstanding written responses that are overdue.

**Mr. Vice-President:** First of all, do you agree to the postponement of the—

**Sen. Mark:** Yes, reluctantly, I will.

**Mr. Vice-President:** I would like to discuss with the Leader of Government Business and the Clerk, and I will report to the Senate on that during the course of the sitting.

**Sen. Mark:** Thank you very much, Sir.

*Question, by leave, deferred.*



**SERIOUS CRIME SITUATION  
(GOVERNMENT'S PERFORMANCE)**

**Sen. Prof. Ramesh Deosaran:** Mr. Vice-President, I beg to move the following Motion standing in my name and it reads as follows:

*Whereas* the fears and concerns of law-abiding citizens have increased over the worsening crime situation in Trinidad and Tobago, resulting in severe psychological, social and economic consequences;

*And whereas* the Government through its relevant agencies, particularly the police service, have failed in their efforts to prevent crime or to make any significant impact in reducing the crime rate across the country;

*And whereas* the Government has expended vast sums of money on resources for fighting crime and on foreign expertise and assistance with no visible effect on the spiralling crime situation;

*Be it resolved* that this Senate:

- (i) express its concern over Government's performance in handling crime;
- (ii) call on the Government to explain to the Senate why its actions have so far consistently failed to produce the desired results; and
- (iii) agree that the Government outline, with specific performance targets and mechanisms for accountability, what concrete measures it intends to take to deal effectively with the serious crime situation now facing the country.

Mr. Vice-President, before I proceed with the substantive issues of this Motion, I feel obliged to express my deep appreciation to Sen. R. Montano and the Opposition Bench for allowing this Motion to rise above those already listed by the Opposition. I am also grateful for the gesture of goodwill that emanated on the last sitting from the Government side. It is in that spirit of goodwill that I wish to present this Motion for debate in this Senate.

Mr. Vice-President, the Motion is intended, in the final analysis, to bring hope so as to remove the current despair permeating the country. It is intended to help us build people's confidence in this Parliament, in particular, this Senate, and also to facilitate some measure of consensus, towards dealing with this very critical problem that knows no race, sex, color or creed, when you look at the statistics and the distribution of serious crimes across the country.

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I believe, Mr. Vice-President, this is really an invitation for the Government to reassess its own position and clarify, for the public benefit, what it intends to do in concrete terms. More than that, I bring this Motion with mixed feelings, even with a troubled heart, because in getting to the root of things, we will have to put the ball in the Government's court, and in the process that we have, in the structure of Parliament, it is for the Minister, on behalf of his or her Government to account. So even if a few toes get bruised in the process—I know the Minister of National Security has rather large feet—I do not believe it will pinch him so much in getting into this subject matter.

When I say a “troubled heart,” I really mean it because this morning, I heard on the news that two more persons were kidnapped and the implications for the quarrying in Valencia have been attached to such kidnappings. More than that, in the Maracas, St. Joseph area, where our President lives, another person got murdered this morning. It seems as if there is no stop to this horrendous issue and the public now expects, and rightfully so, its Parliament of representatives and those in the Upper House to really try to do something. I believe two ways that this can be undertaken in the first instance, is for the Government to clarify its position and, as well, for us to try and build some consensus. Mr. Vice-President, I want to emphasize the words “some kind of consensus”—

**Hon. Member:** True.

**Sen. Prof. R. Deosaran:**—because the ship is, indeed sinking, when it comes to this particular problem.

In one of the items on the preamble, it speaks about the fears of the country, and really fear does not vary only with the crime statistics. If that would be so, we could say that people have objective reasons for fear. But the fear is epidemic and it rests not so much on the crime figures, but it also rests on the level of confidence which the population has in the various institutions that are empowered, constitutionally lodged to deal with crime. Confidence in the courts is very low; confidence in the police service is very low; and confidence in prisoners coming out and returning, is also very questionable, in terms of the effect of rehabilitation programmes.

**2.00 p.m.**

Fear is a complex phenomenon; I believe that the fear we have in this country has, as the Motion also says, “severe psychological, social and economic consequences”. Linked with that, in terms of getting things done from the

community level upwards in each district across the country, and getting people to participate in Government policies and programmes so as to build the consensus to which I earlier referred, is the extent of trust that the people have in the agencies of Government. I also believe that there is some defect and deficit in the extent of trust which people have in those agencies. I, therefore, want to take this opportunity to join with my colleagues, who I believe share similar concerns as I do, and see whether we can bridge the gaps, heal the wounds and put aside our bows and arrows for some period, so as to build the consensus towards dealing with this nightmare facing us.

There are some moments when I believe that I myself get into despair, as I would cite in a few minutes, when I hear what the leadership of the police is saying; I do not think it brings much hope to us. When I hear, for example, the Deputy Commissioner saying that he, as a senior police officer, is also fearful to walk the streets; you want to know who will protect us then. When we hear, and I will cite the example, the evidence that the Commissioner of Police himself said that the police service can no longer deal with crime by itself, I want to know who else is in power to do so. When I hear the Assistant Commissioner and the person who is directly in charge of proceeding with the transformation process initiated by the Minister of National Security, in such charge, telling us that the police cannot do anything much, because the educational system is a failure, we have to understand and take stock.

We cannot let the country grieve and experience the kind of fears it is experiencing now, without the Parliament of the country trying to do something about it. We live in a state where as the country grows richer, we grow more fearful and insecure. We live in a state where as crime increases, the police are fearful. We live in a state where the Minister of National Security says that his limited powers make him unable to deal effectively with crime. We live in a state where the police says that it really cannot deal with crime. We live in a state where as the gross domestic product (GDP) rises, the wealth of our country rises, murders and kidnappings also rise and the detection rate for crimes against the person goes down. We live in a state where the Police Service Commission is fed up with the police service, as its reports sharply indicate. We live in a state where the Government is fed up with the Police Service Commission. We live in a state where the Police Complaints Authority is fed up with the police, as evident from its reports year after year. We live in state where the police are fed up with irresponsible parents and delinquent teachers, and they have said so. We live in a state where the hard-pressed tax paying population is fed up with all of them.  
[Laughter]

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I now refer to the other item on the Preamble, the one which talks about vast expenditures, whether we are really getting value for our money and who is responsible for the deficit between those two factors. I refer first of all to the budget speech delivered on September 14, 2001, the Budget Statement 2002, by the then finance Minister, Sen. Gerald Yetming. We will recognize why I am starting at that point and coming to the 2005 budget speech. On page 48 of that speech this is what Mr. Yetming said:

“We cannot boast about higher economic growth, higher education, quality health care, better houses, when our society is threatened by lawlessness and a rising culture of violence...

We all feel safer when we see policemen around or know they can appear on the scene quickly if an unfortunate event occurs...Government will continue to expand the fleet of vehicles and other equipment required by the police to help them carry out their duties more effectively. Cabinet has recently approved the purchase of 100 vehicles for the police service.”

He goes on to list the amount of expenditures, vehicles and equipment that the then government had produced for the police service.

Mr. Yetming also said that crime is, indeed, a complex problem. So what else is new? Mr. Yetming said the same thing in his budget speech. Are we going to be given a seminar on how complex crime is without having the Government and its agencies deliver their programmes in such a way that we will see a reduction? We just cannot go on so from year to year, because even up to today in the *Guardian* newspaper on page 13, the Junior Minister in the Ministry of National Security said the same thing. He said that crime is so complex. So every year we have a complex about crime in this country; that is one of the mental obstacles that I want to remove. I can do it in no gentler way. I guess we have to state the facts as they are, so that when the truth is unfolded, people will determine, more so than before, to deal with the phenomenon.

It is the same thing in the budget speech of 2004; a number of programmes were laid out, vast expenditures. I do not think I need to go into details, Members of this Senate well know the documentation and the details in terms of new police stations, 12 of them; getting the police presence in all communities, as promised and so on and so on.

Let me refer to an analysis done by Ernst & Young, in terms of how crime is affecting the economy. I am obliged to do so, if only briefly, because that is one

of the premises towards the substantive Motion. Ernst & Young said in its document entitled *Focus on Trinidad and Tobago Budget 2004* on page 19:

“The crime levels in Trinidad and Tobago have soared to unprecedented levels within recent times, and this has impacted negatively on investor confidence. Any initiative must be supported by necessary framework and effective enforcement measures, and must be implemented within the shortest possible time frame.”

That is why I have in the Resolution the matter of time lines and performance targets; we have to get serious about this matter of crime.

There is another premise for this Motion. I refer to the elaborate set of promises in the Budget Statement of 2005 from page 24; five pages on one particular subject. I guess the Minister of Finance and the Minister in the Ministry of Finance were quite right, at that time, in the 2005 Budget Statement, to put so much emphasis on the question of crime, not only in terms of programmes and concepts, but also in terms of expenditure, but we have to bear in mind that these expenditure have been piling up one year after another without any discernible results. It is, therefore, imperative for us to ask the question: “Why not? What is wrong in the system? If it is not money, what is it? That is one of the reasons for bringing this Motion forward; we have to find out where the culprit lies, if it is not money, as, clearly, it is not.

We have money coming through our ears, when it comes to subsidizing and contributing to the law enforcement agencies and those other agencies responsible for law and order in the country. This is what the Minister said on page 24:

“...we continue the battle to curb the unprecedented level of criminal activity plaguing the country.”

It goes on, but I do not think that I need to read all of it. The sense of what I want to say should be very evident.

In its own analysis of the crime situation and its serious economic and financial implications, I refer to the *RBTT Investor*, a publication by the Royal Bank of Trinidad and Tobago. On page 4, briefly, this is what it says:

“While the growth prospects of the local economy remain positive, it is fair that the scourge of heightened criminal activity within the society will negatively impact on consumer confidence and divert resources away from productive investment to crime preventative measures.”

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I just do not know what else to say to get us locked, arm in arm, in seeking a substantive solution to this problem. There are fears and consequences that are psychological, in terms of people's distress, the level of unhappiness, their sense of alienation from a society to which so many of them have tried to build, invest their moneys, their homes and their families; all these forms of distress, it is time that we attend to them as a Parliament.

It is worse than that, because in the circumstances, and I wish to repeat, people need results. The *Guardian* in its editorial of May 23, 2005, has a long, biting editorial asking the Government to produce the required action needed in an environment of fear.

[*Sen. Prof. Deosaran shows document*]

There is another editorial on that same newspaper, April 13 of this year, page 24. It is important for Members in this Senate to understand how the public thinks. I believe the only effective way to transmit that perception and thinking is through the newspapers, the letters and opinions.

“The gap between the public perception and reported reality of crime is often at glaring odds with the soft-peddled assessments offered by the ruling party. While politicians try to find soothing words for angry victims and grieving relatives there is a growing groundswell of interest in quasi vigilante activity as communities begin to look to police themselves.”

So we begin to see the imminent dangers in the lack of results from the Government agencies in dealing with this problem. People will begin to take the law into their own hands; they are going to begin hiring hit men and private assassins to take care of those they feel offend them. I do not think that makes for a civilized society. That is why in section 75 of the Constitution it clearly states who is responsible for managing the affairs of the country. The Cabinet is responsible; therefore, the Motion directs its enquiry to the Minister representing the Cabinet in this House.

Section 85 of the Constitution makes it even more specific; more precisely it states that the Minister in charge of a particular department, in this case the Minister of National Security in charge of the police service, must ensure that the department is properly run and capable of delivering results as expected. Of course, I am quite sure that the Minister has a story to tell, because I keep making the distinction between the Government and the agencies which it operates and there might be serious problems between the two. Is the Government equipped enough to deal with these agencies?

We have heard the Leader of Government Business in the Senate. I am always very keen on hearing the explanation from him with respect to not getting the required information from the service commissions; that might be a symptom of what is wrong with the system. I am alarmed that the service commissions, as implied by my colleague, Sen. Mark, cannot deliver what they have been asked to deliver for so many months; but we leave that in your hands as you had indicated just now. It is a serious breach of their constitutional function and their level of efficiency not to answer a call made by the Senate of this country, week after week, and embarrassing the Minister who is responsible for delivering such. So it is not only the Government as such. It has to do with the agencies and the extent to which they are functioning efficiently or not.

We have the Acting Commissioner of Police saying, as reported on Thursday, 26<sup>th</sup> May of this year in the *Daily Express* on page 14:

“Acting Police Commissioner Glen Roach has admitted that when he walks down the street as a citizen...he too feels threatened.”

I want to know: Who am I when I am walking down the street? I am doubly threatened.

**Sen. R. Montano:** So much for the MORI Poll.

**Sen. Prof. R. Deosaran:** In fact, a lot of people, the members of staff in my office and my relatives, begin to caution me, “Yuh better be careful what you are saying about crime in this country.” Even our constitutional responsibilities are being subverted by the generation of such fears and there is growing evidence that people who wish to speak fearlessly and take courageous positions in this country are becoming not only less and less, but they begin to feel that their lives are in danger; that is no joke. So we are in a very serious position and once again I make the appeal to build consensus.

Let me tell you how the public feels, because this view from the Acting Police Commissioner, at the time, was delivered at a meeting in Chaguanas. One of the residents, Mr. James Aboud, who is also a lawyer, replied this way.

“Aboud accused the PNM and the UNC of fooling around in Parliament while the country burns.”

We have to correct that perception and we cannot do so by mere rhetoric. We have to do what I am trying to do, to see whether hands can be joined to build the consensus of which I speak. Mr. Aboud continued:

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“It seems that the Parliamentarians are playing tabla and steelpan while Trinidad and Tobago burns’...”

This is how the public feels about Parliament. Being a parliamentarian myself, I am embarrassed when such perceptions are directed against all parliamentarians. I am quite sure a lot of us feel the same way, because a lot of us come to do our duty diligently, faithful to our appointment and our oath.

Mr. Vice-President, I am quite sure that you feel the same way. Being a member of the committee which I chair, I have no hesitation in pointing out the diligence with which you attend to your duties. Sometimes I wish I could say the same for other Members, but I will come to that in a while.

You have people reading what Commissioner Trevor Paul said in the *Sunday Express* of June 19, 2005:

“Cops can't stop crime”

I do not know if the Communications Unit in the police service or the Minister are happy about these utterances. He is a gentleman who speaks very little; I suppose he has good reason to do so. Perhaps, he could let the junior Minister follow his example sometimes. [*Laughter*] These things do not help us at all. [*Sen. Prof. Deosaran shows document*] These things do not build public confidence.

That is why we ought to be very worried as citizens, and having section 4 of the Constitution guarantee us life, liberty and the security of the person. So crime is making mas' out of section 4 and the agencies responsible for not stopping that mas' should now be held accountable. The words “mechanisms for accountability” were put in the Resolution deliberately.

“Police Commissioner Trevor Paul says even when the Police Service has attained the highest standards of efficiency...”

That is when it has been transformed, that is the implication.

“it will still be unable to stop the production of criminals, since the community is responsible for the upbringing of the youth.”

This sociology is misdirected. We know about broken homes; we know about school deficits; we know about community infrastructure being bad, but the police have a constitutional role to pick up the pieces, that is why we pay them; that is why they have gotten an increase in salaries; that is why we give them vehicles, bullet proof vests and that is why the Government is embarking on vast expenditure.



So while the sociology in explaining crime could take place, leave that for people like me and Sen. Augustus. When it comes to the Government and its agencies, you need that, but something else too. You need to tell the public that you understand the problem and that is why you have this and that strategy. The police had a strategy called School Community Policing, delinquency prevention in the schools. Mr. Winston Cooper was in charge of it; I am surprised that it flopped. So if the delinquency in schools continues to rise, it is because that programme has flopped. So you come here to tell us about the production of criminal behaviour and you cannot tell us what strategy you have to stem the tide? I do not think that sits well with citizens of this country.

We have to ask the question I asked earlier on and one that Dr. Rowley asked: "Is the public getting value for its money?" He put it more strongly; a senior Cabinet Minister, dutifully, in my view, because that is no secret. The public is getting less value for its money; not just getting no value, but getting less and less. It is an ironic correlation between the wealth of the country as it rises and the citizen getting less and less value for its money. Are we not living in a barbaric state as it were, with so much money? This is vulgar prosperity. What we have is criminogenic prosperity; that is a prosperity that breeds incivility, crime, hatred, bitterness and division. Is money really the root of all evil and we intend to prove that to the rest of the world?

I will not refer further to Dr. Rowley, except now to come to some crime trends which I hope will solidify my presentation. Firstly, I must refer to an address published on June 07, in the *Trinidad Guardian* this year on page 3, by the hon. Attorney General. It is to me a well put document; concise, well focussed and I refer to page 1. He said that while there is intense criminal activity in the country, it is a moment of great peril, but it also gives us a great opportunity to intervene. I think that positive note of imminent action and the rest of legislation that followed is the kind of intervention that I expect to see more vividly emanating from this debate.

More precisely, on page 2 of the document he said that the Government recognized that our people have grown tired. It was a very sincere admission, because we have got to start with the truth. What has led us to this quicksand of despair is a lot of cover-up and excuses, one after the other. Promises, broken expectations, when will it stop? I salute the Attorney General for taking a concrete step towards a possible solution. He said that the people have grown tired of plans, talk and discussion of the problem and then he went on to lay out his plan.

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Mr. Vice-President, if you look at the amount of money spent on national security and in gross terms there was an increase between 1999 to 2005 estimates. There was an increase of about 120 per cent in the budgetary allocation to the Ministry of National Security; from about \$13 million in 1999 to about \$30 million, if you consider the Variation Bill that we passed. That is a whopping increase. Dr. Rowley was right. Knowing the Minister of National Security as I do, I am sure he is asking, in his own mind: What is the money doing? Why is the money not working? I am hoping he will, perhaps, tell us briefly what some of the reasons are.

Worse yet, I said in general terms that as the wealth of the country increases, our sense of security decreases; our fears grow. More precisely, as the gross domestic product increases, the murder rate has increased significantly; so has the rate of wounding, that is beating up people, cutting them up; so has the rate of breaking into people's house. You cannot say that poverty causes crime in that macro sense, unless you want to do some further micro analysis and get into different neighbourhoods. But overall, if the argument is that the wealth of a country reduces certain serious crime, the evidence from this country goes contrary to the evidence in many other countries. What is wrong with Trinidad and Tobago, the land of the hummingbird, this gem in the Caribbean, which has such great promise in geography, beaches and the multiethnic composition of our people? What is going wrong? When are we going to stem this tide?

House break-in and larceny are the same thing; a direct correlation between the wealth of the country and the extent to which house break-ins take place. "Don't ask for rape"; rape has the highest correlation between the wealth of the country and the rate of rapes between the 1992 to 2003 period. Kidnapping, .9 correlation; one is a perfect correlation, for those of us interested; .9 correlation is about the highest you can get under a perfect score. As the wealth of the country increases, so does kidnapping.

What is the value of our money? Are we choking ourselves to death with our money? How is this money allocated? This is the subsidiary part of a more relevant issue, so as to bring a better measure of comfort to us? It is said that if you reduce unemployment, you will get positive results, a better level of civility. I think the Minister of Local Government should be very interested in this and also the Minister of Social Development. As the unemployment rate went down, the rate of murder went up. So when you speak about the Unemployment Relief Programme (URP) and the Community-based Environmental Protection and Enhancement Programme (CEPEP) being used to breed civility, the figures do not

reveal that expected correlation; something else is wrong. It is not the Minister's fault, but he still has to explain, on behalf of the Government, why these agencies are not operating. What is it in the communities and the society, apart from money, physical infrastructure and all the subsidies provided to the people? Why is there such a level of incivility and worse than that, murder, kidnapping, rape, robbery, assault?

As unemployment went down, woundings and break-ins went up. As unemployment went down, larceny and house break-in went up. I really find that we have got to probe more deeply into this. I do not think that we need foreign consultants to do it. In a sense, I do not care who you bring to do the job—let me make that very clear—as long as the job is done, but the job is not being done. I do not think the platform for reconstruction is set, by what is called the transformation process, because we have to rely on other programmes: ground-up programmes, such as the one started by the Ministry of Community Development, Culture and Gender Affairs, the Community Safety and Enhancement Project, where you have to build from the ground up.

It will take some time, but you have got to construct those networks and sense of responsibility at the community level and get them to buy into the partnership; except that the level of trust in Government and the level of confidence in State institutions have to increase. So the Government still has its work to do and it cannot put the responsibility on citizens and tell them, "Crime begins with me; fix me first". Crime is everybody's business. You have to forget those trivialities and start an operational programme, such as the one that I referred to in the Ministry of Community Development, Culture and Gender Affairs, and the package announced by the Attorney General.

I wish I could come to better news. Let us take it police station by police station to justify the Motion. Let us say that we have 70 police stations across the country. This information should be helpful, because without this data and concrete basis, the community will not know what is happening, how to protect itself, where and when, and Senators will not know how to respond to certain elements of the debate, whether to agree or disagree; so we have to know the facts, as it were, meaning the figures pertaining to crime, as best as they have been compiled.

Between the years 2003 to 2004, 31 of those 70 police station districts have had an increase in serious crimes within the year. Worse yet, 17 of the 70 have increased by more than 20 per cent. Mr. Vice-President, the worst increase took

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place in the Maracas, St. Joseph district. I do not live there, but we know who lives there; the President of the country lives there. That is the increase from one year to the next, in terms of serious crime. That is the place where a murder took place this morning. The increase is over 60 per cent in Maracas, St. Joseph. If we do not care about anything else, I will expect us to care about the safety of the President of the country.

The Minister might be right, if he tells us that he cannot stop crime, given his limited powers, but he must begin to look at benchmarking the process, setting targets for performance. I would elaborate on that in a short while, but let me show you the reasons why. If you look at murder, there was a detection rate in 1992 of 63 per cent. In 1992, out of 109 murders, you had a detection rate of 63 per cent. As the murder rate increased, the detection rate went down. That is an area for benchmarking; to tell the police, "This cannot work." You cannot stop murders, maybe, but you can handle the detection rate, organizationally, through equipment and commitment. Those areas should be benchmarked now, in order to derive the kind of accountability that we are speaking about.

In 2004, with 261 murders, the detection rate was just 26 per cent. Is that satisfactory? Is that standard of detection satisfactory? The Minister would tell us no; perhaps, he can indicate to us, on behalf of the Government and for the country, what he might do to improve that detection rate. Kidnapping was always around 40 per cent; in 2004, 47 per cent detection rate. But when you come to crimes against the person and property, in terms of robbery, for 1992 to 2004; whilst you had 3,786 robberies in 1992, a detection rate of 24 per cent; the number of robberies came to 3,885 in 2004, but I am more interested in the 19 per cent detection rate. So it has gone from 24 per cent, low as it was, to even lower, to a 19 per cent detection rate in 2004. Similarly for burglary and break-ins, there was a 17 per cent detection rate last year; larceny, 11 per cent detection rate, and so it goes on.

Worse yet, when you look at the conviction rate, the nightmare is even gloomier. If you look at kidnappings, as classified by the police between 1995 and 2004, for four years you had no conviction at all, even though in 1996, as one of those four years, 94 persons were charged, not a conviction. Although there might be some mix up of the years and some running over, but on the average you get the picture. In 1997, 70 persons were charged with kidnapping, no conviction. In other words, the total from 1995 to 2004, the percentage of convictions over reported kidnappings, was just 2 per cent. It means 98 per cent of the kidnappings reported were left without a conviction. Larceny—the total for the years 1993 to 2004, 4 per cent conviction; trafficking and so it goes on.

This is a horrible picture that we have to really take stock of. The little messing around with the statistics, about where the hot spots are, how many police cars you put there and so on, that is good, but you have to be more incisive getting into the statistics and bringing comfort to this population.

The question of bail; I posed a question that I hope the Attorney General would answer or would deal with, perhaps, in the near future, but the challenges of crime do not lie only at the police' doorstep. The administration of justice, even when we agree with the independence of the Judiciary, the Judiciary through the behaviour of magistrates and judges in dealing with the question of bail, must be accountable as one example. I am not getting into the details of civil rights and what the Constitution says about due process, but I have come across gross evidence that people who have been convicted for drug trafficking and other similar heinous crimes, several times, have been let off on bail by the High Court. [*Desk thumping*] That makes me very upset, as a citizen, and the Government must find the leverage to intervene through Parliament or otherwise. You cannot boast of independence and commit such inefficiencies; we have to have an eye on how the Judiciary is functioning, especially when it seems so visibly against the public interest.

The question of trust is very important. Let me tell you what is happening to trust and the institutions to which I referred: the police and the courts in particular. In the Police Complaints Authority report of 2002 to 2003, the Chairman begins very sadly, grievously:

“...I am saddened by the fact that the public's trust in the Authority...”

Meaning the Police Complaints Authority:

“seems to be waning largely due to the inability of the Complaints Division of the Police Service to carry out its statutory function of investigating into, and reporting on all complaints expeditiously. This constraint negatively affects the efficient operations of the Police Complaints Authority.”

You could benchmark that; you have got to put some standards there too. What about the Complaints Division of the police service? Is anybody looking at it or is it too independent or are the police a law unto themselves and against the public interest? These are no mean issues; you are dealing with life and death matters here and the agencies empowered to deal with that should be held accountable.

When you look at Appendix IV on page 29 of the list of complaints made against police officers—year after year we hear these complaints made against the

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police: battery against citizens, 286; failure to investigate, 144. One of the worst misdemeanors in the police service is the failure to investigate. Failure to perform duty, 331; impolite behaviour, 693; malicious prosecution, perhaps framing people—this is too much for a small country like ours, 184 in one year. Is the police spiteful, malicious? This is too much. That is why the charges have to be properly investigated, but the Police Complaints Authority says that it has trouble, because the police unto the police, witnessing by the police to the police, that is the flaw in the system.

I know the Minister will respond in terms of the legislation that is imminent, but these are grievous issues. This has nothing to do with personality, because on pages 16 and 17, the Police Complaints Authority outlines the reasons these complaints have not been attended to. It is nepotism in the police service, it would appear; if you read the Police Complaints Authority reports carefully; that is what it is implying; protecting the delinquency in the police service and that has to stop. The Minister of National Security did present his report, published in the newspapers; there are just two things I would say.

Missing from that report was some system of accountability. What I think he should have told us then and, perhaps, he could do so now, was who would be held accountable from now on when the deficiencies—some of which I have alluded to—appear under his watch? I think the public has mixed feelings about the Minister. To tell you how he has, perhaps, ended up in trouble innocently: from Minister of Housing, he was well housed, safer grounds, now exposed to the Ministry of National Security, replacing Sen. Chin Lee who is now very much happier in his portfolio [*Laughter*], but this is a difficult ministry. Everybody knows that these three ministries are difficult: health, education and national security. So we understand the position, but you have to account. If I were in your place, I would have to account too. I know your shoes are quite big and you may not feel the pinches, however they might come too severely this afternoon.

This fellow, Richard Lutchman, writing a letter via email to the editor of the *Express* newspaper on Tuesday, May 10, 2005, said:

“Fed up with Martin Joseph

I am fed up with the crime situation in Trinidad and Tobago.

I am also fed up with this Government and its attitude to the people of the country.”

That is the licks that Ministers have to get and that is why the credibility of a minister is so important. People will know that there are problems; we all know that there are problems, but there is a way to handle the problems in partnership with the people and other agencies and groups in the society. You cannot come when it is “water more than flour” and ask for help, when all the time when you were setting the platform, you did not include them. You refuse to answer letters; you refuse to answer calls; you refuse to enjoin them, because you feel that you are Superman or Wonder Woman, as the case may be, or even Iron Lady.

**Sen. Joseph:** Are you talking about the Minister?

**Sen. Prof. R. Deosaran:** Metaphorically speaking, Mr. Vice-President; I am sure you understand the point I am making.

**Sen. Joseph:** Well, say that.

**Sen. Mark:** No, no, no, you are not the Iron Lady.

**Sen. Prof. R. Deosaran:** Someone else in a letter in the *Express* of June 25 said in the headline:

“Please, something less demanding for Mr. Joseph” [*Laughter*]

**Sen. Mark:** I agree; too much for you.

**Sen. Prof. R. Deosaran:** Then another letter, *Sunday Guardian*, May 22, 2005 on page 37:

“Joseph deserves better from public officers”

The person outlined in the letter why the Minister should be helped by his officers. The officers are letting him down in spite of all the money, vast expenditures, equipment and consultants. The letter says that the Minister is being let down. We are beginning to realize the gaps that there are and the way we should be handling this matter.

On the question of transformation—this is a gap in the Minister’s presentation in the other House—if you are transforming something, we ought to know more precisely—especially when there are entities you can measure—what you are transforming it from. What is your target? Are you just going to measure in terms of money? Are you transforming the police service in terms of building public confidence from point A to point B? Are you going to transform the police service in terms of getting more convictions from X to Y in the next five years? What is the value for our money? Is Dr. Rowley right and is going to be right

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again and again? Is Diane Seukeran right, that we are not getting value for our money, that the services in the public agencies have fallen? Are we going to relive our nightmare, year after year?

My business here is not to prove the Minister wrong; my business here is to help set things right together. [*Desk thumping*] I think that is an important consideration. That Ministry is a difficult one. I am wondering if the UNC takes over the government—[*Crosstalk*]

**Sen. Mark:** I would say, “when”.

**Sen. Prof. R. Deosaran:** I said if; I do not want them to get unduly enthusiastic. They have some more work to do. I wonder whether they will be able to deal with this crime problem and in what particular period and in what ways. I am waiting with bated breath to hear some of their own proposals and so I believe is the rest of country, because that is what the system is; you must have an alternative government in waiting. I believe they are preparing themselves, but not just physically, but through programmes and projects, which we will like to hear about; but that for another time.

In fact, that Ministry had three ministers at one time. You had Minister Atwell, Hochoy Charles and Boynes; three Ministers and they all held their heads and bawled after a while.

**Sen. Joseph:** Not Mr. Boynes.

**Sen. Prof. R. Deosaran:** No, Toco.

**Hon. Senators:** Joseph Toney.

**Sen. Prof. R. Deosaran:** I am sorry, Joseph Toney; there were so many of them, I cannot count. We need a fresh approach and if you ask me what to do, one of the things I would say is to fix the police first. “Doh” fix me first; fix the police first. [*Desk thumping*] What are you fixing me for? [*Laughter*] I did not commit any crime. Look at what we are doing at the university; we are opening a new graduate programme, Master of Science, Master of Philosophy, Doctor of Philosophy in Criminology and Criminal Justice. What more can we do? We are having a conference in February 2006 and will be inviting the Ministry and its agencies to take an effective, significant part and the Opposition too. It will be an international conference; people from all over the world will be coming to help us develop our systems.

We are going to have a conference on victims’ rights within the next couple of months. We are going to set up a Council of Presidents for crime prevention.



Some of us should do our work. We are doing our work and that is what grieves us, when others are not doing the work they are supposed to. The Minister would tell us that he cannot lock up persons, because his powers are limited and he is right. I, myself, cannot lock up people. I can do certain things, which we now have on board.

I see my very hardworking staff here, perhaps, I am trying to encourage them to continue.

The police have a story to tell too. This is one of their reports; 1999 to 2000. They had a strategic plan. I do not know which government was in power, I do not particularly care, because sometimes you believe that the change of government does not make much of a difference when it comes to crime and the police. We want to make sure that at this time there is a difference. I hope they take a cue from the programme enunciated by the Attorney General. I am quite sure the Minister of National Security will pick up from there. In just one line from this report authored by the police, in terms of the dilapidated buildings, broken pipes, no fans, no toilets; they said:

“We find it increasingly difficult to improve the morale, image and professionalism of officers, given the dilapidated conditions of some of the stations in which they have to work.”

I say no more; they have a story to tell too, especially when there was a budget. They asked for over \$100 million in that particular year, and they got just over \$30 million. So the police also have a story to tell and they must be allowed to tell that story.

We now come to a very fiery topic. Year after year the Police Service Commission has been issuing reports about the inefficiencies, indiscipline and even the corruption in the police service and they say that time and time again these matters are not appropriately dealt with. What worries me in these reports, however, is why is the Police Service Commission complaining when it has independent functions to deal with exactly such things. Why is it? Who is it complaining to? We have a culture in this country of passing the buck. The parents say “is not dem, is de teachers; de teachers say, is not dem, is de parents;” the police always tell you, “is not dem, is more equipment”. It could go on and on and on, but the Police Service Commission also tells us that it has delegated a lot of power to the police commissioner; in numerical terms, seven management functions.

The police commissioner was sitting exactly where Sen. Mark now is in a joint select committee meeting. When he was asked, “What more power do you

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need to run the police effectively, given the seven that I have listed?” He said, “None.” There might be other powers he should get to improve things, but right now he has enough powers. But more than that, even when he has the powers and he uses them to select officers, the commission says on page 5 of its 2002 report that there is so much:

- “i. nepotism
- ii. favouritism
- iii. partisanship and
- iv. improper background investigations”

The report spoke about misconduct and the very inefficient way the documentation was being handled and submitted to the Police Service Commission. These are things we have to know. We have to get into the belly of the beast and find out where the poison resides, so as to know what steps for reconstruction, the Government and the Minister can very properly take, but we are not alone.

It was an impressive display of professional courage and fortitude when the Commissioner of Police in Jamaica took the step to reveal the extent of corruption and indiscipline within the Jamaican Constabulary. He said:

“We have criminals among us. It is not only corporals, sergeants and inspectors; it goes all the way up.”

We need some of that fortitude. He related stories of how his police officers used government vehicles to transport their friends, families and girlfriends and that they were involved in drug trafficking. I do not need to go further and suggest; I think we have our own wisdom. I have made my own observations over the extent to which such practices actually take place in the Trinidad and Tobago Police Service. It is for the Minister and the Government to find the truth and deal with it precisely and finally. [*Interruption*]

In winding up now, Mr. Vice-President, give me just a few minutes, we have a mechanism here in track to help the Government and the Parliament, in terms of accountability; it is called the joint select committee, to get some of the things we are asking for. It has grieved me, in particular, my colleagues, Sen. King, who is Chairman of another committee and Sen. Anmolsingh-Mahabir, that these committees are not getting support, in terms of a quorum—you will know the problem, Mr. Vice-President—to carry out its duties on behalf of the Parliament. I

believe it is offensive against the Constitution, section 66A, when a minister or senior members of the Government can get up in public and make strong, adverse remarks against such committees. [*Desk thumping*]

While some of it might be true, on the face of it, I believe there is a way to deal with it. There is a way for Members on the Government side to come out and play their part in answering the questions with which they disagree. That is how the system works. You cannot pick up your marbles and run home and say that you are spiteful and you grudgingly stay away; that is delinquency. You have no moral authority practising such delinquency. [*Desk thumping*] You talk about teacher delinquency, when you, yourself, are committing that breach. Worse than that, we had a problem with a quorum of four Members. The Government walked in with its majority and instantly changed the quorum to seven. What madness is that? What offence against the Constitution is that?

We are there to invoke mechanisms for accountability and transparency; let us do the job. Give us the resources and your presence, as responsible Members of Parliament. I urge the younger Members of Parliament, the Ministers, do not follow the advice of your seniors; they are leading you astray. [*Laughter*] [*Desk thumping*] I said that in good faith, because it was Mr. Valley who invited me to be Chairman and the Government side supported me.

I am a university professor. I am not prepared to stand this humiliation and running up and down without a quorum. It is offensive to my reputation as a professor and parliamentarian working under the Constitution. [*Desk thumping*] I have reached the limit and if this thing continues, I will have to declare my position publicly as to how the Government seems to be closing the door to a fuller democracy. [*Desk thumping*] This is involved in this whole debate. I am urging the Government; I have asked them to build consensus. I am asking us to put away our bows, arrows and sharp tongs and heal the breach. It is in that spirit I make these remarks and in that same spirit I present the Motion. I thank my colleagues for giving me way.

Mr. Vice-President, I beg to move.

**Sen. Dr. Eastlyn McKenzie:** Mr. Vice-President, I rise to second the Motion, as moved by Sen. Prof. Ramesh Deosaran.

*Question proposed.*

**3.00 p.m.**

**Sen. Carolyn Seepersad-Bachan:** Thank you, Mr. Vice-President, for the opportunity to contribute to this Motion moved by our hon. colleague, Sen. Prof.

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Deosaran:

*“Be it resolved* that the Senate express its concerns over Government’s performance in handling crime; and to call on the Government to explain to the Senate why its actions have so far consistently failed to produce the desired results; and agree that the Government outlines, with specific performance targets and mechanisms for accountability...”  
—all part of this Motion.

I join with my colleagues on this side in congratulating the hon. Senator in bringing this Motion before this Senate and in clearing this scourge that has taken over our beloved country. It is clear that crime is contributing to a serious brain drain in our country and creating an exodus of members of our business community and their families.

Mr. Vice-President, to put this in context, I would like to start off with financial figures instead of crime statistics because much has been said by the mover of the Motion about the amount of money that is being spent. So I took it upon myself, and some figures are provided in terms of the budgetary allocations for the fiscal years 2001 to 2002; 2002 to 2003; 2003 to 2004; and 2004 to 2005.

If we take the Ministry of National Security and include not just the allocations based on the Appropriation Acts of those fiscal years, but also the variations that took place within those years, we are coming up with the Ministry of National Security from September/October 2001 to now having spent close to \$7.14 billion.

The Ministry of Science, Technology and Tertiary Education, which was not in existence for the first two years, but only came in 2003 and onwards is close to \$2.4 billion in expenditure. And, of course, we heard of the Ministry of Education and the \$3.1 billion that has been spent over the last fiscal year and I wonder if anyone can guess how much money has been spent from 2001 to now. It is close to \$10.162 billion.

These are the areas on which we would stress that are supposed to deal with the crime situation in our country. Anyone analyzing these figures would say that there is a strong correlation between expenditure and crime rate and violence in schools. So what it is probably telling you is that the more money we spend, the more we have a problem: the higher the crime rate, the higher the violence in schools and hence I wonder if this is what prompted Dr. Rowley’s pronouncement on value for money.

I want to say that we have reached the point where money is not the solution in this country. I think that money is the problem and that is what we have to look

at. We have to try to understand what is taking place and I know the mover of the Motion, Sen. Prof. Deosaran, spent much time dealing with the management of the police service so I will take the other aspect of it. You know the economists will tell you it is probably because we are spending money and we are reaching the point of diminishing returns. But it is clear that we cannot continue to throw money at this problem.

I keep hearing about this complex problem and the mover of the Motion said we are fed up, everyone is fed up, but we cannot be fed up. We cannot afford to be fed up. We have to find a solution. Being fed up will not give us a solution to this problem because as my colleague, Sen. R. Montano, reminded me just now, there were 175 murders in 178 days.

What is the complex problem that we are having? Why can we not take this complex problem, divide it into simpler problems and come up with solutions? That is why I always like to think in terms of immediate action; your medium-term action plan and a long-term action plan to address the scenario. Let us put it in the time frame we require, but before I move on, we must put the whole problem in context and I start by saying that we have to lead by example.

We started off somewhere in January 2002 with the escalation of the crime problem when the President of the Republic of Trinidad and Tobago appointed a Government based on spiritual and moral values and I wonder today what he says when he hears about spiritual and moral values with what is taking place in our society and the headlines that we see every day.

Mr. Vice-President, I also clearly remember—and we sent strong warnings on this issue—when the PNM was campaigning, the then Leader of the PNM, he was the Prime Minister already appointed by the President walking around Laventille with Mr. Mark Guerra. When that happened I remembered clearly when these people were saying: “No more for the UNC, they will not take this livelihood from us, the URP”. I wonder where we are today because of that statement on that particular day. Everybody warned the Prime Minister of this country not to be seen openly and he did not deny it, and he did not in any way condemn that statement.

Then we had the famous 2002 election and I, as well as my colleague, Sen. Baksh, would recall that in San Fernando West, we were on a platform in Marabella, and not too far away Abu Bakr and the Muslimeen set up another platform and were campaigning against the UNC for the PNM and were saying: “Any of you who we catch voting for the UNC, we will ensure that you get lock up

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when the time comes”. I remember those threats, and that came up publicly in the newspapers of this country and nobody condemned it. Now we wonder why we have a runaway horse.

Then came the meeting with community leaders and we set the wrong example again. We have to lead by example. This time we have a meeting with community leaders; we put them on a pedestal and call them community leaders. What do you expect the young people of this nation to do? Every day when you open the newspapers, who are the people being convicted or tried for murders right now? I am amazed sometimes to see the young boys who are involved in this. It hurts me to see 18-and 19-year-olds in this. What is going on in this country? But we always say you reap what you sow.

Then the Prime Minister in his utterances said that crime is temporary. The kidnappings are bogus, they are made up by the Opposition, what are you worried about? He went to an international forum and made a statement like that. “The kidnappings are bogus, don’t worry about that.” At that time we reminded the Government that many people were leaving this country. I want to know today if the Government is going to deny that there is not an exodus in this country especially among the business community. [*Desk thumping*] I want to know, because before you can deal with a problem and come up with a solution you have to face the truth.

**Hon. Senator:** Come out of denial.

**Sen. C. Seepersad-Bachan:** I will respond to Minister Montano because this morning I heard from a relative of the two young men belonging to the Nath family who were kidnapped. Do you know what is on their mind right now? That the entire Nath family should pick up and leave this country. Tell me what that will do to the business community of Trinidad and Tobago. You want to tell me that Government continues to say that there is no exodus? How many families have shut down and sold out their businesses for next to nothing?

**Sen. Mark:** How many more must go?

**Sen. C. Seepersad-Bachan:** How many more must die before they wake up to this problem? [*Desk thumping*] They continue to be in this system of denial and that is why it has gotten out-of-hand.

Mr. Vice-President, then came the Movie Towne shooting and I would never forget that. A young lady, the mother of a very young child, was killed in that shooting. She probably had nothing to do with any of it. And do you know what I

heard from our hon. Prime Minister afterwards? Collateral damage! So all of us, any of us—the promenade shooting is collateral damage and that is what has taken over our country. A Government that fails to act.

Mr. Vice-President, then comes big contract with Petrotrin for the removal of scrap metal. How did the leader of a terrorist group in this country get this contract? No one knows. What competitive bidding process was used? No one knows. When the security personnel at Petrotrin denied him access to the compound because they considered him a security risk, directives were given from on top that he is to be allowed on the compound. So tell me, what are we dealing with?

It did not stop there, it went on. Everybody who asked them what they were doing about it, they said they are fabricating and misrepresenting. Then came the famous court trial for the conspiracy of murder and we had some very significant revelations about how friendly this particular group is with Members of that Government. The linkages, and how much they worked for the PNM Government in getting them into office, that today our claim to fame on the international scene is in a Florida court trial where it is recorded the man, Mr. Lancelot Small, said that—in his only defence, his defence attorney had to say: “Listen, this man aided and helped a group which assisted that Government in getting into power.” That is the claim to fame of Trinidad and Tobago on the international scene. I take umbrage to that; that this is what this country has come to.

Mr. Vice-President, little by little we tried to warn the Government and I am sure if they go back to all the *Hansard* contributions where we brought up the signals that were there and warned the Government to take a different path, veer, steer away but they continued. Then came the handout syndrome the Community-based Environmental Protection and Enhancement Programme (CEPEP), and the Unemployment Relief Programme (URP) dependency syndrome.

We talked about the ghost gangs in the URP and I will always remember my colleague, Sen. Smith—God rest his soul—when he pleaded with that Government about this URP programme and the dangers they were creating with it. He said when he was in charge of it, he stopped it—there were no ghost gangs—and he converted it into what was called Employment Training Programme (ETP) to get rid of that nonsense. [*Desk thumping*]

Mr. Vice-President, they came and the first thing they did—as my colleague, Sen. Baksh, said last week—was to tear down the fence at Mucurapo which we have asked about, and we are going to say it again today. As an immediate action

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plan, we want to know when the Government is going to put back that fence. You want to send a signal? Send the right signal. Let us start sending the right signal. You want to stop the criminal activity in this country? Put back the fence. Let us hear when you are going to do that, and I hope the Minister will respond and give us a time frame, whether it is within the next 10 days. We want to see that fence up. [*Desk thumping*] Let us stem the criminal. That is an immediate action plan.

Mr. Vice-President, when we warned about the CEPEP and the URP and what they were doing, everybody here went into self-denial. Then came the pandemonium on the Brian Lara Promenade, Shoot-out at High Noon. And I would read an article from the *Trinidad Guardian* which was taken off the Internet, version 2.0.

“Police said when the pandemonium broke out on the Brian Lara Promenade around noon yesterday, it was just about less than 100 metres from the Police Mobile Unit on Independence Square. Police said the mafia-style attack which led to Jones’ death was definitely linked to the disbursement of URP jobs in the crime-ridden area of Laventille and East Port of Spain and a reprisal for the shooting of the two year old, Abiya Mc Carthy and Jones father, Ricardo Mc Carthy on March 23.”

So Mr. Vice-President, the URP link. A couple sentences down it says:

“Senior officers assigned to the investigation said suspects detained were once gang members of URP foreman, Mark Guerra’s faction.”

A couple sentences down says:

“...Jones and his cohorts had just collected their pay cheques from the URP Office on Abattoir Road, opposite Central Market, and were on their way to ...St. Vincent Street, to cash their earnings.”

Mr. Vice-President, Justice Prakash Moosai, a High Court judge said in the *Daily Express* on Friday June 10, 2004.

“A High Court judge yesterday made a call for the restructuring of the controversial State-funded Unemployment Relief Programme (URP), saying that instead of helping poor people it fuels gang warfare as rival groups fight for turf.

Justice Prakash Moosai made the comment at the end of a murder trial involving a father and two sons after the jury found them not guilty of the crime.”



He said:

“...the evidence which came out during the trial had caused him ‘great concern about the URP for which the authorities must look into because such social programmes cannot allow poor people to wipe each other out.’”

It went on further to say:

“The defence accused Paul, a former URP area foreman, of framing the three men for murder because he wanted control of their contracts and that he had coached the State’s main witness on how to give his testimony in court.”

Mr. Vice-President, then we heard that two weeks ago, Tuesday, June 07, 2005, the Minister himself in an article by Ana Ramjass in the *Daily Express* talking about 66 known gangs in operation in Trinidad and Tobago and yet I saw on the weekend after that—I was not able to retrieve the article, but I remember well when Sen. Dumas said he did not know what gangs in the URP the Minister was referring to.

**Sen. Joseph:** Mr. Vice-President, on a point of order, and I thank the Senator for giving way, I never said that the 66 known gangs were gangs operating in the URP. I think that certainly is misinformation and you need to correct that please.

**Sen. C. Seepersad-Bachan:** Thank you Minister, but I remembered when he made that point. Did you clarify it afterwards, Mr. Minister? Because he made the comment on the newspaper, I must pull it up and bring it for you.

[*Sen. D. Seetahal shows Sen. Seepersad-Bachan a newspaper article*] I have that one; it was one by Sen. Dumas where he was making a statement.

Mr. Vice-President, do you know that the URP is no longer about ghosts? It is now a ghost programme. [*Desk thumping*] And this is why I cannot understand how this Government could put more money into it when it knows exactly what is taking place there.

It was amazing to hear from a business operator, the persons who are purchasing trucks in this country right now. Not business entities, but CEPEP contractors are the ones who are purchasing trucks. So this is where we are going to depend on activities. Business activities are going to come from CEPEP and this is what I cannot understand. The CEPEP and URP with this dependency syndrome

This Government took that same approach during the 1970s and we saw the effects of it. Do you know it is having a greater effect on our young people with

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the violence in schools? Let me ask a question: If I am a young person, what motivation or incentive do I have to study hard to gain anything? Why do I need to pass exams if I can just join one of these gangs, work for two hours, get money to buy cocaine and guns? And I can now use those guns to rob people and get more money; money I never would have seen if I had to take the route of studying and going on to university and the sacrifice. This has been lost. There is no system anymore.

I do not see our young people as being motivated. Unfortunately, we are now breeding a new culture into our society and this is what we need to address in the medium-term because this is where the supply of the criminals come from. You encourage these young people to drop out of school, or some, as soon as they come out of school, to go into this life of crime. With that life of crime is the free issue of money. There is no need for working. Why worry about that when you can buy the best “Nike” shoes you need? You are now the “saga boy” dressed in the best clothes, being able to eat in nice restaurants and KFC every day. [Interruption] “Why do we need”—as the Senator is quite rightly saying—“to bust our brains anymore?” Ruby Red! So why do we need that?

They do not understand that when they perpetuate that kind of culture what is going to happen to the rest of the society. This must be stopped, and we have to come up with a medium-term plan to stop this URP and CEPEP and get these people back into sustainable employment. [Desk thumping] I am saying today, that is one of the solutions. If it is stopped, you will stop the supply of criminals into the system.

We need to look at restructuring the entire URP. I know that you cannot shut it down immediately, neither can you shut down CEPEP immediately because people are dependent on it, but we need to convert it into some sort of training programme, or skill development. Stop it! Stop the whacker-cutting of grass and painting of stones. This has to stop right now, Mr. Vice-President. Let us put a halt to this. We want to talk about solutions? Let us deal with what the real solutions are and take some hard decisions if we are serious.

Mr. Vice-President, I am not sure whether that will work for this Government because I am not sure that they understand the issue. I know of several first-class honour students who graduated with their first degree and cannot get jobs, so they proceeded to do post-graduate programmes, Masters, because the Government is perpetuating what it calls this mediocrity system instead of the meritocracy system which we had in place.

We need to give people the incentives to aspire to the highest and when they do, they will be rewarded. That is why we got this nonsense from Sen. Danny Montano about what constituency looks like and Dollar for Dollar. *[Interruption]* That is why we got that nonsense because they do not understand the point we were trying to make then—and we did it with oil at \$12 and \$18 per barrel—was that we were trying to reduce the cost of education by 50 per cent across the board.

We ask where the money is coming from because they have exhausted all the funds that the UNC left in place for Dollar for Dollar. We have not seen you put any funds into the Dollar for Dollar, so how are you going to continue the programme? If you are spending it, on what are you spending it? As I just indicated, look at what is happening here with the amount of money being spent by the Ministry of Science, Technology and Tertiary Education—\$10.2 billion. What are the results?

Mr. Vice-President, it is not about spending money, it is about how we spend it. *[Desk thumping]* You see, they criticize the UNC but I remember out of those same production sharing contracts that were awarded, we had computers installed in every school in this country. From then to now, we have had no computers going into any of the schools and we are hearing all kinds of excuses and problems. But since the UNC put them in and one knows what happens with obsolescence, they are now dinosaurs and this is what the country has to depend on. Every three years you have to put in computers in schools and you must plan for a programme like that.

You built the technology centre at Laventille and we applauded you for that. We did not criticize you because you did it. We did not say that is the PNM's natural constituency. In fact, it was our idea some time ago but it does not matter. We had talked about using that rum bond but I do not think we understand where we need to go.

I am sorry that Sen. Prof. Ramchand is not here because one of the things at which we need to look in this country is how we rebuild what is called the social capital for this country. The warmth we need in the homes for our children. *[Interruption]* We need to get back the social capital going because we are having younger women and our teenagers getting pregnant and having no time and patience with these children and they are the ones, because of that harsh environment—

Mr. Vice-President, you know they made this point about poverty and intelligence and if you read Dr. Bratt's articles in the *Trinidad Guardian*, you

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would recognize that one has nothing to do with the other. It has to do with how we mold those children from young. If we put in the love and the warmth in that environment, that child can become intelligent because of the amount of brain connections that can be made at the same time. When we put those children in harsh environments, that creates the problem and they come out to be under-performers.

I remember my colleague, Sen. Dr. Kernahan and I having a discussion with the junior Minister, Fitzgerald Hinds, in the lounge and we were appealing to him about the women and we were saying that we need—and I am not biased against the men—to address the women in those areas right away. [*Desk thumping*] We need to get them back into understanding what motherhood is. We need to get them back into centres where the older people can train these young women, let them understand about parenting responsibilities. We suggested to Minister Hinds that he should look at Laventille, start there because that is where the problem is.

I was concerned at the number of times we hear about police going to Nelson Street and Laventille and “rough up” these women when they are doing their raids, and I expressed this concern to him. Do you know what his answer was? His answer was—and Sen. Dr. Kernahan would bear me out on this—the reason the police had to do that was because many of those girlfriends of these criminals collude with them in aiding and abetting and they store all the ammunitions and guns. He said that is why they had to be treated like that.

I am saying that they are women and we have to find different ways to treat them; not the way in which I see the police treating them. I make an appeal this afternoon to stop that kind of behaviour. [*Desk thumping*] We cannot be going into homes, raiding and stripping these women. It is ridiculous when you see some of the articles in the newspapers.

Mr. Vice-President, you see, this is a Government that does not understand and it claims that it is interested in women. When I looked at the *Sunday Guardian* of June 19, 2005 and saw this article about sexual harassment, “A \$200,000 Settlement in Sexual Harassment”, I was appalled.

**3.30 p.m.**

I want to know, based on the 11 cases that would be coming before this Government, whether it is going to pay each of them \$200,000 in settlement. [*Desk thumping*] It paid 500, but it still has 11 cases to come before it. Three hundred thousand dollars in legal fees—by the time we are finished, this whole exercise would cost the Government over \$1 billion.

I wonder how the female Ministers felt by allowing this kind of, what I call a criminal act against women. But you have to lead by example. It is my understanding that she was ridiculed by the Prime Minister in the Cabinet; she was scoffed at, and none of the women supported her.

**Sen. Mark:** We support her.

**Sen. C. Seepersad-Bachan:** Mr. Vice-President, I cannot understand—

**Sen. Yuille-Williams:** Could the Senator give way, please? Certainly sometimes you need to know what you are saying. You were not in the Cabinet—

**Sen. R. Montano:** Did you support her?

**Sen. C. Seepersad-Bachan:** Did you support her?

**Sen. R. Montano:** It is a simple question, either you supported her or not.  
[*Crosstalk*]

**Sen. Yuille-Williams:** The Prime Minister did not ridicule anybody in the Cabinet or anything. I was there and I did not hear any ridiculing of anybody in the Cabinet—

**Sen. R. Montano:** Then deny it! Did you support her?

**Sen. Yuille-Williams:**—and I need to let you know that. I have never heard the Prime Minister ridicule Sen. Sahadeo in the Cabinet, and she is sitting right here.

**Sen. Mark:** But did you support her?

**Sen. Yuille-Williams:** It never came up.

**Sen. C. Seepersad-Bachan:** You know, Mr. Vice-President, the question is being asked: Did they support Sen. Sahadeo in her call? And all of a sudden it was removed.

**Sen. Mark:** Conrad Enill “take” it over!

**Sen. C. Seepersad-Bachan:** Mr. Vice-President, I have here a letter to Sen. Sahadeo—not by Mrs. Gajadhar; she revealed that already, but let me just call this person's name. This one was by Doreen Patricia Khan. She was hired by the same Mr. Rao and I want to read small parts of it. The date of it is October 06, 2003. She was one of the young ladies who were dismissed. It states:

“After approximately three weeks the CEO advised that I would be working with Mr. William Daniel...”

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She was assigned to the HR officer. This is what Mr. Rao said to Miss Khan:

“if I served him well, in his own words ‘the sky’s the limit’.” [*Desk thumping*]

**Sen. Mark:** My God, my God. Rao again!

**Sen. C. Seepersad-Bachan:** It continues:

“...my duties to the CEO would include to place a glass of water on his desk each morning and make him a cup of coffee at 9.00 am.

3. I would report on my fellow employees, detailing in part, their time keeping, their whereabouts, especially when the CEO was out of office.”

Well, the young lady was creative and she put down a time book and told everybody to record when they came in and went out, so she had no need to carry news to the CEO. It goes on:

“The threats started and I would be called into the office and be ‘dressed down’ the major complaint was that my coffee making and water carrying were untimely.”

Then one day the CEO was coming in and she was sitting at the secretary’s desk. She leaned over to hand him the messages and he refused to accept them. He said to her:

“How dare you sit when the CEO and Chairman is at the door; you need to get up and open it and who are you handing messages to? I am the CEO and you will respect my position.” [*Crosstalk*]

**Sen. R. Montano:** So you pay \$200,000 and you do not fire Rao!

**Sen. C. Seepersad-Bachan:** The young lady apologized. I am just reading further down. All of this went to Sen. Sahadeo:

“The CEO continued, ‘Last week the sink was full of dishes and you did not wash them up nor did you clean up the kitchen—’”

**Sen. Mark:** Whooooo! That is slavery!

**Sen. R. Montano:** And they are laughing!

**Sen. C. Seepersad-Bachan:** The lady responded:

“I countered with ‘I am not aware that I was employed as a maid cleaner or else the dishes would be washed,’ I continued, ‘we are all grown adults and in the absence of a maid we were duty bound to wash up our own dishes’”

Because she said that was why she was fired. It continues:

“You should not burn your bridges as I am in total control and hold the ultimate power.”

**Sen. Mark:** What? [*Crosstalk*]

**Sen. C. Seepersad-Bachan:** I have another letter sent to Sen. Christine Sahadeo, again, from Percy Cezair. In his case he has indicated: “I was advised by Mr. Rao and was led to believe that these complaints by these women were really a case of blackmail. I immediately told them that if it was a case of blackmail, you should have no fear and I strongly recommend that you go before the Industrial Court with this matter.”

But do you know what? That did not happen and he was immediately replaced, which he informed Sen. Sahadeo about. Let me go on. Jewan R. Singh, another consultant, again strongly recommended that this matter go before the Industrial Court. He also said:

“Had Mr. Rao been properly advised it’s unlikely that he would have concluded that Mrs. Gajadhar had abandoned her job or effected her dismissal by letter delivered by Security personnel at her home at 8:00 p.m.”

This young lady was dismissed by a letter of dismissal which went to her home by armed security guards of the Estate Management and Business Development Company (EMBDC) at 8.00 p.m.! I cannot understand what is happening here.

Mr. Ossley Francis & Associates indicated that it was clear to him—by Mr. Rao—that he was instructed to seek an out of-court settlement. I have the board note here which clearly outlines the vote of no confidence. I want to know what it is that keeps this man in this position; what deal has been made. [*Desk thumping*] [*Crosstalk*] What is the problem? What they have done is to tell this nation that they have sanctioned that behaviour and they have told the other state enterprises, including the new ones they have created, that that behaviour by men is acceptable and if they do it, they would get taxpayers’ money to cover them and to protect these individuals. This is the problem—sexual abuse! [*Crosstalk*]

I want to ask Sen. Sahadeo that instead of spending billions on Caroni workers, let them stay in their jobs, in which case they would have gotten an earning while you diversify Caroni. She did not think that was proper; she sent them home, but she has no problem taking taxpayers’ money and this is what you do with it. But it would be \$1 billion, wait and see—a total misuse of state funds.

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I wonder about the psychological effect of our women; I wonder what it does for the confidence of the women in our society when this happens. I ask the Government if any of those women would ever be able to reenter the workplace with any confidence. I am telling you they would not be able to. But I want to hear what the Minister of Community Development, Culture and Gender Affairs has to say. Let me tell the Minister that this has destroyed every effort and empowerment of our women in this country. The violence and bullying in the workplace as evidenced in these letters should not be allowed and this Government has said it was okay.

But do you know what is worse? I have a copy of the ILO convention here with the best practices of sexual harassment and bullying in the workplace. I want this Government to go on the website and take a look—I would give them the website link. I want to know if this matter, which was recommended by all the consultants to go to the court—do you know if this matter had gone before the Industrial Court and a guilty verdict was awarded, that judgment could have been used to refer the matter to the DPP, who could have done a criminal investigation? But they refused to do that because they wanted to pervert the course of justice. This matter could have been referred to the Integrity Commission. The man is a public officer. He is subject to the Integrity in Public Life Act, and according to that, we are bound by that code of conduct. He would never have been able to hold another public office. But instead, we use taxpayers' money to pervert the course of justice and to pre-empt this man from facing the court.

Do you know what is amazing? The Government had no problem with paying all the legal and consulting fees for this, but it had a serious problem with paying the legal fees for Sat Sharma when he needed to defend himself. That is amazing with this Government. Not only did the Government undermine the integrity in public life and their own moral authority in terms of industrial relations best practice, I want to tell them that the women of the PNM have sent a very wrong signal in what has been encouraged here today. [*Desk thumping*]

The UNC women's arm has already taken steps to refer this matter to an international women's organization and we would be going around with a petition, because we would not allow this nonsense to continue. [*Desk thumping*] When we get that petition signed, I am going to call on all the PNM women to join us.

**Sen. R. Montano:** Are you going to sign, Joan? What is your position about Rao? State your position.

**Sen. C. Seepersad-Bachan:** Mr. Vice-President, the Minister should resign. She should not be part of this. She has gone the long way; she has made her point



and she should resign from the Cabinet. She should not be part of this action. Do not sanction this. She should stand up for what she thinks is right and I appeal to her to resign from that Cabinet. Do not be part of sanctioning this if she cannot get this changed.

Coming back to this whole issue of women, let me just say that you have to be able to support the women out there. When I raised the matter of Mr. Bickram, it was not because of the politics, it was because of all the poor women in Barrackpore and Rio Claro who were embarrassed and were paraded on the streets in handcuffs. That is the signal of how we treat our women. We trampled on them because they were the most vulnerable. This is what this Government is about. That is the signal it is sending.

Let me get back to this issue. The Ken Gordon committee, comprising Ralph Brown, had 22 recommendations and none of them really involved legislation. This was reported in the newspaper. He talked about proper policing; he even talked about adopting the Servol school model. These were some of the recommendations. Remember, Ken Gordon was asked by this Government to chair that committee. It is amazing to note that the Government had accepted his recommendations—so he claims—and none was implemented. We do not know why and I want to know from the Government why these actions have not been implemented.

Let me go back to the whole issue of housing, because we are talking about building back that social capital in our society. We need to stop building houses. These are crime factories that are developing right now. We need to put a stop to these housing programmes because these programmes that the Government is so eager to get finished—I do not know for what reason—are producing crime factories. If we need to provide homes for people, let us look at building communities. There is enough in technology to allow for rural development today which would allow people to stay in these areas and develop and be able to communicate and to have entrepreneurial and business activity in those rural areas.

I want to understand from the Government: How is it approaching this particular community approach? I know it is a medium-to long-term plan I am dealing with, but we need to put a stop to this. Do you see Nelson Street and George Street? We should clear down that whole area; clean it up; clean up Maloney; get these people into homes, into warm environments, into communities. We need to do that.

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Before I go to CEPEP and URP, my colleague, Sen. Prof. Deosaran, talked about the quarrying in Valencia. We have talked about it—

**Mr. Vice-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. W. Mark*]

*Question put and agreed to.*

**Sen. C. Seepersad-Bachan:** Thank you, Mr. Vice-President.

This issue about illegal quarrying, I raised it in my budget contribution in October last year; I raised it two weeks ago and that was because of the newspaper articles that appeared where the Muslimeen soldiers ran the EMA off the Valencia quarry. I remember clearly when the forest rangers went, the Muslimeen soldiers actually moved them off and when they reported this to the EMA, directions were given to leave it alone. "Wild, Wild West in Valencia", let me remind you—Sunday, August 22, 2004; as far back as that. Since then we have been calling on the Minister of Energy and Energy Industries to clear the air on this issue and we cannot get it cleared!

**Sen. Mark:** "De man gone to Mount St. Benedict, boy".

**Sen. R. Montano:** Too much sweetbread.

**Sen. C. Seepersad-Bachan:** We also heard when this was taking place—but you see, when we warned; we do not understand that it comes back to us. We talked about this whole issue of selling the sand and gravel back to Government agencies. So the Muslimeen were underselling it and selling it back to the URP at escalated prices and this is how they got their money. But do you know what is amazing in all of this? We have heard so many different stories; that it was a used licence; a second licence or some old licence, et cetera. Two weeks ago I raised the question of the \$20.4 million being awarded to National Quarries. It is clear now when I asked that this money had to be spent already, because here it is, it was used to pay for a new plant. You do not buy a plant overnight. So if this plant was already purchased, it had to be sometime ago. That is what is taking place here.

The same article goes on to talk about what is the new situation there. Where has this situation reached today? Extortion! When we warned the Government if it allowed this situation to get out of hand and of the risk involved, it did not listen.

You heard of people being beaten up; you heard of people involved in agriculture being run off the land. There was a recent one of the watchman who was killed; his neck chopped and the crane was torched. When the army soldiers went there, they were sent off; they went on their way. Nobody could deal with this situation.

But nothing was wrong with that. When they talked about this group infiltrating the business community and the kinds of demands; the crime it was creating—the criminal activity—nobody took them on. I was surprised to see yesterday where the Prime Minister said he was going to close in on them. It is amazing to hear now, a new director of the Ministry of Energy and Energy Industries saying, according to this article, that no licence was ever awarded. So what were they operating under? You want to bring police reform bills but you would not bring the regulations. Why do you think they do not want the regulations? It is because they want to allow that illegal activity.

Apparently the Quarry Association has been asking for a meeting with the Minister of Energy and Energy Industries and they have not been able to have a meeting to deal with this issue. So where has it reached? Let me tell you. We now have extortion and this is what has led to kidnapping. It is said that because you did not pay extortion money, this is why we have the kidnapping in the Sangre Grande area. I want to say that this extortion has now spread across the country. It was supposed to be contained only in the east area, but it has gone to Diego Martin, according to the reports.

One of the business organizations in the east raised this issue with the Prime Minister. They wrote a letter to the Prime Minister, speaking on the issue and asked that they meet with him, otherwise, they threatened, they would report this matter to an international body. Do you know what happened? The Prime Minister eventually met with that organization and do you know what he told them as soon as they all sat? “Well, ladies and gentlemen, you know what would happen now? I can now call in the Ministry of National Security for you because you have threatened me.” And do you know what they did? The business organization humbly apologized. I asked the question: “Where was the threat?” He said: “Yes, you threatened me so this is now a national security issue. I can call in the National Security Ministry for you.”

This is the response of a Prime Minister to a business association expressing a genuine concern and the genuine concern has come out in the open, for example: “Jamaat running foul in Valencia”. This Government has to lead and set the example. I do not know if it understands what that means. I have looked at the

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whole issue of the various organizations that have sat and put together a couple recommendations. I think Prof. Deosaran did a good job in explaining the police reform bills; why there is no need for police reform bills, because the management is there; the commissioner has the power. They are not understanding that it is not a matter of legislation; it is a matter of implementation.

I want to raise two or three matters coming out of this. To this day we have never seen the DNA testing lab get off the ground. I want to know why. We have spoken on this issue several times and the Government cannot give a proper answer as to why this has not happened. I remember one year in a budget debate—and Sen. Seetahal would be able to back me up here—there was a variation and money was moved from the National Security Ministry and we told them: “We need a Manzanilla police station. What is the problem? Why can you not build a Manzanilla police station?” That was the area where you had all the cocaine and dead bodies floating in. “Why can you not get this Manzanilla station built and manned?” But we got no action on that.

I want to say something about the question of more judges. I wonder if anybody in this Senate would remember when we had the Summary Courts Bill before this Senate and in it you could have increased the number of judges by nine, I think it was. Sen. Seetahal can bear me out on that. We asked the then Attorney General, Glenda Morean, please let us increase the number of judges because of the problems the Judiciary is facing today. We talked about the only way we could get this going for immediate action was speedy detection and conviction. If we wanted speedy conviction we had to deal with prosecution and we had to deal with the Judiciary. What did she tell us? “Oh, it would come in some other legislation.” It never came. We had the opportunity there and then, and everybody on this side voted for getting nine more judges and it has not been done. It can be done so easily.

What is the problem with getting more magistrates and judges in the system? What is the problem of fixing Magistrates’ Courts? What is the problem of removing this slow process of people taking notes by hand? Why is that such a problem? Why can we not find a system? I see the business community referred to that. I understood from somebody in the court system that there is a high turnover of staff; that every time they train people in this method, like what we see today in this Senate, it is because there is a high staff turnover. If that is the case and these young people whom you train feel intimidated in a courtroom, let us outsource the function. Tape the thing and send it out. You can transcript the

entire thing. That is how it is done in the United States. When you have an overload and you do not have enough staff, you tape it and send it out to people, especially women who may be at home who could use the headphones and the computer and would be able to transcribe. Why can we not get this system going?

I have a sore point to raise and I am glad I am going to get the opportunity. I see the business community talking about the mediation centres. We opened all the mediation centres. I do not know if you would recall when this Mediation Bill came to Parliament, Minister Abdul-Hamid came with all different reasons why he had to shut down these centres: “Oh, it was not following the law; it was not working.” You know, I cannot understand why they cannot get solutions to problems! I remember telling him that then, and I would say it again. His solution was to shut every mediation centre down in this country. What has happened? They have taken all the first-time offenders who used to go before these mediation centres that would find a way and would have some dialogue between the victim and the offender and would come to a conclusion—the man would provide, what we call—what is it—community service; there was the Community Service Bill, but they did not see it that way.

So they shut down all the mediation centres. So the young student—I think it was in the Arima school—who was caught with the stick of marijuana, they sent him to jail. When he comes out, he is a misfit. He cannot write examinations; he does not have a second chance and he is now a hardened criminal after facing the maximum prison. This was exactly what the mediation centres were designed to do. It went to a select committee because this side argued vociferously against it. I remember clearly making this point again at that committee stage and it was promised—and let me read the recommendation. This was the select committee of the Senate appointed to consider the report entitled: “An Act to provide for Mediation in Trinidad and Tobago” and recommendation 7.2 states:

“Your committee also recommends that the package of penal reform measures which it is anticipated will provide for mediation in criminal matters be brought before the Parliament as soon as possible.”

Mr. Attorney General, through you, Mr. Vice-President, this was December 2003. I cannot understand what in the Government's time frame is “as soon as possible” anymore. I thought when they said “as soon as possible”, this was coming within two months after December 2003. Where are we now? We are now in June 2005, and this nonsense continues. And this was going to be the solution to deal with this same problem that we were talking about, taking our young

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offenders and turning them into hardened criminals. They have no other choice but to become a hardened criminal.

This is why I would say that we need the reactivation of those mediation centres right away and upgrade every courthouse to internationally-accepted standards. We have no problem. These are implementable. I really hope they can tell me without talking about police reform bills, where the police commissioner has all the powers already to deal with his problems. I want to know, since it centres around the recruitment, training and professionalism of our police officers, if, by chance—I do not know whether it is before a joint select committee—it is possible that we can get a Human Resource (HR) Consultant to provide an HR strategic plan and an implementation plan for that strategic plan.

I want to tell the business community something today. We need to stop this Unemployment Relief Programme (URP) and Community-based Environmental Protection and Enhancement Programme (CEPEP), but they have to do their part as well. They have to lobby this Government to get some tax incentives that would allow the training of these people. I am telling you, all this On-the-Job Training (OJT), Helping You Prepare for Employment (HYPE) and all of those things are doing nothing, because the people go out there, work for two hours and want to get full pay. They are treating it like CEPEP. There is no re-skilling, no training, so there is no sustainable employment. How you know when that programme is working is when you see no return of these people, where you put a batch out today and members of that batch never return. You have 100 per cent return in these programmes. That is telling you your programmes are failing.

I also want the business community to lobby this Government for tax incentives into agriculture, because we need to get people back into agriculture in this country. [*Desk thumping*] If we can get some of those things in place, we would get them useful—you know; idle hands. That is what we need in this country. So I am asking the business community to do its part in terms of helping us to lobby the Government to get some of these actions in place.

We cannot sit here anymore and we should follow Sen. Prof. Deosaran's moves on this whole issue. I also want to make the point to the Minister, through you, Mr. Vice-President, to investigate those bulletproof vests because they were supposed to be grade four and they are getting grade two in the police service. You are putting our police officers at risk. How do you expect to motivate the good police officers when that happens?

**Sen. Yuille-Williams:** Give me a minute before you are finished.

**Sen. C. Seepersad-Bachan:** I am going to close now.

**Sen. Yuille-Williams:** One minute before you are finished.

**Sen. C. Seepersad-Bachan:** Yes, but he would not allow the one minute.

**Sen. Yuille-Williams:** Yes, he would allow it.

**Sen. C. Seepersad-Bachan:** No, he would not allow it. What I want to say is, at the end of the day we are prepared for the creative solutions. Bring the joint select committee. We are willing to assist—

**Sen. Yuille-Williams:** Give me a second before you close.

**Sen. C. Seepersad-Bachan:** Mr. Vice-President, would you allow me to close off after?

*Mr. Vice-President consents.*

**Sen. Yuille-Williams:** I thank my colleague very much. I just wanted to have this second before she closes, because after talking to one of my colleagues, I wanted to refer to something that was made in her contribution when I made an intervention, and I wanted to get it quite clear to the Senate that the intervention I made was not an intervention defending Mr. Rao for allegations he made in here, out there or anywhere—

**Sen. R. Montano:** Are you going to fire him? If he can be fired—simple point; if he can be fired.

**Sen. Yuille-Williams:** The intervention that I made was because I thought I heard—and I use my words—that you referred to during the Cabinet meeting that the Prime Minister—and I want to use my own terms—reprimanded Minister Christine Sahadeo for allegations that she made against Mr. Rao in the Cabinet and the women did not support her, and I wanted to say, clearly, that he did not. I did not hear that reprimand. Therefore, the need for us to support was not there.

**Sen. R. Montano:** What?

**Sen. Yuille-Williams:** Wait. I want to just let this Senate know that none of us will condone any allegations like that. We have heard them and we have not condoned any allegations that were made, whether in or outside the Senate. That is why you see we move so strongly in the area of gender and gender policy. [Crosstalk] I needed to say that because you might have taken my intervention the wrong way. My intervention was not to support Mr. Rao. [Crosstalk]

**Mr. Vice-President:** I was just saying we could keep this down—

**Sen. Mark:** Yes, she was making a contribution.

**Mr. Vice-President:** We could definitely do that. We could cut the crosstalk to a minimum, please.

**Sen. C. Seepersad-Bachan:** Mr. Vice-President, let me just say, if it is that the women supported her, then they should take action and get this man before the court, if they are so serious. [*Desk thumping*] Sen. Enill is my good friend and I know he does not stand for this nonsense either and he needs to stand up against it. [*Desk thumping*]

We are sending a wrong signal to the women in this country and they would not have the confidence to enter into the workplace if this is sanctioned by the Government. That is the point. In terms of the speedy conviction, we heard Mr. Ranjiv Dolsingh speaking yesterday about the issue of the weak convictions they have had. They have had no convictions over the last year—

**Sen. Seetahal:** What about murders?

**Sen. C. Seepersad-Bachan:** How many murders. But you see, that is when you have a situation where you put a DPP in place who could easily be manipulated and what you have is all your good prosecutors leaving the system. That is why you cannot get a conviction.

Let me say that we need to deal with the speedy detection, and I know that can be addressed by this Government. It can put in the HR policies required to assist the police service. I am sure it is not beyond its reach. I must end by saying that when you win by the sword, you rule by the sword.

Thank you, Mr. Vice-President. [*Desk thumping*]

**The Minister of National Security (Sen. The Hon. Martin Joseph):** Mr. Vice-President, let me first start by indicating to my honourable colleague, Sen. Prof. Deosaran, that he did not have to be cautious; he did not have to worry in terms of bringing his Motion; whether or not his Motion was going to have any wrong result. I think he indicated quite clearly that the whole purpose of the Motion was really to get a good sense of what are some of the issues and challenges that this Government faces as it treats with this whole issue of crime and criminal activity. He made the point that we needed to be frank and honest, because if we are not frank and honest then, perhaps, we do not have a good sense as to the nature of the problem.



We have been frank and honest. When I spoke to the Lower House a few weeks ago, it was very clear. We do not hide the statistics; we did not, in any way, run away from the fact that when you look at some of the major crime figures over the last five years, that we are seeing a tremendous escalation, especially in certain areas, and I would come to that just now. But I thought I should start off by indicating that there is absolutely no fear of the Motion raised—none whatsoever. There are aspects of it that I would not support. For example, I would not support the part that talks about the Government “have failed in their efforts to prevent crime or to make any significant impact in reducing the crime rate across the country.”

I would treat with that in some detail, but since this is a debate, I am expected, as the other person coming into the debate, to at least respond to some of the concerns raised by my colleague, Sen. Seepersad-Bachan. My intention is not to politicize, because in bringing the Motion, it was not Sen. Prof. Deosaran’s intention to politicize this issue. He is an Independent, but one expects that the Opposition Senator has to use the Motion as an opportunity to attack the Government. That is expected and I take it in stride, but I must respond. While I am not prepared to respond to everything—because she was all-encompassing, all-embracing; she covered all areas—I feel it is necessary to at least dispel this belief that is being put into the public domain which I think is unfortunate, that the Unemployment Relief Programme—that entire programme—is responsible for crime and criminal activity.

We would not dispute the fact that there may be some areas, some pockets, in which there are crime and criminal activities and the tendency to link unemployment to that could be strong—we would get to that. But to make a blanket statement to say that the Unemployment Relief Programme, in and of itself, is a major contributor, and for example to say that it makes no contribution and that when you had the Employment Training Programme (ETP), the whole question of training and up-skilling, have now been removed from the programme, that is your politics and I am going to resist. Do you want to say something?

**Sen. Seepersad-Bachan:** I would be glad, because I did not mean for it to be political either.

**Sen. The Hon. M. Joseph:** That is how it came across.

**Sen. Seepersad-Bachan:** Let me just say, Minister, all I wanted to say is, if it is that there is up-skilling and re-skilling, I would really like to hear that, because I think that is a major solution.

**Sen. Dr. Kernahan:** Tell us about it.

**Sen. The Hon. M. Joseph:** You are not going to tell me to “tell us about it”. I thought I should raise that. That is the first piece. Then the other piece that I think is unfortunate when you make these blanket statements, it seems as if the UNC party has a serious problem with CEPEP. I do not know why.

Let me just say something in defence of CEPEP. We have a culture in this country that has existed for a while that needs to be addressed, which is that we do not maintain. I could give you examples of how that culture has negatively impacted on our society. I would use the example of Chaguaramas. I was fortunate as a young boy to have seen Chaguaramas when it was under the responsibility of the United States. Then it came under our responsibility, and I do not know if, at the time, we had a problem with the US and we felt that we should just let that place get run down, but I am sure if there was a certain level of maintenance, we would not have come to the particular position.

I am saying this because we have a problem with maintenance, and the funny thing about maintenance is that if you look at it or the lack of it, it does not give you the impression that you are getting value for money. But what value is to be put on a clean society, a clean environment? Because later on I am going to talk about this broken windows theory, that says it starts with the community; it starts with what happens in your community and how that allows itself to build and translates itself into other kinds of activity. So that what happens, you have to cut grass and the grass would grow back and you have to cut it again. So that if you do not maintain it, then you would see what is happening.

I am suggesting that the whole major focus on the question of CEPEP and the clean environment is something that we cannot underestimate its importance. I drive on the Priority from time to time and sometimes it is a pride when you look to your left. There was a time I did not even know that was a cemetery. You are seeing a cleaner environment and I am saying that the whole criticism that is being levied against CEPEP and what CEPEP is about, I think is not a justifiable criticism.

The Senator spoke about the recommendations of the Ken Gordon committee. Mr. Vice-President and hon. Senators, I propose to go through all the initiatives. I am going to respond specifically to the Motion indicating what are some of the specific things that have been put in place and to also treat with Ken Gordon’s committee recommendations and see to what extent—because I heard the Senator say that none of the Ken Gordon’s recommendations has been implemented. I

could tell you the only recommendation that has not been implemented, either partially or fully, is the recommendation to declare a state of emergency. But we would treat with all of them.

**Sen. Dr. Saith:** Let them know what is important.

**Sen. The Hon. M. Joseph:** No, but you see, it is a debate. I have to start dealing with her first and then deal with Sen. Prof. Deosaran. When I say, “deal”, please do not misunderstand what I mean. I have to be careful, because I do not want the headlines saying: “Minister of National Security to deal with Deosaran”. That is not the intention, but to respond. I think it is unfortunate that you raised the issue of the bulletproof vests. I am not in a position to respond to this now but, certainly, it is not the intention of the Ministry of National Security and, by extension the Government, to provide our law enforcement officials with any inferior equipment that would put them at risk in the discharge of their responsibility. *[Interruption]* No, when we resume I will give way.

With respect to the question about the DNA testing lab, again, I am going to treat with it. The problem that we have encountered with respect to the DNA testing lab, I understand is tied up to the whole question of legislation and regulations. But, again, like I said, I would go into a little more detail on that. The Senator talked about rural development. The Government just recently announced the establishment of a rural development company designed to look at the whole question of rural development in a comprehensive way, to address the same concerns raised with respect to the shifting. Then she talked about moving away with George and Nelson Streets. That is dear to my heart because that is where I grew up. That is supposed to be part of an urban redevelopment programme.

So those were the issues I felt that I needed to address based on your far-reaching contribution. We have indicated on numerous occasions—and let me reiterate it again—that this Government is not satisfied with the level of crime and criminal activity in the society. The Prime Minister is on record as saying that the only dark cloud that continues to hang over us right now is the question of crime and criminal activity. But no amount of talking about it would make it go away.

Sen. Prof. Deosaran provided us with some statistics. According to our information, there is a 3.4 per cent decline in the rate of increase. It is a decline in the rate of increase in serious crimes that occurred between 2003 and 2005. While encouraging, it is not a source of comfort to citizens. From 4 per cent rate of increase between 2003 and 2004, there was a 0.6 per cent increase between 2004 and 2005. Sen. Seepersad-Bachan said she likes to see the immediate, the short term

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and the long term. We are on the same page, as far as that is concerned. Everything we do, we like to talk about the immediate, the short term and the long term. So at least there is a little breathing space, nothing to be too comfortable with. But at least if you can start to reduce the rate of increase as a first step, you are likely to start seeing the question of the reduction.

Notwithstanding that, we believe that our efforts will bear fruit as it relates to treating with crime and criminal activity. However, we are first to admit, as I mentioned in my statement in another place, that there are particular crime trends and patterns that have developed for which we must redouble our efforts to reverse. Whereas in the year 2000 there were 38 reported murders between January and May, in 2005, there has been 145, an increase of some 282 per cent, and an increase of some 44 per cent in 2005 compared to 2004. We have not hidden the information.

**Sen. R. Montano:** Are you able to hide it?

**Sen. The Hon. M. Joseph:** No. We are not doing like Jamaica. Let me not talk about that.

**Sen. Dr. Saith:** Do not let them distract you.

**Sen. The Hon. M. Joseph:** Between January 01 to June 06, 2004, there were some 104 reported murders. For the corresponding period, there were some 152 reported murders. In all, let me just—the types—in terms of the gang-related, while in 2004 there were six; in 2005 there were 31. The drug related: in 2004 there were four; in 2005, eight. Domestic violence: in 2004 there were four; in 2005, 12. Altercation: in 2004 there were 10; in 2005, 11. Robberies: in 2004, there were 14; in 2005, 12; the only area in which there was a reduction by two. Then there was something called “revenge”. In 2004 there were three; in 2005, four. Line of duty: there was none in 2004; we had one in 2005.

**Sen. Seetahal:** Those are murders you are speaking about?

**Sen. The Hon. M. Joseph:** Yes, murders. Others: two in 2004; in 2005, 19. Unclassified: 61 in 2004; in 2005, 52. It is unclassified down. Then also in terms of the solved rate, in 2004, remember I indicated there were 104 of which 30 were solved; in 2005, 152 and 29 solved. So, just as the Professor has indicated, the solve rate is not getting better; it has been going down south. So we are aware of that.

With respect to kidnappings—because these are the two major categories that are causing unease in the society—in 2000, kidnapping was not even categorized

as a serious crime. For the first five months of this year alone there were 87 reports of kidnappings. Now, the kidnappings for ransom, the numbers on them are slightly different. This is not intended to take any solace, but, you see, we have to understand that we live in a world and we are not isolated from that which occurs in other places.

Somebody sent something to me today, dated Wednesday, June 22, 2005. This is the *British Independent*. It is written by Jason Benito who is crime correspondent of the *Independent*. Permit me to quote from page 10:

“Kidnappers are snatching a victim in London...”

Not the United Kingdom:

“on an average every day with some gangs demanding hundreds of thousands of pounds in ransom, Scotland Yard has said. The criminals, many from Eastern European countries frequently use extreme levels of violence. ‘Last year a total of 358 kidnappings were reported to the metropolitan police with dozens more going undetected’, the Met. said yesterday. The force’s kidnap unit was alert to 55 of the incidents and in every case managed to free the hostages often after raiding gangs, hideouts.” et cetera.

This is one of the few places where you get information with respect to kidnapping, because I have been enquiring from the United States to see whether or not we could have, not just get the statistics for comfort, but also to get a sense as to what are some of the strategies, the approaches, et cetera, that are used to see whether or not we can borrow some best practices.

Let me say something else also. The impression is being given that everything is completely lost; that we just have no handle. It is interesting as I was reading today's *Guardian*, Tuesday, June 28, page 5 I saw the headline: “Central businessmen praise cops, Army”. Again, permit me to put it on the record. I am not doing this to try to ingratiate myself, because the Professor read about people who said “Martin Joseph, I guess it is time for you to go home; perhaps you are tired.” So I am not putting this to counter you; it is just the article. It states:

“National Security Minister Martin Joseph, the police and the army have been praised for the lockdown at Central Trinidad.

The kudos came yesterday from Greater Chaguanas Chamber of Commerce president Rudy Maharaj.

According to Maharaj, in the last 90 days since the lockdown of the Central area began, there have been no kidnappings.

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He said other crimes, such as theft, had also been on the decline. Maharaj said the Chamber came to this conclusion because it had been keeping tabs with the police stations and business owners in the Central area.

He said the heightened joint police/army patrols and regular helicopter surveillance in the area was a contributing factor to the decline in criminal activity.

Maharaj and his executives will be meeting with Joseph today in Port-of-Spain—”

We met this morning:

“‘For the last 90 days, we have had no kidnappings in Central Trinidad,’ he said.

‘While we don't want to blow our trumpet, things have been working out for our business people.

We have put our audit checks in place and the security forces continue to do their job.

As promised by the minister, the resources have been given out.’”

This was in response—and just to remind members of this honourable Senate—to an increase in the number of kidnappings taking place in central and we were being accused, as a government, of neglecting a particular part of the country because they were not happening in a particular area. These were accusations that we had a difficulty with.

We met with the Chaguanas business community to discuss the approach that was supposed to have been used. It should be put on the record. When the executive of the business community went back to Chaguanas, I understand—this is third party; I was not there—they were ridiculed. They were told by their political colleagues: “Why did you meet with the Minister? Why did you meet with the officials of the Ministry of National Security?” They were called upon to have a shutdown the next day and this gentleman, all credit to him, said: “We need to give the Ministry of National Security and the Government some time to put their things in place.” [*Desk thumping*]

That is the reason I am putting it on record. It is a credit to them that they took some risk. Do you know what they are now saying? Let me quote it. They are saying that the strategy used in Chaguanas should be used as a prototype for the whole country. [*Desk thumping*]

**Sen. Seepersad-Bachan:** What is the strategy?

**Sen. The Hon. M. Joseph:** Do not worry, you are going to get the strategy. When I continue after tea I would indicate the extent to which we can reveal the details as to what we have been doing. Again, there are certain things you cannot reveal. That is the challenge with respect to the Ministry of National Security. [*Desk thumping*] Let me just say something else, because this is where I get into a lot of problems or trouble. I have maintained and I will continue to maintain, I will not criticize my law enforcement agencies in public. You praise in public; you criticize in private. I keep saying—and permit me to use a quote that my mother always reminds me of: “With all your faults, I love you still”.

**Mr. Vice-President:** Hon. Senators, we shall take the tea break now and the Minister will continue at the resumption which would be at 5.00 p.m. The Senate is now suspended for tea.

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

**5.00 p.m.:** *Senate resumed.*

#### ADJOURNMENT

**The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith):** Mr. Vice-President, I beg to move that the Senate do now adjourn to Tuesday, July 05, 2005, at 130 p.m. at which time we will deal with the first Bill under Government Business.

I will also like to put the Senate on notice that should we finish with No. 1, we will deal with No. 4. Because there are a number of Bills, the Bills on the administration of justice; the summary court; criminal procedure and corporal punishment will come up on Tuesday. Fifteen days would have lapsed and we would like to start on Tuesday. If we are not able to complete them we will probably come on Wednesday. We will see how the debate goes. As you know, we are coming to the time when we go on recess and I want to get these done.

**Mr. Vice-President:** Hon. Senators, leave has been granted for two matters by Sen. Sadiq Baksh to be raised on the Adjournment.

#### **Piarco Runway Repair Project (Status)**

**Sen. Sadiq Baksh:** Mr. Vice-President, I begin by welcoming the new hon. Minister of Works and Transport to the Senate. I raise this Motion and it is a pity that he has to provide the answer for a situation that he would have been updated

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on, but was not directly responsible. It will be a matter of seeking more information than taking the Minister to task although he would have inherited a situation that I am sure he would be working assiduously to correct.

This particular matter is about the status of the Piarco runway repair project. You will recall that on November 23, 2004, I raised a similar matter then, the imminent danger to the travelling public as a result of the poor quality and uneven surface at the Piarco International Airport runway repair project.

We have come the full circle on this matter including having a new Minister of Works and Transport overseeing this new project. I remind this honourable Senate that at that time I drew to the attention of the Senate and the national community the unevenness of the surface which is a danger to the landing gears of aircraft both landing and taking off at the Piarco Airport runway project. Since then, it is not something that we wanted to happen but we warned the administration that they should take steps immediately. We further told them that they did not need any international consultant to feel the unevenness of that runway.

Events have overtaken us and there was a situation with a Tobago Express aircraft in which the landing gear malfunctioned that it posed a security danger to the travelling public. When we raised that matter on November 23, it was to avoid that same situation that could have been disastrous. Be that as it may, we are lucky nothing occurred. We now have a situation in which the present runway repair project could cost us \$40 million or \$50 million more than the original price.

You will recall that the then minister promised that within two weeks he would have provided the Senate with the report of the international consultants in terms of the steps that were recommended to be taken for the repair job of the Piarco runway project. I am not certain whether he passed on that information to the new Minister and if he would make it available to the Senate.

Our main concern now is the repair of the runaway so as to have a safe runway for the citizens of Trinidad and Tobago. At this stage we are not raising any other issue. I am sure that the Minister and the national community will be updated on the cost.

Thank you.

**The Minister of Works and Transport (Hon. Colm Imbert):** Mr. Vice-President, I thank Sen. Baksh for being very brief and to the point. I am not



certain about what has been said previously in the Senate on this matter, but I think that it is necessary for me to give some details, a sort of chronology on the project.

This project has its genesis as far back as 1997, as I am sure Sen. Baksh is aware when the Airports Authority commissioned Geotech to provide design and construction supervision in connection with repaving the runway at the airport. This continued in 2000 when the Airports Authority requested Geotech to review the design for compliance with the FAA requirements. Eventually in May 2001, Cabinet agreed to approve expenditure of approximately \$37 million for the rehabilitation of the runway.

Tenders were invited and received in June. The tender evaluation ran into difficulty. There were problems with the lowest tender; discrepancies were found and the Central Tenders Board found itself unable to make a decision. Essentially, the project went into abeyance.

When the new administration came in November 2002, Cabinet agreed to re-invite tenders at the same estimated cost of \$37 million. Tenders were re-invited in February 2003. A number of proposals were received and a contract was eventually awarded to the lowest tenderer, Jusamco Pavers at a cost of \$20,240,567 plus \$3,036,085 in VAT, that is approximately \$23 million. The supervising engineer was the same one from 1997, Geotech Associates. The project began on August 25, 2003 and it was supposed to take 60 days with a completion date of November 26, 2003. There were limited hours of work because there was no desire to shut down the airport for the entire period. The work began and there were complaints from users of the runway and the engineers reported that the work did not meet the specifications. This is all well known.

There were attempts to restart the project in 2004, but eventually, for a number of reasons including the quality of the work that had been done, the project was suspended. From 2004 to now there have been efforts to bring this project back on track. When I was appointed Minister I decided to look into the project to see the problem and how we can get the project restarted. I share Sen. Baksh's point of view that we need to get the work done. That is really the issue. I sought to determine the problem and the best way forward to get the work done. I do not think that there is any argument that the work should be done.

In discussions with the Airports Authority, the Permanent Secretary in the ministry and the technical advisors, I have decided that the project will have to be restarted from scratch and there are two reasons. There is a point of view that the work will have to be completely redone, so that the concept of remedial work

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does not apply. The proposal has been made—and I think it is a good idea—to upgrade the runway from its present Category 1 status to Category 2. For the benefit of hon. Senators, the Category 2 runway is one where you can land in adverse weather conditions. The points at which the pilot will make a decision to land or not to land are shorter because it is a higher level of instrumentation. You have a far better navigation system with a Category 2 runway. Piarco is now Category 1. It has always been.

We felt that as we are moving towards developed country status it was a good idea since we have to start over this project to go for a Category 2 status. I have had three meetings with the Airports Authority Board and the technocrats. Within the next two or three weeks we will make a decision on the way forward, which appears to be completely restarting this project as a Category 2 runway. Since we are into the rainy season and asphalt paving is very sensitive to rain as we all know, there is little point in trying to rush the project to get it done in the rainy season. Because of the time loss and claims that will come because of inclement weather, it does not make any sense. We are targetting a January 01 start. These decisions will be made in the very near future.

In the meantime, I have been assured by the Airports Authority that some interim remedial work can be done—it will not take long—to bring up the runway in the areas where there is more serious irregularity in terms of the surface. I have been told that one week's work will bring the runway to the standard where it can be used without any serious inconvenience. Of course, it will cost more because we are going from Category 1 to Category 2 which is a wider runway with a higher level of specification and the tolerance in terms of the asphalt is higher. You have the additional air navigation instrumentation.

I do not know if this answers all the questions. I am not familiar with the report. I have to beg the Senator's indulgence to see what this report is all about. It may be absolutely irrelevant at this point in time since we have come to the conclusion that we have to restart the project and we are looking at a better upgraded solution. I would have to familiarize myself with that report before I make any commitments to Sen. Baksh.

Thank you.

**San Fernando to Point Fortin  
(Status of Highway)**

**Mr. Vice-President:** There is another matter to be raised on the Adjournment. I now call on Sen. Sadiq Baksh.

**Sen. Sadiq Baksh:** Mr. Vice-President, another matter which qualifies for the Motion on the Adjournment is the status of, not runway on this occasion, but the highway, from San Fernando to Point Fortin. The hon. Minister will be familiar with this project because it is long in the waiting for the citizens of Point Fortin and San Fernando. He will agree that for over four decades the necessity for a highway to Point Fortin was identified for the development of the region. It predates all of us.

The first attempt to extend the highway from San Fernando to Point Fortin was in 1966, after the construction of the bridge over the Godineau River. The alignment would have been from Oropouche across to Rousillac to Point Fortin By-pass in La Brea.

During the period that the Minister was responsible for works and transport the pre-feasibility was done and further identification of that road with a different alignment. Preliminary work started with the extension of the highway in the first phase from St. Joseph Village to Golconda. When I went into the ministry some of those plans were in place. We converted those plans and started the project up to Golconda. Over the last four years the present administration continuously reiterated its position in terms of the construction of the highway from San Fernando to Point Fortin with five alternative roads. They are: one road from Golconda to Clarke Road in Penal, going east then coming back west to Beridge Trace in Oropouche, then going south to Point Fortin; another road that was identified as a connector road from La Brea to an imaginary point along that road and another road from Penal to Erin. Those roads were recommended to have a sustainable route taking into consideration the additional traffic needs for the future.

Whereas this administration on a continuous basis indicated its commitment to the continuation of that project so far it has not materialized. I recognize that the Minister will now be re-familiarizing himself with the status of that project. In keeping with that I will allow him to explain his plan for the implementation of that project.

Thank you.

**The Minister of Works and Transport (Hon. Colm Imbert):** Mr. Vice-President, I have already re-familiarized myself. I am happy to give the Senate some definite information. The next phase of the extension of the Sir Solomon Hochoy Highway will be the link between Golconda and Debe. Let us not get into the technical names.

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The design for the section between Golconda and Debe is completed. We will not be using the traditional approach to implementation. This project is being seriously considered for implementation by the National Infrastructure Development Company. We expect that it will be done very quickly. The estimated construction time is 24 months and the length of road is 4.6 kilometres. At this time the project budget is about \$130 million. We all agree that this is a very useful project and it should be done immediately. I believe that we can tender this project and start construction of the link between Golconda and Debe in 2005. If we start in 2005 which I have every confidence that we can, this section will be available for the general public in 2007 which Sen. Baksh will know is an important year.

In addition to extending the Sir Solomon Hochoy Highway we are doing some road improvements in the general area. We are widening the South Trunk Road between Dumfries Road and Paria Suites. The estimated construction time is 12 months. The designs are substantially complete. We are going to tender in this year so that by the end of 2006, the South Trunk Road will be widened.

In terms of the continuation of the highway, the next step after Debe is Penal. At penal the road splits into two parts; one leg goes to La Brea and the other to Point Fortin. That is the current thinking at this point in time. It is contemplated to be a freeway. There will be a number of interchanges. While I am on that I might say that the section between Golconda and Debe is expected to have a number of interchanges. The way this road will be designed will allow a free flow of traffic all the way from Port of Spain to Debe, Penal, La Brea and Point Fortin. We will try to break up the road construction into packages.

In the developed countries roads are developed incrementally. One does not wait to design the entire road in order to start building a piece of road. One of the challenges I have given the engineers is to break the road from Debe to Penal to La Brea and Point Fortin into contract packages that will take two to two and a half years. As we finish a section and reach some form of population settlement, we can build that piece of road; finish it and continuously extend the highway incrementally instead of waiting for the complete design to be finished. The actual design of the highway is estimated to take 18 to 24 months. We will not wait on that. We will go immediately for the extension from Golconda to Debe and shortly thereafter, I hope that we can start Debe to Penal. We will have an incremental approach to the construction of the highway. While we are designing and planning the future stages we can be building the current stages. We will have a target driven approach to the highway construction. It will be result oriented so

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that we will get work done. The focus in the ministry is that we will get things done. The work on all these roads will start before 2006.

I have given as much information as is available. I do not think that the Senator needs to know anything more at this point in time. I will be happy to provide an update on this project as time goes by.

Thank you.

### **Order of Business**

**The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith):** Mr. Vice-President, after having discussed with the Attorney General, I just want to give the order of the debate for Tuesday. The first Bill will be the Association of Caribbean States (Headquarters) Bill; the second one, the Summary Courts (Amdt.) Bill, 2004 and the Criminal Procedure (Amdt.) Bill. I am advised that both were taken together in the other place and we will be asking that they be taken together here. After that, the Administration of Justice (Miscellaneous Provisions) Bill, 2004 and then the Corporal Punishment Offenders Over 18 (Amdt.) Bill, 2005. That is how they will appear on the Order Paper.

**Sen. Mark:** I just want to serve notice that we will want to study it and not necessarily go the route of collective. We will discuss it at caucus level and report on Tuesday.

**Sen. The Hon. Dr. Saith:** We understood that and that is what I said. We will seek leave but I thought that he would use the week to think about it.

*Question put and agreed to.*

*Senate adjourned accordingly.*

*Adjourned at 5.27 p.m.*