SENATE

Tuesday, November 22, 2005

The Senate met at 1.30 p.m.

PRAYERS

[MADAM PRESIDENT *in the Chair*]

LEAVE OF ABSENCE

Madam President: Hon. Senators, I have granted leave of absence to Sen. The Hon. Knowlson Gift and Sen. Bro. Noble Khan who are out of the country, and to Sen. Prof. Kenneth Ramchand who will be absent for today's sitting.

SENATORS' APPOINTMENT

Madam 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., PhD, President and Commander-in-Chief of the Republic of Trinidad and Tobago.

/s/ G. Richards
President.

TO: MRS. MAGNA WILLIAMS-SMITH

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

NOW, THEREFORE, I, GEORGE MAXWELL RICHARDS, President as aforesaid, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in me by section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, MAGNA WILLIAMS-SMITH, to be temporarily a member of the Senate, with effect from 22nd November, 2005 and continuing during the absence from Trinidad and Tobago of the said Senator Knowlson Gift.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 18th day of November, 2005."

"THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

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

/s/ G. Richards
President.

TO: MR. WALTON FRANCIS JAMES

WHEREAS Senator Brother Noble Khan is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, GEORGE MAXWELL RICHARDS, President as aforesaid, in exercise of the power vested in me by section 40(2)(c) and section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, WALTON FRANCIS JAMES, to be temporarily a member of the Senate, with effect from 21st November, 2005 and continuing during the absence from Trinidad and Tobago of the said Senator Brother Noble Khan.

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 18th day of November, 2005."

OATH OF ALLEGIANCE

Senators Magna Williams-Smith and Walton Francis James took and subscribed the Oath of Allegiance as required by law.

ORAL ANSWERS TO QUESTIONS

Toxic Chemicals Regulations (Status of)

4. **Sen. Basharat Ali** asked the hon. Minister of Health:

A. Could the Minister advise what is the status of the Toxic Chemicals Regulations?

B. Could the Minister further advise when would these Regulations be laid in both Houses of Parliament?

The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith): Madam President, the Toxic Chemicals Regulations are completed and are expected to be laid in both Houses of Parliament within the next two months.

Sen. Ali: Madam President, a supplementary—

Madam President: I am not hearing you.

Sen. Ali: Madam President, as a supplement to that question, in June I asked the same question and these regulations were being printed and were expected to be laid in the both Houses of Parliament in July 2005. We are almost at the end of November. I find that unacceptable especially as I asked about the effect the regulations would have on aspects like the Debe incident. I would like that period to be drastically reduced.

Sen. The Hon. Dr. L. Saith: Madam President, I will convey these sentiments to the Minister.

Palmiste Development La Romain (Development of)

9. **Sen. Sadiq Baksh** asked the hon. Minister of Planning and Development:

A. Exactly what part of Palmiste Development, La Romain is earmarked for development by the Urban Development Corporation of Trinidad and Tobago (UDeCOTT);

B. To whom do these lands belong;

C. How did these lands change hands; and

D. At what price?

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Madam President, there are six areas of Palmiste Development earmarked for development by the Urban Development Corporation of Trinidad and Tobago (UDeCOTT) and the details are as follows:

Block sub-settlement one: containing approximately 8.0 hectares or 19.9 acres is located west of the existing Palmiste Housing Development, south of Rambert Village and east of Dumfries Road in the proximity of Rambert Village.

Block sub-settlement two: containing approximately 4.8 hectares or 11.9 acres is bounded on the north, east and south by the existing Palmiste Housing Development, and bounded on the west by Palmiste Boulevard in the proximity of Sugarcane Ridge Road, Palmiste.

Block sub-settlement three: containing approximately 15.8 hectares or 39 acres is located west of and bounding with Hermitage Road, Hermitage, and south of the existing new housing project in Palmiste. This block is approximately 150 metres east of Dumfries Road in the proximity of Hermitage Presbyterian School and north of the intersection of Hermitage and Dumfries Roads.

Block sub-settlement four: containing approximately 6.2 hectares or 15.4 acres is located north and west of Cinnamon Court, new housing project Palmiste, and east and south of Kelvin Avenue and sub-settlement one.

Block sub-settlement five: containing approximately 57.5 hectares or 142 acres is located west of and bounding with the San Fernando Siparia Erin Road in the proximity of Otah Valley Road, and east of the Ribbon Development along Dumfries Road, and approximately 200 metres east off Hermitage Road, Hermitage.

Block sub-settlement six: containing approximately 19.8 hectares or 49 acres is located 550 metres west of Papourie Road in the proximity of Picton Village, 200 metres east of the San Fernando Siparia Erin Road, in the proximity of Otah Valley Road and 300 metres south of Marshall Gardens off San Fernando Siparia Erin Road.

The lands are owned by the National Insurance Board.

At present, the lands are still in the possession of the National Insurance Board. However, UDeCOTT is in negotiations for the purchase of the property. The purchase will be subject to good title.

In view of the above, part D of the question is not applicable since the price of the property has not been settled.

Madam President, I have a map that I would like to present to Sen. Baksh. Thank you.

Housing Development Company
(Expenditure Incurred)

13. Sen. Sadiq Baksh asked the hon. Minister of Housing:

Could the Minister inform this House of the total expenditure incurred on the Housing Development Company of Trinidad and Tobago from the inception to October 15, 2005?

The Minister of Social Development and Minister in the Ministry of Housing (Hon. Anthony Roberts): Madam President, the expenditure incurred for the Trinidad and Tobago Housing Development Corporation from inception to October 25, 2005 is as follows:

Capital Expenditure:

	$
Land development	50,000
Housing estates	3,326,000
Settlements	6,184,634
Squatter relocation	1,087,203
Other	20,000
Total	10,667,837

Recurrent Expenditure:

	$
Wages and Cola	1,000,588
Overtime	100,000
Government's contribution to NIS	103,500
Government's contribution to Group Health	11,450
Total	1,802,950

WRITTEN ANSWER TO QUESTION

Crimes Committed (Details of)

1. Sen. Prof. Ramesh Deosaran asked the hon. Attorney General:

With respect to the specific crimes of robbery, burglary, larceny, abduction, kidnapping, assault, house break-in, possession of drugs and drug trafficking, could the Minister tell the Senate for each of the last ten years:

A. How many times each crime was committed (reported) in each of these years?

B. How many persons have been charged for each crime in each year?

C. Of those charged how many have been granted bail or refused bail in the Magistrates' Court?

D. Of those refused bail in the Magistrates' Court, how many on appeal have had such bail subsequently granted in the High Courts?

E. Of those granted bail in the Magistrates' Court, how many have had this decision on appeal reversed in the High Court?

F. Of those granted bail in the Magistrates' Court, or in the High Court, how many have subsequently been charged for one or more crimes?

G. What type(s) of crime(s) have they been charged for while out on such bail?

H. Of those charged for each of such crimes while out on bail, how many have been convicted?

I. Of this convicted lot, what type of sentence did they receive?

Vide end of sitting for written answer

GOVERNMENT'S PERFORMANCE IN HANDLING CRIME

Sen. Prof. Ramesh Deosaran: Madam President, I beg to move the following Motion standing in my name:

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 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 the actions of the relevant agencies 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 so as to facilitate the pathway to national consensus and civic mobilization.

Madam President, at the outset, I feel obliged to recognize the very peculiar circumstances facing the introduction of this Motion to this Senate and the national community.

You would recall that this Motion has a history of its own, in the sense that there was a Motion before the last recess of this Parliament and that Motion was due for debate on June 08, 2005. There was a very partial debate on it. I recall that Motion if only to indicate that the Motion now before the House is different from the previous one in two particular respects. In order to set a concilliatory tone and to assist the Government in formulating its own plans in terms of building civic consensus, I deleted one of the preambles from the previous Motion.

Secondly, I reshaped the resolution itself to create a track for the Government and to quote the resolution now before us "to facilitate the pathway to national consensus and civic mobilization". That phrase was not in the original Motion.

Madam President, you would therefore realize that this Motion was brought in good faith, and in the interest of the national community, I would therefore expect reciprocity from all sides.

When we asked for the information as stated in the Motion I, for one, did not expect the Government or the Minister in particular, to disclose his secrets, matters of intelligence and those matters that must remain confidential for effective crime fighting. In other words, I did not expect any secrets to be disclosed, but given the state of crime and public concern, I think the Government owes this Senate, which belongs to a twin Chamber of the Parliament, some explanation so as to help allay public fears and to build national consensus.

The Motion in its preamble calls for some specificity which was not found in other announcements regarding crime. This therefore makes the way open for the Government to refine what has been said in another place and to gather from this second Chamber, the required support that would facilitate the building of a national consensus.

I must say, speaking on the Motion today in these circumstances, do remind me of a wedding to which I was invited, but I went a week after. I misread the date on the invitation. I have a habit of missing those particular dates. In fact there was another one—there is no harm done in calling the name—when Mr. Mark Mohammed was getting married in the Grayfriars Church, I went the Sunday before. [*Laughter*] In this instance, it seems as if a political marriage had taken place in another place. I would come to that afterwards. I must tell you the example of attending the wedding a week afterwards. I did help in preventing a divorce because I knew both parties well enough. [*Laughter*] So I say no more, except to say that we are on to a helpful route here this afternoon, and I hope that spirit could be maintained with the required spirit of parliamentary debate.

I must admit if I were delivering a lecture on the said subject at the University of the West Indies, I would have to be quite different in my content and style, but this is a Chamber of politics, and you would therefore forgive me if I refer to the politics of public policy in crime, referring more precisely to how the Government managed to build the consensus that we have witnessed, at least in the first level.

I think the Government and the Prime Minister staged a coup, a political coup, and I think there must be some commendation to them for this. In fact, they neutralized the death marchers and the placard bearers; they rescued the Minister of National Security from a lot of heat; they put the Opposition on the defensive; and, once again, they gave the country some hope but leaving some of the skeptics behind. It is also the politics of crime.

In looking at the Prime Minister's manoeuverings in the other place, it was also the politics of genius. All I think was missing were the dark shades and a hearing aid to remind us of the grandmaster himself in the Chamber. When one witnessed what happened and the stage where we are today, it was like a Dennis Lawrence header—coming from the top, reaching the ground and leaving the observers mesmerized—quick and effective.

You see, the unity we seek today on the matter of crime—and as we compare that need with the unity that we witnessed after the football match, victorious as we were in Bahrain—we have to really understand that unity came because we "beat up" somebody else. It arises in my mind as to how could unity always come when you have to "beat up" somebody else. This brings us to the psychology of the Westminster system which we are trying to transcend in building the consensus on this very volatile, heated matter of crime.

The psychology of the Westminster system includes an adversarial relationship, more specifically, an alternative government always standing by. So that one man's meat will always be another man's poison; one man's losses—the Government's losses in a sense—would also be a victory for the Opposition. That is the psychology of the Westminster system and we are trying, of course, to transcend that. I do not know in this Chamber and even in the other place, as these plans move along—those we have heard so far—would remain only in terms of form and not substance. I am keeping my fingers crossed because we have had something called the Crowne Plaza Treaty that remained unsigned. It was not implemented. Of course, that is history. In other words, the Westminster system is based traditionally on the practice of mutual mistrust. That is how it is and that is why we need the checks and balances and the role of the media, in terms of framing these checks and balances upon the role of the Government, particularly.

The other issue we have to be guarded against in this Senate—the second Chamber in Parliament in my view—is that the Senate is supposed to deliver sober thinking, balanced judgment and professional analysis as far as is practical with a mixture, of course, with politics. That is to me one of the superior qualifications of a Senate in a two-Chamber parliamentary system. Saying that, it means that you cannot always be politically correct and allow us Senators, as a nominated element in Parliament, to be swayed unduly by what is popular but not right. We must not be swayed by challenges from marchers or the media when we have

considered those issues not right in the national interest. It is in that sense I will continue to make my presentation.

When I looked at the newspapers—I am making this cautionary note because you see the greater the expectation is the harder the fall. The higher you go is the harder you feel the fall afterwards. I believe after the hype that went with the announcement in the Lower House, when I scrutinized the contents of those plans and so forth, I am keeping my fingers crossed.

The *Guardian* newspaper had on the front page "Breakthrough". I still want to know how far is this "breakthrough" going in the end of it all, and what is this breakthrough about. It even supersedes the picture with the footballers.

When you come to the *Express* newspaper there was the headline "Crime unity" and "Government and Opposition make deal on new legislation" and, again, the following pages raise the hope of the national community.

Madam President, I think we have to be careful in this Parliament that we do not raise public expectations to the extent that we cannot fulfil those expectations because we would be making one step forward and two steps backward. There are persons who are going to feel the blows this time—not only for the Government, but both the UNC and the PNM. The two parties would have to bear the brunt of whatever public reaction there is because, they have seemingly joined in a common plan to deal with this issue and they have both given the country hope.

In the *Newsday* newspaper there was the headline "PNM and UNC agree at last". This is nothing new. Some of us have been calling for this for many years now—genuine collaboration in matters that affect the national community and, in this case, crime. Ten specific plans were listed which were agreed to and I would allude to them in a short while.

So the truce is good. I think it is good for the country because the country has grown so desperate and frustrated that some healing is helpful. But we still have to deal with something that is real. You would forgive me if I, in a saddened way, refer to the other things happening in the country, apart from the celebration over football.

At the same time the celebration for the football was taking place—this is an analogy to the unity that we need in fighting crime—you had the other half of the country submerged in flood and grieving over the repeated flooding that affected

their districts and houses. This means something is not right in the country. How could you celebrate so lavishly with one side of the country and on the other side there was so much grief and anguish over a matter that happens annually?

Apart from the 335 murders—four of them happened during the same period when the debate was taking place in the other place—seven persons were shot by what you call "drive-by shooting". There is an ugly side that we still have to recognize, apart from celebrating the football victory. We cannot let either one be isolated because we still have to face what I would call "the pathogenic prosperity" that is coming upon us. It is prosperity which can be used for the betterment of the country, but there are still areas of grief and hardships that also need to be attended to. My colleague, Sen. Mary King, would allude to it as "the diseased economy".

I merely want to briefly start off with the climate that facilitates lawlessness. I know this is an aspect that you have always been concerned about—the relationships among citizens—the extent of so much spite, mutual hatred and almost envy within this country. We have measured it in one of the projects that we have done and we were surprised that even among people who do very well, there is still so much feeling of deprivation and envy. What I am saying is nothing new.

I remember Ronald Ramkisson, a bank economist, making the point three months ago, from his point of view as an economist, that there was too much envy and spite in the country. More recently, Jennifer Baptiste-Primus, who was at one of the conferences that we organized dealing with victimization, made mention of the number of complaints they have received from the public about spite and victimization. One of our former colleagues here, Mr. Selby Wilson, mentioned the level of greed that is now crippling us.

We have a number of vices which facilitate lawlessness and poor relationships among us. We cannot ignore those things because they have to do with the role of religion, family and schooling, in terms of framing a civic culture, which in the end would help when we examine the causes of crime and delinquency. While it is good to speak about the law and legislation we have had coming from this UNC/PNM consensus, there is a very big gap remaining as we go down the road and which would most likely haunt us in terms of subverting whatever success we might experience with the plans as they are.

There was an interesting editorial in the *Express* newspaper a few days ago that suggested the innocuous nature of what I am doing here. The implication is that I am merely wasting my time in bringing a Private Member's Motion. To

some extent, it is true because they tell you that as soon as 4.30 p.m comes private members' business would close up and everybody would go home until the next month. They tell you that nobody takes it on, especially the Government. That is in the Express editorial of Tuesday, November 15, 2005.

I am fighting against the odds. I am trying to establish self-respect for this Senate, and I am trying to put the integrity of Private Members' Day on the agenda as a Standing Order right. That is part of what I am doing here today, restoring the dignity, if that is what you want to say, to this honourable Senate. I emphasize the word "Senate".

The editorial goes further than that. I find it intriguing that the editorial has to instruct us as to what to do in the particular sense that it says that all these plans here—"Breakthrough", "Crime unity", "At last unity on crime" and the expectations that go with such pronouncements would fall to nothing if certain other things are not done, as the editorial said. I would not spend time to describe it in detail, but it says unless you do not understand the causes of crime and delinquency fundamentally, and set up some machinery to deal with those social dysfunctions, you would end up nowhere and you would reach nowhere with the legislation. As somebody who knows a little about this, I wish to caution our Government that whenever it has the opportunity, it should make the required intervention accompanying this hardware.

These legislative matters have great appeal to the media. I find the media is very seduced by these announcements without studying whether they have been made before. A lot of these matters have been passed on the agenda before. I think you must look in your archives—through you, Madam President—and put it on the agenda and show how these things have been the same. They were déjá vu so many times and, of course, I am going to make very gentle reference to them.

These circumstances that we are faced with today in this Motion are very serious. It is more than politics. As I said, it is our struggling to get things right, not only the crime issue right, but to get the politics right. I was happy when the Prime Minister talked about constitutional reform, but I do not think that we can wait too long. We should not hold our breath. That should be a matter of urgency. [*Desk thumping*] Legislative reform would have a direct bearing on the effectiveness of crime management and crime reduction. I would make a few remarks in that regard.

It is amazing to me, as a citizen and, more so, as a Senator, how governments, not only this one, rush into action so quickly when there is an electoral threat.

Why do we have to wait until there are marches, placard-bearers and coffins, apparently lined up on the streets to take action which should have been taken so many years ago? That is a culture that we have to get out of, especially in the Senate where you expect reason.

There are many reasonable proposals that were made here time and time again. We do not have to march, wave flags and run naked all over the place as streakers to attract attention. In fact, it is advised that some people do not do any streaking for their own proper welfare, appearance and dignity. At the same time, why do we not have a more civilized, congenial and dignified way of governance? What is wrong? Why do the senior members of Government not proffer that advice to the Cabinet so that we would have a more decent manner of doing things, and not wait until the gun is at our throats before we move into legislation?

The imputation is clear. We only move when we are faced with "bad Johnism" and threats to our political life and future. That is not right. Election would come every five years or so and it would have its due time for campaigning, but during that period we have a number of obligations which we should fulfil without having them reach to the point of threats, marches, placard bearing and all the theatrics that go with such things. That is the extent to which we behave as a government. You see, we are only talking about how people are behaving—the parents are bad and school children are delinquent—but incivility starts from example—the extent to which we have good examples in government; the extent the country becomes and remains civil; and the extent to which a country is governed is also an index of our civility. That would not make any headline. What I am saying here it is too reasoned; it is too cool; and it is the right and the proper thing.

I want to refer to this great crime plan, commendably in some instances, but curiously in other respects. I hope it is not a kind of Houdini artistry in the Chamber of great expectations. That is you see it today and in the next couple of months it disappears for all kinds of reasons. We have gone that route before. I hope we are careful that we do not fall victim to the form, but we maintain the substance of what has been agreed upon. That is why I want to make it clear, in my personal view, that both the Government side and the Opposition side would be held responsible if this thing does not work out as expected.

If you look at these 10 proposals—I think there are 10 proposals because there is one that should really be part of the plan. People are saying that there are nine

proposals. The first proposal is the amendment to the Bail Act, meaning no bail for certain violent crimes and, of course, kidnappings with some limitations being a sunset clause and so forth. I understand that and I support that.

When the amendment was brought to the Bail Act, I supported it. I understand what human rights are about; I understand what the Constitution says; and I understand a society. The legislature must move according to the threats put upon this society if only temporarily, so I am very happy. I am not saying that perhaps that concession of a sunset clause could have come from the Opposition side; it could have been but, whatever, I welcome this particular proposal.

I am going to leave the proposal with the police commissioner and the members of the Police Service Commission for later on.

With respect to the gun and kidnapping court for all crimes, I support that. I want to urge my colleagues on the Government side that they should learn from the Jamaican experience where it did not work so well. So it could work well or not, according to the infrastructure and the legislative apparatus in which you put that idea. I am therefore asking the Government, with respect, to look at what happened in Jamaica and why it did not work there because you have guns like peas in Jamaica. The amnesty in Jamaica did not work too, and you have the garrisons there and Jamaica is in a whole mess. So why are we going out to do something that failed in Jamaica? Well, it does not have to fail here. We could put certain things in. I hope the Minister of National Security would tell this Senate what he has in mind to make it work, it having failed previously in Jamaica. That is one of the intentions of the Motion. It is called accountability to the people and the taxpayers.

Amendments to the Criminal and Jury Compensation Act: There is where victims of crimes may sue the State and the offenders for a maximum of $250,000. I agree with that. In fact, I want to take the opportunity—I agree with that so much that I have put the Centre for Criminology and Criminal Justice where I am still the Director, at the disposal of the Attorney General's office. We are indeed collaborating to see whatever we could gather from organizations and citizens across the country to strengthen what we call "victim legislation". This is part of it. I am saying so for another reason, and that is to establish on this side, and in my own case, the good faith with which we are approaching this very serious subject.

The other proposal has to do with the amendment to the Protective Services Compensation Act; that is increasing compensation for members killed while on duty. I think I would support that. It is due, but I would also suggest that members of the protective services ensure that they are adequately equipped and protected on entering dangerous situations. An officer should not enter situations where there is danger or threat, not properly armed and properly equipped—whether with bulletproof vest or whatever. It shows a lack of training; a lack of alertness; and a lack of preparedness. At the same time, if they get injured in the line of duty, I believe compensation is quite in order.

The other proposal is strengthening the money laundering legislation. You notice the word "strengthening". It is not that they would be bringing new legislation. So anybody could strengthen anything. I think we would want to wait and see what this strengthening is about; the extent to which they are going to forfeit peoples' private property; and the extent to which they would hold the banks much more accountable. Madam President, there was something said about that matter. We want to see the specifics.

I pause to reaffirm what the Leader of the Opposition said. He made it clear—and that would certainly be a matter that has to be included in any debate which follows some of these proposals. As an Opposition, on preserving peoples' rights, they will ensure that peoples' civil liberties are not transgressed upon and so forth. So when you talk about money laundering, in relation to peoples' private property, we would have to wait and see what kind of strengthening would take place, and whether the Government could justify the new legislation it has in mind to strengthen the legislation.

2.15 p.m.

Why does that have to be a plan? Why do you have to have three lawyers, a geologist, and an economist sit and come up with something like this? Really, really, forgive my cynicism, but really, some of these things could have been done without any big hullabaloo; without any big theatre. What has taken it so long? I am making the point in this provocative manner because I think people ought to know that in a Parliament, a government has to be accountable, and I am calling for that measure of accountability, with great respect.

The other one is the return of the Equal Opportunity Act. What is the big thing about? Clearly, whatever language used on either side, this was part of the bargaining, because for donkey's years now the Opposition wanted the Equal Opportunity Act back on the books. It was ruled—some part of it—unconstitutional, so that gave the Government side a breathing space, but now they are pressed as a matter of reciprocity. That is all right, that is politics.

Revision of DNA legislation. Well, again, it is just like the breathalyzer. Why has it not been brought forward? But we have to bear in mind that the Minister of National Security—I am not seeing him here—did give some reasons about the lack of technical expertise, infrastructure and so on. But I am saying, you did not need to have this as part of this mammoth meeting for unity. We could have done all these things with the gentility, the precision and the focus, without having to go into theatre and raise public expectation as if something big is happening. In fact, having the meeting conducted and organized as it was, I expected much bigger things. I expected a memorandum of understanding signed by both parties. I expected a time line for most of these things, if not all. I expected the extent to which—and following the Prime Minister's words—the Parliament, if not as a whole, but the joint parliamentary select committees will have some of these agencies, professionals and units accountable in making sure that the Government's intentions are fully and properly realized. That is what I would expect from a meeting of that order. Then there is discussion with the Judiciary—Judiciary No. 10, Sen. Dr. Mc Kenzie—to ensure swift justice. Why you need to meet with the UNC and the PNM together in all this big high ranking talk to do something like this?

The hon. Attorney General does have his quiet meetings. I do not see him announcing it in the press, giving any press release. If there is anything that is required for the Opposition to support in facilitating such a meeting with the Judiciary, I would like to know, and perhaps that would emerge in due course, but so far, I am saying two things about these plans. A lot of them do not require any special majority. Some of them should have been done a long, long time ago, which leaves us with only two. This is a two-part plan, not a ten-point plan, if you really look at it. But in the spirit of things, I concede; I welcome the initiative, because sometimes symbolism is important in running a country. So I concede with the symbolism attached to the gesture, that at least on some occasions the Leader of the Opposition could have a team to meet with the Prime Minister and his team in good faith and I hope the thing works. I hope we have not been given a Houdini, and I hope our expectations are not disappointed.

There is another one about gangs and political parties and politicians associated with gangs and criminals. That is nothing new in terms of the occurrence. You, who live in Barataria, know what Barataria gives, and the role that these entities play in campaign. I wanted to talk about Kamaluddin Mohammed now, but I would leave that for another time. I have witnessed it. What I am saying is that there is nothing new and this should have been dealt with long ago. Why do we need two parties to deal with something like this, especially since the Prime Minister's own committee on crime—I think he asked Ken Gordon to chair it—submitted this recommendation already, that you must disassociate yourself from criminals and gangs especially when you are running an election campaign.

I want to speak a bit about the police reform agenda and the Police Service Commission. Madam President, the Government has a point, in terms of the performance of the Police Service Commission. Knowing something about it myself through the committee system in Parliament, and having scrutinized the reports from the previous service commissions—that is the personnel—looking at the police service regulations and the standing orders that govern the day to day work of the police service, I think the Government has a point in challenging the work and the efficiency of the Police Service Commission. But I do not think they have the same reasons as I have.

First of all, I believe—and the leverage for my concern is that a key matter in running the police service, the public service and the teaching service, is the concern over political interference. If you can establish an infrastructure or a mechanism that would guarantee—not totally, because you must have politics and other things, even if only through the appointment or the supply of resources. So I am not asking for something so sterilized, that it gets so immune completely from politics, you must have it, but it depends on what kind of politics you are speaking about. We are speaking about political interference in terms of what one Police Service Commission report called nepotism, favouritism and bias. Do not put your brother in a higher post if he is not deserving of it. Do not put a party member in a post when somebody who has been working all these years gets left out. That is the kind of interference, as an example, we are speaking about.

I will tell you, Madam President, the Police Service Commission is badly structured. How can you have a part time service commission faced with so many responsibilities day after day? You have almost the same number of commissioners and staff, when the police service was about 4,000; now it is 7,000 or 8,000, the logic does not work. So if you are blaming them, yes, but at the same time, you must understand the role the infrastructure has played in this

inefficiency. Why you have them still part-time? They should be full-time commissioners. Those are the kinds of matters I would like to see debated before we move too quickly into changing the pattern of appointments and removal, especially if such a practice has to be done through a political hand or at least a quasi-political hand.

In other words, when I heard the plan that has been announced by the joint meeting with the two political parties, I got a little disturbed, because the Opposition has always said quite vehemently, that they are against establishing the Police Management Authority because it smacks of political interference and so on. But what is suggested and agreed upon—I say with great respect, until I hear something different—is really the Police Management Authority in disguise. Because the key issue in reshaping and removing the Police Service Commission, was to create a new avenue for appointments and removal and the composition of the authority. I think if you want to do those things, it means you are putting in the Police Management Authority in place of what was conventionally known as the Police Service Commission, except that the name remains the same—Police Service Commission.

We have no quarrel with that, but all I am saying is when the debate comes—I am speaking for myself and I may not matter at that time really, but it is all right—I would want to see some justification for jumping over the fence in that regard, and the Opposition itself will have to tell us why it has changed its mind in the public interest, and I would listen and I would vote accordingly, in good faith again, as I have said. Because I would ask: What about the other service commissions? Why are you only looking at the Police Service Commission? Because the concerns are more general than just the police. Sen. Dr. Lenny Saith will tell you that he has concerns over the Public Service Commission. Sen. Conrad Enill will tell you he has concerns over the Public Service Commission. Education Minister, hon. Hazel Manning will tell you she also has concerns over the Teaching Service Commission. So why are you chiselling out one part when you need a more embracing approach with the assistance of the Attorney General's Office to capture a problem in a holistic coordinated way, and let the public see that you are working on principles and not any temporary concern that you might have with the Police Service Commission?

In fact, I was looking at section 126 of the Constitution which talks about removing service commissioners. I believe the President of the country really should play, or be allowed to play, a bigger role in monitoring the efficiency and the operations of these service commissioners, whom he appoints on the advice of

the Opposition and the Prime Minister. He cannot just appoint them anymore and leave them there; he has to know what they are doing and how they are doing it. The question is, how will he know properly and constitutionally and without any political motivation?

I want to suggest that he use the committee system in Parliament, which is a bipartisan body with both the Government majority and the Opposition, so as to interview the service commissioners and find out and document it in a reasoned way, and send the report to the President for him to take action or for him to find pleasure in his appointments. I think that is something that can be considered, if we want accountability and transparency, and if we do not want to throw out the baby with the bath water. Because after all is said and done—and I think the Government should take note of what the Opposition leader said. He reminded them that in the end, it is the Government that is responsible for running the country, and that is said quite clearly in section 75 of the Constitution. Section 75 says it is the government, it does not say that the opposition must come in now and again; that is done because of some kind of civic obligation which we welcome. But at the same time, constitutionally and strictly politically, it is the Government that is responsible under section 75.

Then you come to section 85. As I reach that point, I must express how intrigued I was to see my good friend, the hon. Minister of National Security going to another place and leaving such a friendly, warm, hospitable place like the Senate, to talk about crime and so on down there, and to face the music in all the rough waters. Whereas up here, if he had done so, it would have been more congenial and helpful. Section 85 says that the Minister in charge of any department or agency is responsible for general direction and control. When you put that with section 81 about the role of the President, in having regular reports from the Prime Minister about how this country is being run; when you combine those three provisions, it is the Government that is really responsible.

That means—unpleasant as it might sound to any Minister here, if I were a minister I would not like to be criticized myself, I know that it does not sound nice in public, especially if it is carried in the press in a certain way. But you see, ministerial responsibility is a serious responsibility, not only because of the oath that you took, but in terms of managing taxpayers' money. You have to be a little thick-skinned sometimes to answer to the call of accountability, and it is not anything personal.

I would take time to say that there are some very good Ministers on the other side. I have said so before and I would resist from calling names, but there are some very good Ministers; there are others who still need to learn, especially in

the psychology of running a country, not so much the law, but the mannerism; the congeniality; the way you make partnerships; the way you develop consensus, and I think Sen. Dr. Saith has been an excellent practitioner in that over the years. [*Desk thumping*] No wonder he has survived all throughout these years, while he has seen so many of them drop along the way.

So, it is not only about law and politics, there is something about the personality that does not always have to be Machiavellian, it has to be—I would not say Christia-like a little more gentle, understanding. I think it would help us all in this hour of need, when civic mobilization and national consensus, as the Motion asks for is required.

We have to remember that you have to justify why you are changing the laws, especially with respect to the Police Service Commission. I had to point out something at a joint parliamentary select committee, to the Chairman of the Service Commission. I asked him: To whom does the police commissioner report, and what is your role as a service commission, in getting the police service commissioner to report? Well we went around and around about permanent secretary and so on. But I had to point out to him that section 100 of the Police Service Regulations gives the Service Commission the power to call upon the police commissioner to respond to any deficiency or impropriety taking place in the service, and upon that account the Service Commission has the power to deal with him, in terms of discipline and even dismissal. If it goes for judicial review, you would have had the record quite clear.

What I am trying to say, in a rather restrained manner and in a helpful manner too, is that there are things we can use in the system, but we have not been using them. So when we jump from one corner to the other corner too arbitrarily and hastily, we might be repeating the same mistakes, because we might be practising the same things we should have not been practising before, in the original instance. I do not think you need a rocket scientist to understand that. I would suggest, with respect, since I am on this point, whether we are here or not, but as a matter of principle and parliamentary procedures, that the Government considers very seriously, because the Prime Minister made reference to it, in all these things what is the condition for accountability. He said they would be accountable to Parliament—the new service commission formula he has in mind.

When he says "to Parliament" what does he mean? He has to mean the committee system, in the first instance. Therefore, to cut a long story short, and to remind the Government once again—as I said, it is not for my own personal

interest, or Sen. Dr. Mc Kenzie, or Sen. Mary King, or Sen. Cropper, or Sen. Walton James, or Sen. Mark, or anybody else; it is a matter of shaping our Parliament to suit the demands of the time. We have to work up the committee system; if you strengthen and reshape them, then we can be more accommodating for some of the new projects and new measures you have in place.

I need say no more, except that, so many of us have been going to this Commonwealth Parliamentary Association meeting; so much money is being spent all over the place, Australia, Canada, England, all about, seeing how people reform their own parliaments. We have been witnessing it; we have been giving lectures on it, and I just want to bring one example here. This is a Commonwealth Parliamentary Association (CPA) publication, because this is the route to go. If you are making all these proposals, Madam President, and through you I wish to impress upon my friends on the other side, the senior members of Cabinet. If you are going this route, you have to restructure your parliament. It may or may not be wholesale constitution reform. I do not want to go there too fully; I want to stick to the parameters of the debate. The CPA says here:

> "Parliaments seek control over their own business."

All over the commonwealth, countries are trying to improve and strengthen their parliaments, so that they can take care of the business, the legislation, apart from creating avenues for accountability, but also assisting the Government in its own objectives of governing.

I do not know why that lesson is so difficult to impress upon my colleagues. The joint parliamentary select committee with a majority of government members—you can tailor your membership, whether it is back-benchers or ministers, that matter is outside our concern now, but you are going to have to review and strengthen these committee systems otherwise you would have very ineffective government as we have now, and I think the evidence is growing in that respect. I hope when the Opposition meets again to consider constitution reform, if not before that, and through you, I want the Leader of the Opposition business here, to take serious note, because they would have a part to play in the bargaining that goes on in strengthening these joint parliamentary select committees.

You cannot have constitution reform, in my view, in the way that was announced. What the Prime Minister said is that he would create a parallel track for constitution reform, where the Opposition would go and collect the people's

views and the PNM would go and collect the people's views. I do not think that is a healthy, productive way to do it; for two reasons, people have to trust the process, and I do not think politicians in this country at this time are too trusted, to be given the sole responsibility, at least the initial level, in initiating the process of constitution reform. It is nothing personal, that is how the situation is. You would not like to know that you have done as the Wooding Commission has done and nothing came out of it; as the Hyatali Commission has done and nothing came out of it. You want to make sure the thing works this time, because the politicians' agenda is not necessarily the people's agenda. Let me give you two examples.

In the meeting between the UNC and the PNM, in terms of formulating this crime agenda—welcome as it might be—I find it strange that nothing was said about regulations or procedures for election financing, because that sits at the heart of a lot of implicit corruption or the pathway to subsequent corruption after election. In fact, it is like kidnapping the Government post hoc. I want to see the Government free up itself from such financial obligations which usually go with election financing. Why was that not put on the agenda? That is why I am trying to suggest that not at all times is the politicians' agenda coincidental with the people's agenda. A similar point could be made about controlling influence from gangs and criminals in the election campaign, but that was taken care of partially.

We also need a code for good election conduct, to supplement or strengthen the representation of the people's ordinance. When we are campaigning, we should not use the words and language to attack each other with such belligerence and obscenities sometimes; to "pappy-show" women, call them all kinds of names. I think we ought to stop what is really nonsense in this day and age and in this country's life. So, in a nutshell, we do need as one of the bargaining elements when they get together again, to construct a code of conduct for election campaign. Why was that not there?

Madam President, if you deal with crime really; crime in a nutshell—I think that is what the editorial was calling for—you have push factors; people are pushed virtually into crime; you have demographic factors, sociological factors, psychological factors, in which you find the family, their home and their community. These push people into deviance. You also have the pull factors, where you have court delays, ineffective policing and sentencing procedures; you have weak detection and prosecution; you have a high institutional tolerance for deviance; you have lack of confidence in policing and so on. In other words, you have a state of lawlessness, which is close to what the sociologists call anomie;

that is lawlessness, fragmentation, every man for himself, all of which really breed criminogenic conditions that lead to lawlessness and produce more crime because of these pull factors. Between the push and the pull, you have the opportunity structure.

That is what the *Express* editorial is calling for. Let us do a studied analysis in this country about what causes some of our crime and desist from using everything the American style. There was a show on television called *Love American Style,* we have now "Crime American Style"; everything is American style now; the formula for us has to be different. I do not want to sound discouraging and I do not want to give the wrong impression, but this is not the 52nd state of America. We have to understand that.

I have a book here with 42 recommendations; one dealt with the Police Complaints Authority. The book is called *The Dynamics of Community Policing*, Madam President. I would like you to see it, because it is a very important point I want to make. It reads on page 207:

> "A serious review should be made of the system of receiving, processing and acting on citizens' complaints. As both the Police Complaints Authority and the Complaints Division with the Police Service have already noted in their respective reports..."

I went on to examine the reports and to show that you need to amend Act No. 17 of 1993, and what to do to strengthen the Police Complaints Authority; the infrastructure; the need for staff; what kind of staff; only to find that, not only nothing was done, but somebody else came here and took up the same ideas, violating what might well be the laws of intellectual property, and used it in a proposal, and he was paid $5 million. I do not have to call any names.

This is just one example. A lot of things were there before; perhaps because they were done for free. So, patriotism is really, sometimes, a heavy price to pay. I am not singular in that, but it is a serious matter and I just quoted one example. Because when you are talking about these plans and all these big headlines that the media have given to these plans, people are still asking what happened to all the complaints against the police, hundreds of which are still on the books. Are you going to just remove those, or what mechanisms are you going to have now to deal with those? Are you going to write those off the books; things like assault on citizens; entering without proper justification; obscene language, policemen

beating their wives, and so on? So, there is a lot more work to do, Madam President.

Perhaps I have a suggestion to make, because though the shoulders of the Minister of National Security are quite broad, the pressures are quite intense. I was wondering whether he is really capable of serving as General Secretary of the People's National Movement, at the same time he is serving in such a demanding ministry as the Ministry of National Security. I want to bring some relief to him, by asking him if he can relieve himself from the former in the interest of serving the latter more forcefully and in his own interest. I think the time has come for us to ask that without being too political about it.

Madam President, I think finally as a matter of good faith, because my idea of effective policing, is yes, a legal approach, but you need a sociological approach because crime is, in a large manner, a sociological problem.

Madam President: You have five minutes.

Sen. Prof. R. Deosaran: Thank you, Madam President. I do not usually do this, I do not bring correspondence in the public, but I do not think any harm would be done in this case, and I think it would be helpful to make the point, given the context in which we are having this debate.

When Sen. Chin Lee—my good friend—was Minister of National Security, I made a proposal in terms of what I would briefly call "ground up policing". You have your training in this place and that place, and your high command training and so on, but really the evidence suggests—and I think the Minister himself knows this—unless the police on the beat does the work, it will not matter what you do at the top.

So, I thought about it and I suggested to Sen. Chin Lee at the time, to establish a citizen safety and crime prevention bureau at every police station, which is similar to what Sen. Dr. Mc Kenzie was speaking about; let the constituency have their own kind of jurisdiction. You have to localize your police service on policing. Apart from Service Commission at the top, you have to see what is happening at the ground level too. I went on to suggest to the government at that time, privately—but now in terms of being helpful I am referring to it—you have 70 police stations. You can now figure out such a bureau for each station and build an apex of efficiency from the ground up; a platform from which you come right up with best practice. You use Channel 4 to spread the word around and matters of that kind, which I will not belabour you with. One of the preambles in

the Motion speaks about the amount of expenditures. Just like in financial planning, you must have your figures correct, whether it is inflation or whether it is debt ratio. So too, in crime you must diagnose this problem properly. I do not think as yet we understand the nature of crime in this country; that is why it always takes us by surprise, and it will continue because we are doing it "Crime American Style".

Sen. Enill dutifully said in the *Express* dated November 15, page 4:

"Trinidad and Tobago oil and gas revenues for the period 2005—2006 have totaled approximately $47 billion, of which some $10.3 billion or 22 per cent were spent on 'state-of-the-art national security'."

So do you not think we are all obliged to ask how come then, crime is such a serious matter in this country. I think we are all obliged to ask those questions.

2.45 p.m.

Mr. Valley has said in the *Express*, October 04, 2005, page 4:

"If the PNM or the Government does not fix crime (they) will lose the elections..."

I do not know to whom they will lose the elections; that is the other issue. That is another issue that I do not want to get into right now; somebody else will speak about that, but it shows you the seriousness of it. I do not think in wrapping up that we should only deal with crime as a political matter. I think it is so serious.

And in my last minute, I want to refer to another letter that I wrote the hon. Senator, Ministry of National Security when he was Minister of Housing. I merely want to establish finally, the good faith with which some of us approach this. I wrote him; briefly:

"Dear Sen. Joseph.

As promised, please find enclosed some selected documentation regarding crime prevention and safety designs for new housing developments."

And I went on to explain how that could be done to preserve the housing development from further crime, and so on, privately and free.

He did reply to me; his last sentence was:

"Please note that it is my intention to convene a meeting with my technical team to discuss the contents and you will be informed of the deliberations."

Well, I do not think I was informed and he might have a reason for it. But what I know was that this week there was a big advertisement of another American coming down here to talk about crime prevention through environmental design.

Madam President, thank you for your generousity and I hope that my words do not fall on deaf ears.

Thank you very much. [*Desk thumping*]

Sen. Roy Augustus: Thank you very much, Madam President, for allowing me to intervene—Sorry.

Madam President: We need a seconder. I am sorry.

Sen. Dr. Eastlyn Mc Kenzie: Madam President, I beg to second the Motion and reserve my right to speak.

Madam President: Sure.

Sen. Roy Augustus: Thank you, Madam President. Bahrain has nothing to do with this, yet. I just want to say that I listened carefully—[*Interruption*]

Madam President: Hon. Members, I will now propose the question for debate. [*Interruption*] Yes, it has been seconded. [*Interruption*] The Motion has been seconded by Sen. Dr. Eastlyn Mc Kenzie. [*Interruption*] I was going by what we have here, unfortunately, okay, thanks. I will now propose the question for debate.

Question proposed.

Sen. R. Augustus: Thank you, Madam President. After a couple of false starts. [*Desk thumping*] I just want to thank you for permitting me to intervene in this debate on an extremely serious Motion brought by Sen. Prof. Ramesh Deosaran.

I just want to begin by touching on one or two points made by him, particularly one he almost ended with as to the fact, which is given, that the present incumbent will lose the next election. His problem is that he was not too sure to whom they were going to lose. I do not know whether that is an indication that he was going to form his own party, for that seems to be the going thing at the moment, [*Laughter*] everybody forming party! [*Interruption.*] Yes, especially if you are from UWI.

Be that as it may, he began by talking about good faith and reciprocity and I am at a loss as to why there was the necessity for the goodly Sen. Professor to talk

about presenting a Motion in good faith to this Senate and even arguing that there should be reciprocity. My experience here, in the short time that I have been here, has been that most of our deliberations have been carried out in good faith, on all three sides. Sometimes there are aberrations, but I think basically, the gathering here is a responsible gathering.

I do not think that there was the need for that opening, however, I got a clue as he was ending, in that he was talking then about the trust that the public at large has in the credibility of its politicians and whether they in fact believe that its present crop of politicians are believable. So, I thought that is where he was locating his opening remarks and it is really incumbent upon us in this Senate and also in the other House, and even those who are not in the Houses to ensure that we perform in such a way; whether it be in here or outside, as to give to the people whom we represent some hope, that we are genuine in what we want to do for our country.

I also heard him indicating very early in his contribution that the last exercise where the Government and the Opposition met for a number of days with the full force of the public relations on both sides, that he felt that what happened there was that both sides now have lifted the expectations of the country to the extent that if there is failure then both sides will feel the brunt. I want to suggest that if there is failure the country will feel the brunt of that failure. And I want to argue that we have to behave in such a way, again, that there are further deliberations in a genuine manner moving from discussion to participation and implementation, so that the country will accept that we are really on the correct footing.

Even while I say that, Madam President, I want to remind the goodly Prof. Senator that even though we engage, and we will continue to engage in deliberations with the Government—the incumbents—we will continue to remind them that the responsibility for the security and safety of all the citizens of this country reside in the present Government of the day. [*Desk thumping*]

I want to make that absolutely clear from the outset. We will provide what support that we can give, in the limited fashion in which we are allowed; both by the Constitution and by the present incumbents. We will attempt in every way to assist them, but the responsibility will continue to reside in them, and of course, there will be a call for accountability at sometime and we will be prepared to deal with that.

Sen. Professor again spoke about the Police Service Commission and I am just touching on it because he mentioned it, but that is not going to be the main thrust of my arguments this afternoon. No matter what body of people you put there, unless you give them—and they have been asking for it for the longest while—both the time, because the time for part-time commissioners has long gone. The time for a small cadre of public servants assisting part-time commissioners has long gone. Until we realize that in order to manage all our commissions, all our services, we need commissions that will be permitted to work full time with full staff, then we will go nowhere.

The concept of service commissions *vis-a-vis* the impartiality of the bodies as against political interference continues to be valid today as it was when it was first introduced. But you must give them now the tools, the time and the resources that they require in order to carry out the exercises properly.

The Motion, Madam President, spoke about the severe psychological, social and economic consequences of crime in this country. It is self-evident. Nobody has to justify these statements. It is a fact that we are suffering psychologically, socially and economically. There are those among us, of course, who will never suffer economically. They suffer socially and psychologically, but in the main, these are situations that we are involved in at the moment. We have consequences as a result of crime that we cannot continue to live with, and then the question of why the actions of the relevant agencies have so far, consistently failed to produce. Why have they consistently failed to produce? I will probably touch on that later on, but it is a very moot point as to why. Yes, there is a failure to produce by the agencies involved in delivering safety and security. Why they have failed, we must seriously ponder as we discuss over the next few months, because my information is that discussions have not ceased, but they have only been adjourned and that there will be continued discussions. I do not know.

I know that as soon as people leave and go to other countries there is disruption. I hope that the discussions will continue when those people come back. [*Interruption*] But I am sure that as we go on with the discussions we must seriously look at what is causing the failure for delivery. I want to caution that when we are talking about our agencies—and I am not talking about the politicians, whether it be the Government or the Opposition—which have to deliver, I want to caution that we must look first of all for the problems that those people experienced; look for solutions to the problems and look for motivational causes to assist them to deliver, rather than criticism—destructive criticism. I have a serious, serious problem with that. We cannot expect our security services to perform if every morning we get

up, we read how badly they are performing and we read how everybody, all of us are criticizing them. Like all of us they need help and therefore we as leaders have to provide that kind of help.

Then we look at (iii) which says, "…that the Government outline, with specific performance targets and mechanisms for accountability,…" their plans for security and safety in this country.

I was reading a crime plan, I think it was from Britain and what I really looked at was the shape of the plan that was put forward. There was a particular section which indicated what the level of crime was in a number of areas in 1997, then 2004 and what the projections were for the reduction of those problems in 2008; they were able to quantify it, they were able to look at all the problems, at all the major crimes and they were able to set targets. I long to see the day when that will become available to us in this country, where we can see our governments targeting—and I say our governments because very soon we will have a new government—so that the governments targeting the question of the reduction of crime, is a desirable objective.

Sen. Dr. Saith: Very progressive thought.

Sen. R. Augustus: Well I went to Osmond not Progressive. [*Laughter*] As I move along, I want to now move to the question of the Government and the Opposition meeting. And I want to indicate that here I will want to agree, partially, with Sen. Prof. Ramesh Deosaran; laws alone cannot do it. Coming out of that set of discussions we have a nine-point plan which indicates that there are a series of laws that will be addressed and that both Government and Opposition will meet and then come to the Parliament with the laws. And I am quite certain, right as we are—the people of Trinidad and Tobago—we will produce good material. But are we going to implement it? Are we going to provide the agencies responsible for implementing? [*Interruption*]

There are so many laws that indicate what you do with the person who has committed a crime; they seem to suggest that we know those people, we will detect the crimes and we will capture the criminals and therefore, we will apply the laws. We have not demonstrated over the last few years an ability to identify the perpetrators of a large number of crimes in this country. We have to look at detection first and then we can talk about this, but even that is not as important.

What I was happy about, when I looked at the final draft which came out from both the Prime Minister and the Leader of the Opposition, I realized that a lot of the discussions took place against the background of a platform of five points that

had been presented by my political leader, Mr. Winston Dookeran, and I want to read them into the record. On October 26, 2005 in the *Guardian,* Mr. Winston Dookeran was reported to have indicated—and this is the background against which all those discussions took place, as reported both by the Prime Minister and the Leader of the Opposition, as reported here in the *Guardian* on October 26, 2005—that we:

> "…must include measures to ensure the police service is not brought into the realm of the politics and used to advance narrow self serving interests of any political organization."

And the history in this country has been one of a particular political party always ensuring that certain members of the police service operate in a particular manner to intimidate opposing parties.

I say this, Madam President, without fear of anybody telling me that I am wrong, because on the next occasion I will bring written, signed comments [*Desk thumping*] from retired police officers, who are prepared to indicate what they did on the advice of people from that particular side; so this is extremely important.

> "There must be cessation of indirect (direct or indirect) public funding of criminal activities."

Direct or indirect public funding of criminal activities. Those discussions were held against this background, as enunciated by the political leader of the United National Congress, Mr. Winston Dookeran. And again I want to say that it is a fact that criminal activities are funded, either directly or indirectly by social programmes in this country.

Sen. Seepersad-Bachan: Exactly. That is correct. [*Desk thumping*]

Sen. R. Augustus: So that my political leader is on the ball.

Hon. Senator: A long time.

Sen. R. Augustus: He has been on the ball.

Sen. Dumas: I know you are trying to provoke some comments.

Sen. R. Augustus: There must be full protection of civil liberties—

Sen. Dumas: You are not going to succeed, brother.

Sen. R. Augustus: "There must be full protection of civil liberties," even as we discuss together. In other words, while we are in Opposition, albeit for a short time again, we are not going to permit these discussions to allow the Government in power to erode the civil liberties of the people of this country. [*Desk thumping*]

The political process must be free and must be seen to be free from the influence and involvement of criminal and violent elements. And I have had personal experiences of the criminal influence and violence orchestrated by those on that side in the last three general elections. I am not now talking about people signing things to bring to me; I am talking about my personal experiences in the Tunapuna constituency, which nobody here can refute. I am not going to Mayaro, my good friend was up there; I am talking about Tunapuna. So if only that these things have been brought to light and put publicly during these discussions I am happy; and I am happy to say that this framework was laid by the political leader of the United National Congress.

Sen. Dumas: We are not going to get into the war with you.

Sen. R. Augustus: "The public must not be hoodwinked into believing that legislation is … a panacea … for crime…" [*Interruption*] and I am hearing him but I will deal with him when I am finished with the list, you see. And of course I said this already; the Government of the day is responsible as said by the political leader of the UNC. I want to tell you that there was that articulation of these points. even as we concluded the negotiations, the discussions or whatever you called it by the Leader of the Opposition, giving you an idea at the moment of the twin operations of leader of the political party and the Leader of the Opposition, which is something that you people fear.

Sen. Seepersad-Bachan: That is right.

Hon. Senator: [*Inaudible*]

Sen. R. Augustus: It is not a question of getting into our battle, you have been in our battle and I would tell you—no, I had better not. You have been in our battle, because you are worried about the demonstration of the intellectual capacity and commitment being shown by the leader of the party at the moment and the continued influence of the Leader of the Opposition, and you are wondering where it will go. [*Interruption*] That is not for you to wonder; we are handling that very, very well. [*Desk thumping*]

So, Madam President, I want to say to you that these series of meetings which were held, even while we were ensuring that sports will unite this country as has never been seen before, [*Desk thumping*] and I would come to that as I touch down later on. I will come to that.

Sen. Dumas: Do not mislead the Senate.

Sen. R. Augustus: You know, when I look at the continued dealing with law—with punitive law—with punishment for those who have committed the

crime, I begin to feel that we have no solution. Because if it is that we are only concerned with these laws which will deal with the criminal after he or she has become a criminal it means that it will live with us till the end of time. I want to see more than that. I want to see a preoccupation with prevention and deterrence.

I want to know what the Government has in place that is working, not only having in place on paper, that appears to be working to prevent crime? Where are we today? We are in a situation where we have over 300 murders in a small country. This morning I was speaking with someone, who believes—you know there are people in this country who believe that we must consider that we are at war with the bandits, and that we must do as it was said, a former police commissioner did and wipe people out. There are people in this country who believe that, so desperate are they. I was saying to a friend of mine, how could you even consider that. First of all that is mass murder, but secondly, it has no effect.

Out of the 350-plus murders that took place in this country there may be, probably about 200-plus bandits and we still have more. So if, as some people feel the police are allowing the bandits to kill each other out, it is not happening, so if more and more bandits are being created there is something that we are not doing right. There is something that this generation, all of us who are sitting here with gray hair did not do right and probably are not doing right at the moment. [*Interruption*]

I picked up a document, I do not know the date, but it is somewhere in the '50s, it is a "Report of the Probation Service of Trinidad and Tobago" and I want to read about two or three parts of it; not very long pieces; they spoke about education.

> "Education, because of its intellectual discipline is intrinsically one of the most potent weapons against Juvenile Delinquency."

We agree with that; nobody could disabuse anybody's mind of that:

> "But, the shortage of school places for many children of school age, the over-crowding in available schools, and the present inability to provide free…secondary education…or academic varieties for that army of elementary school leavers, who are ill-equipped to be absorbed into trades, industry or commercial enterprise, expose many of the youth of the colony…(I said it was written in the '50s)…to the temptations of…idleness and irresponsibility. In addition to this the added attraction…of midday cinema shows run by unscrupulous managers, the sale of vicious comic literature together with what appears to be an altogether inadequate…Education service, intensify a growing problem."

All the early parts of the statement no longer exist. They no longer exist. Is it therefore that we have an inadequate education service?

Madam President, I want to tell you, I am not talking about this year, last year or the year before. I am talking about the years that have just gone. I am talking about us, this generation who is responsible for the generation that is coming, or has come and going faster than us. We cannot complain of overcrowded primary schools; we cannot complain of not having school places in secondary schools and we cannot complain of overcrowded schools. So what is the problem? Is it the last point still existing, an inadequate education service, and what are we going to do about it?

3.15 p.m.

What are we going to do about it? Sometimes, before coming here I will pass just to get the feel—particularly when I have to speak on something like this, I would pass into my old area, East Dry River and I met a guy, I do not know the guy, he stopped me and said, "Mr. Augustus, educator." I say, "Boy I still in that?" He said, "Yes, you would always be." He told me he went to a funeral and the funeral was that of the son of a friend of his who was shot and the guy walked out of the service, went outside and started to cry. He went out with him and he also cried and then the guy turned to him and said, "What did I do wrong?" He said to the guy, "You did nothing wrong." Then he asked me, "So Mr. Augustus, what is wrong? What did he do wrong?" And I said, "What did we all do wrong?" We keep blaming each other in this country. What did we all do wrong? The solution to this problem is all of us getting together—and I would tell you who all of us are just now.

I read from the report again talking about the churches, the moral and spiritual discipline supplied here—this is the probation report written by an Englishman, of course, in the 50s, the old colonial people that we always speak so badly about, but there are some things that we must learn from them and we must keep. In those days—I am not talking about now because there are values that they left with us which we have allowed to go down the drain—the moral and spiritual discipline supplied here counteracts the effect of perverse and subversive influences that undermine the character and development of our youth. The harmonious relationship between probation and the several dominations is on record as still existing in full flower.

Madam President, he is saying that the church had a positive and continue to have a positive influence on the young people of the country, and that there was a relationship between the probation department and the denominational bodies to

ensure that that relationship remains in full flower. Does that exist today? Does it exist today? Are we satisfied that all our agencies are operating as they should operate?

I think there is one other point that I want to touch on before I continue using my own words because I am using somebody else's word now, the police, probation officer's report, very interesting:

> "The view is gradually gaining ground here that the redemption of those who have strayed from the paths of rectitude at a time when reformative and corrective treatment might prove effectual, reduces the tendency to recidivism and relieves the hostility inseparable from repression, severity and penal strictures. Remotely and indirectly, probation and police aim at the same objective."

In 1954/55, the probation department is saying that the police are coming around to the point of view, that these bulldozing attitudes, these bullying attitudes, this big "bad John" attitude in fact was dealing negatively with our young people and that if we can deal with them in a positive manner, assuage some of their problems, then that will help us to move forward. That was in '55; and today in 2005 we are worried about the relationship. In 2005, while we aim at 2020, we are still worried or even more so, about the relationship between the police and the communities at large, between the individual policeman on the street and the individual member of the community. Have we advanced? Are we advancing? Where did we go wrong? How did we go wrong? We have to examine that if we have to put what is wrong right, if we have to get the politics right. That is what we have to do.

Madam President, in the ghettoes, you would be surprised to understand—I do not think anybody would be surprised at this point in time anyhow—how alienated people feel from the rest of this society. My good friend and colleague, Sen. Dr. Kernahan articulates it better than I do, but I share her pain. I empathize and sympathize with those people in those areas who feel so alienated, who understand that the riches are not coming down as they should come down and when you are alienated, Madam President, then you resist; the time comes when your back is against the wall and you resist. And since we have failed them with the education system, since we have not provided them with the intellectual tools to resist in that manner, there is another way. There is the primitive way and then they resist with violence. They lash out at authority and authority figures and then they continue to lash out, whether it be authority figures or otherwise. I want to tell you the thing has been growing and we are not arresting it.

Four or five years ago, I was in conversation with a former Attorney General, not from this side, and he told me, he said, "Roy, we are fast approaching the stage like in Colombia, where lawyers, prosecutors and even judges will feel the weight of the criminals."

I read the papers recently [*Interruption*]

Hon. Member: You did?

Sen. R. Augustus: —it has come; it has come. What are we doing about it? Madam President, what are we doing about it? What do we plan to do apart from passing laws or revising laws that have been on the books for how many years? What are we going to do about it? Madam President, do we have exemplars in our society today? I say yes, and I say it unreservedly. There are exemplars. But do we use our exemplars to the full? Do we advertise them where it is necessary to advertise them so that they would have an impact on the young people in particular areas?

Madam President, I want to tell you something. I did not go to Piarco on Thursday. I did not go. I stood in Arouca and looked at what was happening. I saw the Piarco things on television and then when it was finished, I drove up to Arouca because I had a plan in mind. I went out onto the streets. There were one or two people who looked at me, they were not sure if it was me, I pulled down my cap because they would want to know what I was doing there, why I was not in the bacchanal and I say bacchanal deliberately. And while standing there for more than an hour even though I knew they had already left Piarco before I left where I was in Mount Lambert looking at the thing, there was no sight of them and the crowd was growing and growing. But I remained there because I felt that Mr. Warner was tired and I wanted to pull him out of the parade, which is what I did and got him to his home in Arouca. My heart bled for those tired young men.

Was it absolutely necessary to do it that way? I am saying we have to honour them; we must honour them; we must give them the usual Trinidad-style welcome. [*Desk thumping*] Tired young men. It looked to me as though it was more important for us to tell the world we are doing something for them than how we felt about those fellows.

Sen. Seepersad-Bachan: Exactly.

Sen. R. Augustus: That is what I am taking about; how we use our exemplars. [*Interruption*]

Sen. Dr. Saith: [*Inaudible***]**

Sen. R. Augustus: Yes sure, I am glad you are saying it to me. I will tell you what, Madam President, and it has been shown to me. I sent a bill for the parade to the Minister of Community Development and I will tell you why, because I had arranged to do it in a different way. From the time I was told how many players were coming in—I got the message from Bahrain—I started to arrange to put it in a particular way so that the guys would have been in Crowne Plaza by a particular time. I arranged with Crowne Plaza—within half an hour I had done all that and then I got a call from a Minister who said that Government wanted to be involved and I remembered another incident. I said, take it; I was not going to get involved in that again. So I said, take it and they took it. So while they took it, they would take the bills also and I still have the Crowne Plaza bills to send.

Sen. Dr. Saith: You organized it?

Sen. R. Augustus: I organized something which you took over and did your way. Madam President, that is all I am saying, which they took over and did their way, parading people. Anyhow, the point I am making is, by 11 o'clock the guys who had travelled for 15 hours were still on the roads.

Madam President, I am saying those boys have a value to this country [*Desk thumping*] and we have to be able, I am saying in the next six months to use them in a particular way to ensure that their skills, their training and their commitment is used to assist in the development of the younger ones coming behind.

I read an article in today's *Express* written by a PNM Roman Catholic priest and I make it recommended reading for everybody here. A PNM Roman Catholic priest.

Sen. Dumas: [*Inaudible*]

Sen. R. Augustus: You want me to say it again? A PNM Roman Catholic priest, Father Clyde Harvey. I would say it now therefore.

Sen. Dr. Saith: It was a rarity in 1956.

Sen. R. Augustus: It is no longer a rarity, you cannot fool me with that. Madam President, that is recommended reading for everybody here, what the achievement in Bahrain must do for all of us in this country. Recommended reading.

Madam President, we have to look at the police service. We have to modernize the police service. Modernizing the police service does not mean that you have to browbeat the Commissioner of Police and you have to study how to fire him if he is not working. Modernizing the police service means that you have to provide a

certain kind of training for different levels of people. I long to see if we can go back to the days of introducing to the police service, the police cadets. You know, just as you have in the army still, where people with a particular kind of discipline are absorbed at a certain level and are officer material, then—and I am in no way saying that the officers at the head—I am not decrying them—all I am saying is that we should provide the training of people for a particular level. So we have to do that kind of training.

Madam President, we have to get the police to be IT sensitive. We are still doing fingerprint, I think, in powder, you stick your finger in powder and you go home, that powder is on your finger for the whole day, all ten fingers I think, I am not too sure. I have never gotten fingerprinted here, I got fingerprinted in the US Embassy and I put my hand against a screen and they say okay, it is done, no powder. We are still at this stage of powder. We have to take the police service and ensure that they are linked up; the police, the immigration, the probation department and the prison service linked up so that they can deal with each other. Why are we afraid? [*Interruption*] Now, you see this is the problem I have with my friends. I do not have to be in the talks for you to listen to me, you are hearing me now, you may be in the talks.

Madam President, in this day and age, the Licensing Department is having a big argument over completing computerization of its operations.

Sen. Seepersad-Bachan: Exactly.

Sen. R. Augustus: A simple, simple IT problem, a $2,000 job. It is a $2,000 job; it is no big work, but that is the problem, that is part of the thing that creates the crime problems throughout, because when in these agencies like Licensing, Customs and other departments, people in position create artificial scarcity so that they can make money off that scarcity that they created, then it filters across to people who must be paid for the hit. That is part of the criminal thing. And you see these things start easily, I do not want to harp on any "Ecksteinian" era, but I know sometime in the 1980s, '82 or '83, somebody was given a job in Licensing that he should not have been given. Should not have been given but the Minister did it, so that is why you have the total breakdown now.

These are the hidden things to the large majority, because there are those of us who see it, that filter across, Madam President, to the small man, because the small man is paid a few dollars to carry out the hit or to carry out the threats or to create those criminal situations while the thing is allowed to fester here, there and everywhere. Am I running out, Madam President?

Madam President: [*Inaudible***]**

Sen. R. Augustus: Madam President, what I want to do is to say, as I have been saying repeatedly, that the country has to come together. The whole country has to come together. I understand that there was a submission by some PR consultant or some kind of consultant, a couple years ago, to this Government. I know you are anxious to see us across there, but we are not there yet, to that Government. There was a submission made that spoke about the involvement and participation of all sectors of the community, the national community because you know—I was talking about the modernization of the police and it slipped me to talk about going in to what is called community policing and I know the Minister of National Security said that community policing is not what it really is, is interfacing with the community. What is the difference, I do not know. It is like do not march because it is a death march, but the following week we have resurrection march. I do not know what is the difference; we always have a play on words when we are dealing with serious serious things.

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

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

Question put and agreed to.

Sen. R. Augustus: Thank you very much, Madam President, thank you very much Senators. I want to say that community policing according to my own perception of the thing is a question of the police working in the communities with people, with community leaders. I am talking about real community leaders; I am talking about village council chairmen, community council chairmen and so on. They must also be able to work with the other side of the fence because it is important not only for information, but for rehabilitation to be able to understand the other side, but they must be in the communities. I asked a question in one of the Joint Select Committees as to whether we in fact have first of all, the required number of police on the establishment according to what our ratios should be and if we do not, how much do we have. The response to me was, well we have more than others.

In Britain, which is always cited as one of those areas where the police is 1 to 20 or 1 to 25 or whatever it is, they have been increasing their police service strength annually, and more than that, they will continue to increase it according to their plans, and more than that, they also have community support officers,

over 20,000 community support officers who work with the police. So in fact, the point I am making is that we are under strength while we are abusing them—I know that there are culprits.

I know that even among the—anyhow let me not go there—but I am saying that we have to provide the strength that is necessary to make police visible as they used to be, when I was growing up, albeit a long, long time ago, but it helps and we have to teach them customer service. I do not think, I should not say I do not know because maybe you are doing it, but are we carrying the training of our police officers into the area of customer service, where a normal citizen of the country can walk in to a police station and feel comfortable talking to that police officer sitting there and feel as though he is being heard or she is being heard? We have to carry the training to that point. They have to become friends of the community, that is how I see community policing, but you need to have many police officers for that.

I am saying that if you have to go to the community, while you have the police and whatever support officers you have operating in the local communities, at the national community, we have according to this paper which I see here, we should develop a national task force, not only to sit and talk, not only to carry out the debates all over the country about a number of topics, which are really kind of important, but letting people use their skills and go down into—you know, in the coal industry there is something called the coalface, when you go down into the mines you face the coals, you go to the coalface, that is the fellow who is working in the mine and digging; we have to get all our players down into the mine.

I am saying that the church must be involved. So when the priest writes this morning, although I know he has been involved to some extent, he must become more involved and he must get his church along with other churches to become involved in the nitty-gritty of the thing. You already have the services. I am saying what you have to do is to get labour, you have to bring all these people together. You have to get the Chamber of Commerce and you know when people hear about the Chamber of Commerce, they feel that all they have is money, they have some brains too; they do have a bit of brains. So you have to get them to come in and sit and talk, define some of the problems, identify solutions and they must be part of the solutions.

I heard in Bahrain, John Sabga was hugging up what is his name from Laventille. Why is it that this cannot happen all the time? I am not saying "Oh God" because we went Bahrain I must meet you and hug you", but there must be a kind of interaction among all of us. The only way it can happen is if we get all

these people together. The media has to find a way of using its ultimate power because it does have, I should not say ultimate, but it does have serious powers, to project positives. Now, I am not for one minute saying that they must not report facts, but they must use their writing skills.

I will tell you something, the first thing I did when I spoke to somebody after the goal was scored, somebody from that side, I said please remember, the guy who scored the goal is from Coconut Drive, Morvant/Laventille and play that to the full and carry him there. I would have carried the parade there because they would not have had all that bacchanal going down the road if it was properly organized, because it was important for Coconut Drive, Morvant/Laventille. And I am saying the media must identify—I spoke to a young lady the other day, she is the Vice-President of Chase Manhattan Bank in New York. She is from Parris Boulevard in Laventille, who knows that? But they know Mark Guerra and how he died.

The media does not go out and find these things. That is why I was talking about the exemplars being used, particularly exemplars from these areas. You cannot stop crime unless you make people in those areas believe that they have self-worth; believe that they have value; believe that they can do it too because others like them did it. How many people know that Courtney Bartholomew is from somewhere right opposite the church on Independence Square near George Street? How many people know the Minister of National Security is from George Street? How many people know that?

Sen. Dr. Saith: Duncan Street flats.

Sen. R. Augustus: Or Duncan Street flats, it is the same area. But how many people know that? Right now it is not good to project him, but we could punish him and project him afterwards.

Sen. Dr. Saith: How many people care?

Sen. R. Augustus: How many care? This is the point; you have to make them care. There is only one way they can care: When they feel that you care about them. Right now—and that is why I started with alienation; they feel we do not care about them. For them to care about us, we have to convince them that we care about them and they will care about us. They do not want much; they do not really want much. A lot of people feel that they want millions of dollars—they are getting it through this thing now—but that is not what they really want, all they want is to feel a part of the thing.

Madam President, therefore I am advising that the Government revisit this whole question of developing that massive think tank involving the police, the defence force and the Judiciary. I am saying the Judiciary because I am not in this nonsense with them staying by themselves up there and not even doing integrity report, they belong here too. They have to be part of the solution. Maybe it has to be in a different way, given the decisions they have to make, but you have to find a way. You have to find a way to involve every single person. You have to involve all the ministries. The Ministry of Community Development and Culture, I understand right now, you have the national steel band. Whatever you do for culture must never be divisive.

A number of steel bands are asking, what is the purpose of the national steel band? They are taking away work from Exodus, they are taking away work from Desperados, they are taking away work from this one and that one. I do not agree with that. I believe that you need a national steel band. But I also want to advise that what you have to do with the national steel band is to convert all those guys who have been selected to perform with the national steel band into serious musicians. And just as the police service used to provide trained and qualified musicians to work with all the steel bands throughout the country, the national steel band must take over that role now. [*Desk thumping*] Just as the police service used to provide people to go to what we used to call "orphanages" in those days, the homes, the national steel band must be used to do that. Let them provide a service and if you can get that service going, then you would have removed that divisiveness that exists now with as good an entity as the national steel band is. Madam President, these are the things that we have to look at.

My final point is that one of the things in education that we do not pick up, we do not pick up early enough, medical problems that children have. I know that we have always looked at the question of testing, of screening eyes, nose, ears, throat that kind of thing, but the Government does not have enough human resource to deal with that.

The Medical Association of Trinidad and Tobago should be discussing with the Government of Trinidad and Tobago right now, the question of providing their medical people free of charge to run these tests throughout the country, in all the schools. This is the contribution that people have to make, because if the child in Laventille cannot see well, the teacher is not trained to pick that up early, then they must pick up that early, so the training will be different.

All of us argue for more money. I used to do that too, but they wait until I leave to then give more money, but it is okay. However I am saying that there must be a contribution to the society. Get the doctors to sit and agree even while—I am still saying they must argue for their money and conditions of service—they are doing that I am saying they must provide that service.

3.45 p.m.

Madam President, I think I have spent enough time putting you through the mill in terms of listening to me. We have a lot of things that we can do with our sports people. You see what 15 footballers can do. You see what we need to do to get cricketers going. You see what we need to do to get all other sports in place. I suggest that rather than spend money on a tsunami centre, that we spend money on training people throughout the country to develop sports.

Thank you.

Sen. Mary King: Madam President, I thought the Senator was going to suggest that we needed the Tarouba stadium very much. I thank you for allowing me to make a contribution on this very important debate.

I would like to refer to a very recent publication of the Commonwealth Parliamentary Association (CPA) discussing what role there is for parliamentarians in law and order matters. It suggested that parliamentarians could do certain things. I would just list a couple of them: they can make contributions to, and debate on, critical legislative initiatives on crime; they can table and lobby for the debate of resolutions affecting crime; they can move the establishment of standing committees on security and intelligence and oversight committees of security forces. So I think this Motion is certainly in keeping with current thoughts on the role of parliamentarians. The paper I quoted from was actually presented by a Jamaican parliamentarian at a CPA meeting, so it is certainly the current thought in the region as well as within the Commonwealth. I think Sen. Prof. Deosaran can only be congratulated for bringing this Motion at this time in the country's development, because it is something that we really all need to get involved in.

In referring to the particular Motion, Sen. Prof. Deosaran has called on the Government to explain to the Senate why the actions of the relevant agencies have so far consistently failed to produce results, and, also, agree that the Government outline specific performance targets and mechanisms for accountability, and, what measures it intends to take to deal effectively with crime now facing the country, so as to facilitate the pathway to consensus and civil

mobilization. In my contribution, I would take a few further steps referring to what other things I think we have to look at besides the crime situation now facing the country. I think it goes back to some of the issues which Sen. Augustus has already mentioned which have a lot to do with our socialization and community situations.

I would like to start with a quotation from the most senior security officer in the United Kingdom (UK), which he stated just this last weekend and it has been published in the local press. Mr. Ian Blair said that in today's world nowhere was there a thorough, ongoing, objective debate about policing, as a whole. As a consequence, too much of the big picture ideas are coming from the police rather than from other interested parties. He said that there was little dispassionate examination of just what it was we were here to do in the 21st Century. Are we here to fight crime or its causes? Are we here to build stronger communities or to undertake zero tolerance? How are any of these things to be done? There is no discussion on these matters or what priority each should have or what are the things we should actually stop doing. I think it covers many of the areas which are very, very important and basic to a debate such as this one.

If we were to recall our own Prime Minister's recent statements, for which he claimed the agreement of the Leader of the Opposition and of the Opposition itself, that have recounted the new measures to be brought about to deal with crime, we can ask the same questions as Mr. Ian Blair in the UK. These measures include improved administration of the police service; no bail for persons charged with certain types of kidnapping; the establishment of gun and kidnapping courts; modification of bail creditors for repeat offenders; new DNA legislation and also implementation of the Criminal Injuries Act, introduction of the Financial Intelligence Unit and amendment to the Motor Vehicles Act to allow for the use of time-devices records as evidence in speeding cases. The big picture, as being seen by our Government, is the same as that coming from the UK police and as Mr. Blair has complained, there is nothing on what it is that we have to do to fight the causes of crime, to help us build the strong communities that are absolutely essential.

On reading the newspaper, and I am sure all of us do, I recently came upon a very chilling comment from a Jamaican reporter on the current crime situation there. He said that if a policemen or another citizen were to be confronted by a gunman, then he had a chance to escape with his life if the gunman was, say, 30 years or more. If the gunman was one of our children, then no pleading would save his life. Madam President, some of our children have become disconnected

from the value of another's or even see any value in their own lives, hence they have become incapable of putting themselves in the place of others; they cannot put themselves in the place of their victims. This phenomenon is actually addressed in a paper by Elliot Barker of the United States, who has presented a paper called *The Social Causes of Crime*. To quote from that paper, Dr. Barker states:

> "…our forensic experience made it clear that individuals who commit crimes can do so in large part because they lack the capacity to be affected by how their victims feel. They know how they feel, but that knowledge (cognitive awareness), does not affect them in the same way as it affects normal people."

This capacity to be affected by how others feel is developed in the very early years of a child's development and it happens before the child reaches the age of three years old. What is significant is that this capacity cannot be learned or taught or put into a person after that age with any known method of treatment.

> "This capacity to be affected by how others feel is developed most strongly when infants and toddlers are empathically cared for by the same few people at all times—people who are willing and able to meet the child's emotional needs."

Before the age of three! Surely one of the ways to do this is to raise the standard of empathic parent care of children under the age of three, increasing support services for disadvantaged parents who have young children and improving the preparation of our potential parents. Other studies, of course, state that fathers play an irreplaceable role in the care giving of children; and we know the situation with our fathers today.

Madam President, some time ago I suggested that instead of our disadvantaged mothers hustling out for a job on the Unemployment Relief Programme (URP) or the Community-based Environmental Protection and Enhancement Programme (CEPEP), they should be afforded social support so they could be at home with their infant children. What we call social support is irrelevant and immaterial, but we must have real social support. Many other countries have got this welfare system in place for families. The responses to that suggestion, and, responses from women to that suggestion range from the better-off caller saying that her taxes should not be used to reward poor people for having children, to the disadvantaged mothers themselves who claimed that they wanted to be out of the house, they wanted to be independent or they wanted to earn their own money.

I would say to the first kind of caller that surely it is better to provide the service than to build houses in walled communities and enclaves for the rich surrounded by burglar bars and guards, even though no one is safe on the roads from robbery or kidnapping. To the other mothers, I think education on the needs of their infants is lacking, since this lack of child-rearing breeds the criminal who does not have the capacity to empathize with his victim; the murderer who can as easily shoot another in the head as blink an eye. We have just recently lost a policeman to one of these very young gunmen.

On the Web the literature is vast with respect to crime, its causes and prevention. Though I have learned a lot from my colleague on my right, getting local figures provided a lot of difficulty. I see that we have been presented today with part answers to A and B of a long list of questions; so maybe within the next few years we will get the balance. Statistics are very hard to come by in Trinidad and Tobago.

In my research on the subject of crime, as an economist, I was very interested in a proposition put by a Dr. Becker in 1968 and a Mr. Freeman in 1999. It states that if the utility function or personal value of a legal wage of a person is less than the utility of the returns of crime, even though it may be modified by the probability of not being caught, plus the probability of the punishment of the crime, then the person will commit the crime. In other words, if the perceived returns from crime exceed that of legitimate pursuits, then the people we are talking about or are concerned about will commit crime. This is frightening until one appreciates that the model encapsulates the kinds of person with regard to his or her morals; empathy for others under the utility function or their own personal value, system associated with a legal wage and the returns of crime and the cost of being caught; it is a frightening scenario. Hence, even this apparently cold economic model suggests that the socialization of the person is fundamental in ensuring that the utility of a legal wage is greater. So socialization of the person is certainly a key in reducing crime. [*Interruption*]

I am glad that the Minister has returned to the debate, as I think it is very important, even though I know the ants would bring it to him; it is good to know that he listens.

Madam President, the development of these value systems are, indeed, complex: complex interrelationships among economic factors and poverty, the social environment and the family structure. The economic factors in addition to lack of financial resources, manifest themselves in many things; some being poor educational opportunities, lack of meaningful employment options, poor housing

and, in many cases, a lack of hope. We can claim that in Trinidad we have gone through some form of universal secondary education, but according to a World Bank report in 1999 on Trinidad and Tobago, entitled *Poverty and Unemployment in an Oil-based Economy*, our regressive spending in the 1970s and 1980s, favoured the better off student over the less well off. For example, in the 16- to 19-year-old cohort, only 28 per cent of the poorer students were still in school, compared with 67 per cent for the top fifth of that population. Also, recent national discussions claim that the crisis of underachievement is disproportionately skewed towards young Afro-Trinidadians in the 17- to 24-year-old age group. Unfortunately, this group is also disproportionately represented in our jails.

The evidence also shows that the poorest of the students enter the junior secondary schools, while the children of the top 29 per cent are concentrated in the better equipped schools—by better equipped I mean equipment wise, material wise and teacher human resource wise—and in the five- and seven-year schools. The deprived social environment is one in which there is inequity in access to national resources; lack of community power; lack of support for family and neighbourhoods and low value placed on children and individual well-being and, of course, the old problem, over-exposure to television and not of the kinds of programmes that we would wish them to see.

In Trinidad, the collapse of the oil boom was also disproportionately felt by the poor in our society. This damaged our families and exacerbated the plight of the traditional fatherless homes. They have suffered the worst after the collapse of the oil price. Also the lack of financial support for single mothers who had to join the make-work gangs to make ends meet, has contributed to dysfunctional family conditions and has certainly contributed to future delinquency. So if we couple this situation to the recent rapid changes in the general economic conditions, based on the current boom in energy prices, it is those children who are now between the ages of 15 to 24 years old. They see themselves as having been deprived; they are angry and we are seeing this reflected in the violence in our schools. The Minister of Education has been trying to tackle this problem of violence in schools for many years but we need to do more than what we are doing, in order to solve the problem.

These young adults are still children at 15; they are very vulnerable since their own emotional resources are not able to meet the challenges of their social and physical environment and, thus, they have become marauding predators. To make matters worse, the narcotics trade has shifted to a path to the United States that

includes the islands of our region; so these angry children are willing recruits of these international and local criminal organizations which supply guns, other equipment and know-how that surpasse even that of our local unprepared police force. Surely the drug problem in Trinidad and Tobago, the rest of the region and even the world at large, is having an impact on our level of crime, given the moral parameters of our people.

I spent some time reading literature on crime in Colombia, which is of interest to all of us, I am sure. A paper entitled, "Dynamics and Causes of Crime" by Felipe Osario says of another Colombian author that he formed the hypothesis that the chief factor which has caused the change in the crime equilibrium was the boom of drug activity in the country. He bases his hypothesis on two ideas: firstly, that crime as a variable has two equilibrium points: one in which crime is low and the other in which crime is high. The latter equilibrium point where crime is high emerges in a situation in which the rule of law is highly eroded and the different types of crime live together, reinforcing each other, creating a high congestion in the judicial system, which we cannot say is not happening here. The second idea places drug trafficking as the detonator that has changed the state of the world from a low crime equilibrium point to a high one.

Madam President, we know that we live in a non-linear economy, as regards in the economic system; we have discussed this already in this Senate. Since crime can also be phrased as a deliberate economic activity by the criminal, then the impact of the drug trade is driving us in Trinidad and Tobago to the other end, the high crime equilibrium point. We note the money being spent on trying to protect our shores from drug traffickers and the recent announcement to improve the constraints on money laundering, but what concerns me, however, is that even with the economic, military and technological might of the United States, it has been dramatically unsuccessful in curbing the drug trade in Colombia, a country in which the US still has operating personnel, at great expense. Is it that we are doomed to crime activity in this country at this high equilibrium point, in spite of the efforts at crime prevention and containment by the State? And we cannot say that it has not been trying. The solution is a lot more than demonstrations that call for us to "Take back we country." On the communiqué that came out of the recent discussion between the two parties, I was appalled that there was not even the mention of the word drugs in their report on how they are going to deal with that crime.

The paper by Osario on the Colombian crime problem, with respect to prevention, comes to certain conclusions using both the normal imperical correlation among crime statistics and crime prevention efforts and the use of the model developed by Freeman that we mentioned earlier. Though the utility or value functions of the Colombian may not be the same as that of a Trinbagonian, and the fact that the drug trade is a massive driver of crime in both countries, these conclusions may still be of relevance to us in Trinidad and Tobago. Their conclusions are that drug crimes are a critical determinant of all other crimes.

In Trinidad we think that a large proportion of our homicides are gang-related and this translated means "drug-related". Laws are ineffective in reducing homicide rates, though they are effective in reducing kidnapping and, very marginally, in reducing drug crimes. Is it that even if we intend to hang a few of our murderers that there would be no impact on the murder rate? The Jamaicans have seen that even killing the gunman has no impact, since for every one that is hung, four more are waiting in the wings. The returns of illicit activities are a determinant of crimes for areas which have high crime rates. This, as stated, is white collar crime and has high positive feedback in their country. I maintain, this is also why we have such a high positive feedback in certain parts of Trinidad and Tobago.

They stated that poverty determines homicides in areas which have low crime rates and it also determines kidnapping in all types of areas. They also stated that the probability of capture was a stable and significant determinant of homicides; the higher the probability, the less crimes there were. Hence, it means that our police have to increase their detection rate and the Judiciary, its lock-up rate. I think at a faster pace than what the Judiciary has been doing up to now. [*Desk thumping*]

The presence of the State, they maintain, is a significant determinant in reducing homicides in areas which have low levels of crime, but it is not significant for kidnappings or homicides in areas of high crime. So then the State on its own is less important and has less impact on reducing kidnappings and homicides in areas of high crime. Is this not also our experience here?

These are just some of the findings of one of our neighbours, Colombia. As we said before, our utility or value function may be slightly different, but whatever they are, they appear to be facilitating the flight of our non-linear economic system and leading us into a very high crime equilibrium point. The international phenomena is a consequence of the drug trade, hence, our measures to fight the causes of crime have to be two-pronged. Firstly, I maintain that we

must correct the social value functions of our people and, in particular, address the formation of the empathic responses of our children by strengthening the families and, secondly, we must seriously attempt to contain the impact of the drug trade on our own crime economy through improving communities currently under attack. Obviously, we must improve our policing and our judicial effort.

In closing, I think that it has been already mentioned, possibly by Sen. Prof. Deosaran, who is the Chairman of the Joint Select Committee on commissions, but I think the time has come when the Judicial and Legal Service Commission must come before the scrutiny of the joint select committees of Parliament. They also must be accountable to this Parliament. We all know that the judges have not declared their assets, even though it is in the Constitution. They even have a case now before the courts for interpretation of the Integrity in Public Life Act as it relates to the judges declaration of assets. How can the judges judge themselves? It seems to be a strange route to changing the Constitution.

If the judges have now become a law onto themselves, how can we or our citizens view them as role models? This we have to do. So I am very concerned that we have not got an effective judicial system and that we do not have scrutiny of the Judicial and Legal Service Commission.

I thank you.

Sen. Angela Cropper: Madam President, I will be considerably very, very brief. I can assure the Senate I will not detain us for tea. I wish to begin by commending Sen. Prof. Deosaran for bringing this Motion to the Senate and for persisting with it despite the fact that it has been allowed to languish in the last Session.

There is much that has been said today and in this Senate over time and, indeed, in the national discourse about what might lie behind the high incidence of crime and, certainly, much has been said about the degree to which society is concerned, anxious and terrified. I do not think one needs to reiterate all the evidence that lies behind this Motion.

The history of this Motion, as Sen. Prof. Deosaran himself has recounted, indicates a little about the lack of urgency and seriousness with which we in this Parliament have related to this problem of crime in the society. I cannot help but contrast the way in which we have had this Motion before us and the lack of urgency with which we sought to respond. I cannot help but contrast it with the various Appropriation Bills, for example, that have been brought before the Senate in the last 10 months, where we have simply gone for as long as was

necessary to deal with them and added as many days as was necessary. One cannot help but think that, perhaps, this Parliament regards with urgency only those matters that allow us to spend.

I think it is an unfortunate message that we have sent to the country, given the delay before we have seriously come to debate this Motion that Sen. Prof. Deosaran has brought before us. I would like to acknowledge that recently we have seen a modicum of responsibility by our Government and our Opposition to come together to talk about what might be done about this phenomenon before us. We all wait, I am sure, anxiously for the follow-through on these agreements, innocuous though they may be, in light of what has been said here by the sociological and economic underpinnings of much of the crime that we have amongst us.

We know that we have a history in this country of taking political positions on very narrow partisan political interests and, indeed, we have seen many examples, many occasions on which we have taken those political positions also on the basis of narrow, personal, egotistical considerations. So we remain skeptical, hopeful yes, but skeptical that we are going to see that the parties to these agreements would actually stay the course and take whatever measures are necessary to give that priority over their partisan, political, narrow, personal, egotistical needs.

It has been said before by all the Senators who have contributed to this Motion, that legislation is only one of the instruments necessary to address the multifaceted problem before us. In making my contribution to this Motion, I feel compelled to say that this package of agreements that has been announced to the population as the outcome of the discourse between our Government and Opposition amounts to nothing but a set of end-of-line measures long after the incidence of crime has been allowed to remain as it was. There are, indeed, many other areas for intervention to address all the driving forces and all the underlying causes of crime in the society. Some of them have already been elaborated by Sen. Augustus, Sen. Prof. Deosaran and Sen. King. I will not repeat them at this moment.

First and foremost, we have to recognize that the concerns about crime and the way in which the society is organized to respond to it, are not exclusively the business of the Government and the Opposition leaders. This is the business of the society as a whole. Some greater analysis is required and, indeed, might have been expected from this long awaited attempt by our political leaders to come together to look at the crime situation and to take some responsibility for charting the response of the society. We have seen none of that. We have seen no analysis

of any sort coming out of the discussion between them and that analysis is important for accountability of how the society's resources are deployed to deal with this situation.

I think it is important, therefore, for us to change the message received by the population: that the population does not matter in this discussion. Indeed, it is almost a message of contempt that we received. There is so little information; so little discussion; so little attempt to engage the society and the population and enlisting their involvement also in responding to this crime situation. There is so little of it and I think it probably came to its fullest expression in the absurd criticism that the organizers of the public attempt to impress the system with its discontent and anxiety received not so long ago.

Sen. Prof. Deosaran has already gone through the items that have been the outcome of the discussion and has pointed out that most of them are measures that could have been taken without any preceding discussion of the kind we have just had. Indeed, what we can say is that the discussion has been, more or less, an opportunity for political bargaining between the two sides; it does not really reflect a sense of urgency and fundamental concern about the situation before us, because most of those things could have been done without the necessity to await the goodwill of the Leader of the Opposition. I think, therefore, that the outcome of these discussions, although they have been touted as a great development within the national affairs, as far as I can see, is more bark than bite.

I would like to support the Motion that Sen. Prof. Deosaran has brought, precisely because all the things he has called for are still very much needed and have not begun to be addressed by the recent discussions taking place. We have had a lot of analysis along those lines from Sen. King and Sen. Augustus earlier. I think we still have a concern and need to express a concern about the way in which we are handling our response to this phenomenon. We need a very good, rigorous, objective and humble analysis of why we are not making an impact on the situation, despite the considerable amount of financial resources that have been thrown at it in recent years.

We do need, as the Motion calls for, a comprehensive discussion in the society about what might explain this phenomenon before us. We really do need to enlist the society in thinking through these issues. We need to ask ourselves the questions: What are the underlying causes of this? What are the driving forces? To what extent is the incidence due to the drug trade, which is often touted to be the main cause of the violence before us? To what extent is it due to inequity in the society? To what extent is it due to example from the top? To

what extent is it due to exposure to a lifestyle that invades us through the television? To what extent is it due to the failure of parenting? To what extent is it due to our value for education and the educational system as a whole? To what extent is it due to the failure of development here to offer a reasonable stake in the society to all groups? To what extent is it really due to failure of detection, equipment and infrastructure and to the hardware that goes with that? To what extent is it due to capacity in the Director of Public Prosecutions office and so on?

We need to really ask those questions, not because we can ever come up to some quantified response to any of them, but it is only by asking and examining the problem in that way that we can really expose all the fronts on which we need to intervene and the nature of the interventions we might make. We have devoted a lot of time and resources to looking at the hardware required to improve our detection rate. We have failed to consider that while the probability of detection is low, the probability of conviction is even lower in the courts and there are many, many reasons for that, not the least being the body of criminal law that so disproportionately weighs in favour of the criminal.

We need to support this Motion and invite the Government and society as a whole to undertake this kind of discussion, so that we might look, not so much at the hardware, but the software that is also required to deal with this problem. For those reasons, I support the Motion that is before us.

Thank you.

Madam President: Hon. Senators, we shall now suspend for the tea break. We will return at 5.00 p.m.

4.27 p.m.: *Sitting suspended*.

5.00 p.m.: *Sitting resumed.*

ADJOURNMENT

The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith): Madam President, I beg to move that the Senate be now adjourned to Tuesday, November 29, 2005 at 1.30 p.m., at which time we will deal with the International Criminal Court Bill, 2005.

Madam President: Hon. Senators, before we take the adjournment, there is a matter to be raised on the adjournment.

Sugarcane Industry in Trinidad (Future of)

Sen. Dr. Jennifer Kernahan: Madam President, I beg to raise this Motion on the adjournment, which deals with the status and future of the sugarcane industry in Trinidad and Tobago.

This issue is important to over 5,000 cane farmers and their families. It is important to the sugarcane workers and their families; to the communities to which these farmers belong; to the manufacturing sector in this country and to the consumers, because we have seen that the consumption of sugar over the last decades has risen from about 45,000 tonnes to 70,000 tonnes. It is important to the continuing contribution to foreign exchange.

We have seen the dire consequences of the mismanagement and incompetence of the Sugar Manufacturing Company Limited, when thousands of workers were thrown on the breadline due to the shortage of sugar, and several industries were jeopardized because of the lack of a reliable supply of sugar. There was a loss of production and productivity; foreign markets were jeopardized. There was a loss of foreign exchange and tremendous hardships were inflicted on the workers of this country and their families. The haphazard, abrupt and incompetent manner in which the sugar industry is being handled has not only affected this sector, but the entire society.

The 2005 sugarcane crop has been dogged by several problems, some of them due to natural causes. In the first instance, the crop was originally due to start on January 05, 2005, but was delayed until about January 25, when it started in Usine Ste. Madeline, because of heavy rains. Many fields were waterlogged, especially in Valleyline and the Barrackpore areas; farmers were unable to access these canes or their fields. They were unable to introduce machinery to the fields, because of the rain. Apart from the natural causes, which we will always have with us, we must make sure that our issues of organization and competence do not also contribute to the loss of production and productivity of the sugarcane crop. This is exactly what has happened. In the wake of the indiscriminate, callous, visionless and abrupt closure of Caroni (1975) Limited, most access roads into the cane fields are in a state of disrepair and there is no maintenance being done. This is according to the Trinidad Islandwide Cane Farmers Association's (TICFA) public relations officer, Lallan Rajaram.

The question of access roads is a major issue for cane farmers, because that constitutes a lifeline to their crop, livelihood and existence. In addition, because of the abrupt closure of Caroni and the lack of maintenance of the fields, the spraying of the fields against the froghopper pest, there was severe infestation of these fields. Private farmers' fields were infested with the froghopper and tremendous losses were incurred. In addition, the question of fertilization of the private farmers' cane came into question because of the general uncertainty of the whole industry.

Another factor which negatively affected the 2005 sugarcane crop was the fact that after nine weeks cane farmers were yet to receive a payment for sugar supplied to the Sugar Manufacturing Company Limited. Farmers are usually paid after every fortnight during the duration of the crop, which in 2005 amounted to $4 million per fortnight for 6,000 cane farmers. This non-payment on the part of the Sugar Manufacturing Company Limited has resulted, as you would well appreciate, in tremendous hardship to the farmers. Farmers were forced to borrow money from financial institutions at high interest rates to pay cane cutters and other labourers and incurred expenses that they had not catered for. Even private contractors hired by the manufacturing company were not paid after nine weeks of delivering cane to the factories. You would appreciate that it is not easy to sustain these kinds of setbacks. Farmers at this point in time have over $1.2 billion tied up in the land, in terms of sugarcane and the inputs, machinery and so on, that they have invested in so heavily.

As you would appreciate, all these issues, including the decreasing sucrose content of the sugarcane, because of the lack of maintenance, fertilization and care and the uncertainty of the whole industry, over the last four years, the tonnes of cane to tonnes of sugar ratio, which should have been about nine to one for an economic production of sugarcane, has actually fallen to about 14 to one. This means that you need 14 tonnes of cane to produce one tonne of sugar. If you are doing it in a very productive and efficient manner, you would only need nine tonnes of cane to produce one tonne of sugar. All this has naturally led to tremendous shortfalls in the production of sugarcane for the 2005 crop. In fact, it was expected that 750,000 tonnes would have been produced, but by the end of the crop, more than a 150 thousand tonne shortfall was experienced.

We lost very heavily in this lack of organization; this lack of planning and this lack of vision for the sugarcane industry, because we were unable to export the quota of 47,000 tonnes to the European Union. We were unable to meet that quota and because of the high price experienced this year, we lost over $40

million due to our inability to make that quota. In fact, there was one report which said that the production of sugar for the 2005 crop was only 35,000 tonnes of sugar, when, at the very least, they were expected to produce 47,000 tonnes of sugar.

The fact that we experienced this terrible shortage of sugar on the local market is because the Sugar Manufacturing Company expected to make up the amount of sugar we use on the local market with imports from Guyana, which did not materialize. We saw the ensuing chaos that was associated with this total lack of planning and organization and the lack of delivery of the raw materials to the refinery.

The total lack of vision for the conversion and development of the sugar cane industry in this country is also going to affect our sugar refinery, because it is now facing tremendous competition from Guyana. Guyana has now expanded its sugar production and its refinery capacity and, therefore, they are going to be seriously competing with the refinery here in Trinidad. We expect even more losses of jobs and capital if the sugar refinery is unable to compete with that of Guyana.

The chief operating officer of the sugar industry team was quoted as saying, with respect to the loss of markets to the EU, that they were hoping to talk to the officials of the EU about the reasons for the shortfall and hoped that they would not be penalized for not meeting the quota. I think that this was a disgraceful situation to find ourselves in after the indiscriminate and cavalier handling of the Caroni (1975) Limited situation of almost 30,000 acres of cane in the fields, that we had to find ourselves, not only losing millions of dollars in foreign exchange, but having to beg the EU officials for some sort of understanding of why we did not produce the quota. We also lost the quota to the US market, over 7,000 tonnes of cane.

The issue is now that other countries which have traditionally produced the sugarcane crop have understood the fact that the international sugar market is depressed; that the EU would no longer be buying the amount of sugar at the prices that have traditionally been offered and that it is no longer economic to concentrate on the question of exporting sugar to the EU. People have turned a negative into a positive and have been looking at the whole question of developing the sugarcane plant as a source of clean and renewable energy in the context of the depleting resources of petroleum.

I heard Sen. King say a number of times that it is expected that the world production of oil has already peaked and is on the decline, so in developed industrialized countries much larger than ours, tremendous research and development is taking place, for example, in Brazil, with respect to the development of ethanol as gasohol for car fuel. This is being done as we speak; cars are being run very efficiently and smoothly on gasohol as a by-product of the sugarcane industry. I am wondering why this Government does not have this vision for the future of this country. Our whole economy is tied to oil and gas, which we have all acknowledged is a depleting resource and that we should be looking to other sources of renewable energy. We have an ideal source, the sugarcane, which we have neglected and we have slaughtered and, actually, destroyed an important aspect of the future development of this country. This was done for no better reason than playing politics with people's lives.

Madam President, Wendy Lee Yuen, the President of the Agricultural Society of Trinidad and Tobago, also spoke about the other uses that we could have put the sugarcane plant into, in terms of pharmaceuticals, feed stock, bagasse and biodegradable plastics. Wayne Inniss of the sugar industry team also spoke about the question of establishing agricultural industrial estates to be set up in the same way that oil and gas had been developed into an industry. He said that there was hope for the sugarcane industry and he called for a new sugarcane reform agenda that would utilize the entire plant.

The cane farmers of this country are beleaguered and bewildered. They have more than $1 billion tied up in the industry and they would want to know from the Government, whither the sugar industry in Trinidad and Tobago.

Thank you.

5.15 p.m.

The Minister in the Ministry of Finance (Sen. The Hon. Christine Sahadeo): Madam President, the rationale behind the restructuring of the domestic sugar industry has been articulated in considerable detail in many fora both in this honourable Senate and in the wider national community. That, notwithstanding, I wish now to remind hon. Senators that the decision by this Government to restructure the industry in 2003 came out of extensive technical and market analysis as well as consultations with major stakeholders.

In fact, Madam President, it was at the beginning of 2002 the Government initiated the technical work with respect to the future of Caroni (1975) Limited. Accordingly, in 2003, after consideration of several reports and liaising with the

major stakeholders including the respective unions and farmer groups, Government established the policy parameters with respect to the restructuring of Caroni (1975) Limited.

Madam President, after considering all the dimensions of this industry and the outlook for the international market for sugar, it was evident that Caroni in its then existing corporate form was highly unlikely to achieve viability in the foreseeable future. That decision to restructure was made in light of weak, international market conditions facing the sugar industry, which have since deteriorated further, given the preliminary ruling by the World Trade Organization (WTO) in August 2004 against the European Union. This was upheld in May 2005 after review by the WTO appellate body.

That ruling will reduce significantly the current preferential treatment afforded to ACP countries by the European Union and would result in lower market prices which would essentially drive out high cost producers like Trinidad and Tobago. Madam President, that statement perhaps says it all.

Several of our Caricom partners have since been forced to rationalize their sugar industries and have articulated their own plans for restructuring. In fact, earlier this year, St. Kitts made a pronouncement to restructure its sugar industry, and in the case of Jamaica, the achievement of financial viability of the industry is now considered to be so unlikely that the Jamaican government has offered to sell for $1 any sugar factory, provided that potential investors could ensure the viability of that business without recourse to government for financial assistance.

Madam President, as you are no doubt aware, the comprehensive and integrated plan for the restructuring of the domestic sugar industry comprises three basic elements essentially: the establishment of a competitive sugar industry based on international standards and best practice, the retraining and retooling of the employee base, and the stimulation of the economic activity on vacated lands.

Central to the restructuring exercise was the downsizing of the domestic sugar industry and the establishment of a wholly-owned state enterprise Sugar Manufacturing Company Limited (SMCL) at Ste. Madeleine. This was to handle exclusively the processing and refining of sugarcane. Accordingly, SMCL, with a production capacity of approximately 75,000 tonnes, now undertakes the purchase of sugarcane from private sugarcane farmers at agreed prices for its processing and refining operations to meet the demands of its preferential and local markets.

Madam President, the restructuring included the recommendation for the introduction of a quality-based system for purchasing sugarcane under which the

price would be based on sucrose content. And, as said so well by Sen. Dr. Kernahan, who indicated that the ratio in terms of tonnes of cane to tonnes of sugar in order to be efficient should be approximately nine.

Let me give some statistics that would clarify our position here. In 2003, TC to TS—that is tonnes of cane to tonnes of sugar—was 13:36 which is considered high by international standards. This increased to 15:21 in 2004 and increased further to 16:1 in 2005. As my friend told us, there has to be a ratio of at least 9 tonnes of cane to sugar in order to be efficient; what this means is that this has the effect of this ratio of pushing Trinidad and Tobago further in terms of being a high-cost producer and certainly inefficient and ineffective.

In 2005, SMCL purchased sugarcane at a guaranteed price of $180 per tonne. The sugar production target for 2005 milling period was 52,355 tonnes. However, actual production was only 33,103 tonnes; this was both in terms of total production of cane and again, the low ratio in terms of sugar to sugarcane.

The main reason for the low sugar production in 2005 was the inability of farmers to supply their quota of sugarcane. In addition to that, to meet the shortfall, SMCL imported raw sugar for its refining operations and this refined sugar was sold to the domestic manufacturing sector and regional trade partners.

Madam President, the creation of SMCL and the downsizing of the sugar production were expected to provide certain key advantages for the future of the sugar industry. It provides a better opportunity to measure performance and to attain effective transparency, accountability, and operational viability.

Madam President, I am pleased to report that Caroni (1975) Limited has provided training to 752 former monthly-paid employees and 3,854 former daily-paid employees in both technical and agricultural courses and may I add that training is ongoing. Government intends to transform the lands of Caroni (1975) Limited into productive agriculture; to this end, it has allocated two-acre plots for agricultural purposes to 7,247 former employees on 13 estates.

Presently, Caroni (1975) Limited is undertaking a field identification exercise where those 7,247 former employees would be allowed to take occupancy of these lands while infrastructural works are being undertaken. These new landowners will be registered as farmers and would be entitled to benefits from the programmes of the Ministry of Agriculture, Land and Marine Resources.

Madam President, the allocation of the two-acre parcels of land to former employees is a critical element in Government's plan to revitalize the domestic

agriculture industry. As a result, our support to the former employees of Caroni (1975) Limited will not cease with the allocation of lands. In fact, we have undertaken to provide these farmers with the necessary technical and marketing support as well as the necessary financial advisory services. To that end, the Ministry of Agriculture, Land and Marine Resources will be increasing its staffing complement in the area of the extension support services. The ministry will also facilitate the effective delivery of technical support services to farmers and promote regular interaction and better coordination and plan amongst farmers with regard to what type of crops are to be cultivated to avoid unwanted gluts and shortages. These measures are expected to have a positive impact on food prices.

Madam President, a number of these former employees have already been given a head start in their new agricultural endeavour. As many of them have participated in the three auctions at which Caroni (1975) Limited's rolling stock was sold to former employees, we anticipate that the acquisition of the equipment would then put them in good stead in the cultivation of their plots.

Caroni (1975) Limited has under its management 76,608 acres of land of which 3,796 acres are owned by Orange Grove. Those lands comprise effectively one quarter or 25 per cent of the arable land in Trinidad. I wish to make it very clear that Government's foremost concern in the establishment and implementation of the development plan for the future use of Caroni (1975) Limited's lands, was that lands best suited for agricultural use would remain in, or be available for agriculture.

For that matter, Government has at all times viewed the future of Caroni (1975) Limited's lands in the context of its potential contribution to the food production and security for the nation. As a result, and after accounting for all existing and already approved built development, it is anticipated that approximately 80 per cent, or 61,286 acres of Caroni (1975) Limited's lands will remain in or be available for agricultural use.

Of those 61,286 acres, 8,227 acres or 11 per cent will be comprised of Caroni citrus growth at Todds Road and La Gloria, and these would be leased out by the Ministry of Agriculture, Land and Marine Resources in 50-acre parcels. Also included in this 8,000 acres, are livestock and dairy operations at La Gloria, Windsor Park and Mora Valley. An addition included in this is the 4,000 acres of land which have been assigned for rice growing by the Nariva Farms and Caribbean Rice Association.

Lands in the amount of 18,338 acres or 24 per cent are the amounts that have been assigned to the 7,247 former employees. There are 16,083 acres or 21 per cent which are being cultivated presently by existing farmers—on Caroni (1975) Limited's lands—whom we may call agricultural squatters, those who do not have leases, and 18,453 acres, or 24 per cent would be available for agricultural use in the future by the rest of the national community. Yes, Madam President, we also have 18,453 acres available for all the citizens of Trinidad and Tobago in terms of agricultural activity.

As I indicated earlier, the majority of Caroni (1975) Limited's lands will remain available for agricultural use. For that matter, Government has already jump-started the revitalization of agriculture and has ongoing development in 13 agricultural estates which will be brought into full cultivation as the infrastructural works are completed.

Madam President, in summary, the closure of Caroni (1975) Limited in 2003 and the consequent successful restructuring of the domestic sugar industry has created many opportunities for the former employees of Caroni (1975) Limited. They are no longer dependent on a beleaguered economic good, and these communities are now being transformed rapidly into new areas of economic growth, the revitalization of the agricultural activity, establishment of light and heavy industries, commercial complexes and residential estates. Furthermore, it is envisaged that those activities will in turn spawn a range of other economic activities.

In the final analysis, the restructuring of the domestic sugar industry has provided a unique opportunity to identify and take advantage of new opportunities for growth which will allow the respective communities to be better able to engage in sustainable commercial enterprise and to be able to participate fully in the growth of development taking place in the wider community.

Madam President, I thank you.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 5.30 p.m.

WRITTEN ANSWER TO QUESTION

Crimes Committed (Details of)

1. **Sen. Prof. Ramesh Deosaran** asked the hon. Attorney General:

   With respect to the specific crimes of robbery, burglary, larceny, abduction, kidnapping, assault, house break-in, possession of drugs and drug trafficking, could the Minister tell the Senate for each of the last ten years:

   J. How many times each crime was committed (reported) in each of these years?

   K. How many persons have been charged for each crime in each year?

   L. Of those charged how many have been granted bail or refused bail in the Magistrates' Court?

   M. Of those refused bail in the Magistrates' Court, how many on appeal have had such bail subsequently granted in the High Courts?

   N. Of those granted bail in the Magistrates' Court, how many have had this decision on appeal reversed in the High Court?

   O. Of those granted bail in the Magistrates' Court, or in the High Court, how many have subsequently been charged for one or more crimes?

   P. What type(s) of crime(s) have they been charged for while out on such bail?

   Q. Of those charged for each of such crimes while out on bail, how many have been convicted?

   R. Of this convicted lot, what type of sentence did they receive?

The Attorney General (Sen. The Hon. John Jeremie): With respect to the number of times that each crime was committed/reported, please see Table I of the attached Appendix I.

The number of persons who have been charged for each crime is listed in Table II of Appendix I.

See the response at H for the other parts of the question.

In an effort to provide a response to the question posed, the Ministry of the Attorney General made contact with the Ministry of National Security and the Judiciary, the agencies within which the relevant information resides. However, the Ministry was only able to source data from the Ministry of National Security, which provided responses to parts A and B of the question. The Judiciary, in particular, the Magistrates' Courts although in possession of the relevant information, are unable to extract same in a timely manner. The reason being that the data being sought is recorded in physical documents within the Courts' Registries island wide. Manual extraction of the required data will be an extensive, time consuming and labour intensive exercise. The Judiciary has advised that due to present staff constraints and limited resources with respect to the computerization of the Magistrates' Courts, the attainment of the necessary information will take no less than six (6) months.

Table I

Table Showing Number of Persons Reported

	Number of Persons Reported							
Year	**Kid.**	**B&B**	**Lar.**	**Pof D**	**DT**	**AABH**	**APO**	**A&B**
1995	56	6542	2781	1110	8	304	250	16869
1996	81	6835	3196	1235	24	329	249	15121
1997	80	6682	2686	1177	32	255	257	17324
1998	100	6112	2686	1300	0	243	274	16747
1999	136	5475	2882	1334	0	237	270	15093
2000	156	5623	3042	1223	2	216	243	13984
2001	135	5016	2961	485	0	238	205	14029
2002	235	4930	3164	509	0	301	189	14316
2003	235	4863	3210	505	0	303	280	13765

Table 1

Table Showing Number of Persons Reported

	Number of Persons Reported							
Year	**Kid.**	**B&B**	**Lar.**	**Pof D**	**DT**	**AABH**	**APO**	**A&B**
2004	177	5214	3365	589	0	249	261	12080
2005	115	284	336	44	132	126	126	5735
TOTAL	**1506**	**57576**	**30309**	**9511**	**198**	**2801**	**2604**	**155063**

Table II

Table Showing Number of Persons Charged

	Number of Persons Charged							
Year	**Kid.**	**B&B**	**Lar.**	**Pof D**	**DT**	**AABH**	**APO**	**A&B**
1995	80	1201	483	1502	12	236	230	743
1996	94	1438	575	1657	24	237	244	925
1997	70	1305	416	1528	34	198	219	1459
1998	80	1305	426	1670	0	199	279	2028
1999	90	1081	430	1662	0	179	271	2159
2000	90	1034	406	1584	7	178	243	943
2001	45	994	431	678	0	175	197	4391
2002	192	943	374	636	0	210	189	1462

Table II

Table Showing Number of Persons Charged

	Number of Persons Charged							
Year	**Kid.**	**B&B**	**Lar.**	**Pof D**	**DT**	**AABH**	**APO**	**A&B**
2003	180	870	400	687	0	220	280	967
2004	130	1038	444	855	0	177	260	1025
2005*	39	N/A**	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL	**1090**	**11209**	**4385**	**12459**	**77**	**2009**	**2412**	**16102**

KEY	
Abbrev	**Full Term**
Kid.	**Kidnapping**
B & B	**Burglary & Break Ins**
Lar.	**Larceny**
P of D	**Possession of Drugs**
DT	**Drug Trafficking**
AABH	**Assault Occasioning Actual Bodily Harm**
APO	**Assault of Peace Officer**
A & B	**Assault & Battery**
*	**Figures for the period January to June 2005**
**	**Information Not Available**