

*Leave of Absence**Tuesday, January 30, 2007***SENATE***Tuesday, January 30, 2007*

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 from today's sitting to Sen. The Hon. Dr. Lenny Saith and Sen. Dana Seetahal, S.C., who are both out of the country; and to Sen. The Hon. John Jeremie, who is ill.

**SENATORS' APPOINTMENT**

**Madam President:** Hon. Senators, I have received the following correspondence from His Excellency the President, Professor George Maxwell Richards, T.C., C.M.T., Ph.D.

I have three instruments so I will leave out the beginning and just read the body of the instruments.

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

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

/s/ G. Richards  
President.

TO: MRS. JOAN HACKSHAW-MARSLIN

WHEREAS Senator John Jeremie is incapable of performing his duties as a Senator by reason of illness:

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

*Senators' Appointment*  
[MADAM PRESIDENT]

*Tuesday, January 30, 2007*

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 30<sup>th</sup> day of January, 2007."

"THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

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

/s/ G. Richards  
President.

TO: MS. ROSE JANNEIRE

WHEREAS Senator Dr. Lenny Saith is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, GEORGE MAXWELL RICHARDS, President as aforesaid, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in me by section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, ROSE JANNEIRE, to be temporarily a member of the Senate, with effect from January 30, 2007 and continuing during the absence from Trinidad and Tobago of the said Senator Dr. Lenny Saith.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 22<sup>nd</sup> day of January, 2007."

"THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

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

/s/ G. Richards  
President.

*Senators' Appointment*

*Tuesday, January 30, 2007*

TO: MR. WALTON FRANCIS JAMES

WHEREAS Senator Dana Seetahal, S.C. is incapable of performing her duties as a Senator by reason of her absence from Trinidad and Tobago:

NOW, THEREFORE, I, GEORGE MAXWELL RICHARDS, President as aforesaid, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in me by section 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 immediate effect and continuing during the absence from Trinidad and Tobago of the said Senator Dana Seetahal, S.C.

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 29<sup>th</sup> day of January, 2007."

#### OATH OF ALLEGIANCE

*The following Senators took and subscribed the Oath of Allegiance as required by law: Joan Hackshaw-Marslin, Rose Janneire and Walton Francis James.*

#### PAPERS LAID

1. Second report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Regional Health Authorities Pension Fund Plan for the year ended December 31, 2001. [*The Minister in the Ministry of Finance (Sen. The Hon. Conrad Enill)*]
2. Value Added Tax Act (Amendment to Schedule 2) Order, 2007. [*Sen. The Hon. C. Enill*]

#### **Value Added Tax Act (Amendment to Schedule 2) Order, 2007**

**The Minister in the Ministry of Finance (Sen. The Hon. Conrad Enill):** Madam President, may I also advise that the Statutory Instruments Committee considered the Value Added Tax Act (Amendment to Schedule 2) Order, 2007 and found that there was nothing to which the attention of the Senate should be specially drawn. The Minutes of the Committee were circulated to Members.

3. Immigration (ICC Cricket World Cup West Indies 2007) (Caricom Special Visa) Regulations, 2007. [*The Minister of National Security (Sen. The Hon. Martin Joseph)*]

**Immigration (ICC Cricket World Cup West Indies 2007)  
(Caricom Special Visa) Regulations, 2007**

**The Minister of National Security (Sen. The Hon. Martin Joseph):** Madam President, may I also advise that the Statutory Instruments Committee considered the Immigration (ICC Cricket World Cup West Indies 2007) (Caricom Special Visa) Regulations, 2007 and found that there was nothing to which the attention of the Senate should be specially drawn. The Minutes of the Committee were circulated to Members.

**Sen. Mark:** May I? The hon. Minister said there is nothing special that the Senate should be aware of or at least matters that should not be drawn to the attention of the Senate. I would like to ask the hon. Minister of National Security, through you, if he can turn to the First Schedule of this report that is before us as a Paper and if he could tell us why Haiti, which is a member of Caricom, has been excluded from this particular Caricom Special Visa Exemption matter.

As well as, the absence of India, Australia, Pakistan, Bangladesh, Sri Lanka and New Zealand; all these countries have not been included under the First Schedule. We want to get some clarification on the rationale for the exclusion.

**Sen. The Hon. M. Joseph:** Madam President, in the case of Haiti; you would recall during the period leading up to the preparation for Cricket World Cup, Haiti was not part of any of the discussions and as a result did not participate, Madam President and hon. Senators, in all of the security arrangements leading up to the establishment of the single domestic space. This was a decision taken at the level of the Heads of Conference.

In the case of the second issue with respect to countries that are going to require visas and not part of the Second Schedule, as the Senator indicated, this again was the result of the discussions taking place at the highest level, for which there was Caricom agreement and for which the countries themselves are also aware of the situation in which they find themselves.

**Sen. Mark:** May I just seek clarification from the hon. Minister, through you, Madam President? I would just like to know from the hon. Minister whether citizens of Haiti would not be interested in visiting the nine countries that are going to be staging the International Cricket World Cup competition, because as I understand it here, persons who are coming from Haiti, a member of Caricom, their citizens, would be required to produce a visa.

**Madam President:** I think the Minister explained the reason for that Senator and I do not know if he has anything further to say on that.

**Sen. Mark:** Apart from saying that the Caricom Heads determined that, because Haiti was not a part of the security discussions, I am asking why are citizens of Haiti not being allowed the same privilege as other citizens of Caricom countries.

**Sen. The Hon. M. Joseph:** As I indicated, Madam President, and just to reinforce it, because Haiti will not be part of the single domestic space during the period for which these exemptions are going to be revamped. And just for the interest of hon. Senators, while Dominica is not playing, Dominica has applied. So this is the reason we talk about the nine host countries plus Dominica.

**Madam President:** All right, could we move on, please?

**ORAL ANSWERS TO QUESTIONS**  
**Details of Carifesta**

**18. Sen. Wade Mark** asked the hon. Minister of Community Development, Culture and Gender Affairs:

- A. Could the Minister provide the Senate with a detailed breakdown of the cost involved in the staging of Carifesta in Trinidad and Tobago in 2006; and
- B. Could the Minister also provide the names of the organizers of this event and the respective fees and/or commissions paid to each organizer?

**The Acting Prime Minister and Minister of Community Development, Culture and Gender Affairs (Sen. The Hon. Joan Yuille-Williams):** Madam President, Members of this Senate, I regret to say that I am unable to present the answer for question No. 18. As I was speaking to Sen. Mark briefly before the sitting, this answer deals with the financing for Caricom, et cetera. We recognized that it was a very mega event, approximately 20 countries participating and it took us some time. Up to the end of the last year we were still in the process of paying some of the bills. Now we have just engaged the auditors and they have begun the work.

When I asked for two weeks I did so very guardedly feeling almost certain that I might not have been able to present it to you this evening, Sen. Mark and I do apologize for it. We have just started this auditing; it is a long process; a lot of

bills; a lot of countries are involved and I am going to ask for a further two weeks, again guardedly, but I really know that Sen. Mark would like to get the answer. If I could have done it even earlier I would have done so. Again, my apologies to you, Sen. Mark, and the Members of this Senate.

**Sen. Mark:** Madam President, if I may? One can appreciate the work of the auditors in this mammoth exercise as the hon. Minister has stated, but I understand that this particular event, Carifesta; was it in the month of October? So, for the hon. Minister to come and tell us today that they only recently appointed auditors—

**Madam President:** No, no, she did not say so. They just sourced the information to start doing the work.

**Sen. Mark:** Well, did the auditors only recently commence their work.

**Madam President:** Yes.

**Sen. Mark:** So it means to say, maybe the Minister could give us a possible outer limit, because I would not like her to come next two weeks—

**Madam President:** But shall we grant her the two weeks and she will bring whatever she has then for us?

**Sen. Mark:** She said guardedly, so next two weeks she might come and tell us the same thing. Could the Minister tell us whether a three-week period will be adequate, so that when she comes she will present the answer to the question, rather than come and indicate postponement after two weeks again.

**Madam President:** Madam Minister, will you prefer three weeks? Sen. Mark is being very, very generous today.

**Sen. The Hon. J. Yuille-Williams:** I will ask for one month and hope that I will be able to do it.

**Sen. Mark:** No, “we ain’t hope, eh”, one month.

**Madam President:** One month.

**Sen. The Hon. J. Yuille-Williams:** I hope.

*Question, by leave deferred.*

**Trinidad and Tobago Housing Development Corporation (HDC)  
(Details of)**

**19. Sen. Basharat Ali** asked the hon. Minister of Housing:

- A. Could the Minister advise whether the Trinidad and Tobago Housing Development Corporation is exempt from the Central Tenders Board Ordinance in accordance with section 29(1) of Act No. 24 of 2005?
- B. If the answer is in the affirmative, have rules been laid in Parliament in accordance with section 29(4) of the said Act?
- C. If the answer is in the affirmative, please advise the date on which they have been laid?

**The Acting Prime Minister and Minister of Community Development, Culture and Gender Affairs (Sen. The Hon. Joan Yuille-Williams):** Madam President, I regret that the hon. Minister is not here and I do not have the answer with me. Let me apologize to you for that and I ask for just one week again to get the answer. Hopefully, he will turn up this evening, if not, one week again and we will have the answer for you. My apologies to you, Senator.

**Madam President:** This was postponed already.

**Sen. The Hon. J. Yuille-Williams:** Yes, I know.

*Question, by leave deferred.*

**WRITTEN ANSWERS TO QUESTIONS**

**Sen. Mark:** Madam President, before you proceed, there are written answers. I think the time has come to summon these people before the Privileges Committee. How can we continue to be insulted by these state enterprises? Madam President, you indicated to this honourable Senate, this is the third year that these questions are on the Order Paper, particularly to the Planning and Development Minister and I wish her well, as I told you last rounds. But, this is UDeCott, a state enterprise with billions of the taxpayers' dollars at its disposal.

**Madam President:** All right, Senator.

**Sen. Mark:** We are not happy with this three-year postponement of a simple question that UDeCott ought to have gotten right and submitted to this Parliament.

**Madam President:** All right. Thank you.

**Sen. Mark:** I would like you to summon these people to the Privileges Committee to force them to answer.

**Madam President:** Madam Minister, will you try to talk to the Ministers in charge and see if you can do something about these answers, please.

**Sen. The Hon. J. Yuille-Williams:** Madam President, my apologies again.

**Sen. Mark:** I again ask you to give the hon. Minister who is acting in the capacity of Leader of Government Business—

**Madam President:** And Prime Minister.

**Sen. Mark:** And Prime Minister too? Very good; I did not even know my friend was acting as Prime Minister. Congratulations to her.

Madam President, may I ask you to at least advise the hon. acting Leader of Government Business, who is acting as Prime Minister—she has the power now she is acting as Prime Minister—to instruct UDeCott to bring this information at the next sitting of this Parliament, or I would ask you to invoke the relevant Standing Orders to take UDeCott before the Privileges Committee for contempt of Parliament. [*Crosstalk*]

**Madam President:** All right, Senators, please! Sen. Mark, please! Please, Senators! Sen. Mark! [*Crosstalk*]

**Sen. Mark:** You want to read the Standing Orders?

**Madam President:** No, sit. Members, please! I am going to look into this and I will see what we could do about it. In the meantime I am enlisting the help of the acting Prime Minister to see what she can do for us.

**Sen. Dr. Gopeesingh:** Madam President, can I crave your indulgence to ask her for the answers to the questions on the health sector?

**Madam President:** It is the same, Senator. Senator, please.

**Sen. Dr. Gopeesingh:** This is due—

**Madam President:** Senator! Senator, we are dealing with all of them, okay? All right? You do not have to rise again to repeat exactly what Sen. Mark has just said, all right. [*Crosstalk*] I am well aware—

**Sen. Mark:** We are angry—[*Crosstalk*]

**Madam President:** I am well aware. [*Crosstalk*] Shall we move on, please? Shall we move on?



**Sen. Dr. Gopeesingh:** Madam President, this involves corruption of \$100 million and the Minister brakes to answer the question, but he could say anything, anytime. [*Crosstalk*]

**Sen. Mark:** Madam President, it is becoming almost disgusting here!

**Madam President:** Members!

**Sen. Mark:** Madam President!

**Madam President:** I have told you that I would look at it and see what could be done. There is no need for two of you to rise to speak on the same matter and say exactly the same thing. I understand one person, okay? Now shall we go on?

**Sen. Mark:** So we expect answers next week, Madam President. We expect answers. [*Crosstalk*]

**Madam President:** Please, Members! [*Madam President pounds gavel*] If you continue I will adjourn this sitting. All right, please, continue.

**PARLIAMENT BUILDING  
(APPOINTMENT OF A JOINT SELECT COMMITTEE)**

[Second Day]

*Order read for resuming adjourned debate on question.* [November 28, 2006]:

*Be it resolved* that this House appoint a Committee to sit jointly with a Committee of the House of Representatives to assess the adequacy of the building that houses the Parliament of the Republic of Trinidad and Tobago with a view to planning for the long-term accommodation of Parliament and report its recommendations to this House within six months:

*And be it further resolved* that the Joint Select Committee be empowered to send for persons, papers and records and sit from place to place. [*Sen. Dr. Eastlyn Mc Kenzie*]

*Question again proposed.*

**Madam President:** The following Senators have already spoken on the Motion: Sen. Dr. Eastlyn Mc Kenzie, who is the mover of the Motion; Sen. Wade Mark, Sen. the Hon. Rennie Dumas, Sen. Prof. Kenneth Ramchand and Sen. The Hon. Dr. Lenny Saith.

Is there anybody else wishing to speak on this Motion? Sen. Mungalsingh.

**Sen. Mark:** Madam President, before Sen. Mungalsingh speaks, may I crave your indulgence? Madam President, if you would recall when we last broke off on this particular matter, the Government gave an undertaking to the Senate that they would hold discussions with the representatives in the other place because of the Joint Select Committee. So we expect to get a report from the hon. Acting Leader of Government Business and Acting Prime Minister as to what is the status of this Motion in terms of a report.

**Sen. Yuille-Williams:** Madam President, that was held and the report will be circulated in an amendment to this Motion. The discussion can go on and I have already spoken to Sen. Dr. Eastlyn Mc Kenzie earlier today about it. We are preparing the amendment; it will be circulated later today and that would reflect the results of the discussion.

**Sen. Mark:** Madam President, can the hon. Minister indicate to us what is this amendment, so at least Sen. Harry Persad Mungalsingh, who is about to speak, can speak to the amendment rather than come and speak after he would have spoken, because I will have a right to speak again on the amendment. So I would like the hon. Minister to tell us what is the amendment so that we can all understand.

**Sen. Yuille-Williams:** Can I do that now?

**Madam President:** Do you have it there with you, Madam Minister? Can you read it?

**Sen. Yuille-Williams:** Madam President, as I have said before the amendment is being prepared, sorry about it, but I can read to you the gist of it, because I have already discussed it. It says:

*Be it resolved* that this House appoint a Committee to assess the adequacy of the building that houses the Parliament of the Republic of Trinidad and Tobago with a view to planning for the long-term accommodation of Parliament and report its recommendations to this House within six months.

So we have left out the "jointly" and the "be it further resolved", because that is implied in any committee which is used.

Thank you.

*Question, on amendment, proposed.*

**Madam President:** All right, Sen. Mungalsingh.

**Sen. Harry Persad Mungalsingh:** Madam President, we of the United National Congress support this Motion for a study by a Joint Select Committee of both Houses of Parliament for the planning of the accommodation of the Parliament for the following reasons:

1. To fulfill the spatial requirements of a new electoral and governance model via constitutional reform, which the UNC will implement when it gets into power.
2. The Red House is intricately linked to the history of Parliament of Trinidad and Tobago.
3. The Red House is of such architectural significance that its utilization should not be changed without serious thought by the people elected by the citizenry of Trinidad and Tobago.
4. It is not a decision to be left to the Members of Cabinet only.

Madam President, before I engage in my contribution, let me acknowledge the viewership quite relevantly in the context of the seriousness of this Motion. There are approximately 35,000 television viewers right now looking at us. Because of the distribution of cable television this is distributed into 3,500 to 3,750 strong PNM supporters and about 1,250 to 1,500 weak UNC supporters.

I address, through you, Madam President, the 3,500 to 3,750 strong PNM supporters. Let us take this Motion point by point. A new UNC government will institute constitutional reform after major but simply put consultation with all the people; valid interests groups; substantial institutions and organizations such as trade unions, NGOs, all religious bodies including one on one with churches, temples and mosques, business organizations, political parties, banks and financial institutions, credit unions being people based financial institutions and lobby groups.

**Sen. Dumas:** That is your own view or the party view?

**Sen. H. Mungalsingh:** For the purposes of this contribution in order to understand the spatial requirements of a new Parliament, you have to select, Madam President and hon. Senators, some sort of model in order to assess what space requirements you need. For the purposes of this contribution and discussion, I am suggesting the following theoretical but practical model:

*Parliament Building*  
[SEN. MUNGALSINGH]

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1. Executive presidency or executive prime minister. If the people of Trinidad and Tobago decide they want to retain—

**Sen. Joseph:** That is the UNC model or his model?

**Sen. Mark:** Listen to the thing. [*Crosstalk*]

**Madam President:** Continue, Senator.

**Sen. H. Mungalsingh:** Executive presidency or executive prime minister. If the people of Trinidad and Tobago decide they want to retain the President as a buffer for Chavez types; this executive presidency or executive prime minister will be elected on a basis of one man, one vote.

**2.00 p.m.**

This is important, Madam President, because if we allow MPs to select—  
[*Interruption*]

**Madam President:** Senator, are you reading?

**Sen. H. Mungalsingh:** No.

**Sen. Mark:** He is referring to his notes. [*Crosstalk*]

**Sen. H. Mungalsingh:** This is important, Madam President, because if we allow MPs to select the Prime Minister; we would continue the statistical bias where there is a current 88 per cent probability of one type being elected against other types; a Cabinet of specialists limited to 12 or 15 from outside of Parliament; [*Interruption*] a unicameral house of 82 independent of the Executive in the same manner as the Judiciary with its own budget and administration, et cetera; and 41 MPs for each of the constituencies elected on the basis of one—

**Madam President:** Senator, excuse me, what are we talking on? Is it on the building for Parliament? Are you talking about the constitutional changes or requirements for a new body of Parliament? That is not what the Motion is about; the Motion is about a building.

**Sen. H. Mungalsingh:** Absolutely correct! And if you wait one minute, Madam President, you would see—[*Interruption*] [*Laughter*]

**Madam President:** Well I have waited; I have waited more than two minutes.

**Sen. H. Mungalsingh:** No, no, no; Madam President, not because I am new it means to say that you cannot wait three minutes.

**Hon. Senator:** “Ooh”.

**Madam President:** Are you arguing with me, Senator?

**Sen. H. Mungalsingh:** No, Madam President, I would not. [*Interruption*]

**Madam President:** All right, whatever you want—

**Sen. H. Mungalsingh:** I am asking to just be patient, because what I am linking; if you say 82 you will have to multiply 82 x 750 to get the amount of square footage you require. [*Interruption*] That is what I am trying to get at.

**Sen. Dr. Kernahan:** Very good point. [*Crosstalk*]

**Sen. H. Mungalsingh:** It is how buildings are planned. It is my profession. [*Crosstalk*]

**Hon. Senator:** You should define the number of Members first.

**Madam President:** I should inform you that all of that has been done already. [*Laughter*]

**Sen. H. Mungalsingh:** Okay, Madam President. [*Laughter*] Thank you. Forty-one MPs for each of the constituencies elected on a basis of one man one vote first past the post; 41 additional MPs elected by proportional representation selected by political leaders of registered political parties.

All MPs full-time—and that is where the spatial analysis comes under a new Constitution with the same official and financial status as Ministers with offices and staff. MPs cannot be Ministers; Ministers being specialists; MPs being legislators, shapers of society and representatives of the people. Executive President or Prime Minister terms to be limited to two, MPs to four; election dates to be fixed and right of recall of elected MPs by constituents. [*Interruption*]

Madam President, right away we need a Chamber to seat 82 MPs, the Chair, visitors, advisors and security. This would be approximately 20,000 square feet, about four times the size of this Chamber. We need 82 offices for MPs with staff; this would be approximately 61,500 square feet. This could be reduced to approximately 30,000 square feet if we give the elected MPs well appointed offices for them and their staff in their respective constituencies.

**Sen. Dumas:** We are going Caroni.

**Sen. H. Mungalsingh:** For the administration of Parliament we need another 20,000 square feet. [*Interruption*] Library, kitchen, records and storage we need another 30,000 square feet. In total under this new electoral model we need approximately 100,000 to 130,000 square feet working space. [*Interruption*] Add corridors and bathrooms and we are well on our way to 150,000 square feet.

*Parliament Building*  
[SEN. MUNGALSINGH]

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My estimate without tape or a cadastral is that the footprint of this building is approximately 45,000 square feet, so if we got the building and use the Rotunda we are still out of space. Whilst the need for space is clearly a necessity, a lot of the new requirements in a modern society can be outsourced. Imagine, therefore, the Red House being only for the people's business and its sessions, and a modern 10-storey parliamentary building situated on the waterfront for staff, offices and other services. Whilst an Executive President or Executive Prime Minister will require substantially more space than Whitehall a move to the Red House is simplistic. It is like the simplicity of confusing the production of aluminium as a bedrock of industrialization. [*Interruption*]

I pray to God every day that the Prime Minister is listening but God does not answer prayers immediately and this Prime Minister seems hell-bent on demitting office as most Prime Ministers are inclined to do.

**Sen. Dumas:** Two terms, you forget.

**Sen. H. Mungalsingh:** Thank you. Africa, the Caribbean and Latin America are replete with the history of this.

Secondly, Madam President, let us look at the Red House as to how it is linked with the history of Trinidad and Tobago. Prior to 1808 all government buildings were built of wood and shingle much like Georgetown in Guyana. The fire of 1808 led to new building regulations where buildings were built afterwards from brick and mortar. The foundation stone as we well know of this building was laid in 1844 and its purpose and design at that time was inauspicious as most government buildings were then.

Parliament at that time was called the Council Chamber and it met for the first time in 1848 right here. In 1897 it was first painted red and since then the buildings located here have been called the Red House. These two buildings, joined by an arch, were burnt to the ground on March 23, 1903 during the Water Riots. Just like in 1990, Members of the Legislative Council were in session and had to hide below tables; instead of bullets and terrorists, there were just people, stones and kerosene demonstrating against water rate increases. Sixteen people were killed then and 42 were injured when police opened fire on protestors throwing stones on legislators much like in 1990. Victoria and Harris Squares were built with the rubble that was cleared by that fire in 1903. The Red House, as we know it today, commenced construction in 1904 and was completed in 1907 at an approximate cost of about £15,000. The new building was also painted red and it was also called the Red House.

Madam President, on Friday, July 27, 1990 at 6.05 p.m. armed Muslimeem gunmen who were then the colleagues of a sitting Member of this House stormed the Parliament Chamber holding hostage the Prime Minister, eight Cabinet Ministers and six MPs.

**Sen. Yuille-Williams:** Madam President—

**Madam President:** Please Senator, sit down!

**Sen. Yuille-Williams:**—even though we are listening to the hon. Senator, I am questioning the relevance of the information now that he is putting into this Motion.

**Madam President:** Not only am I questioning the relevance, but I really do not think that you should be linking that kind of body of people with anybody or any person in this Senate. And that has no relevance to the Motion before us Senator. Will you please get back to the Motion.

**Sen. H. Mungalsingh:** Madam President, what I wanted to achieve with this point and to show the relevance to this Chamber is the linking of that incident in the history of this building. That event is intricately linked to the history of this building and furthermore it is intricately linked to a point I want to raise about what is led to role models and the—[*Crosstalk*]

I just want to keep the 1990 incident and link it to the history of this building.

**Madam President:** I think you did that already.

**Sen. H. Mungalsingh:** Not fully. [*Interruption*] Okay, I will continue. This Red House was under siege for six days; it was shelled at, blood stained and bullet ridden—

**Madam President:** Senator, I said it was irrelevant. Would you please move on?

**Sen. H. Mungalsingh:** Okay. The destruction included broken glass—

**Sen. Yuille-Williams:** Madam President, I am going to rise again—

**Sen. Mark:** He is continuing.

**Sen. Yuille-Williams:** Please, ask the hon. Senator to desist from the line that he is taking. I think the hon. Senator will understand why. Whereas we know you—I am a historian myself and where sometimes we need history, that is not applicable to now and I feel in that way where you are going you are going to influence yourself by talking about people who should not be brought into this at all today.

**Madam President:** Senator, as much as you may want to say it is part of the history of the Red House, we all are aware that that was an incident that occurred here. I do not think it is relevant to the particular Motion. You may have an opportunity in some other Motion to bring that incident. *[Interruption]* Right now let us talk about the adequacy of the building. You started by giving dimensions that were necessary, although I want to inform you that things like that have been done by a committee which was set up and by Canadians who were brought down here; so that has all been done. But please come back to the building as needed for housing the Parliament. Okay?

**Sen. H. Mungalsingh:** Madam President, I would defer to your advice but if you would allow me I want to link the purpose of this building to the psychology of leadership. *[Crosstalk]*

**Madam President:** You do not understand me.

**Sen. H. Mungalsingh:** Okay.

**Sen. Manning:** Skip the page. *[Crosstalk]*

**Madam President:** All right, Members—

**Sen. H. Mungalsingh:** I have changed the page. I have taken the advice of Sen. Manning and I have changed the page, Madam President.

**Hon. Senator:** He is reading. *[Crosstalk]*

**Madam President:** Senator, continue please. *[Interruption]*

**Sen. H. Mungalsingh:** Madam President—*[Interruption]*

**Madam President:** Senator, you do not need to stop, you know.

**Sen. Mark:** Let the man talk.

**Hon. Senator:** Let the man read.

**Sen. H. Mungalsingh:** The third point I want to raise, is the architecture of this building and the linking of this building to its purpose and its function as a Parliament and meeting place for the people's business. These buildings were purpose designed and of course its design is historic, it is Victorian in nature; all its trimmings and its fretwork and its finishings Italian and English in design, and the most important point is that it was designed specifically for the purpose of the people's business.



The role models that have been set by all the events and all the individuals who peopled the Parliament have been stereotyped through the society so that its historic events like the 1903 Water Riots, the 1970 events around the Parliament, the 1990 events have all had their effects on the psyche of the entire society. In particular, since 1990 the role models that have emerged as to what constitute leadership took a drastic turn after the events of 1990 and it would be worthwhile for some of the researchers at UWI to—[*Crosstalk*]

**Sen. Mark:** What are you getting so shaky about? The man is not talking about you. He is not talking about anybody across there, so why are you getting so shaky? [*Inaudible*]

**Madam President:** Sen. Mark!

**Sen. H. Mungalsingh:** Finally, Madam President, let us examine why this decision should not be left to Cabinet only: Cabinets after a time become out of touch with the people. We just have to look at the Bush administration, the Blair administration, the Kenny Anthony administration, the Manning administration and more or less all previous administrations.

**Hon. Senator:** Including Panday administration.

**Sen. H. Mungalsingh:** Ministers by definition, no matter who they are, cannot reflect the wishes of the people. [*Interruption*] In its purest form Ministers are implementers of policy derived through debate in Parliament. In Trinidad and Tobago the exact opposite takes place under our weak electoral and governance system.

Thirdly, policies under our 1976 Constitution are really defined by the ideas of a Prime Minister and a select inner group with whom he is comfortable. [*Interruption*] We as a nation are too mature and we are too educated to allow and accept this. We on this side therefore support this Motion wholeheartedly and do hope you and this Senate will also support it.

Thank you. [*Desk thumping*]

**Sen. Prof. Ramesh Deosaran:** Thank you. Madam President, there was really no reason for much talk this afternoon except when I came this afternoon I heard that a previous arrangement which I thought had taken place would have been manifested, that is there would have been some agreement as to the way forward with a joint committee. That, of course, was an informal discussion held behind the Chair, as it were, but today on my arrival I am hearing from the Leader of Government Business that there has been an amendment to that position, as well as to the substantive Motion by deleting the word “jointly”.

*Parliament Building*  
[SEN. PROF. DEOSARAN]

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Perhaps there might be reason for it, but from my point of view I would like to begin my very brief contribution on this very important matter by saying that there are some issues in this country that should be above all politics and all partisan sentiments. I would like to think that housing the Parliament is one such issue because it embraces all of us, not only today but for all time and generations to come. So in my view and very briefly I think that is a very, not only serious but a very sacred responsibility in this particular undertaking.

You as Presiding Officer, your name will be connected to whatever we do, Madam President, with respect, so will the Speaker of the Lower House and all of us will be remembered favourably or unfavourably, depending on how we move with Sen. Dr. Eastlyn Mc Kenzie's Motion. [*Desk thumping*]

This Motion has very good intentions. All of us on the Independent Benches—some who may or may not speak after me—are all of the view that this Motion intends to bring some comfort, not only in the physical sense of the Parliament, but to all parliamentarians as human beings and as working legislators for the country, and I dare say so, for yourself, in different ways as we could enumerate. So I had thought, Madam President, that it would have been very smooth sailing, especially with respect to the word “jointly”

This is a Parliament where both Houses sit in the same Chamber. That in itself is a Mickey Mouse situation, not in this day and age with a country as prosperous and as forward-looking with a Vision 2020 before us. So for these and other reasons I thought this would have been smooth sailing, only to find as I came this afternoon, that that flow has been unfortunately interrupted. And how? By the amendment. That amendment separates us, unduly so, Madam President. Whereas the opportunity once again in this country was before us to move forward, or to quote a famous expression by the Minister of Education: “To hold hands together”, I consider the amendment, with respect, a bit unfortunate in that regard, because there are very few imperatives or things required in this country today than togetherness, cooperation and especially that set by the leaders in Parliament.

Madam President, this is, in a sense, a Motion about a physical building but the meaning attached to the construction of that building is very significant for the rest of the country, particularly in telling the population how parliamentarians conduct their business. I believe we should have done this in a more wholesome manner, with respect, Madam President, and the word “jointly” to me should remain because it would tell the country and ourselves that this is our Parliament; both the Lower House and the Senate; each has a strong claim to the physical development of our Parliament.

I would therefore appeal to the Leader of Government Business, once again, with all the moral force I have at my disposal and on the basis of sheer reason and in the most nonpartisan way, that if we can seize the opportunity and show the country that at least in this instance, just as we require the rest of the population to support the efforts in crime and the efforts in this and the efforts in that, why can we not seize this opportunity to show them that at least both Houses are going to sit together as the Motion implies to do something for the benefit of the whole country and for generations to come?

Briefly, Madam President, just a few days ago, as an example of how low the population holds us in regard; how lowly we have sunk as politicians over the years in the public mind, Mr. Arthur Lok Jack in giving a speech to the Chamber of Commerce made reference to the fact that politicians have lost respect in the eyes of the public. I believe we should therefore seize every opportunity to refurbish ourselves and even though we might not agree—it must be understood that is part of the Westminster system—but it is also part of the Westminster system, and even more than that it is a part of Vision 2020, I would hope and as part of nation-building in a young democracy, that we should be able to join together where the opportunity exists to do something that is symbolic and inspiring to the rest of the country. Why are we seizing a good thing and cutting it into two? We are very puzzled by that resistance to something I thought would have been smooth sailing, a total embrace to show the country, that yes, we can disagree but in the essentials we are one.

So, Madam President, it is time that we tell ourselves—if we do not tell anybody else—that we are a mature democracy and the nitpicking must sometimes stop. If the Lower House has reached somewhere with this matter, well the Senate, euphemistically called the Upper Chamber, should also have some input into that arrangement. That is all that is being asked, to sit jointly as partners in a common Parliament, to move the issue forward. That is all, Madam President, and I do not believe that is too much to ask of the Government side, particularly. I therefore support the Motion and I commend Sen. Dr. Mc Kenzie for bringing the Motion forward at this time.

Thank you very much. [*Desk thumping*]

**The Minister of Labour, Small and Micro Enterprise Development (Sen. The Hon. Danny Montano):** Thank you, Madam President. I beg to move that the Motion be amended by deleting the words “to sit jointly with the committee of the House of Representatives” from the first resolution and by deleting the second resolution.

*Parliament Building*  
[SEN. THE HON. D. MONTANO]

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Madam President, just to give a very brief explanation to this honourable House, as was indicated earlier, the Government had given a commitment to speak to the Members of the other place to see if they had any interest in joining with us on this matter. They expressed that they had no desire to join with this Senate to do that; they already had a committee of their own dealing with the matter and they would prefer to deal with it on their own at this time. Insofar as the second resolution is concerned, it is redundant within the meaning of the Standing Orders. Once you have a committee, the committee has the powers to do these things, so it is quite redundant.

Madam President, Sen. Prof. Deosaran made a sterling plea for having the joint relationship, but notwithstanding the fact that we have made the request and they have said, “well, we do not feel there is any particular need to have a joint committee”, there is nothing to stop us from having our own committee, preparing a report and sending it to theirs for their consideration, which means that we still have the same input that we would have had, had we taken part in their committee. So there is no lack of a connection between the two Houses of Parliament; we can still have an input.

This issue has been an interesting one for me to observe, both as a Member of the Government and as a citizen of the country. I have always been an amateur student of history and I love to think of things in a historical context and the building of the Red House is something that is part of our history; it is part of our heritage. But in the context of history, one must realize that we are today, as I speak, part of history and we have to have a sense of who we are today.

The fact is that there will be a future; there will be 50 years from now; there will be 100 years from now and there will be 150 years from now. Life is not static. That is one of the things that we are absolutely certain of. We will all in this room pass away and our names may be forgotten, some may be remembered, but we will all pass away. That is a certainty. The legacy that we leave for the future is what we should be thinking about. We should at the same time be making an effort to preserve the past, but the fact of the matter is, if our forbears did not think of the future and did not think of 150 years from now, we would not have had the Savannah; we would not have had a Red House and we would not have had the police building next door to us. If our forefathers did not have a sense of history and an understanding of their role in the future, we would not have had these things. Therefore it seems to me perfectly appropriate for any society, at any point in time and at any moment in time, to build things for the future.

When you look at the monuments in Egypt, when you look at the monuments right through Latin America and you see how culture and civilization has been spread and how they are built, you can see that people built for the future. Should we not also be building for the future? We talk a lot about building our economy for the future and building and educating our children for the future, but at the same point, Madam President, we and our children will pass away. But what monument, what legacy do we leave for the future? Is it appropriate for us or any generation to rebuild itself for the future? Is it appropriate? Or is it appropriate to hold on to only those things that you have built in the past, however suitable or unsuitable they might be? And I pass no judgment on the suitability of this building, as the Parliament at this point. It is only to make a case to open the minds of our people to build for the future.

**2.30 p.m.**

So much of what has happened in the country is choking the economy, because to some extent we did not build sufficiently well for the future. The port of Port of Spain is hopelessly congested because of where it is and the limited size and we did not, soon enough, put it in a more appropriate place where we could have a modern port. We did not build for the future. We are now beginning to think of building a new port because of what the needs of the modern economy is all about. Should we say, "Oh, no this was the historical port of Port of Spain? It is 300 or 400 years old and we should leave it there because it is the original port." I think that will make no economic sense whatever and that will choke the entire economy, so we do not do that.

Madam President, I will be loath that anybody make any assumptions that I am suggesting we knock down the Red House because that is the furthest thing from my mind and I would not even consider such a thing. The fact of the matter is, we are not removing the place where the port is, we are just going to use that area for different purposes and put the port where it is better suited.

It is not a new concept. In Russia, St. Petersburg was built as a new capital. In Australia, Canberra was built as a new capital. In Australia, they got their Independence in 1901; Melbourne was the historical capital and by 1908, they began to plan to move into a new capital and they decided to build a new capital that was more or less equidistant between Sydney and Melbourne. So they built a brand new—

**Hon. Member:** [*Inaudible*]

**Sen. The Hon. D. Montano:** No, I am talking about a city, but the principle is the same.

**Madam President:** Okay [*Inaudible*] I wanted to see how far you would go.

**Sen. The Hon. D. Montano:** The building is the capital. They did the same thing in Brazil. Brazil got their independence in 1822 and fairly early up they decided to build a new city, but in fact, that was not done until the late 1956 when they started to build a new city and the architecture in that city is phenomenal.

So, Madam President, I think that my comments are with a view to joining with the rest of my fellow Senators in establishing a committee to say, "Let us look to the future, it may very well be that this is the Chamber; this is the building that we feel represents best our future and our legacy to the people of this country." It may very well be that we decide it is not, that we should do something else. But it is only to plant the seed that I make these remarks that we must be expansive not restrictive; we must go to the edge of the envelope and think what are the possibilities that we could possibly achieve; what can we achieve that would stand as a legacy of what we did for all times.

Madam President, with those few words, I thank you. [*Desk thumping*]

**Sen. Yuille-Williams:** I beg to second the proposed amendment.

**Madam President:** Hon. Members, the amendment is that the Motion be amended by deleting the words, "to sit jointly with a Committee of the House of Representatives" from the first resolution and completely deleting the second resolution. The amendment has now been seconded by Sen. Yuille-Williams. Members, as you know you can now speak on the amendment and on the Motion.

**Sen. Dr. Tim Gopeesingh:** Madam President, what must have stimulated Sen. Dr. Mc Kenzie to raise this Motion and which was seconded by Sen. Prof. Ramchand, basically must have been involved in her thinking that there had been a number of discussions on the future role of the Parliament building because there had been a lot of controversy over the last three years surrounding its use. So what we are debating today as our colleagues have indicated, is that we are making important contributions to a debate that will significantly affect future generations in the way that the general public and population, not only nationally, but internationally will view Trinidad and Tobago. So it is an important decision about the future of Parliament and the future of the Parliament building.

We as a nation must have a clear understanding and a clear vision; we must have a comprehensive set of guiding principles in the determination of the role of

the Parliament building; and we must have an understanding of where we are going as a country so that we can determine the amount of space that we need for a Parliament building.

We have had talks and discussions over the last few years by this administration about the future composition of Parliament based on the whole new aspect of constitutional reform. There is a discussion of possibly many more seats in Parliament; many more Senators coming from local government, and therefore, in the context of the discussion of the reform of the Constitution, there is the thought process that more space may be needed to house Members of Parliament in both Houses. So to carry out the work effectively and efficiently of Parliament, we really need to know where we are at the moment and where we are going; and in the context of where we are going, we are still doubtful as to what the composition of Parliament is going to be depending on the new constitutional reform process that is taking place.

Madam President, the Red House is synonymous with Parliament and if we move Parliament out of the Red House, where are we going to go? This is a testament to the political, social, cultural and economic history and evolution of the country. My colleague, Sen. Mungalsingh was indicating the history of the Red House starting from 1808 when the foundation was laid and the rebuilding process. It is on the Internet for everyone in Trinidad and Tobago to read. Then it speaks about 1990 to the present which is available on the website. It gave the reason why the Eternal Flame was set up on the outside and it also gave some comments about the weather vane, which the last administration had moved out, the dove, and something else was put in place; with the brouhaha that took place in 1998 when this administration was there.

So this administration has been tinkering with the issue of the Red House for a long time. You remember the dove that was moved out and something else was put up in the middle of the night. These are things that this administration seem to be unclear about and this is why I believe that Sen. Dr. Mc Kenzie wanted to raise this debate so that we can come to a conclusion as a Parliament, as our colleagues came to a conclusion on the question of giving airtime to parliamentarians in the discussions on the debate, which has gone down very well for the country, although only about 18 to 20 per cent of the country see the parliamentary debates and that should be much more.

People look at the Parliaments around the world when they travel. If you go to Great Britain, you would see the area around Westminster: 10 Downing Street is one area; that is for the Executive, the Prime Minister's office. You have many

*Parliament Building*  
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other buildings that house the diplomatic and the criminal area. There is another area for the courts. But in the Westminster area, you have the Parliament Building that has stood the test of time for centuries, separate and distinct from the Executive and from the Judiciary. Here in Trinidad, we have the judicial building, the Supreme Court which is separate and distinct. We have this aspect which is the Legislative and we have the Executive now at Whitehall and in buildings throughout the country. At no time must we seek to alter that independence and separation of powers, particularly with respect to the precincts and the buildings which they occupy. No building that had been earmarked or had been used over centuries for housing parliamentary debates and for housing Parliament should now be cloistered with the wish of a Prime Minister who wants to use the Parliament building for his own office. That really started the whole debate from 2003 and we know that Parliament in itself needs more space, specifically for the purpose of parliamentary work, which I will speak about a little later in terms of what is necessary for Parliament to be moving effectively and efficiently.

So preserving the Red House for use of Parliament is extremely critical and essential and I do not think we will support any issue of moving Parliament out of the Red House. It is a national symbol of democracy and the heritage aspects of the building as well as its important relationship to Woodford Square, which is on the eastern side of us, must be preserved for the benefit of the future generations. This has a history and the future use of this building must reflect and endorse the dignity of the building over centuries gone by and in centuries to come. In particular, we will like to recommend that the symbolic importance of this Red House as a place of and for the people must be enhanced and preserved. It is a gracious building that will welcome visitors from around the world as they welcome visitors in Westminster and in Capitol Hill in the United States. It must clearly communicate that Trinidad and Tobago is proud of its rich past and prepared for its future.

Madam President, we have existing at the moment, a situation where a statement was made as early as 2003 in a post Cabinet press conference where the Prime Minister announced at that press conference a relocation of the Red House. That in itself, just mentioning that in a Cabinet press conference—[*Interruption*]

**Madam President:** Relocation of the Red House?

**Sen. Dr. T. Gopeesingh:** Relocation of the Parliament from the Red House and that stimulated a lot of debate. It stimulated debate that a senior editor of a newspaper wrote for approximately three years in the Sunday column and she actually took on the Prime Minister on this question of, “No Red House for



Manning". The column was written all the time, "No Red House for Manning" and week after week that column continued because that editor believed that it was wrong; many other people believed that it was wrong to move Parliament out of the Red House and that engaged the debate across the country far and wide.

You would remember that hours after the Prime Minister made that announcement in 2003, a petition was delivered at his home on a Saturday evening, asking that the Red House be kept as the seat of Parliament. The Prime Minister insisted that the Government was moving ahead with plans to construct a new Parliament building in Port of Spain. You will remember, Madam President, about 50 prominent citizens petitioned the Prime Minister at approximately 5.00 p.m. on a Saturday evening asking that the Cabinet decision to construct a new Parliament building be revoked.

In an address to a large crowd at a PNM public meeting, subsequently, the Prime Minister described an important issue as Red House housing Parliament; he described it as a new brouhaha. The 50 prominent citizens who went to petition him, included the First Lady, Zelayhar Hassanali, mas man Peter Minshall, our Independent Senators, Dana Seetahal, S.C. and Prof. Ken Ramchand—and you would remember that Senator—the Prime Minister said then, "You know what beats me in this country, that people to whom we look up to, are advancing points of view purely on the basis of emotion." When people seriously consider the whole history of Parliament, the legacy of this building, and they go and petition the Prime Minister and for him to describe their petition in such flagrant disregard for their views and speak about their making comments based on emotion, that leaves a lot to be desired and it is totally unsatisfactory.

This is the reason why three years later we are still in a debate to determine the future use of it. In that context, it is unfair that we in the Senate alone, must decide on the future use of this Red House whether it be used for Parliament or whether Parliament should move out of it. This is a matter that should engage the attention of both Houses, and therefore, the Lower House should be involved in this process of discussion. It does not only concern us in the Senate, it concerns the whole nation and the Lower House is the representative of the people of Trinidad and Tobago. So if they are not involved in this discussion, it means that the public views are not going to be represented in this debate and this is why we feel that we cannot support this amendment in terms of just wanting the discussions to take place at the Senate alone. Therefore, we want the Lower House to be involved.

Madam President, I did not agree with Sen. Montano when he says—

**Madam President:** Would you give way to Minister Yuille-Williams?

**Sen. Dr. T. Gopeesingh:** Yes.

**Sen. Yuille-Williams:** In fact, I was leading up to that because Sen. Montano did say to you that the Lower House had gone through this discussion with their House Committee and he also advanced that now that we are going to do it here, we could send our report to them. So it is not a matter of going it alone, we could do things jointly in different ways. You do not always have to sit together to do it. They had done it in their Committee and now we could send it to them. And sincerely, I am still wondering whether or not you are on the same page with Sen. Mungalsingh who found that this House is too small and we wanted a much larger place in which to go.

**Sen. Dr. T. Gopeesingh:** I am coming to that, Madam Minister.

**Madam President:** Could you give somebody else a chance?

**Sen. Dr. T. Gopeesingh:** All right, I will give way.

**Sen. Prof. Ramchand:** Madam President, I would really like a clarification. If we have our own Select Committee of the Senate making a report, what will be the status of that report *vis a vis*, the report of the Committee of the other place? Are we just sending that to them and say, “Thank you very much, we are doing what we are doing.” What is the process of collaboration of consultation? We want to know that we have an equal voice and that they will have to meet with us, so we can see their report and they can see our report.

**Sen. Dr. T. Gopeesingh:** Madam President—

**Madam President:** Just one second.

**Sen. Dr. T. Gopeesingh:** Am I being eroded of my time?

**Madam President:** No. Senator, I am trying to get a question answered, I do not think you can answer—

**Sen. Dr. T. Gopeesingh:** I gave way, Madam President, to the hon. Minister to make a point and then I had cross actions between two other people.

**Madam President:** Senator! Senator!

**Sen. Dr. T. Gopeesingh:** I am guided by you, but it is unfair—

**Madam President:** Senator, thank you so much. Sen. Prof. Ramchand asked a question and I think only the Minister here can answer it.

**Sen. Dr. T. Gopeesingh:** Okay, I agree with Sen. Prof. Ramchand.

**Sen. Yuille-Williams:** Sen. Prof. Ramchand, I notice that you are talking about whether they would do it so and they will have to meet with us, somewhere in-between I do not see that you are getting that little bit of trust in each other and I feel a little taken aback by that. When I say trust, either we have to listen to them or they will not listen to us. I have said and I have spoken to Minister Valley before coming to this place, they had already started working at their House Committee doing that. We are now going to do this and I spoke to Sen. Dr. Eastlyn Mc Kenzie about it and there was a suggestion that we take report, whatever comes out of this and send it to those in the Lower House.

A lot of work has already gone on with the Red House and what we are going to have, the President himself had said so. So I do not see that business of whether it goes to them, then it comes back to us. It sounds a little bit childish. This is two Houses and we could look at what they have done too as well and do our work. So I am just saying that I feel that at this point in time we have just started, I have spoken about it; let us have our Committee and come up with the ideas that we have.

**Sen. Dr. T. Gopeesingh:** That was the question I was coming to, Madam President, and I am glad the debate occurred.

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

**Sen. Dr. Gopeesingh:** Okay, fine. Now the thing is, if we are debating serious matters in Parliament—for instance, the Bill on the breathalyzer; that is such an important thing—is it not better to have a Joint Select Committee where all the minds are put together at the same time and the discussions take place and you come up with a common policy, rather than one group of people meeting here on one issue, then you send that down to the Lower House; the Lower House meets and discusses that and they send it back to the Upper House? So it is not a very practical type of solution to the situation where we will discuss it and debate it here; send our recommendation down there; they send theirs from down there to up here. So it is massive confusion; it is time consuming and as a result of that, we will get nothing done at the end of it.

Madam President, election is due in October or before in June, and if we allow six months for this debate to take place with sending this information from here to there, this Parliament would have been prorogued and dissolved and nothing would have been done about Sen. Dr. Mc Kenzie's Motion in terms of an important issue of whether Parliament is going to be housed in the Red House.

*Parliament Building*  
[SEN. DR. GOPEESINGH]

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Madam President, the Prime Minister said, “It was untrue that the Red House was the seat of Parliament, as is being claimed by many in the society.” I want to repeat that, our hon. Prime Minister said that it was untrue that the Red House was the seat of Parliament as way being claimed by many in the society. He stressed that the Red House was constructed as the seat of governance—I do not know where he got that information from—that is untenable. Manning said it was because of this fact and I quote:

“We propose to return the Red House as the seat of Government for Trinidad and Tobago.”

That has never been so. It was never the seat of Government; it was never the seat of governance; it was a seat of Parliament.

**Sen. Dr. Kernhan:** That is where they get mixed up.

**Sen. Dr. T. Gopeesingh:** And he added:

“The reason why Parliament has to move out of the Red House...”

—this is the Prime Minister saying that the Parliament has to move out of the Red House—

“is because the Chamber is inadequate for any expanded Parliament which must come when we consider the very important question of the reform of the Constitution.”

So he is thinking about the reform of the Constitution; he is thinking about bringing more seats into Parliament; he is thinking about bringing local government as Senators into the Parliament; probably creating more seats; and he is saying that we need to move Parliament out of the Red House because of this issue.

Madam President, architects around the world could create situations and could create buildings where we can house all these people right here—  
[*Interruption*]

**Sen. Dr. Mc Kenzie:** Total contradiction.

**Sen. Dr. T. Gopeesingh:** No, it is not a contradiction. I heard you muttering it is a contradiction, it is not a contradiction. The same way that work is going on at a pace at the Prime Minister’s residence, \$148 million and work started in 2005 and is moving at a pace in 2007 now, for completion for his Prime Minister’s building for his residency, offices and diplomatic things.

A lot of precedence is set by expediting the work of things—[*Interruption*] whether it is relatively relevant. What is more important than this building be finished and completed? It is a shame and a disgrace that year in, year out people pass across the front and back of this building and see a dilapidated building that is the Red House. The walls at the western side, even the eastern side we have this big concrete structure. We have multi-storey complexes going on downtown; we have the Prime Minister's building being constructed and the Tarouba stadium and so on and they see it necessary to do these things fast. Why is it not necessary for us to determine what we are going to do to the Red House and decide on how many buildings we need to construct and move purposefully and directly into the construction of the Red House or the renovation?

But money could be spent on the Prime Minister's residence; \$950 million could be spent on the Tarouba stadium, and the Chinese are building everything in this country today; four important buildings. Why could the Chinese not come and do some work in the Parliament? [*Desk thumping*] And yet still, the Prime Minister does not seem to know where he wants to go. One minute he wants the Red House for his office; he is in Whitehall; they find an office for him in St. Clair Avenue, he does not want to go to St. Clair Avenue, he wants to build back another office at his home in La Fantasie Gardens. Those are the symptoms of a confused mind and this is why the population is very anxious to get rid of this administration because they do not seem to have a purposeful direction of where they really want to go and what they really want to do. It is astonishing.

### 3.00 p.m.

Madam President, debates took place and many persons wrote on this issue. I do not need to go into who really debated it publicly, but Manning said and he reiterated—[*Interruption*]

**Madam President:** Senator, you do not refer to any Minister by their name like that and certainly not the Prime Minister.

**Sen. Dr. T. Gopeesingh:** Certainly; I apologize. I was just quoting from the article; it said "Manning", but I will temporize that and say "hon. Prime Minister".

**Madam President:** If you are quoting, you start by saying, "I quote".

**Sen. Dr. T. Gopeesingh:** The hon. Prime Minister said that the reason Parliament had to move out of the Red House was because the Chamber was inadequate:

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"He reiterated there is need for a new Parliament building and the Government of Trinidad and Tobago 'has decided that such a Parliament building will be constructed."

So he did say that such a Parliament building will be constructed. This raises the question asked by Sen. Dr. Mc Kenzie, which was supported by Sen. Prof. Ramchand, as to whether we are going to have the building for Parliament or if there is going to be construction of a new building. If we could take six months to debate this issue and come back to make a decision on it, that is highly untenable.

On Thursday, November 16, 2006, just about two months ago, in the *Newsday* it was stated:

"Manning still wants Red House

Prime Minister Mr. Manning apparently still harbours ambitions to turn the seat of the country's Parliament—the Red House—into his own office, as is alluded to in the Annual Report of the Ministry of Public Administration and Information 2004 to 2005, which was laid in the Senate on Tuesday.

Manning previously announced his intention to move his office from Whitehall to the Red House, but went silent on the issue in recent times in the face of public outrage and media criticisms.

The report that the Red House restoration project includes a design brief for the Office of the Prime Minister (OPM) done in collaboration with that office. This was listed as 'design brief for the restored Red House completed by NIPDEC and approved by the OPM and PRES (Property and Real Estate Services Division of the Ministry of Public Administration)."

While we are debating this, Public Administration and the Office of the Prime Minister are moving ahead with the brief and with the whole issue of moving Parliament out of the Red House and trying to construct a new Parliament building. We could only make recommendations from the House; if they are not heeded by the Government, we would still have done our job, which is recommending that Parliament be kept in the Red House. While we are debating this, work is going apace in terms of a new design brief for moving the Parliament out of the Red House; that is completely wrong. For us to debate this issue and come to a conclusion, that is untenable. [*Desk thumping*]

The article continued:

"The report added that the Ministry's Property Division (PRESD) completed its review and its comments on the blueprints of the building and the size of the site had been forwarded to Parliament.

The Steering Committee is to meet and confirm the user brief prior to its submission to the relevant committee of the House of Representatives and Cabinet for approval.

The report said a Letter of Intent is to be submitted to UDeCott by Parliament on behalf of the Government."

So this is another area that UDeCott is coming into for construction. Where are we going? The Office of Property Development has issued a design brief; UDeCott is coming to decide where we are going to construct a new building to house the Parliament. The population is confused. When they pass along and see the steel structure with nothing being done, where are we going? Five or six years have elapsed under this PNM administration and we seem to know nothing about the Red House building.

One minute the Minister of Public Administration and Information is saying something and something else is coming out from the Office of the Prime Minister; so we are all confused as to the future direction of this Red House.

One article stated that:

"The main arguments proposed for the need for a new Parliament building seem to have come down to two issues. These issues are that (1) the main Chamber in the Red House cannot seat an increased number of Parliamentarians and (2) Whitehall cannot accommodate the Prime Minister's Office..."

These are the reasons we are debating these issues at the moment.

You have had position papers given by former Independent Senator, Prof. John Spence, and he wrote prolifically against moving Parliament from the Red House. You had letters written by former President of the Senate, Michael Williams. I quote from the *Trinidad Guardian* of Wednesday 25 August, 2004:

"Patrick needs a new heart

All citizens are anxious for Manning's pacemaker operation, but my own prayer is for him to get a new heart, a change of heart, a heart devoid of his Red House obsession..."

*Parliament Building*  
[SEN. DR. GOPEESINGH]

*Tuesday, January 30, 2007*

His published 'Draft Policy on Local Government' claims 'to promote greater citizen participation in local government,' which is about garbage collection and sewerage disposal, yet citizens cannot participate in siting their own Parliament."

This is why I previously indicated that the Lower House represents the wishes of the people, because they have been elected by the people. If an important issue as what the Red House is going to be used for is not discussed by the Lower House, it means the people will not be represented. I have no compunctions about reiterating that statement. The Lower House must be engaged in this debate collectively with the Upper House and it brought to fruition and completion within a three-month period; not six months.

The separation of powers in this country is an important consideration; it must be held as a tenet of strong democracy. The Judiciary must be independent; the Legislature must be independent and the Executive must be independent. I want to emphasize that they must remain sacrosanct. The Executive cannot come into a place where the Legislature is and expect independence to continue. The independence of the Executive from the legislative aspect must be kept and the Prime Minister's Office and his work within whatever Ministry must be kept away from Parliament.

In the same way the Judiciary must remain independent from the legislative. Where is the Prime Minister now in a situation where the country is going down the hill and so many crimes: murders and kidnappings are taking place? All these discussions on the proposed site of Parliament are taking place and he has to make appointments to the Public Service Commission pretty shortly. Why is he running away from the country and not hearing the views of the people or hearing us talk about the issues of the proposed Parliament? Is he ducking and running out of the country?

He has gone to the African Summit; if you read today's newspaper you would see that he made a statement which means nothing to the population; nothing new. Why is he not staying here to look at why the Red House must remain independent for parliamentarians and why the Judiciary must remain independent. As far the independence of the Judiciary is concerned, something is going amiss on that. We understand that the Judicial and Legal Service Commission (JLSC) is going to make a recommendation to appoint two new—*[Interruption]*

**Madam President:** Senator, come back to the Motion and leave the Judiciary out.



**Sen. Dr. T. Gopeesingh:** Madam President, they ought to remain independent and separate.

**Madam President:** As far as we know they are, so let us continue on that premise.

**Sen. Dr. T. Gopeesingh:** So they do not have to appoint Colin Kangaloo and the wife of one of the—[*Interruption*]

**Madam President:** Senator! You are insisting on continuing along that vein, even though I have asked you not to.

**Sen. Dr. T. Gopeesingh:** We hope those appointments do not take place and we are going to be writing to the JLSC. I think the Law Association is also writing, so that these two persons are not appointed; I think it is Colin Kangaloo and Lucinda Cardinez. The question is the separation of powers. We do not want the Prime Minister to come with his office here; we must determine what we are doing for the Parliament building.

We have 89 state enterprises and statutory boards and similar bodies. We have established under the Constitution joint select committees (JSCs) of Parliament. We have JSCs led by Sen. King; Sen. Prof. Deosaran; my colleague, Sen. Mark and many others. On a daily basis they want to do the work of the country for the people. If at any one time they could only do the work of one statutory authority or one state board, there are 89 statutory authorities or state enterprises. If they are not given the staff and precincts to work with or the proper technology and personnel, do you think that in any parliamentary term of five years we could complete and audit these 89 authorities or statutory authorities?

This is what Parliament is supposed to be for. Let us have a massive Parliament building; we have to employ almost 1,000 persons to assist these statutory authorities, commissions and joint select committees so that the work of all of them could be analyzed and investigated, rather than one enterprise investigated one month and another two months later. It is frustrating the work of these joint select committees. So the Parliament building must house enough personnel. We understand that there are about 134 members of staff, but we must have more than 1,000 personnel on staff in the Parliament building doing the work of the people so that Parliament must be seen as the bulwark of investigation and analysis on the work of governance in the country.

To have a JSC meeting and you have two or three persons assisting to provide a report to Parliament on only one statutory authority or state enterprise is highly untenable. We cannot continue to do that. Does the population know how many of

these state enterprises are operating properly; how many millions of dollars they are losing or who are their board chairmen and persons? This cannot continue. Parliament has to be expanded in such a way as to accommodate all these individuals to do the work of these joint select committees. The space for the library is inadequate.

The space for the library is inadequate. The library staff does not have enough room. You go down to the library and the workers are functioning in a small compressed room. The Hansard department and the persons broadcasting the debates on television also work in small rooms in the Parliament. How can we say that we could boast of having a fantastic Parliament when all these things are crammed together? One of my colleagues mentioned that the same area is being used for the Upper and Lower Houses so that we have to sit on separate days, but millions of dollars are being spent all over the place: on the Tarouba Stadium; the Prime Minister's residence; bringing more judges. *[Interruption]*

**Madam President:** You are now repeating yourself.

**Sen. Dr. T. Gopeesingh:** But it is important to say that, because this Parliament should have been working more efficiently and effectively over a number of years. My colleagues are frustrated on the joint select committees and I am sure you are equally as frustrated.

In conclusion, the Red House must stay as the seat of Parliament; that is number one. We are not going to accept Parliament moving out of the Red House as was proposed by the Prime Minister.

**Sen. Yuille-Williams:** Where are you going to put the massive building?

**Sen. Dr. T. Gopeesingh:** It can be constructed with annexes going across to the northern side where the Magistrates' Courts are. Architects can do anything they want to; there is a lot of room that architects can create. *[Interruption]*

**Sen. Yuille-Williams:** I am just trying to follow you. Are you telling me that they can cross the road and go up to the Magistrates' Court with the Red House? I am just wondering. This massive building, where are you putting it?

**Sen. Dr. T. Gopeesingh:** It is not for Dr. Tim Gopeesingh, a gynecologist to determine how the architects are going to improve the amount of room for Parliament. Architects have beautiful minds; they can construct something from anything. *[Crosstalk]* Look next door here, the BpTT building goes across a street; if you pass under the building, there is a street going through. The northern side of the building is there; you have a street in the middle and you have the southern side of the building. Why can the Parliament building not be extended? They find

time to do everything else, to do the wrong things; put up edifices throughout Trinidad and Tobago, but they are not focusing on the Parliament building. [Crosstalk] And he wanted to take the St. Ann's grounds and he rescinded that. [Interruption]

**Sen. Yuille-Williams:** I am serious about what I am asking you. You just spoke about an architect, but you also gave us a design; I am listening to you very seriously this afternoon. This massive building you spoke about, if you are using this space and you are crossing the street and taking the building until the Magistrates' Court, removing where the Minister is now, removing the court to go up—I am just asking a question. We are debating a Motion and you said that you had an idea; I am just trying to get some details.

**Sen. Dr. T. Gopeesingh:** I do not know whether the hon. Minister is trying to set me up and say that Sen. Dr. Gopeesingh said that we must have that there. [Laughter] I am saying nothing like that; the architects will have to determine where we are going. [Crosstalk]

**Madam President:** I could have sworn that was what you were saying.

**Sen. Dr. T. Gopeesingh:** No, no, no, no; I am clear in my mind that it is not within my competence to give any type of advice like that, but in everything there is a distinct possibility.

So the first point is that we are not going to move Parliament out of the Red House. Secondly, there is a lot of space around that you could use to improve parliamentary buildings and create more offices. Parliament needs more staff, more persons to work so as to give the JSCs and the other committees of Parliament more and more material and to give more efficiency and ability to all the workings of Parliament persons; for instance, the library, the Hansard area and the television station.

The third point is that we must always maintain the independence of this legislative area away from the Executive and there is no way that any Executive must come into the Parliament.

Madam President, your work, the work of this Upper House, the work of the Lower House and the work of all the Parliament staff will be made easier and the rest of the world will have something to look up to when we have completed the Red House and we say, "This is the house for Parliament and it will be used solely for parliamentary purposes." We are not going to be supportive of the independence of this Senate debating the Motion by itself and then taking the recommendations from the other place. We want it as a joint select committee.

With that, I thank you.

**Madam President:** Anybody on the Independent Benches? Anybody on the Government Benches? I will then call upon Sen. Dr. Mc Kenzie.

**Sen. Dr. Eastlyn Mc Kenzie:** Madam President, let me thank all those who spoke for supporting the Motion that I proposed. Let me just say a few things in winding up the Motion.

When I brought the Motion, my intention was that all parliamentarians: Members from the Lower House and this House, would sit together, bring their ideas together and assess the adequacy of this Red House housing the Parliament. I never intended that this would have been a discussion of the House Committees, both of the House of Representatives and the Senate, because I knew that the House Committees of both Houses have special objectives and tasks to do. The House Committee of the House of Representatives should see about the comfort and convenience, et cetera, of Members of the Lower House. The House Committee of the Senate should do likewise for Senators. I thought that if we had a joint select committee, we would go beyond that and look at the adequacy of this building as it relates, not only to Senators and Members of the House of Representatives, but even to the parliamentary staff and the services that we receive from the Parliament as a whole.

The second point I looked at was that because of the fact that when the House Committee of the House of Representatives met to consider this matter, it was never a mandate given to that committee. If we had decided that the House Committee would do that here, it would not have been a mandate given to a House Committee. My Motion was a joint sitting. However, I am conscious of the fact that the Government has the majority and I know that my Motion could be tossed out totally; that was not my intention. My intention was for dialogue and an exchange of ideas, listening to people and going around the country seeking, not only the advice, but also ideas and opinions of other people. That is why I brought the Motion as being a specific Motion.

I thought that good sense would dictate that we should have a harmonization of the ideas, decisions and recommendations coming from Members of both Houses; however, that was not to be.

Madam President, I have looked at the ideas. A suggestion was given at the last sitting on Private Members' Day by the Leader of Government Business that we should have the House Committee sit. After discussion, the hon. Acting Prime Minister said that it did not work out with Members of the Lower House. We have an amendment before us and I am not totally satisfied with it, but as we say in Tobago, "Half a loaf is better than none at all; you cannot give me a bread, but give me a biscuit." I am not satisfied, but I will not throw it away.

Apart from the adequacy of the building as it stands now and an assessment of that, we need to look to the whole comfort and convenience of the Parliament. I will give you an example, without going into any details, to show how we have not been improving this place over a number of years. Madam President, you were not in that Chair at the time. I was here; Sen. Prof. Ramchand was here; Sen. Montano was here; Sen. Mark was here. I do not think anybody else was here in this House. One night, probably about 7 or 8 o'clock, we had a late sitting and electricity went; dark as midnight anywhere in the world; "jumbie country" as we call it in Tobago. The poor Marshal had a "torch light" shining all over and yelling. I do not know what he was yelling. At that time, Sen. Mark's team was on the Government side. We had a Member sworn in that day as a temporary Senator who happened to be one of the Members caught here during the coup. It made our hearts bleed to see the reaction of that Member. We all felt so sorry. We did not know where he went or anything. I remember Sen. Williams, when we had restored electricity long after, questioning him, "Where did you go?" We could not get an answer.

Two weeks ago, you were in your office; I did not see you there, but I know that you were there; electricity went in this Chamber, the whole Red House and Port of Spain. We did not even have a squeak of a generator to kick in and give us electricity. The poor men of cable Channel 11 came out and rig up all sorts of things to give us light. Members of staff were out in the corridor sweating; they could not see one another and they were groping to feel their way. This is what I am talking about. We have not improved this place for over five years to even have a standby generator if there is no electricity that would kick in five seconds when we do not have electricity. Supermarkets in Tobago have that. *[Interruption]* And that is Tobago.

These are the types of things that I want to talk about. Whether they build a Parliament building in 10 years or 20, while we are here make it habitable; make it comfortable; make us proud, letting us feel happy to come here and make us feel safe while we are here.

I warned the Marshal after. I said, "My man, let me give you an experience I had; please, get a "torch light" when we are meeting in the night and put it below your chair, because that is what you may have to resort to if that happens again." I do not like to bring these things up, because it exposes the types of things I do not like to expose, but it forces me to do that when I see how some of us react to certain things. Let us make this place better.

*Parliament Building*  
[SEN. DR. MC KENZIE]

*Tuesday, January 30, 2007*

Madam President, I come here early and I like to stray around this building. When I came here in 1995, the south wing was there; the library was over there; the committee rooms were over there and the kitchen was over there. Sen. Mark said that they held sittings over there; I was not here for that. I went across and looked; if you see the ceiling; if you see the floors how they were ripped up; if you see the committee rooms; if you see all the glass panels, bullet holes and all sorts of things. Over there is dilapidated and in shambles; it is terrible.

You know what? I have been chatting with persons outside and I was told that the ceiling—look at the majesty of it; look at the artwork; look at the columns and all of that—the kind of structure that we have here, the roof and the ceiling is one of two in the world. [*Desk thumping*] I was told this by a very reliable person. They have been doing research and they said that it would probably cost, not millions, but billions of dollars to bring this back to what it should be, if they intend to spend on that type of repairs. I have been researching and chatting with people.

We know that the contract to renovate has been given. We know that nothing has been done. Everybody knows that what is happening now is not adequate. I am disappointed that the Lower House Members do not think that they should meet with us, but so be it. I will have to accept the amendment to the Motion, very unwillingly, very reluctantly, but I will like to know that we appoint a select committee. A select committee has the privilege that Sen. Montano spoke about; it could send for papers and so on. A House committee does not have that privilege unless it is specifically given by the committee itself. When you have a majority of four in a House committee as against two not on the Government side, it is not automatic that they would vote to send for papers and move from place to place. I would go for a select committee; if we go for that then we will have the power to do the second part of the Motion that has been deleted.

My second point is that seeing we do not have to meet with so many persons, probably we could do it in a shorter space of time; instead of six months, we could reduce it. I do not know if Members would agree with me; we could go from six months to three months to four months. I would go for a shorter time period as suggested by Sen. Dr. Gopeesingh.

My final point is that the report of this committee should be sent to the Speaker of the House and a copy to yourself; not to any House Committee of the Lower House. We are looking at each other eye to eye; we are not looking up to them. When our committee has finished its work, it must send its report to the Speaker of the House and to your hon. self, Madam President. [*Interruption*]

**Sen. Yuille-Williams:** Madam President, I was looking at the Motion and the amendment. It says "within six months"; I think that covers it. You can finish it in three or four months without even changing the time limit. [*Crosstalk*] If you finish it in three months, submit it within three months. If it is finished in two months, then submit it in two months.

**Sen. Dr. E. Mc Kenzie:** Thank you, Senator, for pointing out the fact that it is within. I hope that we would put in the word "select" in the amendment so that we would have "select committee" and not just "committee", I do not want it to be confused with a House committee; that would limit our scope.

Madam President, I beg to move.

**Sen. Yuille-Williams:** Just before the Member sat there, she did speak to me about that committee. At that time we did not think about the word "select", but she did talk about the composition of the committee which is equivalent to select, so we will have no objection.

*Question, on amendment, put and agreed to.*

*Resolved:*

That this House appoint a select committee to assess the adequacy of the building that houses the Parliament of the Republic of Trinidad and Tobago with a view to planning for the long-term accommodation of Parliament and report its recommendations to the House within six months.

*Question, on amended motion, put and agreed to.*

**CRIME SITUATION IN TRINIDAD AND TOBAGO  
(GOVERNMENT'S HANDLING)**

**Sen. Prof. Ramesh Deosaran:** Madam President, I beg to move.

*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:

- (a) express its concern over Government's performance in handling crime.
- (b) 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

- (c) 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 civil mobilization.

Madam President, this Motion is, I am quite sure, as great a burden on my shoulders as it would be on the shoulders of the hon. Minister for several reasons. I intend to look up the Guinness Book of Records to see whether this Motion, as it has appeared for almost two years on the Order Paper, having had cause to repeat itself over several sessions, three to be specific, does not hold the record for a motion laid in this Parliament, if not in parliaments across the world. Once I get the results, I will, perhaps, inform this distinguished Chamber as to whether we have succeeded in such a remarkable accomplishment in terms of breaking the record.

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

I posed a question on bail with respect to information from the Judiciary, which is experiencing a similar length of time on the Order Paper. Sen. Mungalsingh, we might be breaking two records in this regard, which is an implicit commentary on the way this Parliament conducts its business and the way it is structured in terms of one session to another. Having said that, no Parliament at this time could afford to ignore an open discussion on crime and national security. I say so with particular reference to the third part of the resolution. How can we as a Parliament construct a pathway to get national consensus and to mobilize the national community in this fight, as you might call it, against crime.

Mr. Vice-President, you should also notice that in order to facilitate this kind of goodwill, at least, from my point of view, I had made an amendment to the original Motion. I have taken out some of the sting, as it were, that is, rather than saying there was failure on the part of the relevant agencies, particularly the police service and so on, I deleted that section from the original Motion to make it worthy of a partnership between all of us who are concerned with this situation.

The Minister did respond on a previous occasion, and to recall his words, he encouraged us and from his point of view was willing to have a frank and honest discussion on the matter of crime. I think that really is to facilitate a pathway to national consensus. Even with such goodwill, we cannot and should not ignore the stark realities facing this country with respect to fear and the worsening crime situation.



The Preamble to the Motion briefly talks about the severe psychological distress put upon persons out of their fear for crime. As I have said several times in this Senate, crime might affect some people, but the fear of crime affects all in the psychological sense. You are afraid to walk in the dark; you are afraid to go out alone; all that psychological distress robs us of the quality of life we ought to have. That is why Sen. Dr. Mc Kenzie talked about the lights going out. Why should we be afraid of the dark? Why should you be afraid of the dark? It is because of the fear of crime; that is why. The darkness should hold no horrors, but it is because of the fear of crime that we are afraid to even go in our own back door. That is an experience members of the PNM would have, as well as members of the UNC and, of course, members of the Congress of the People.

The other severe consequence is the social one. All parliamentarians should be interested in the social consequence because what you need for crime prevention and to build programmes to reduce crime is really what you call "social capital"; people being able to get together in their different organizations; in their Parent/Teachers' Association and so on, to come out and build that consolidation and collective spirit to assist the authorities in dealing with crime. But crime is eating away at that kind of capital and, therefore, we are caught in a very vicious circle of having the very solution, in terms of human resource, eluding us because of the very enemy that we wish to fight: crime, kidnapping, murder, rape, robbery, larceny and house breaking.

That is the situation that the Government must seriously attend to: How to reduce the fear of crime. That is why one of the purposes of this Motion is to use the opportunity to help build public confidence in the machinery and the public officials that are empowered and expected to deal with crime. The economic consequence is very obvious. The Chamber of Commerce has signalled repeatedly the effect that this situation is having on business.

I am struggling not to be lengthy, because this thing has been on the agenda for such a long time; so my experiences, as I am duly expected to do, to support the Motion, will be relatively brief.

I have a clipping from the Chamber of Commerce. We parliamentarians always have a difficulty in finding our little slip; except, perhaps, for Sen. Mungalsingh. I notice that he finds his reading material very easily. [*Laughter*] In an editorial of January 07, 2007 in the *Guardian*, the Chamber complains very bitterly and quite profoundly too, that if the Government does not do something serious about crime, as far as it could—and that is the magic phrase: as far as it

could—I believe that the Minister has promised frankly and honestly that he would tell us how far he could go and what kind of help he would wish from the national community.

The editorial supported the Chamber's concerns and a number of other businesses. The headline to that editorial was:

"Decisive action on crime long overdue"

There have been a multitude of such letters and editorials; I am quite sure, if I were the Minister, I would be fed up. But public responsibility does not give us the luxury of being fed up with such a situation; we have to respond as we are expected to do with performance and accountability.

The second part of the Preamble talks about the vast sums of money. Almost three years ago Sen. Enill told this House and the public that the Government had expended over \$10 billion on matters of crime and national security. Any responsible government, any government, would really have to provide the population with some justification for that amount of money, especially if the money was spent on what is called "foreign expertise" and then having no visible effect on the spiralling crime situation.

I think it is time to ask this foreign expertise, whoever they might be, to account for their performance by contract. They cannot just come and drop the thing here, collect the money and as they would certainly do, go back to their homeland, as so many of them have done before, perhaps only to return again to do the same thing. It is a very serious situation.

I am not going to talk about colonialism and imperialism; that is not necessary. The argument can rest on its own intrinsic logic; so I am not going to be too adventurous in that particular sense. As I have said so many times before, this is a country over 40 years independent and it is still looking for every little foreign expert to come and do little things. Of course, it is a Caribbean nightmare; it is all across the Caribbean.

A high public official from St. Kitts told me, "We cannot deal with crime; we are going to hire one or two United Kingdom officers." That will not be the solution, because they can only come here for six months or a year; they have families too. Their loyalty is naturally somewhere else and even where they come from, the United States for example, is riddled with crime. It is the most violent country in the world, in terms of violence and the use and illegal use of drugs; crowded prisons, recidivism the highest in the world. Experts from there? I find this very ironical.

That is the foundation of the PNM; that is why Dr. Williams called it "national movement" and that is why he had "buy local" programmes. He was struggling to indigenize our capacity to govern ourselves, not only politically with the flag and an anthem, but intellectually, which is the key element in human resource development. If you continue relying on foreign expertise all the time, what message are you sending to the people at the university and the University of Trinidad and Tobago (UTT)? How long are you going to do this? You are causing, implicitly and, perhaps, out of necessity—I understand the emergency, because we had not begun the journey years before; so the Minister is now caught in a spiral himself, because the public expects something hurriedly. That is another story; the public puts pressure on the government of the day.

This Motion brings as great a burden on my shoulders as I am quite sure it would upon the Minister's shoulders; he is an individual like anybody else, but having to bear this burden partly because of the neglect of a lot of people before; that is how it is in public administration. This is an opportunity for him to extricate as much as he could, himself, and, perhaps, to tell us what he is doing that would make a difference.

When I asked the Minister to outline—the word "outline" is very operative. I do not expect and I am quite sure that the Minister in good sense would not and should not tell us certain things that are matters confined by intelligence. I do not want to know, for example, if he has informers in Laventille or if he has planted informers in some business community to tackle white collar crime; matters of that sensitive nature I do not expect and neither would a responsible Parliament, expect him to disclose such things. I do not expect the Minister to tell us when he is going to block Wallerfield traffic to check people's vehicles or matters of that kind, but just as the Ministry quite commendably put out a report on the operations of the Ministry of National Security for the period 2000 to 2004, certain extracts could be taken from it and elaborated upon.

One of the major objectives to this Motion, and I must make that point very clear, from my point of view, is that it is not to embarrass the Government unnecessarily. The reason for this is simple; I said it earlier on: Crime covers all of us. At this time we just cannot afford to play political footsie unnecessarily with a matter as serious as this, because we know what the consequences would be.

For my own part, I would like to see a more wholesome attitude taken on this matter of crime reduction and crime prevention; except to say that the Minister has a responsibility to explain. I hope that will also come true. If there are gaps in

the explanation then a proper Parliament should also seek to enquire into that. That is the name of the Westminster system; to do otherwise would be to default on our civic responsibility as parliamentarians and, more precisely, I would feel I am not doing my job as an Independent Senator. I could very well be fired if I do not raise these issues in the way I am trying so to do.

The Resolution itself asks the honourable Senate to express its concern, because no Parliament given the kind of concerns that the population has over this matter of crime, could ignore those concerns, not if it is to be called a Parliament of the people. This is a Parliament of the people, therefore, we should show some sympathy and even go further than that, to let the public know that we care; Sen. Bro. Khan cares; Sen. King cares; Sen. Yuille-Williams cares; Sen. Abdul-Hamid cares; Sen. Dumas cares; Sen. Cropper cares as well; we all care, but show the public that through this discussion. That is what I mean by a wholesome attitude, because it is spiralling; it is worsening.

When I went to Tobago two years ago and I spoke at the Tobago Rotary Club, I told them, quite ominously, "You see what is happening here and there with tourism, crime will likely get worse if you do this, that and the other." Sen. Dr. Mc Kenzie, you were there. As I keep on saying, my profession is not only to describe and analyze, it is to predict within a certain realm of probability; that is why they call it social science; otherwise it would not be social science. We do that to help the country from our different professional points of view, as we do here. That is what this Motion is also about; we have to respond.

If Parliament does not respond to the cries outside, we will be witnessing more of the kind that you see in the protests against smelter plants; you will see more of the kinds of protests with the Keith Noel Committee having 300 persons lying down pretending to be dead and a mass meeting in Woodford Square next to the Parliament, implicitly attacking what was seen to be neglect and no concern by the Parliament. [*Desk thumping*] That is what will happen if Parliament does not respond. Extreme measures will be taken incrementally and the record, therefore, should be clear; who said what and when, in order to prevent what.

You will get other extreme measures if Parliament does not respond, especially in this matter of crime and national security, like a total national shut down, because with fear permeating all sectors of the community, fear drives people to extreme measures. Fear exploits ignorance; fear leads us into very dangerous waters. Parliament could use an opportunity such as this Motion to build some public confidence. After hearing the Minister outline this afternoon,

with specific performance targets on accountability and crime prevention, they will get some solace, their confidence will improve, not only in Parliament, but in terms of the agencies responsible for crime and preventing crime and national security.

Part of the Preamble also asks the Government why the actions of the relevant agencies under the Government and those under the Minister have so far consistently failed to produce the desired results. That is a key element. In other words, we have to learn, not only the art, but you have to structure your Government in such a way that those agencies responsible must be held accountable too. In fact, it is saddening to know a Motion like this is being debated where the Minister would speak—well, hopefully today. I have to hope, although this Motion is on the verge of breaking record for the length of time it has been here, but I am looking forward to resolving this matter once and for all.

#### **4.00 p.m.**

It is saddening not to see the senior members of the police service here. They should have been here, this shows that they do not really know and appreciate the concerns of a Parliament, the concerns of a Government, the concerns of the Opposition, and those of the Independent Senators accompanied by—I am quite sure—suggestions for improvement and mechanisms for accountability. In fact, I am agreeing with the Minister when in the year 2004, in the *Trinidad Express* on July 04 in an article on page 3 the Minister said the following, and I agree.

“The fight against crime is going too slowly.”

That was in 2004, over two years now. He continues:

“I was not satisfied that the many new initiatives to deal with the crime situation in the country were working as fast as we would like.”

So the Minister is brisk and wants to see results, and he is implicitly wondering what the agencies are not doing, but in the Westminster system as we know, the Minister is held accountable in some way, at least to the Parliament in which he or she sits. That is the nature of the system until we change it. In fact, that meeting was chaired by our distinguished Leader of Government Business today, Sen. The Hon. Joan Yuille-Williams. She chaired the meeting, so she too perhaps must have been worried when she heard the Minister speak in this way. She wanted to know what the police and all those related agencies were not doing as they were supposed to do.

He speaks about getting the commanders from all the various divisions responsible. That is a key thing; have them responsible for the performance of the respective divisions. Everybody in this country speaks in different ways, some of them know only half of the truth, some know very little of the truth, but they speak about reduction in crime in New York and they all have their explanations. The key thing is connected to what the Minister was saying. Get your commanders responsible, and not just in a report, you discipline them, and also the Mayor of New York through his board could fire a commander.

Unfortunately or fortunately we cannot do that here because this is a different jurisdiction. So you begin to see that we are in a new reality, we have to bring our own solutions indigenously. In fact, that is what the Police Chief in New York at the time, Chief William Bratton did. It has nothing to do with Bernard Kerick solving the crime in New York, he picked up from the partnership between Giuliani and Bratton—the framework they developed, the disciplinary measures through Comstat—meaning the statistical arrangement you had to deal with crime, the hiring and firing.

Since we are on that topic of policing, because the Minister did say we need a new system of policing, the police most of all have the feeling that when patrols are asked for, they jump in their car and drive through the districts. They are cruising. Patrol does not mean cruising, if you want to talk about what helps cause a reduction of crime in New York, it was foot patrols, footworks. So to put it in a nutshell, and without trying to be unduly offensive, you have to get those officers, especially those young, strong, able-bodied officers to walk the streets, and walk properly, erect, diligently, as a para-military force. Do not lean on the lamp posts. I drive about and I see them; they are posing as if they are making a movie. We do not want posers in the police service, we want performers.

In a sense, I am trying to help the Minister. There are things the Minister cannot say that perhaps I can say, because in the same speech on the same occasion at the post Cabinet meeting in the year 2004, he said he does not like to criticize the police service in public but he would rather praise them in the hope—and I hope I do not sound disrespectful, but I have to say poor Minister—that improvements would be made.

We ask the Minister about the Vindra Naipaul-Coolman family and all those others, those children who were buggered, all those things are happening all because those criminals have lost the fear of being caught and worse yet convicted. The Minister has to recognize or ask the question like many people are asking. Hope, faith and charity is good but how long can we live in hope? It is

time the Minister rethinks his position on that and let the police know that the Minister, on behalf of the Government and Cabinet, is not very happy with the performance of the police officers; but the irony is that the Minister does not have to say so, his actions suggest that by having this Special Anti-Crime Unit of Trinidad and Tobago (SAUTT) under Colonel Peter Joseph.

What he is telling the rest of the service is that they are not so good; he cannot rely on them especially for matters of sensitive security and diligent investigation so he is forming another organization. Perhaps the Minister believes that action speaks louder than words, but still sometimes people do not understand action. You have to talk to them several times over and over for them to listen. We experience that here in this Parliament.

We have too many promises and they come because those who govern want to tell the public something would happen, to have no fear, hold strain, but when those things after a year or two do not materialize—and that is the crisis we are facing today. Why all those plans and expenditures have not worked? That is the basic question for which the Minister is now held accountable under the Westminster system.

Minister Joseph said the police service was now literally having to play catch up in the fight against crime, but he is confident—in July 2004—that the new police unit headed by Brigadier Peter Joseph, when it becomes fully operational—and I think it is—has the capability to deal with the problem. That is what the public would like to hear today so that they can increase their confidence in the authorities and in the crime-fighting machinery. Anything else will not do because we are really in a situation where water is now more than flour.

You see the more things are not done properly, people get fearful, enraged, and they ask for all kinds of drastic measures. Some of them may be justifiable, I do not know, it is subject to discussion. So a person will come on a pulpit and say: “Hang them high, bring back licks in school, or declare a state of emergency.” They are frantic because they have lost hope. That is the incremental damage we do to the society when things in the institutions do not work.

That is one of the consequences when there is a collapse of the institutions that are supposed to protect and serve. So through rage, they shut down the country, sometimes blindly; people do not know what you are shutting down the country for because they too are enraged, angry, and frustrated. That is why I thought this Motion would help to ease the tension and that is what the Minister might have said in some of the things he is going to tell us today, but perhaps with

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a new fervour. It is a new embellishment to restore hope and confidence in the national population. That is what the end of the resolution says: "to facilitate the pathway to national consensus and civic mobilization."

Is the Government capable; is it ready, is it having the goodwill enough to initiate such a move? Or are we going to see the same politics of exclusion where, because you make a constructive criticism you are kept out, you are cold shouldered in a million and one ways, when what you are saying is really for the betterment of the country? It does not necessarily have to be for the betterment of the UNC or the PNM. Those people who take a higher order of things in this country are unnecessarily marginalized and pressed down because they tend to say what is truthful. [*Desk thumping*]

That is what bothers some of us, because we are squeezing much more than we should. You are driving out civility and goodwill by the politics of exclusion because you might have a majority and because you have executive power. This tendency did not originate yesterday, that is one of the most malicious features of the Westminster system as we practise it and which has earned so much dislike and disdain by the civic minded among us even though we may not be among the voting majority. For a society to be civilized is not framed on numbers, it is framed on values, nobility and civility; that is why democracy has the seeds of its own destruction, it depends too much on numbers rather than values; such good things being unfortunately in very short supply.

Mr. Vice-President, as I said, this Motion has been on the Table for almost two years now. We have had to replace it time and time again through the assistance of the hard-working Clerk finding ways to put it back so we can engage as a Parliament and national community in one of the most pressing exercises that we in this country face.

With those words, I think we should create an atmosphere to accommodate people to utilize the goodwill wherever it is present and the Government is responsible for showing that kind of leadership. So if this becomes a burden of responsibility on the shoulders of the Minister, it is also a similar burden on my shoulders which I have tried to undertake with due diligence.

Thank you very much.

*Seconded by Sen. Dr. Eastlyn Mc Kenzie.*

*Question proposed.*



*Adjournment*

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**ADJOURNMENT**

**The Minister of Community Development, Culture and Gender Affairs (Sen. The Hon. Joan Yuille-Williams):** Mr. Vice- President, I beg to move that the Senate do now adjourn to Tuesday, February 06, 2007 at 1.30 p.m..

Let me inform the Senate that on that day we will do the Evidence (Amdt.) Bill, Chap. 7:02 under “Government Business”.

**Mr. Vice-President:** Hon. Senators, leave has been granted for two Motions to be raised on the adjournment. I now call on Sen. Raziah Ahmed.

**Sen. Mark:** Mr. Vice-President, we had an arrangement—

**Mr. Vice-President:** Mr. Jaggassar—[*Inaudible*]

**Jusamco Pavers  
(Re: Piarco Runway)**

**Sen. Wade Mark:** Mr. Vice-President, in the *Trinidad Guardian* of Friday January 19, 2007, the headline read: “Second time around for Jusamco Pavers”. I want to read the first paragraph in this article which says:

“Despite botching the first job to repave Piarco International Airport runway in 2003, Jusamco Pavers Ltd will get a second bite of the cherry to the tune of \$137 million.”

Mr. Vice-President, the first contract for the Piarco Airport Runway Overlay Project was awarded by the Central Tenders Board on June 05, 2003 to this company, Jusamco Pavers Limited. Sixty days were given for this particular project and the expected completion date did not materialize until sometime in February 2005, or some 570 days later. No one was punished, no sanctions were imposed.

The original cost of this repaving exercise was some \$20 million, the final cost, according to the Minister of Works and Transport who is here with us today, stood at some \$38 million to \$40 million, or a cost overrun of between \$18 million and \$20 million, yet this same company has been awarded a second contract despite the original fiasco in this repaving exercise.

Mr. Vice-President, this is not only a disgrace and scandal but a grave injustice to the taxpayers of this nation. This Senate was given a commitment by the former Minister of Works and Transport that upon completion of the contract, an adjudication of the contractor’s performance would be undertaken as required by the Central Tenders Board and recommendations would then be forwarded to the Director of Contracts regarding the performance bond.

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Mr. Vice- President, after an increase of some 100 per cent in the cost of the original project due to two major cost components—according to the former Minister of Works and Transport—an engineering error where the original scope of works did not include the paving of the shoulders which amounted to some \$4 million, and the other cost component was the importation of aggregates which increased the cost by some \$3 million or thereabouts.

This Senate demands a copy of the full technical report from the consultants Roy McQueen and Associates whose company luckily has been reengaged by the Government to oversee this second project. Why is the public being punished this second time? No liability or what is called liquidated damages for the original project has so far been determined according to the hon. Minister. Why is this? Is it because the owner of Jusamco, one Junior Sammy, is a major financier of the ruling party? Is it the reason no criminal charges have been taken against this gentleman by the authorities? The public is asking questions: Why they jumped from the initial cost of \$20 million in February 2003, to this new contract which is valued at \$144 million—that is what we were told—and after they sat with Mr. Junior Sammy, he said he will take off \$7 million so the real price is \$137 million. He says: “Take dat, dat is a discount.”

Mr. Vice-President, this is equivalent to an increase of some 115 million taxpayers’ dollars from February 2003 when the original contract was given. Why this huge increase in the cost of this project? Can the Minister provide us today with a detailed breakdown of the cost of the Airport Overlay Project that amounts to \$137 million? Is this part of an elaborate slush fund mechanism for the PNM party for the next general election? Justice demands that this Government takes action. I go back to the newspapers of Friday, January 19, 2007 and quote again:

“Imbert said the original bid from Jusamco was \$144 million.

But Government had negotiated a reduction in the price to \$137 million despite significant inflation in the construction sector...

Imbert said settlement of the original contract with Jusamco was still being addressed.”

Mr. Vice-President, here there is a situation where this gentleman did a botched job on the airport. He never paved an airport in his whole life, he paved highways, never an airport, and they gave him a contract for \$20 million; he had a cost overrun of \$40 million, \$20 million more and they have not taken any action against their friend. You see, he finances the PNM that is why they allow him to go scot-free.

Mr. Vice-President, I quote:

“He estimated that the contract was between \$38 million and \$40 million.”

Those are not my figures, it is what the hon. Minister said. It goes on:

“Imbert said issues of who was liable for the project had not been addressed.”

So here it is you give a man a project for \$20 million, it goes to \$40 million, no liability is there, and they took no action. They have a report you know, because we have it here. There is a report from this company, or consultants called Roy D McQueen and Associates:

“The Federal Aviation Authority performed a roughness test and the runway did not meet standards in 2005.”

So after they gave that man \$40 million or thereabouts, the project was a failure and the Federal Aviation Authority (FAA) did a test and said it failed. Now hear what this man is going back to do according to the hon. Minister:

“The work will include the removing and replacement of existing asphalt,…”

So he put down asphalt and he is now going to remove and replace it.

“profile milling, reconstruction of the shoulder lane and runway lighting.

The runway is 3.2 km long and 45 metres wide.”

Mr. Vice-President, the airport is being closed as you are well aware from yesterday from 10.00 p.m. to 6.00 a.m. That is what has happened.

Mr. Vice-President, six months—I have about five more minutes, I started at 4.20 p.m.

**Mr. Vice-President:** Sen. Mark, you have three minutes.

**Sen. W. Mark:** What time I started, Sir?

**Mr. Vice-President:** Sen. Mark, you have three minutes and I will allow you to finish.

**Sen. W. Mark:** Mr. Vice-President, I am telling you that you will have to leave very early in the evening and you cannot come before 6 o'clock in the morning when travelling to Tobago.

Initially, when they had the first arrangement with this gentleman of dubious fame, it was 11.30 p.m. to 4.00 a.m. That was the original arrangement in 2003. He took 570 days to do a job for 60, now they have given him a contract for six months.

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Mr. Vice-President, we demand, the population demands, justice demands that an independent forensic enquiry into the award of this contract to Jusamco Pavers Limited for the Piarco Airport Runway Overlay Project be immediately established and let the chips fall where they may. This is a national scandal and the Minister of Works and Transport who came after—because this one was not there then, but he has inherited the mess—must clean it up and take action to ensure that justice is done.

**4.30 p.m.**

Why must you and the taxpayers in this country be called upon to give this same failed company \$137 million more, after getting \$20 million in cost overruns for a failed job; no liquidated damages to you and me and the country? Do you know why? They say it only had one bidder and that is why he got the contract. That is not sufficient!

We call on the Minister of Works and Transport to provide to this Parliament a copy of the independent technical report that was done by Roy McQueen and Associates dealing with the botched job at Piarco. I hope that this hon. Minister is able to provide this Parliament with answers this afternoon because this is a criminal matter and we hope that the Minister will take criminal action through the appropriate authorities to recover our moneys. Fire this man they call Jusamco and Junior Sammy; get people who can do the job properly, and I will bet you today, that six months that they have given this gentleman will take six years at the end of the day, because he has a history of non-performance and getting money free from us, the taxpayers of Trinidad and Tobago.

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

**Mr. Vice-President:** Hon. Senators, we shall take the tea break and when we return at 5.00 p.m. the Minister will make his response.

**Hon. Senators:** No.

**Sen. Dr. Mc Kenzie:** Mr. Vice-President, I beg to move that we sit until the contribution of the hon. Minister and then we break.

**Sen. Prof. Ramchand:** I second that.

**Mr. Vice-President:** I have just had to consider the circumstances and I am not going to make the Minister wait for another half-hour before he speaks. I will let him go on now. [*Desk thumping*]

**The Minister of Works and Transport (Hon. Colm Imbert):** Thank you, Mr. Vice-President, and let me thank Sen. Dr. Mc Kenzie. Not being a Member of this House, I could not make the Motion myself. I am so glad she did that. Thank you so much.

Now, when I got notice of this Motion a few days ago I honestly thought that Sen. Mark had some information in addition to what has been reported in the newspapers and as an experienced politician, he should know better than to rely entirely on what is written in the newspapers.

Let me deal first with the question of how much money has been paid to Jusamco Pavers on the original contract. The sum—this is what has been reported to me—on the original contract; Junior Sammy was paid the sum of \$17,514,470.01. So that there is no question of a \$20 million contract escalating to \$40 million and a cost overrun of \$20 million, resulting in 100 per cent overpayment to the contractor. Let me repeat. My records indicate the contractor has been paid \$17.5 million on the original contract. So that deals with that.

You see, the mistake that Sen. Mark made, through you, Mr. Vice-President, as I said, the Senator is an experienced politician and, as you know, the reporters do not always get it right. The reference to the \$40 million is a reference to a Cabinet approval. Cabinet approved a budget in January 2003 for the project in the sum of \$42.2 million. That was the budget; that had no relationship to the actual contract that was awarded to Junior Sammy, which was actually \$20.2 million plus \$3 million VAT—\$23.2 million. So that is where the \$40 million figure came from. That was the approved budget. So that has dealt with that.

At the outset, let me say that this contract has given me quite a lot of work to do. If you look at the chronology of the project—the history of the project—it is a fact that in 2003 a contract was awarded to Jusamco Pavers at a cost of \$20,240,000, plus VAT; it is a fact that construction commenced in August 2003 and was suspended in November 2003 due to the failure of the contractor to meet the gradation requirements and specifications criteria for the hot mix asphalt. That is a fact. I see Sen. Mark has run away.

Construction resumed in March 2004 and was suspended in June 2004, again, due to a shortage of aggregates. And in addition, there were a number of complaints from users of the airport as to the roughness of the completed runway. This was back in 2003/2004. This prompted the Trinidad and Tobago Civil Aviation Authority to commission the Federal Aviation Administration of the United States to perform roughness testing and analysis of the runway surface; the portion of the contract that had been done up to that point in time.

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The FAA report confirmed that the runway surface did not meet the International Civil Aviation Organization (ICAO) or FAA requirements for smoothness. The report also concluded that the runway surface was uneven and attributed the poor surface condition primarily to workmanship, poor construction methods and construction joints that did not meet the contract specification. So this is no secret. That has all been in the public domain and I believe my predecessor had already indicated this, perhaps not in this detail. But this has already been in the public domain for quite some time.

In September 2004, arising from the ICAO and the FAA reports, Cabinet agreed that the Airports Authority conduct a comprehensive grade and elevation survey of the runway; engage a runway pavement expert to develop a detailed plan of action and engage the relevant technical expertise through the ICAO to conduct an assessment of the works. The Airports Authority subsequently commissioned a topographic survey of the runway and retained the firm of Roy D. Mc Queen and Associates to conduct the survey and to provide recommendations. R. D. Mc Queen ultimately recommended short term repair to critical areas of the runway surface and proposed the development of a comprehensive plan and specifications for the restoration of the runway to ICAO and FAA specifications.

Jusamco was mandated to meet these requirements before being permitted to re-enter the site and to resume work. At the same time, it was established that the consultants, Geotech, had not supervised the work properly and in December 2004 the Airports Authority issued a notice to Geotech setting out various contractual breaches and giving them a period of time to rectify those breaches. These are the consultants.

In February 2005 the Authority terminated the services of Geotech Associates as engineer to the project and appointed a new engineer, Mr. Derek Hamilton. The start day for re-commencement was set for May 01, 2005 with an estimated completion date of October 2005. Work was to be performed from the hour of 10.00 p.m. to 6.00 a.m.

Now, to deal with some of the points made by Sen. Mark. You need a proper window of opportunity for a contractor to mobilize to do runway paving. I am not aware of what the original times were. You have told me it was 11.30 p.m. to 5.30 a.m. I am not aware of that, but that is not the point. The contractor first has to mobilize. Remember this is an active runway so that there can be no construction equipment on the runway or within the vicinity of the runway. So that when the runway is closed at 10.00 p.m., the contractor then has to mobilize his equipment and get onto the runway. He then has to do his milling work, his paving work;

then he has to do the joints of the new work with the existing old asphalt on the runway and he has to get off the runway. So it would take a contractor, let us say, an hour to mobilize, to get on; he would only have about four hours to work, to do actual milling and paving, and then he has to do the joints because he has to have a seam with the new work and the old work so there is no apparent surface roughness when an aircraft is touching down. Then he has to get off.

So even with this closure from 10.00 p.m. to 6.00 a.m., there is only really a window of four hours for the contractor to be doing serious work. The rest of the time he is mobilizing/demobilizing and doing the connections between the old work and the new work. So you need this period of time. I cannot speak for what occurred previously as to why it was 11.30 p.m. to 5.30 a.m., but when you are doing this kind of work on an active runway, you need that window of opportunity.

So I have gone through the chronology of what happened to the original contract. The contractor was found to have done poor work. The consultant was found to have not supervised the job properly so the consultant's contract was terminated for breaches of contract and eventually the original contract with Junior Sammy was brought to an end, because arising from the reports coming from Roy D. Mc Queen and from the ICAO and the FAA, it was determined that the original specifications were not compliant with the FAA and ICAO standards. This would have arisen from work that would have been done by the original consultant.

Therefore, a substantial modification and re-vamping of the specifications had to be done in order to bring the work up to FAA and ICAO standards. It was felt that since the scope of the works had changed so drastically that it was impossible to continue with the original contractor to do the expanded scope of works, because the expanded scope of works was substantially more than the original project and in accordance with CTB rules it would have been impossible to expand the original contract to the extent required to do the new specifications.

So what the Airports Authority was mandated to do was to prepare new specifications using Roy D. Mc Queen and invite tenders afresh. Tenders were invited in September 2005 from local and international contractors and seven local companies and two foreign companies paid for and collected tender documents. A pre-bid meeting and a site visit were held in September 2005 and minutes of that meeting were distributed.

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Tenders closed in November 2005. The tender box was opened at 2.30 p.m. and the following was recorded: One local bidder left his bid on top of the closed tender box. The envelope was immediately returned unopened to the tenderer in accordance with the rules. He did not put it inside the box. One local bidder deposited a letter declining to submit the tender. So he essentially said he regretted to advise that he was not tendering. And one local bidder submitted a full tender. So of the nine firms that collected the tender documents only one bid found its way into the tender box and that was the bid from Junior Sammy, the same contractor that had done the original work.

Now, like anybody else, I was quite naturally concerned about all of this; that it is the same contractor. I was wondering what we would do in these circumstances. We had options. We could have re-tendered, which would have caused a further delay. The other thing you have to understand is that the window that you have is also in the dry season, because you cannot do this kind of sophisticated paving in the rainy season. And remember it is a working runway, so you cannot dig up a section of the runway, start paving and then you have a rainstorm. What are you going to do? You have to wait until the rain stops; the place dries out and then re-pave, by which time you are in the middle of the next day.

So that, again, we only had a window of opportunity in the dry season and it was our intention to try to get this work done in the dry season of 2006. However, we decided that we would have to take a very close look at this tender from Junior Sammy. We examined this tender for 15 months. Remember the bid came in, in November 2005. We looked at that tender for 15 months. We hired experts from the University of the West Indies; we brought in an eminent expert from the International Civil Aviation Organization; we used local professionals to examine the bid, to examine the prices, to examine the responsiveness of Junior Sammy, and so on. We scrutinized that bid for 15 months.

On balance, having examined it and having determined that the contractor will now be mandated to bring in professional expertise from the United Kingdom and from the United States to operate the paving equipment, to do all of the technical work that is required for a runway—that was the problem before; the contractor did not have specialist personnel from the UK, the USA, the Far East or some country that has the experience to do sophisticated runway paving. That is now a requirement of the new contract. So that on balance, having examined the price, having got independent audits of that price from two separate quantity surveying outfits, having got advice from the International Civil Aviation Organization,



having got advice from the University of the West Indies, we made the decision, on balance, that we did not want to lose the 2007 dry season and we proceeded with the award of the contract to Jusamco Pavers.

We are very mindful of his poor performance on the last occasion and I can assure the hon. Senator and this Senate that what happened on the last occasion will not happen, because we have planned this job properly; we have made sure we have professional assistance. Not only the contractor will be required to have specialist asphalt experts, the Ministry of Works and Transport is bringing in specialists from abroad to monitor and supervise this project.

So that is basically it. I hope, through you, Mr. Vice-President, that I have dealt with all the issues raised by the hon. Senator. [*Desk thumping*]

**Mr. Vice-President:** Hon. Senators, the next Motion is actually one that the same Minister has to respond to, so I am going to facilitate; I am going to ask Sen. Raziah Ahmed to do her Motion now. [*Desk thumping*]

### **Chronic Flooding in Port of Spain**

**Sen. Raziah Ahmed:** Mr. Vice-President, in the last five or six years the chronic problem of flooding in downtown Port of Spain after relatively light rain falls has exacerbated and become a cause for a serious loss of productive man-hours in the central business district and in the downtown community. Workers usually curtail their work hours in order to get out of Port of Spain as soon as the skies become grey and schools let the children off early, thereby reducing the amount of productivity collectively in the country.

In addition, flooding causes the serious destruction to produce and property, for the business and the vending community in downtown Port of Spain.

Thirdly, there is serious risk of injury to persons, in particular the elderly and women who, in several newspaper clippings in the last quarter of 2006, were shown as having capsized, fallen, stumbled, tumbling in the raging flood waters in the downtown area of Port of Spain.

This flooding is a major indicator that the authorities have failed to administer maintenance and supervision of the drainage systems with due diligence in a developing country of Trinidad and Tobago. Even worse, the massive construction projects in the vicinity of Richmond Street, Edward Street and the waterfront area, have left the existing road surface areas and the pavements

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broken with potholes and severely damaged and these fall short of meeting the obligations on the part of the city engineers and the Ministry of Works and Transport to provide citizens with a sense of safety of life and limb in their average commute and in the use of the city streets.

It appears that whatever environmental clearance certificates have been issued and are in effect with respect to these mega construction projects are either being blatantly ignored or else they are painfully inadequate. Ordinary citizens of this country deserve the right to conduct their business in the capital city with a sense of safety. Ordinary citizens have repeatedly expressed fear and hesitation to venture into the streets of Port of Spain on rainy days. To date, there has been expressed no orchestrated plan for evacuation of the city in the event of massive flooding, neither has there been expressed any design for adequate storm drains or counter measures to divert the raging flood waters and the flash flooding that is now a weekly event during the rainy season, and especially in light of the fact that we are in the era of El Niño.

It is clear that Government as a regulatory apparatus has manifested manifest failure to safeguard our citizens and their property and to protect the productive manpower hours and productivity of this young nation, caused by flooding that is all too frequent in the city.

Government must therefore bring to book immediately all those authorities, regulators and Ministers who have repeatedly and consistently failed to safeguard our citizens against the curse of flooding in downtown Port of Spain, or else shut down the massive mega building projects until some remedy is found. Or alternatively, Government must step down from office while it may still do so gracefully.

I thank you. [*Desk thumping*]

**The Minister of Works and Transport (Hon. Colm Imbert):** Mr. Vice-President, I would like to let Sen. Raziah Ahmed know that I walked across here, so from time to time I do walk around Port of Spain, almost every day, and these projects that she is referring to are five feet outside the front door of the Ministry of Works and Transport. So I just want to let hon. Senators know that this concept that Ministers sit in their air-conditioned offices and are isolated from reality is a myth.

Let me deal with the issue itself. At the outset let me say that I consider the flooding situation in downtown Port of Spain to be a very serious matter. It is not to be trivialized at all and I myself have been caught in raging floodwaters. I

recall just two months ago I had gone up to east Trinidad and was coming back and there was a shower of rain, and I found myself in South Quay opposite the PTSC terminal in about two feet of water. I was amazed at the amount of water that had managed to collect in a very short period on that same day. Then I also observed all the flood debris that had come down with the waters. Certainly, it is an unacceptable situation. So I just want to let the Senator know that.

But what is not apparent here, however, is the cause of the problem. There are a lot of armchair critics and theorists who believe that all you need to do is to clean the drains in Port of Spain and wave a wand and flooding will end. That is simply not true and I am grateful for the opportunity to address the Senate today on this matter because what people do not know is that the primary cause of flooding in downtown Port of Spain—well, there are several causes, but the primary cause is the fact that the storm water that floods Port of Spain originates outside of Port of Spain.

There are two major catchments that cause flooding in Port of Spain and those are the catchment of the St. Ann's River, which is also popularly known as the East Dry River, and the catchment of the Maraval River. These two rivers straddle the west and the east boundaries of the city of Port of Spain and the developments that have taken place in these two catchments—the St. Ann's River catchment and the Maraval River catchment—over the last 50 years have created a situation where the storm water run-off in these rivers is so intense that the drains in Port of Spain, which eventually have to drain them, just cannot cope.

So that it is not a question of the drains in Port of Spain being full of debris and if they are cleared there will be no flooding. It is not that at all. The solution has to be to trap the water coming out of the St. Ann's River valley and out of the Maraval River valley before it gets into Port of Spain. So a system of detention ponds is required, and all of the previous efforts—although there have been designs to deal with this problem for years—to deal with this have been rudimentary; they have been confined to routine cleaning of drains.

The solution to the problem in downtown Port of Spain is the construction of detention ponds. It is a very serious matter because you need land space to create detention ponds and when you think about it, what land is available in Port of Spain; very little. All you have is the open parks and squares that exist, like Adam Smith Square, Victoria Square, the Queen's Park Savannah, or Woodford Square right outside there.

*Chronic Flooding*  
[HON. C. IMBERT]

*Tuesday, January 30, 2007*

If you think about it, there is no land available in Port of Spain to create detention ponds to trap the floodwaters coming down the St. Ann's River and the Maraval River, because what essentially happens is that these rivers over-spill into the drainage system. The storm water comes down the two rivers but the volume of storm water is so enormous that it spills over into Port of Spain, finding its way into the underground drains, and then the underground drains cannot cope and then you have flooding in the city streets.

So the solution has to be the detention ponds, and the city of Port of Spain, in order to solve this problem permanently—because you can always have temporary solutions; you can always put pumps and pump out the water and all that sort of thing. That is not a permanent solution; that is a stop-gap measure, a knee jerk reaction to the problem. You have to trap the water before it comes into Port of Spain and you will have to construct detention ponds and you will have to use some of the open spaces in Port of Spain to do that.

At present, there is a firm of international consultants that is looking at precisely that. Where do we create the detention ponds in Port of Spain to have minimal social impact, minimal impact on the people of Port of Spain? Because these open spaces are all used for recreational, social and cultural purposes, and so on. Therefore, if you are going to create detention ponds in any one of the open spaces that I have mentioned, you are going to need a lot of consultation with the people of Port of Spain as to how you reconfigure their parks and their open spaces into detention ponds. That is the first point and we are working on it. We have a firm of international consultants looking at the best solution to this problem with minimal social impacts.

The other thing that you have to realize, Port of Spain is at a very low elevation. People hear this but they do not believe it. I actually got the figures. High tide backs up the St. Ann's River—the East Dry River—to the priority bus route. Seawater goes up the St. Ann's River—the East Dry River—to the priority bus route. At high tide the invert levels of all the drains in Port of Spain, all of the outfalls, whether it is a storm drain, a river or whatever, at high tide there is two feet of water in every outfall and storm drain; and I mean sea water. So you can imagine during a rainstorm when you have two feet of seawater going up the St. Ann's River as far as the priority bus route, and then the water is coming down from the St. Ann's catchment; you can imagine why there is over-spilling into Port of Spain. That is the St. Ann's River.

The Maraval River, I am told, backs up all the way to the St. James Barracks, So, again, you can imagine during a rainstorm, water coming down from the Maraval valley meeting tidal waters coming up at the St. James Barracks. So there is no simple solution to this problem and I simply wanted to let the hon. Senator

know that and give her and this honourable Senate an assurance that we are in the final stages of preparing designs for a comprehensive and long term permanent solution to the flooding problem in Port of Spain, which will, of necessity, involve the construction of detention ponds and will, of necessity, involve significant and comprehensive public consultation before we implement the solution.

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

*Question put and agreed to.*

*Senate adjourned accordingly.*

*Adjourned at 5.00 p.m.*