

*Acting Arrangement**Tuesday, February 27, 2007***SENATE***Tuesday, February 27, 2007*

The Senate met at 1.30 p.m.

**PRAYERS**[MR. VICE-PRESIDENT *in the Chair*]**ACTING ARRANGEMENT**

**Mr. Vice-President:** Hon. Senators, I wish to advise that the President of the Senate, Sen. The Hon. Dr. Linda Savitri Baboolal is out of the country. During the absence of the President, the Vice-President will preside over the sitting and Mr. Nileung Hypolite will act temporarily.

**LEAVE OF ABSENCE**

**Mr. Vice-President:** Hon. Senators, I have granted leave of absence from today's sitting of the Senate to Sen. The Hon. Martin Joseph and Sen. Angela Cropper who are out of the country.

**SENATORS' APPOINTMENT**

**Mr. Vice-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:

“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: MR. OVERAND PADMORE

WHEREAS Senator Martin Joseph 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, OVERAND PADMORE, to be

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

*Tuesday, February 27, 2007*

temporarily a member of the Senate, with effect from February 27, 2007 and continuing during the absence from Trinidad and Tobago of the said Senator Martin Joseph.

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 26<sup>th</sup> day of February, 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: MR. NILEUNG ROLAND HYPOLITE

WHEREAS Senator Dr. Linda Savitri Baboolal is incapable of performing her duties as a Senator by reason of her absence from Trinidad and Tobago:

NOW, THEREFORE, I, GEORGE MAXWELL RICHARDS, President as aforesaid, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in me by section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, NILEUNG ROLAND HYPOLITE, to be temporarily a member of the Senate, with effect from February 27, 2007 and continuing during the absence from Trinidad and Tobago of the said Senator Dr. Linda Savitri Baboolal.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 26<sup>th</sup> day of February, 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, February 27, 2007*

TO: MR. WALTON FRANCIS JAMES

WHEREAS Senator Angela Cropper 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, in exercise of the power vested in me by section 40(2)(c) and section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, WALTON FRANCIS JAMES, to be temporarily a member of the Senate, with effect from February 26<sup>th</sup>, 2007 and continuing during the absence from Trinidad and Tobago of the said Senator Angela Cropper.

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 23<sup>rd</sup> day of February, 2007."

#### OATH OF ALLEGIANCE

*The following Senators took and subscribed the Oath of Allegiance as required by law:* Overand Padmore, Nileung Roland Hypolite and Walton Francis James.

#### PAPERS LAID

1. Annual Report and Annual Audited statement of accounts of the Central Bank of Trinidad and Tobago for the year ended September 31, 2006. [*The Minister in the Ministry of Finance (Sen. The Hon. Conrad Enill)*]
2. The Central Bank of Trinidad and Tobago Report on Insurance and Pensions for the year ended December 31, 2003. [*Sen. The Hon. C. Enill*]
3. The Central Bank of Trinidad and Tobago Report on Insurance and Pensions for the year ended December 31, 2004. [*Sen. The Hon. C. Enill*]
4. The Immigration (Amdt.) Regulations, 2007. [*The Minister of Public Administration and Information and Minister of Energy and Energy Industries (Sen. The Hon. Dr. Lenny Saith)*]
5. The Immigration (Amdt.) (No. 2) Regulations, 2007. [*Sen. The Hon. Dr. L. Saith*]

### Statutory Instruments Committee

**The Minister of Public Administration and Information and Minister of Energy and Energy Industries (Sen. The Hon. Dr. Lenny Saith):** Mr. Vice-President, may I also advise that the Statutory Instruments Committee considered the Regulations and found there was nothing for the attention of the Senate to be specially drawn. The Minutes of the Committee were circulated to Members.

#### 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 Minister of Community Development, Culture and Gender Affairs (Sen. The Hon. Joan Yuille-Williams):** Mr. Vice-President, I know I had asked for an extension for this, but I wish to report that the auditors are still working on the figures for this festival. It takes a long time and I am hoping that they will be able to complete it in two weeks' time. I am sorry about that.

**Sen. Mark:** Mr. Vice-President, I did in fact receive the information from the hon. Minister. I hope this time she will be a little more on target because I was very accommodating and I did support the four-week extension; now she is requiring a further two weeks, I hope we will get the report as requested in that time.

As I am on my legs, may I ask you to go to the written section of the questions that are supposed to be here? I know that you are aware that we have made repeated attempts at getting the Leader of Government Business to get these answers to us.

One particular question; question No. 4 has been there for three and a half years. So I would like you to appeal to the Leader of Government Business at the end of the question period to get those written responses to us at the next sitting.

**Sen. Dumas:** Speech, speech.

**Mr. Vice-President:** Sen. Mark, I am aware that the President of the Senate has been speaking to the Leader of Government Business and I will make every effort to find out exactly what the status is and report to the Senate during the course of this sitting.

*Question, by leave, deferred.*

**Caribbean Airlines  
(Consultants contracted)**

**22. Sen. Wade Mark** asked the hon. Minister in the Ministry of Finance:

With respect to the operations and functioning of Caribbean Airlines, could the Minister inform the Senate of:

- (a) the number of consultants contracted to work with the Chief Executive Officer, Mr. Peter Davies;
- (b) the names and qualifications of these consultants; and
- (c) the terms and conditions of engagement and duration of their contracts?

**The Minister in the Ministry of Finance (Sen. The Hon. Conrad Enill):** Mr. Vice-President, approximately 32 international and domestic consultants with various levels of expertise have been contracted on a project basis to assist in the structuring and start-up of CAL and the remuneration paid to these consultants reflect their individual levels of expertise. Of these, 11 include the consultants of Catalise plc, a UK firm of consultants who are implementing and managing the various projects associated with the start-up of Caribbean Airlines (CAL). Catalise plc has extensive aviation experience including working with the CEO in the turnaround of SN Brussels Airlines. Catalise was recognized with the leading industry award for the assignment at SN Brussels Airlines.

Catalise plc, an international consultancy firm based in the United Kingdom was retained by British West Indian Airways (BWIA) and now CAL, to design and execute the restructuring of BWIA and latterly the successful launch of CAL. One of Catalise's service specialties is operational improvement in which they were recognized by the Management Consulting Association in 2004 with an award for their involvement in the successful turnaround and launch of SN Brussels Airlines formally Sabena.

Catalise's consultants have a broad but individual specialist set of skills which are melded in the design and delivery of complex operational improvement and turnaround assignments. The nature of the BWIA/CAL assignment required specialists, not generalist consultants with a defined framework for such an assignment. Having these skills provided by one firm, it was necessary to respond to the aggressive timescales set by the board and the Government of Trinidad and Tobago. The Catalise contract has agreed for the provision of six full-time consultants of a variety of skills to manage the assignment and transition their knowledge to a local team. The contract value to December 31, 2006 was US \$2.5 million.

The Catalise team has changed over time to reflect the dynamic skill requirements. The following is a summary of the team whose members have spent varying amounts of time on the assignment subject to professional skill sets.

<b>Name</b>	<b>Level</b>	<b>Role</b>
Ray Hart	Director	Programme Director and Corporate Restructuring
John O'Rourke	Director	Systems and Process Reengineering
Neale Anderson	Director	Industrial Relations and HR Consultant
Sandy MacPherson	Principal Consultant	Corporate Recovery Consultant
Girish Parmar	Principal Consultant	Programme Manager
Philip Scrivener	Principal Consultant	Programme Manager
Phil Durant	Principal Consultant	HR Consultant
Piyal Fernando	Principal Consultant	Solutions Design Manager
David Wallace	Managing Consultant	IT Consultant
Sylvia Handler	Managing Consultant	Transformation Consultant
Azeem Mian	Senior Consultant	Financial Consultant
Augusto Vianson-Ponte	Consultant	Financial Aviation Consultant
Gerald Severin	Consultant	Business Analyst

In addition to the Catalise contract, additional consultants, both local and international were necessary to complete the assignment as planned. A summary of these consultants are as follows:

<b>Name</b>	<b>Level</b>	<b>Role</b>	<b>Local/International</b>
Jean Frederic Mognetti	Professor	Network Revenue Growth	International
Ben Leon	Principal	Airline Commercial Consultant	International
Roy Harrypersad	Principal	Financial Process Consultant	International
Jorge Naranjo	Managing Consultant	Financial Process Consultant	International
Philip Villain	Managing Consultant	Operation Work stream leader	Local
Louise Fleury	Consultant	Project Manager	Local
Ricardo Vincent	Consultant	Project Manager	Local
Alex Webster	Consultant	IT Consultant	Local
Nalini Lalla	Consultant	Legal Work stream leader	Local
Wendy Kerry	Consultant	Corporate Lawyer	Local
Asma Hosein	Consultant	Project Accountant	Local
Francesca Hawkins	Consultant	Employee Communication Manager	Local

<b>Name</b>	<b>Level</b>	<b>Role</b>	<b>Local/International</b>
Teresa White	Principal	HR Work stream leader	Local
Paula Ferreira	Managing Consultant	HR Consultant	Local
Patrice Kam	Consultant	HR Consultant	Local
Tiffany Reid	Consultant	HR Consultant	Local
Pasha Hussein	Consultant	HR Consultant	Local
Ria Holder	Consultant	HR Consultant	Local
Dr. S. Khan	Principal	Industrial Relation Advisor	Local
A. Khan	Principal	Industrial Relation Advisor	Local

Other consulting firms used periodically in the assignment are as follows:

<b>Firm</b>	<b>Description</b>	<b>Activity</b>	<b>Local/International</b>
Staffinini	ERP Consultants	Develop ERP Systems for CAL	International
Cagney/CMG	PR & Advertising Consultants	Design and implement CAL Brand	International
TMI	Cultural Formation Consultants	To initiate cultural formation programme	International
CMB	Advertising Agency	Advertising Campaign	Local
Bowen Associates	Employee Counselling	Provide Staff Counselling services	Local



**Sen. Mark:** Mr. Vice-President, I do not know if the hon. Minister can provide us with the terms and conditions of engagement and the duration of the contracts. I did not hear him go into any detail on that.

**Sen. The Hon. C. Enill:** The terms and conditions of the contracts were based on the assignments, and as I said, they were of varying degrees and based on the dynamism over the period. I also said the contract value to December 31 was US \$2.5 million and it was used to provide—the consultants have been expressed both internationally and locally—the fees to do the exercise.

**Sen. Mark:** The question is rather plain, not only the names and qualifications of these consultants, but I specifically requested the terms and conditions of engagement as well as the duration of their contracts. So I am dealing with it individually, if you have 32 persons and five contracts could you give a detailed breakdown of each contract, the value and the duration. That is what is being requested here, Mr. Vice-President.

**Sen. The Hon. C. Enill:** Mr. Vice-President, the question requested the terms and conditions of engagement and duration of the contracts, and the answer we have provided satisfies the requirement to the question.

**Sen. Mark:** Mr. Vice-President, it is very unfortunate that the hon. Minister has chosen to respond. The question is specific. I did not ask him for a sum, US \$2.5 million, I asked for the terms and conditions of the consultants and the duration of the contracts. He has not told this honourable Senate the duration of the contracts and a breakdown of the value of each contract. That is what I asked.

**Sen. Dumas:** Irrelevant, that is a supplemental.

**Sen. Mark:** Mr. Vice-President, should I file a new question now?

**Mr. Vice-President:** Definitely, because we can go on and on, so file it and ask for exactly what you want.

**Sen. Mark:** Another supplemental. Mr. Vice-President, through you, I would like to ask the hon. Minister to indicate whether he is aware that Catalise plc is owned by Mr. Peter Davies, Chief Executive Officer, and whether he is aware of the ownership of Catalise plc, the team coming out of Brussels that this team is closely related to a gentleman called Peter Davies—*[Interruption]*

I withdraw. Closely associated, and whether in that context he does not perceive this particular relationship as a conflict of interest.

**Sen. The Hon. C. Enill:** Mr. Vice-President, I wish that he would have asked me that question in the original formation so I could have deliberated on it. Am I aware? No, I am not aware. Am I in a position to answer the question? It is not a

question that came to me before, so if you want the answer to that question, I will be happy to reply to it because I have no way of knowing whether what he is saying is a statement of fact or fiction, and I would need to investigate that.

**Sen. Mark:** Mr. Vice-President, is the Minister saying that he is not aware of a relationship between—or he would like me to ask a question? [*Interruption*]

Mr. Vice-President, why are they so jittery? I will ask an additional question. You want to hide today, I will root you out tomorrow.

**BWIA's Prime Slot Times  
(Evaluation Studies of)**

**23. Sen. Wade Mark** asked the hon. Minister in the Ministry of Finance:

- A. Could the Minister inform this Senate if any evaluation studies were done to determine the present day value of the former BWIA's prime slot times into Heathrow International Airport?
- B. If the answer to (A) is in the affirmative, could the Minister provide the Senate with:
  - (i) the details of such evaluation studies;
  - (ii) the name of the firms or consultants which conducted these evaluations;
  - (iii) what was the cost of these evaluation studies?

**The Minister in the Ministry of Finance (Sen. The Hon. Conrad Enill):** Mr. Vice-President, evaluation studies were done to determine the present day value of the former BWIA prime slot times into Heathrow International Airport. Slots were exchanged after benchmarking of prices were conducted by Catalise and corroborated by external UK solicitors who are experts in slot exchange transactions, as well as negotiation with British Airways and Virgin Atlantic who are the main competitors in the market.

The objective and mandate of the Board was to ensure safe, reliable and convenient service from Trinidad to the United Kingdom and beyond to Europe. The London route could not be profitably sustained and as British Airways and Virgin Atlantic are the two main carriers operating between the Caribbean and Europe, the airline negotiated aggressively with each to secure the best deal for the country. Virgin Atlantic had offered £5.75 million for the slots and a code share arrangement but citizens would have had to travel to Barbados to connect to the UK, whereas British Airways (BA) offered £5 million for the slots and a code share arrangement which would involve BA flying into Trinidad three days per week.

**2.00 p.m.**

Mr. Vice-President, Virgin Atlantic, eventually was prepared to fly into Trinidad three times per week, but they offered £4 million for the slots. When both offers were compared on an equal basis, the offer from British Airways was superior to the offer from Virgin Atlantic, that is direct flights from London to Port of Spain.

The best deal was, therefore, a three year code share arrangement in exchange for the slots where British Airways (BA) would operate directly into Trinidad three times per week. At the end of the three-year period, the airline would have the option to operate flights into London Gatwick, a major London airport. Whilst Virgin Atlantic was willing to use best efforts in relation to the Gatwick slots, BA had agreed to a firm option to obtain those slots should the airline so choose.

Mr. Vice-President, there was no additional cost associated with the benchmarking. The slot exchange, therefore, took place in accordance with prevailing competitive and market conditions and the objective and mandate of the board was achieved.

**Sen. Mark:** Mr. Vice-President, what cost was incurred in the valuation of the slots that we had at Heathrow? Could the Minister indicate whether any costs were incurred by the team from Catalise plc for this particular piece of work that was done? Were there any costs incurred by the firm?

**Sen. The Hon. C. Enill:** Mr. Vice-President, my information is that there were no additional costs associated with the benchmarking.

**Sen. Dr. Gopeesingh:** Mr. Vice-President, on a matter of clarification on the answer, could the Minister indicate if there is a difference? We understand that Virgin Atlantic offered £5.75 million and British Airways, US \$5 million. Is it in US or TT?

**Sen. The Hon. C. Enill:** It is in pounds.

**Sen. Dr. Gopeesingh:** British Airways is prepared to fly three days per week and Virgin Atlantic three days per week as well. Could you clarify that?

**Sen. The Hon. C. Enill:** Let me just repeat it for clarity. When they were approached, British Airways offered US \$5 million for the slots, a code share arrangement which will involve BA flying to Trinidad three times a week. Of course, the rest of the times you would fly to Barbados and go through there.

In the case of Virgin Atlantic, they offered £5.75 million, but they were not prepared to fly to Trinidad at all. Subsequently, they came back and said they would be prepared to fly to Trinidad. However, they offered us £4 million. Additionally, while BA was prepared, at the end of the three-year period, to guarantee slots in Gatwick, Virgin Atlantic said that they would try their best. They were not able to guarantee that we would get them. On the basis of that analysis, the BA offer proves superior.

**Sen. Dr. Gopeesingh:** Are we guaranteed that British Airways will offer slots for the next three years at Heathrow and not go to Gatwick?

**Sen. The Hon. C. Enill:** Yes. That was the arrangement.

**Sen. Mark:** Could the hon. Minister indicate whether he is of the view that Trinidad and Tobago got value for this transaction, and given what is being rumoured, whether he is of the view that some kind of forensic investigation should be conducted into this particular transaction?

**Sen. The Hon. C. Enill:** Mr. Vice-President, from where I sit, there is no doubt in my mind that the way this transaction was handled, and the process that it went through gave us the best value for what was available. There were certain allegations made about costs, and those allegations were, in fact, the subject of an extensive set of public information, in the context of the way it was done—the persons who were involved, the processes and the legal team. On the basis of all of that information, it is my view that this was the best offer available to us at the time.

**Sen. Dr. Gopeesingh:** On a point of clarification.

**Mr. Vice-President:** Sure.

**Sen. Dr. Gopeesingh:** Was there a particular reason for Catalise plc to be the company negotiating for the slots? If there is a reason, were there other consultants that could have been considered to do this arrangement? This is just for clarification. The Minister indicated that Catalise plc was the company in association with the UK lawyers and solicitors who did this negotiation on behalf of the company in Trinidad. We want to know if there was a reason that Catalise plc was the chosen company to negotiate and not another company.

**Sen. Mark:** They have to investigate that company.

**Sen. The Hon. C. Enill:** The company being referred to, just for clarification, is a company that was involved in a similar restructuring exercise and, in fact, the company of itself was highly recommended by the agencies that pronounce on these matters. Therefore, it would seem to me that if you have professional and

international expertise available to you, in the conduct of an exercise that you are involved in then, certainly, you would use the expertise to get the benefits or the expertise that you are looking for.

I am not sure where the question is going, as it relates to a specific issue, but I wish somebody would tell me that there is a particular issue. On the basis of what was available at the time, and on the basis of what was done, there is no information that is available to me to suggest that anything is wrong with this particular activity and, therefore, I would like that if there is a direct question that requires an answer that it should be asked so that I can try to address it.

**Sen. Dr. Gopeesingh:** Mr. Vice-President, since the hon. Minister indicated that, we really want to know and feel comfortable that our rights were not sold out to this company, because the general perception of the wider public and people within the airline industry is that this value of £5 million was an undervalue. We are wondering if this is because Davies was the person associated with that company, and whether there was some collusion somewhere.

**Sen. Dumas:** That is in your mind. Do not speak for the wider public.

**Sen. The Hon. C. Enill:** Mr. Vice-President, I thank the hon. Senator for putting it that way. He has a view based on information, and we have a view. Our view is that we got the best deal. We have said this consecutively for the last three months, and they have said consecutively for the last three months that they feel so. We have the information to support what we are saying, but they have a feeling. As far as I am concerned, unless somebody could go beyond simply feeling so, the facts are that on the basis of the exercise that was done—the manner in which it was done and the information that was available to us—this was the best deal until somebody can say to me something different and show me something different.

Mr. Vice-President, it cannot be that you look at a transaction that took place five years ago, in different circumstances, not understanding the relationship between the positioning that they were talking about then, and simply select some information and make statements about it. That is not how it works. This is a highly specialized activity. It was done in a particular way. With respect to the information that was required, when we decided on this particular matter, we looked at the individuals that we had in the UK and who had knowledge of this matter, and we looked at independent issues. On the basis of all of that we came to this conclusion. As far as we are concerned, it is the best deal. Until somebody could say differently and factually, we are taking that position.

**Competitors in the Airline Industry  
(Names of)**

**24. Sen. Wade Mark** asked the hon. Minister in the Ministry of Finance:

Could the Minister inform this Senate of the names of all the competitors in the airline industry who were approached by the Board of Directors of the former BWIA to purchase the various slots owned and controlled at the time by BWIA?

**The Minister in the Ministry of Finance (Sen. The Hon. Conrad Enill):** Mr. Vice-President, I would like to have one week in order to answer this question, because there is a matter of policy that we have to clarify here. So I just want to defer this question for one week.

**Mr. Vice-President:** Is that only for question No. 24? I see you also have question No. 25.

**Sen. The Hon. C. Enill:** I am going to answer question No. 25.

**Mr. Vice-President:** Sen. Mark?

**Sen. Mark:** Well, you should have asked me if I concur, but that is okay.

**Sen. The Hon. C. Enill:** Mr. Vice-President, sorry, I have question No. 24. The Vice-President said question No. 25. I am going to answer question No. 24.

Mr. Vice-President, the name of the two main carriers which were approached by the board of directors of the former BWIA to purchase the various slots owned and controlled, at the time, by BWIA operating between the Caribbean and Europe are British Airways and Virgin Atlantic.

**Sen. Dr. Saith:** Mr. Vice-President, before he goes to question No. 25, and since we are going to end in two minutes' time, the Senator did, in fact, use the opening to pose some questions about written replies, and I will take the opportunity to bring him up-to-date.

Mr. Vice-President, you would have noticed today that there was a response to question No. 8 and I am going to continue working with my colleagues to ensure that the replies to the other questions, as they become available, be provided to the Senate. I continue to give him the assurance that we will do everything in our power to get the information to him as quickly as possible.

Mr. Vice-President, of course, you recognize that some of the questions really require a lot of information and it takes time.

**Sen. Mark:** Mr. Vice-President, I am referring specifically to question No. 4 in the appendix. I would like to ask the hon. Leader of Government Business: What could be some of the reasons detaining UDeCott, through the Ministry of Planning and Development, in responding after three years to a simple question? I would like him to share with the Senate what are some of the reasons. There must be reasons why UDeCott, through the Ministry of Planning and Development is not responding to the Senate. This is not only for me. It is a contempt for the Senate.

**Sen. Dr. Saith:** Mr. Vice-President, with respect to question No. 4 on the Order Paper, the answer was due on November 11, 2006, and I keep hearing three years and five years. It is late, and I admit that it is late, but I think we should get the facts correct. I know that the acting Minister of Planning and Development has now taken note of the request of the hon. Senator.

*The following question stood on the Order paper in the name of Sen. W. Mark:*

**BWIA  
(Restructuring Report on)**

25. With respect to the restructuring report which addressed the various options and concerns in regard to the future of BWIA, could the hon. Minister in the Ministry of Finance provide the Senate with:
- (i) the name of the firm or group of consultants that produced the said report;
  - (ii) the cost to the Government of Trinidad and Tobago for producing the report; and
  - (iii) copies of the report?

*Question, by leave, deferred.*

**WRITTEN ANSWER TO QUESTION**

*The following question was asked by Sen. Dr. Tim Gopeesingh:*

**Coronary Angiography Unit  
(Details of)**

8. Would the hon. Minister of Health provide the following information in respect of the contract awarded by the Ministry of Health for the purchase and supply of equipment in respect of the establishment of the new Coronary Angiography Unit at the Eric Williams Medical Sciences Complex:

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- (i) The names of the Directors of that company;
- (ii) The number and names of the companies which submitted all bids;
- (iii) The value of each bid submitted;
- (iv) The value of the successful bidder's tender; and
- (v) The names of the members of the Specification Committee and the Evaluation Committee involved in the award of this contract?

*Vide end of sitting for written answer.*

**LEGAL PROFESSION (AMDT.) BILL**

Bill to amend the Legal Profession Act, 1986 [*The Attorney General*]; read the first time.

**COPYRIGHT (AMDT.) BILL**

Bill to amend the Copyright Act, 1997 [*The Minister of Legal Affairs*]; read the first time.

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

[Second Day]

*Order read for resuming adjourned debate on question. [January 30, 2007]:*

*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.  
[*Sen. Prof. R. Deosaran*]

*Question again proposed.*

**Mr. Vice-President:** The Motion was presented by Sen. Prof. Ramesh Deosaran, mover of the Motion.



**Sen. Wade Mark:** Thank you very much, Mr. Vice-President. Before addressing this very important Motion before this honourable Senate, may I take the opportunity to welcome Sen. Overand Padmore. [*Desk thumping*] I hope to have him intervene, at some point in the debate, on this very important Motion, because as an elder statesman, I am sure that he will be able to add some wisdom to the moment. So, I look forward to hearing his contribution later on in the proceedings.

I am also a bit disappointed that the hon. Minister of National Security is not here. I am sure that he did not duck nor did he run. As you would know, there is a reason for his absence but, as I said, I hope that my colleague and friend would be able to intervene in this debate during the course of today's sitting.

Mr. Vice-President, I would like to express my appreciation to Sen. Prof. Ramesh Deosaran for bringing this very important Motion to this Senate. For the past five years, we on this side have been virtually requesting and pleading with the Government to do something about the emergent crime epidemic in our republic. We are now reaping the whirlwind of hate, anger desperation and even an absence of value for human existence and for human life.

The blood of everyone who has been slaughtered in this country; the tears of those who have been robbed, raped, assaulted and brutalized by criminal elements remain on the hands of a regime that seems unable to come to grips with this scourge that has now gripped the entire society.

Is the Government listening, Mr. Vice-President? Is the Government prepared to act? Is the Government prepared to provide this Parliament and, by extension, the country with some kind of outline as it relates to performance targets and accountability? Is the Government ready to facilitate the pathway to national consensus and civic mobilization?

Mr. Vice-President, after some five and a half years, we believe that the Government is still not listening and is still not taking the actions and measures that should bring some degree of relief to the population.

We are aware that the hon. Minister of National Security, whilst he is attempting his best to deal with the situation, it is clear that his best is not working. I was very happy when I saw and witnessed the swearing in of my senatorial colleague, Overand Padmore. I know that he is an adviser to the Prime Minister on national security matters. For a moment, I thought I overheard that he was going to be acting as the Minister of National Security in the absence of the hon. Martin Joseph. I thought I heard that somewhere but, apparently, that is not

so. [*Interruption*] I said I heard but, apparently, it was not correct. The reality is that the country is losing hope. Fear has gripped the land, and it seems like death and destruction appear to be everywhere in this land of Trinidad and Tobago.

Mr. Vice-President, when you are injured or you are hurt and you need medical attention, you are not able to access proper medical attention at our hospitals. Sick people cannot even obtain medication. They cannot even get a bed to rest their weary heads. Whether we are talking about health, agriculture or poverty, what I am going to show in my contribution is the worsening and widening gap between the have and the have-nots is contributing to the continued spiralling of crime in this land and, therefore, I would like to support this Motion.

I would like the hon. Minister of National Security—is it the hon. Penelope Beckles who is acting? I thought that since she is acting as the hon. Minister, she ought to be here. From my information, she is acting. The hon. Leader of Government Business can tell me if I got it right this time. We would have liked her to be here, because there are things that are taking place in this country that the hon. Minister should be able to address during this particular debate.

Mr. Vice-President, we are still gripped, and many citizens are still experiencing fears because of the uncertainties in the environment. I was very happy to hear and to read a statement by the Assistant Commissioner of Police in charge of crime, Mr. Reyes, who addressed the nation yesterday and indicated that a number of high profile murders and kidnappings are being addressed by the police at this time.

At this time, the citizens are very uncomfortable that after some 65 to 68 days, Vindra Naipaul-Coolman still cannot be located in a country that is so small. I think that the Government must come clean with the population on this particular incident. Vindra's husband will like to get answers. The parents of Vindra are saying even if it is bad news, let us bring closure to this particular matter, because they are in their winter years, and they would like to know what has happened to their daughter.

When the pond was drained at Longdenville, did the police find anything? Is Vindra Naipaul-Coolman alive? Mr. Vice-President, people are beginning to ask questions about this very important and influential business personality. I do not have a clue as to what happened and as to what may have happened, but you are getting snippets and reports that are disturbing about what happened. I do not know whether the Government is aware of what has happened, or whether they

are hiding something from you and from the population. We need the police, the Government and the Minister of National Security to come clean on Vindra Naipaul-Coolman. Where is Vindra? Is she alive?

**Sen. Dumas:** Are you accusing the Government of something.

**Sen. W. Mark:** No, I am asking if she is alive. So, I feel the pain for the parents of this young lady. I am getting reports about what has happened, and I hope that those reports are not true. At the appropriate time, I am going to reveal what I have learnt involving the Government, and whether there is a game taking place.

**Sen. Dumas:** On a point of order. Mr. Vice-President, no other construct can be put on the words of the speaker other than he is imputing improper motives on the Government. I want to suggest that you ask the Senator to withdraw that statement.

**Mr. Vice-President:** Sen. Mark, what you said is definitely bordering on imputing improper motives.

**Sen. Dumas:** It has gone beyond bordering.

**Mr. Vice-President:** You have to desist. You may get your reports about this and that but, please, do not say that you are getting reports about what may have happened to a kidnapped victim involving the Government. That is a little irresponsible.

**Sen. W. Mark:** As I said, Mr. Vice-President, I am worried.

**Mr. Vice-President:** I think the nation is.

**Sen. W. Mark:** Mr. Vice-President, I am telling you that time will tell. I do not want to bring any more pains to anyone's soul at this time, but time will tell if there is a game being played in this country. That is all I am going to say. I will proceed.

Mr. Vice-President, crime is the biggest single problem facing our country today. The criminals are operating with apparent impunity, because they have no faith in the ability of the police service to catch them. Do you know what is even worse? The few criminals who are caught are so confident of beating the system.

A judge recently said that the whole justice system stinks. I was shocked at the language, but I can understand the desperation of the judge that the system of justice stinks to the high heavens in our country, because people can murder people with impunity, and they are confident that they will not get caught in this land.

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The fact of the matter is that crime is almost out of control in this country. Whilst the Government can brag and boast and claim that they had a nice Carnival—the Minister played mas, ambassador played mas, my good friend, Sen. The Hon. Arnold Piggott walked up and down town and nobody robbed him; he felt safe, more safe than he ever felt in Canada when he was the Ambassador there or the High Commissioner. Mr. Vice-President, that is a 48-hour kind of experience but, for the ordinary citizen, life is a nightmare in this country.

How can we seek to fight crime when the Government's fiscal policy—the whole direction of development in our land—is skewed in favour of the few and not the many? I was quite happy when the Minister of Labour, Small and Micro Enterprise Development confessed to the country about the worsening income distribution in our land. He told us that close to 48 per cent of the citizens of this country are in receipt of between \$2,000 and \$3,000 per month. Mr. Vice-President, about 90 per cent of the population probably worked for less or just about \$5,000 or above. A small minority in our society reaps and creams off the wealth.

There are chief executives in private sector organizations working for \$200,000 a month, and that does not include all their perks. There are executive chairmen of state boards—I know Mr. Malcolm Jones is one, and he receives over \$120,000 a month, but he is still below the chief executives in the private sector. He is not even matching the kind of money that they are getting, and ordinary citizens get \$9 per hour as the minimum wage, and this Government is virtually drowning in money.

Our budget today is close to \$40 billion. The Government boasted that it has doubled our GDP from \$56 billion, at the end of 2001, to over \$114 billion as at the end of December 2006. So, look at the kind of wealth that we have here. The GDP per capita is close to US \$12,000, and look at the worsening gap in income and wealth amongst the people of this country. It is the Government's economic policies and its conservative and reactionary approach to development in this country—[*Interruption*]*—backward, reactionary regime. They are not promoting pro-poor, pro-people and developmental policies in this country. A mafia controls this Government, and you know them, Mr. Vice-President. You know who these people are. They control the Government, and they are in charge—the big businesses. That clique is in charge.*

Mr. Vice-President, for instance, why do you think in this country the food import bill continues to rise? This is because the financiers of the PNM are in charge of the import sector. This is in terms of food. I am concerned, and do you

know why? The ordinary citizens are paying with their lives on a daily basis in this country. Who are not being robbed are being raped; who are not being raped are being kidnapped; and who are not being kidnapped are being murdered in this country every day. We are fast becoming the murder capital of the Caribbean.

Barbados is talking about its crime rate, through its commissioner of police, which has been reduced by 20 per cent. We heard our Minister say last year that it went down by a small amount. At the end of the day, the people are not feeling safe anymore in their country. Imagine 2007 is an election year, and people are living in fear in the year 2007, and the Government of the ruling party promised safety; they promised security; they promised the people that they would be safe and they would rescue our country. What is the end result?

I would have liked the hon. Minister of National Security to be here today. When you see letters being written and the Government dismissing those letters as if they do not matter, wherever there is smoke, expect some fire. How can you solve crime when the Government has facilitated crime in the country? How can you do it? Would you believe that a gentleman—it does not matter if you say that chap is crazy, he has made a statement. What this Government ought to have done was to give this gentleman protection, and get all the necessary information from the individual and take appropriate measures to test the information at the highest level, to determine if that information has any veracity.

There is a man called Vernon Paul alleging all kinds of things taking place in this country. [*Interruption*] Do you know what is sad about this? Top ranking PNM officials' names are called, and do you know what? Nothing has been done. So, you have a man who is saying that he was part and parcel of a conspiracy to plant cocaine and missiles in the water tank and on the land of a particular Member of Parliament who was a former Senator right here on this Front Bench, and there was no investigation into that matter. No real action is being taken; and there is no real enquiry into this matter.

Mr. Vice-President, when you see the names of the people—John Donaldson name is mentioned in this report and Larry Achong name is here. I have it here. The letter by Vernon Paul is here. Now, these are serious matters. If a person accuses me of being involved in a crime, and my name is here in a report, I would want to clear my name. Mr. Vice-President, I can give you a copy of the letter. This was published in the newspapers.

If you are going to solve crime and I am part of the problem, how can I be part of the solution? You must disprove these things otherwise they would remain deeply embedded in the consciousness of the citizenry of this country. That is all I

am saying. I am not accusing anyone of doing anything wrong. I am saying that this gentleman alleged that certain top-ranking PNM officials were involved in a conspiracy. This is what is being alleged in this letter.

I would have thought that by now there would have been some enquiry into this particular allegation, and the police would have been able to thoroughly investigate and clear Larry Achong's and John Donaldson's names. The Prime Minister's name is mentioned here that he was aware. All that I am saying is to clear the Prime Minister's name.

**Sen. Dr. Saith:** Mr. Vice-President, may I just say that as far as I am aware that report was sent to the police and the Office of the Attorney General, and the matter is being investigated and dealt with. I do not think that there is any—the fact that nobody is being charged tells you what the police and the Attorney General's office have done with the report.

**Sen. Dumas:** We now have hearsay evidence.

**Sen. Dr. Saith:** So that repeating hearsay evidence—*[Interruption]*

**Mr. Vice-President:** Sen. Mark, what the Leader of Government Business is saying is true. That matter was dealt with. It was investigated and it was thrown out. Could you please move on?

**Sen. W. Mark:** Mr. Vice-President, we are dealing with crime. I am moving on. I am telling you that if I am in the Government and I am involved in crime, how can I move on? I am standing still. That is the point about it.

**Mr. Vice-President:** Sen. Mark, that report was dealt with by the Office of the Attorney General and the police.

**Sen. W. Mark:** I was not happy.

**Mr. Vice-President:** Well, if you were not happy, there is nothing that I can do about that. Many of us are not happy about many things that are going on even here. Could you please move on?

**Sen. W. Mark:** I support you on that. Mr. Vice-President, would you believe that the Attorney General called in a fellow called Bilaal Abdullah and he sat in the office with him and after half an hour he told the country that he did not see any need to charge Bilaal. He called in John Donaldson and it was the same thing. He called in Larry Achong and it was the same thing. Mr. Vice-President, what is this?

**Mr. Vice-President:** Sen. Mark, you are going back to the same thing that I asked you to move on from.

**Sen. Jeremie S.C.:** Mr. Vice-President, just to clear the record. Some statements were made about me by Sen. Mark. I was asked to respond to a Motion on the Adjournment in the other place, and in order to do that I thought it was necessary since the police officers who were running a parallel investigation could not get anywhere with Mr. Paul; the man who found the light on the road to Damascus. They tried and they extended an invitation to him, and he refused to accept. They got correspondence from him and they spoke to him on the telephone. We sent police officers to Venezuela to interview him and he refused to come to Trinidad, and he refused to give information. At the end of the day, like so many other things in this country, we were left to believe that this is yet another—I hate to say what it really is. I am not surprised that my friend, Sen. Mark, has so much detail on this matter. He ought to have more.

**Mr. Vice-President:** Sen. Mark, could you please move on?

**Sen. W. Mark:** I only have details because it was published in the newspapers.

**Mr. Vice-President:** Sen. Mark, you said that 100 times.

**Sen. W. Mark:** Mr. Vice-President, I want to go on to another point, with your leave. Are you aware of a Professor by the name of Roger Hood? He did a study on the crime situation in Trinidad and Tobago, and in that study he found that a murderer's chance of being caught after committing a crime is about 20 per cent in this country.

He went on to say that the likelihood of that criminal or murderer being convicted is about 5 per cent. And of those who were caught and convicted, 90 per cent of them would be released after their appeals. That is the state of play in our country today. When you translate that, do you know what it tells us? It tells us that 999 murderers out of 1,000 will get away scot-free in our country.

Under this PNM regime, to date, my information tells me that close to 1,500 citizens have perished, as a result of being murdered in this country. It is not that the country does not have the resources. Our Minister of National Security has had a budget of over \$10 billion or close to \$10 billion. So, he has had the resources that no other Minister of National Security has had before. This is the same Minister of National Security who told this nation that he is aware of 66 gangs comprising of so many hundreds of members. That was three and a half years ago. The gangs are still there. The hundreds of members are still there and growing. So, the PNM Minister of National Security does not have the political

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will and know-how to deal with this scourge. If you can tell the world that you are aware of 66 gangs and you know where they are located and where their members are, you cannot bring these people to book?

You have the Commissionings, the elderly couple who should have been alive today! Sen. Angela Cropper's father and mother—her family was butchered and slaughtered in the country! Who is next? So, this Government has had a shameful record in terms of performance, particularly, on the crime front. I think it is the most dismal and pathetic performance that this regime has. People are being slaughtered, murdered and brutalized all over the country, and the Government seems to be helpless.

They are spending billions of dollars on blimps and eye-in-the-sky. They bought \$60 million worth of Israeli electronic surveillance equipment. I know where they are located in Port of Spain, but for national security reasons, I will not disclose now, but I know where they are. The question here is: What use is the equipment being put to? I understand that they are spying on every Government Minister.

**Sen. Dr. Saith:** And Opposition Members too.

**Sen. W. Mark:** Well, I mean to say, we are par for the course. That is normal. Every one of you is being spied upon. Every call that you make, these fellows from Israel who are here manning the post—do you know that they have Israelis here manning the equipment. I will not go further.

Why my good colleague and friend, the hon. Fitzgerald Hinds—he works very hard. He is a decent individual. I like the brother. He is a junior Minister in the Ministry of National Security and they will never give that young man an opportunity to be elevated so that he can gain the experience at the highest level. Why? Is it vindictiveness? Is it evil? Is it because he opposed the hon. Prime Minister? What is the reason?

Mr. Vice-President, as a great calypsonian writer, I know you will know what I am going to say. *[Laughter]* Did you go to the Calypso Tents? Oh God! There was a chap called Bodyguard, and he spoke to the country about an “ungrateful pastor”. Did you hear that song? Mr. Vice-President, look at you, I could see it in your eyes, Sir. *[Laughter]* You listened to it and you enjoyed every moment of it; this “ungrateful pastor”. I just want to add “and his bunch of spiritualist acolytes”.

**Sen. Dr. Kernahan:** Oh my God! Ouch!



**Sen. W. Mark:** This “ungrateful pastor”—I want to give Bodyguard a little extension—“and his bunch of spiritualist acolytes”. [Interruption] What I am saying is that in this country today, the PNM continues to bury its head in the sand and they forget reality. [Desk thumping]

**Sen. Dr. Kernahan:** True.

**Sen. W. Mark:** They live in a state of continuous and consistent denial. That is what the PNM does. Everything is okay. Mr. Vice-President, I want to refer you to an article in the *Newsday*. It is so profound that the entire editorial requires reading. My friend, Minister Howard Chin Lee, is not here, but I know he has serious shares in that organization.

**Mr. Vice-President:** Hon. Senators, the speaking time of the hon. Senator has expired.

*Motion made,* That the hon. Senator's speaking time be extended by 15 minutes. [Sen. Dr. T. Gopeesingh]

*Question put and agreed to.*

**3.00 p.m.**

**Sen. W. Mark:** Thank you very much, Mr. Vice-President. My heart goes out to the family of the former Councillor Bert Allette and another colleague from the PNM called Peter John.

**Sen. Jeremie:** He is still alive.

**Sen. W. Mark:** I know he is alive; I know this. You want to suggest otherwise? [Interruption] I am not the bearer of bad news, please. Remember, my only role and responsibility is to rid the country of that Bench. [Desk thumping] I do not want you all to survive another day longer than October 07. Although, I understand constitutionally they have a little three-month period to breathe. I heard the Prime Minister telling the country that election will be next year.

**Sen. Dr. Gopeesingh:** You are talking about the pastor.

**Sen. W. Mark:** Yes, the pastor. You have until January 08, 2008 to ring the bell otherwise we will ring you out. You will be illegal and unconstitutional as an administration and it will now be fair play.

Mr. Vice-President, I want to read this piece for you. It is entitled "Home to Roost". It is *Newsday*, Tuesday, January 02, page 10. It reads:

"The killing of PNM councillor, Bert Allette has drawn the instant accusation that he was killed for threatening to reveal corrupt practices in the disbursement of funds for the Unemployment Relief Programme (URP).

Whether this assumption is valid or otherwise we do not know, but this administration like others before it has been cautioned about corruption and violence inherent in these unemployment relief programmes.

More important perhaps though is that the assumption reflects the image that the general public has of the PNM now."

What is that image?

"And that image has to a large extent been created by the present leaders of the PNM."

This is what the *Newsday* editorial is saying. The image has been created and shaped by you, the present leaders.

"After all, after coming into office in 2001, Prime Minister Patrick Manning announced his intention of giving the Jamaat-al-Muslimeen the land that was at the centre of the 1990 coup attempt."

Remember that, Mr. Vice-President? And it caused so many problems that we saw our Prime Minister at his home in La Fantasie Gardens surrounded by John Rahael, Dr. Keith Rowley, Colm Imbert and someone else and like they told Mr. Manning, do not go down that route.

"Before this,..."

That is his announcement to give the lands to the Muslimeen—

"Mr. Manning had public acknowledged Muslimeen support for the PNM's election campaign."

This is what the editorial is saying, not me. He acknowledged support by this organization for his campaign. It went on to say:

"And there have now been at least two known meetings by the Prime Minister with gang leaders, ostensibly to broker a peace truce in high-crime areas—areas which, it must be noted, are centres of traditional PNM support.

If Mr. Manning's meetings with the people he calls 'community leaders' had indeed resulted in a drop in serious crimes, there might be some basis for excusing what appears to be a standard, if surreptitious, policy by the PNM regime. But it has not worked (unless the Government is going to claim that the seven per cent drop in murders between 2005 and 2006 is a signal

achievement). The Manning administration has not only shown itself unable to handle the crime situation, but the correlations between the PNM and crime could be taken by unkind observers for causality."

Mr. Vice-President, you understand? Crime and the PNM seem to mix very nicely and he goes on now to prove it:

"After all, between 1991 and 1995, when the PNM was in power, the murder rate started to rise, spiking in 1994."

Whenever the PNM is in power the murder rate spikes. You know the *Newsday* is not kind to us, but I must say on this occasion they were kind. It went on to say:

"Between 1995 and 1999, when the UNC held office, the rate started to drop, [*Desk thumping*] reaching a low in 1999. In 2001, with the PNM in office again after the 18-18 deadlock, the murder rate skyrocketed until it reached its present rate of one killing per day."

Not we, this is the editorial of the *Newsday*, which is owned and controlled by the PNM. [*Interruption*] I think he still has some shares, because I know he used to work there, you know. He is a McAL man, I know that.

Mr. Vice-President, may I go on and tie up this thing?

"But if the present PNM cannot control crime, this is an incompetence rooted in PNM tradition."

They say the Government is incompetent, they cannot deal with crime. Hear what they went on to say:

"Between 1956..."

My good friend, Sen. Overand Padmore will know about this.

"Between 1956 and 1961, the crime rate rose by 20 per cent. Crime detection rates also began to drop, declining between 1950 and 1970 by 20 per cent as well. In the 1970s, Trinidad and Tobago had the tenth highest murder rate in the world."

Mr. Vice-President, we have graduated from the period of 1970 under PNM, we were No. 10 in the world murder capital; today, I think we are either third or fourth. That is the shameful experience and legacy that the PNM is leaving for the children and the people of this nation, [*Desk thumping*] as they exit office very shortly. It went on to say:

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"So when, in the space of two weeks, one PNM councillor is shot and another murdered, it may be that such incidents fall within statistical probabilities. But the links between the PNM and criminal activity, especially given the fact that most of the country's murderers come from PNM-controlled constituencies, cannot be gainsaid. For that reason, as they gird up to battle crime in 2007, the PNM leaders must consider whether the murderous attacks on their councillors are not signs of chickens coming to roost in the nest where they were hatched."

This is a damning editorial. This is exposing the PNM. This is not for instance, Wade Mark or the UNC saying things about the Jamaat. This is the editorial of a reputable newspaper. Once this goes on the internet within a few seconds, the international global community has it.

I raised these points to let you know that the PNM has the responsibility of confessing for its sins of omission and commission committed against this nation. I am not too sure the nation will forgive them. I know the nation would not forgive them, but they must have the testicular fortitude to rise and confess for their sins.

This Government, like Robert Mugabe's Zimbabwe, all they are concerned about is total control. Look at today, in this beautiful country called Zimbabwe, according to the British BBC news, inflation 1,600 per cent. Do you know what is the life span of a citizen of Zimbabwe? A woman is 34 years and a man is 37 years. Not even under the vicious apartheid regime did African people live so short in their own land. So, you see the brutality of this individual. Mr. Vice-President, I want to tell you today, we have a Robert Mugabe right here in Trinidad and Tobago. [*Desk thumping*] And if we give this man an opportunity again, when the polls are held "crapaud smoke we pipe". So we must do everything in our power.

We were there between 1995 and 2001. We dealt with crime. We confronted crime. [*Desk thumping*] We dealt with crime when we told the Jamaat do not cross that red line. If you cross that red line you would see who is in charge. They dared not cross the red line. We established who was in charge of this country. The Government was in charge and no criminal element or criminal organization was in charge of this country under the UNC. [*Desk thumping*] We took charge. We do not go to bed and cuddle with the criminals. Then a Minister comes here and says, you see terrorists in them, we see them as people. Imagine a Minister is on public record as telling this nation we see them as people, you see them as terrorists. A Minister said that.

We cannot resolve the crime surge in our country until we confront it and we actually admit our errors and our mistakes. We must deal with this thing in a very truthful and really open manner. There can be no compromise. To deal with crime you must first detect crime. Well first, prevent it. You must prevent crime, then you have to detect crime, then you must implement and enforce the laws so those criminal elements who break the law must feel the full sanctions of the law. You need a programme of rehabilitation to bring those people who have gone on the wrong path back into society.

This is a Motion that we support. It is for the Government to explain its positions to this Parliament, and through this Parliament, to the country. We would like to support the Motion as proposed and as moved by Sen. Prof. Ramesh Deosaran. I look forward to the hon. Minister of National Security responding to the Motion so we can get an idea and the nation can get an idea as to the way forward and what plans and programmes the Government will be pursuing to deal with the scourge that continues to blight our nation and our future.

I thank you very much, Mr. Vice-President.

**Sen. Overand Padmore:** Thank you very much, Mr. Vice-President. I am sure you will understand that it is with a measure of trepidation that I rise to speak in this august Chamber, with which a long time ago I was familiar, but now I come back like a first time and first occasion again.

I have had the opportunity to read the presentation of the Motion's mover, Sen. Prof. Ramesh Deosaran. I have now had the opportunity to listen to Sen. Wade Mark, my good friend as he called me—let me return the compliment to him. [*Interruption*] Pardon me? No, no, you are my good friend too, have no fear. [*Laughter*]

I would have thought, given all of the concerns that he had expressed, bearing in mind that he said 2007 and at the outset, January 08, I think it was, he said that either we go or he does something about getting rid of us, that at least he would have said to the country what his government would do to deal with the pressing problem of crime should the country go back to them. [*Desk thumping*] Unfortunately, he took us around the world and he talked about in an election year the shameful legacy of the PNM. I think he knows that in an election year the shameful legacy of his administration would be a subject for public consideration.

A due diligence test will be done on those who offer themselves to the electorate and those who control the organization that is seeking the electorate's goodwill. The electorate will judge after due diligence where it can put its trust and confidence.

Having looked at the Motion which expressed concern over the Government's performance, and its measures having failed to produce the desired result and calling for an outline with specific performance targets, one wondered precisely what it was the Motion was seeking to do and accomplish. The Motion dealing with the question of crime, I thought, did not put crime in a particular context. Crime just did not come out of the blue like that; crime needed to be put into a context, the causes of crime in Trinidad and Tobago today, the causes of crime in the Caribbean today—I think we all know that the Prime Minister of this country is the Prime Minister with lead responsibility for crime and security in the Caribbean Community. Simply because issues of crime and security are of signal importance to the Government and the people of Trinidad and Tobago, as it is to the governments and people of the Caribbean states, I thought that in failing to look at that wider picture, the Motion may have left out something.

Yes, crime has become a very serious matter and if we try to look at the causes of crime, we may get a sense of why it has taken on the kind of dimension it has taken on in Trinidad and Tobago. This is a country that has always had murders, it has always had robberies, it has always had offences against the person, but we have now found new elements of crime, not only are we having murders and on a larger scale, but the very ferocity of the murders, the decapitating of people, et cetera, suggests another factor at work in the area of crime, as is what is a relatively new phenomenon for us, kidnapping for ransom.

Caribbean governments out of their concern for crime in their region—as I said, of which Trinidad and Tobago is a part—had set up a task force to look at this question of crime. And the task force did identify one or two interesting things, which I think should be put into the record. For all I know it may well have been there before, but if it was, it bears repetition and if it has not, then I can put it in now.

The Task Force is a 2002 document and its report has been accepted by Caricom governments. They did say that they attributed crime to the following factors, and I will like Sen. Mark to pay attention:

- "(i) Poverty;
- (ii) Unemployment; social marginalization and inequality;
- (iii) The illegal drug trade;
- (iv) Corruption;

- (v) The trafficking in firearms;
- (vi) The deportation of criminals; and
- (vii) The ineffectiveness of the existing criminal justice systems."

The causes identified here, while they call for government action suggests government action in the broadest possible sense. I get a sense when the Motion speaks to government, it speaks in terms of the Executive. My own view of what is needed to respond to what is before us now is government in all of its manifestations: the Executive government, the Legislative government and the Judicial government. If they do not act together then the possibility of solving or at least curtailing and seriously curtailing the crime problem would continue to elude us.

So, yes, it is a problem for Government and yes, it is a challenge that Government in all of its branches in our country must take up and deal with. I will invite again, Sen. Mark, in a while to tell us something about that. The report made this point:

"Drug trafficking and drug use are associated with significant increases in crime. The former is usually associated with increases in violent crimes, especially murder, and the latter, with various types of petty property crimes. Drug trafficking is itself a crime in need of explanation. It does not explain crime. It may, however, explain increased rates of particular types of crime, and/or important changes in the patterns of crime."

We are fully aware of the important changes in the pattern that have taken place in our country. It referred to something said by the Caricom Commission, they made this observation:

"Nothing poses greater threats to civil society in CARICOM countries than the drug problem; and nothing exemplifies the powerlessness of the regional governments more."

Mr. Vice-President, if we do not try to understand the nature of the drug problem and the impact it is having on small societies like ours, we are not going to be able to understand how to respond to it. The drug problem is international in scope and therefore solutions to crime, much of which is drugs driven, has to be found in terms of international cooperation.

The drug problem is a matter of the wealthiest countries in the world, North America, Western Europe, having a large and insatiable demand for drugs. The drugs are produced in countries that are not too far removed from us, in South America. Our misfortune or what is fortune in some aspects, is misfortune in

others. We say that we are fortunately located in terms of the United States, as far as energy exports are concerned, because it lowers our transportation costs. But it is our misfortune to be that close to them, in terms of where we are as a transit corridor for drugs.

It is said that the illegal trade in drugs is second only to the illegal arms trade in terms of its size in international trade. So immediately, we have an indication of the size and magnitude of this problem. Since the illegal drug trade, like almost any other trade, is a business, the entrepreneurs engaged in it being criminal entrepreneurs, but it is a business and the best estimates tell us that in the movement of drugs from centres of production to centres of consumption, the rate of interdiction is really only one in ten or at times even less than one in ten. You get an idea of the value of this trade and why people are prepared to take the risks which they take in the trade.

One in ten, 90 per cent of the thing gets through and the returns, the profit level from the trade are such that it is a risk that people are prepared to take. Therefore, the drug producers and those who deal in it in the consuming countries have at their disposal, the kinds of resources that little countries like ours would find hard pressed to match.

We hear from time to time the Prime Minister getting up—and we heard Sen. Mark sneering at it and talking about it is really radars, this, that and eye-in-the-sky, et cetera. These are what you are doing here, as a developing country taking substantial resources that, given our own colonial experience, that ought properly to be put in the development of the country, you now have to take it from development expenditure and put it into security expenditure to attempt to deal with a situation which is not of our making. If the drug trade required the demand in Trinidad and Tobago to sustain it, there would be no drug trade. The demand would not be enough to interest the suppliers. What we have is, unless and until the large consuming countries control their demand, the problem for transit countries—because we are incidental to the thing, we end up with the problem, but we are incidental to the thing—is that the drug problem is going to be constantly with us.

I remember going to a Caricom UK conference on crime and security in the United Kingdom in 2004, and the question arose. They drew up a nice communiqué on the outcome of the conference. The communiqué talked about steps that Caricom governments must take to reduce the incidence of the drug trade. And trying to get into that communiqué, a reference to curbing the demand in the consuming countries was a challenge. If we did not put our feet down on it, that would not have found its way into the communiqué.



The question simply is that the drug trade is an important factor in promoting the growth of crime in Trinidad and Tobago. One UN estimate has put the value of the international drug trade at \$400 billion annually. Now just consider the magnitude of that.

**3.30 p.m.**

As it refers to our region here, a report says, and this is taken from an American Congressional Report:

“Drugs are a lucrative business and a mainspring of global criminal activity. As much as 930 tons of cocaine could have been produced from coca leaves grown in South America in 2001. If sold internationally at an average US street price of \$100 per gram the drug would yield a gross value of \$93 billion; a figure exceeding the gross national income of three quarters of the world's nations.

A November 2002 study by the United Nations' Office on Drugs and Crime estimated the net regional earnings of the illicit drug industry in the Caribbean at \$3.3 billion or about half the gross national income of Jamaica or Trinidad. Little is known about the distribution of revenues from illicit drug sales but foreign supply cartels exercise considerable control over wholesale distribution in the United States and illicit proceeds are often laundered and invested through foreign banks and financial institutions.”

What we are talking about here, Mr. Vice-President, is a state of affairs in which you on that side should not be fighting us over on this side, or if the roles are reversed, we, if we are on that side should not be fighting you over if you are on this side. Because neither of us could ever hope, in the circumstances of Trinidad and Tobago, to solve a problem like crime motivated so significantly by the international trade in drugs. Neither of us can solve it unless it is seen as a national issue. [*Desk thumping*]

When you were in Government—and you remember that case of the Ramdhanie escape from a police cell—an Opposition PNM understood it to be a national issue and from the benches of the Opposition approached the Prime Minister of the day and said, let us talk on this, “didn't” he? [*Desk thumping*]

**Hon. Senator:** We agree with the point so let us move on.

**Sen. O. Padmore:** I understand the Motion talks about “pathway”. The pathway by which you reach it is part of the tragedy of what we are talking about; the amount of time we have lost in that process.

The point I am making, Mr. Vice-President, on some issues we are Government and Opposition, but on some issues we must all be national interest above everything else. [*Desk thumping*] And, unfortunately, unfortunately, this is where they fall down.

**Sen. Mark:** I am sorry that you are not the Prime Minister because you are doing a good job.

**Sen. Dr. Gopeesingh:** And not the Minister of National Security.

**Sen. O. Padmore:** You are trying to give basket to the wrong person. [*Laughter*] [*Desk thumping*] And I do not even think you will get an opportunity to give it to him in here. [*Laughter*]

**Sen. Mark:** I am supporting Overand Padmore for the Minister of National Security because I want—[*Inaudible*]

**Mr. Vice-President:** Sen. Mark! [*Crosstalk*]

**Sen. O. Padmore:** So, Mr. Vice-President, we are dealing with an issue, and I appeal again to the honourable mover of the Motion, Sen. Prof. Deosaran that we will not be able to address this problem if all we do is to keep talking about fear, and fear there is, if we do not understand that if you have something to fight, you do not cower in fright and think you can succeed in the fight. Given a difficult situation we have to sit down and put our heads together. Now we would like to think we can do it as a Parliament because all of the branches of the Government must be involved in it. To the extent that does not happen it puts a disproportionate burden on the part of the Government that has to do it without the support of the other parts. The length of time we lost in getting the Police Reform Bills passed through the Parliament, we could have been so much further along the way, but we lost a lot of that time. [*Desk thumping*] If, belatedly, they came around to supporting the Bill; we are now trying to catch up on that time again, but this is really not the way in which—

In so many things we try to match ourselves to some of the larger countries. All independent countries are free and sovereign, but so much of it depends on the influence, your size, et cetera. When the world will wait on the United States for certain kinds of things to be done it will not wait on us, so we have to adapt to changing circumstances. We cannot dictate changes and that is something that I think will benefit you a lot to pay some attention to.

The Minister of National Security on various occasions come into the Parliament and report on what his ministry and the Government have been doing in order to deal with crime as it relates to us here in Trinidad and Tobago. He

does that and therefore the part of the resolution that asks for that to be done with time frames; it is not a simple and straightforward thing to attach time frame to something which is not within your total control as bringing crime—given what drives it—that is facing us in Trinidad and Tobago under control.

We put measures in place and we try our best; we are indeed doing a number of things for which again and again we are going to have to come back to the Parliament for support. Will that support be forthcoming? We talk a lot in this country about the need for constitution reform; we say as we talk constitution reform that the Executive has too much power. As it stands now on critical issues where you need the support of the Opposition in the national interest to get things done, and you cannot get it, you change your Constitution to put more power in the Parliament. What you are going to end up doing is frustrating more and more the Executive from being able to act. This is not a discussion on constitution reform but I think it is something we need to take note of.

If you are talking about strengthening the Parliament you have to be sure that you have a responsible Parliament otherwise granting them more power—at the moment, it is only on matters that require special majorities that the Executive can be prevented from acting, but if other arrangements come into play you will have the possibility of stymieing the Executive's capacity to function. If it is one thing that would undermine the stability of Trinidad and Tobago is to have an Executive that cannot function, so bear that in mind.

The Minister of National Security has been to the Parliament, and I think if I am not mistaken the last time he did it—I have a copy of his statement—was fairly recently, where he gave an update on the things his ministry has been doing to deal with the drug trade. The one that I have is dated October 2006; he went in the other place in June 2005. If I am not mistaken he would have given an accounting in the budget debate of the Senate, he would have again brought it to the House. So it is not that the Senate or the other place, either of them is unaware of what is being done. What the Motion does say, it is failing to produce results. Again, it is how you look at the search for results and how you expect to find them.

Interestingly, what I like about the Motion—and unlike some of other things that I hear from time to time—as it said; this is not a Motion designed to embarrass the Government, and one accepts it in those terms; it is not something that was looking for confrontation, but the Motion recognized in one part but did not develop it in the text that Parliament cannot fail to respond in a situation such

as this. And Parliament responding is not merely saying you must do so and so, but Parliament responding must also say, I will give you the tools to be able to do so and so.

Very recently there was a spate of gun crimes in the UK and the British Prime Minister immediately got up and said: "We need to look at the legislative arrangements governing gun crimes to see what we must do in order to address the matter." And one of the reports said that Tony Blair wanted to lower the age to 17 from 21 at which young people can receive long prison sentences for possessing a gun. Immediately what you see there, in a changed situation, you need a system of laws; the laws must adapt to the circumstances if they are to address the challenges.

The laws alone will not do it, but in the absence of the laws you will be unnecessarily hindering yourself. We understand one of the other concerns, and we have to be very candid about it; many of the issues that are before us now: crime, terrorism, et cetera, the legislation that is being called for to deal with them is pretty invasive in terms of the fundamental rights of people and that is an important consideration; nobody can sneer at that. One has to be sure that the power is not abused. One thing I can say, almost without fear of contradiction, speaking from this side of the Senate; exercising power in this land for as many years as we have done; exercising it during the period 1971 to 1976 in a Parliament in which we had absolute control of the Parliament; the one thing that can be said of the PNM is that it does not abuse Executive power. [*Desk thumping*] It is a reality that the country recognizes and accepts, this is why, notwithstanding the—

**Sen. Mark:** Are you serious man?

**Sen. O. Padmore:** I am indeed serious.

**Sen. Mark:** The PNM does not abuse the power?

**Sen. O. Padmore:** How else, I am coming into the Senate on a temporary basis; look at the side of the Senate I am coming on?

**Sen. Dr. Gopeesingh:** You are talking about 1970.

**Sen. O. Padmore:** I said look at the side I am on, not on that side, on this side. 1970 [*Interruption*] No, no, and I am glad that the Member cited 1970; not only then, he can also cite 1990 as well. The fact of the matter in terms of both 1970 and 1990 is that ultimately the rule of law prevailed. [*Desk thumping*]

You cannot deny that fact, and not only did the rule of law prevail but you put down a threat to democracy of the country in 1990 using institutions fashioned in Trinidad and Tobago. We did not have to go outside for help; we were able on the strength of our own capabilities to treat with the threat to the Constitution. [*Desk thumping*] So that when my friend—

**Sen. Dr. Gopeesingh:** You have a man involved in the—[*Inaudible*]

**Sen. O. Padmore:** I do not want to answer you, you know, because I try to be gallant so I will keep my peace. [*Interruption*]

Yes, Mr. Vice-President, I was reading a judgment of an English court not too long ago in Northumberland, I think was the city, and the judge talked about:

- a. The growing incidence of gun crimes; and
- b. The difficulty in getting witnesses to come and give testimony and as a consequence of which accused persons were going free.

If I had not recognized that it was England I was reading about, I would have said it was Trinidad and Tobago and this is why the need for getting the Parliament involved is as critical as it is. Why are we not able to say that on fundamentals, unity? We can fight on anything else; you can still say, pass the legislation, if we win we will administer it better than you, but do not prevent the legislation from passing.

**Sen. Mark:** We do not want you to abuse power.

**Sen. O. Padmore:** And that is why we are here. The risks are that you might abuse it if you are here. [*Desk thumping*] [*Laughter*] What he said?

**Hon. Senator:** No, he just laughed. [*Laughter*] [*Crosstalk*]

**Sen. O. Padmore:** He likes what I said.

**Sen. Mark:** I do not want to worry you too much. [*Laughter*] Sen. Padmore, in this Parliament we give you full rein. [*Laughter*] He was always a great talker; this is your first time, we do not want to interrupt you. [*Laughter*] That is how we operate in this Parliament. [*Crosstalk*]

**Sen. O. Padmore:** No, no, Mr. Vice-President, he is a nice fellow; I mean, we acknowledge that. [*Interruption*] He brings a lot of noise and so on to the proceedings on the other side. [*Laughter*] [*Crosstalk*]

**Sen. Mark:** Do not get personal. You better stick to your “Bugs Bunny”; do not step over the line. [*Crosstalk*]

**Sen. O. Padmore:** All right; I will reserve the fatigue for a next time if there is one.

**Sen. Dr. Gopeesingh:** You wasting your time to copy—[*Laughter*]

**Sen. O. Padmore:** Well you know, I might follow your example. [*Laughter*]

**Sen. Dr. Gopeesingh:** You do that; do that.

**Sen. O. Padmore:** You remember, you had on the yellow tie that time too.

**Hon. Senator:** If they give you a time to come back.

**Sen. O. Padmore:** Yes, Mr. Vice-President. Sorry, Mr. Vice-President, and forgive me. [*Laughter*]

Mr. Vice-President, I started off by being nervous but these “fellas” are warming me up. [*Laughter*]

**Sen. Mark:** He is getting comfortable. [*Crosstalk*] [*Laughter*]

**Sen. O. Padmore:** Notwithstanding a lot of the things that are said on the other side, the efforts we are making to treat with the situation are not going unnoticed by members of the international community. What we get every now and again is a lot of talk about some country issuing warnings about its citizens coming here, et cetera.

Selectively, things are presented, but given the nature of what we are up against, there are any number of things that have to be done. I was looking at a publication called the *International Narcotics Control Strategy Report for 2006*; I think it is put out by the American State Department and they were noting some of the steps that are being taken here in Trinidad and it says:

“Trinidad and Tobago is a transit country for drugs from South America to the U.S. and Europe...

The Government...continued to cooperate with the U.S. on the counternarcotics issues and allocated...(they, themselves are acknowledging it)...significant resources to the fight against illegal drugs.”

It is acknowledged:

“Trinidad and Tobago is situated seven miles off the coast of Venezuela, directly between the major cocaine producing countries of South America and the major consumers of North America and Western Europe. It is a transshipment point for illicit drugs, primarily cocaine and marijuana but also heroin.”

I think the last time the Minister spoke here he said that they began to see small shipments of heroin beginning to manifest themselves. We here try to have as an important focus, in treating with this, to pay some attention to demand issues; not only to supply issues but also reducing drug demand, because in the long run that is your best way of being able to cope with the situation. If you can remove the demand then you have gone a long way towards solving the problem. That is what we cannot get the wealthy countries to do. If they do not do it; even if we put the whole \$38 billion of our budget into fighting crime, if the demand for it in the wealthy countries remains as it is, countries like ours will still have a problem, which suggests that the matter is not entirely within our control which is why a national perspective on crime and security is so important for us.

They are talking about our funding that we have of a Customs Advisory Team from the US and they are saying with respect to law enforcement:

“In 2005, the GOTT seized 3,000 kilograms of cocaine, including liquid cocaine, 15.58 kilograms of heroin, and over 100,000 kilograms of cannabis in various forms...eradicated 1,116,500 cannabis plants and seedlings...One particularly noteworthy seizure occurred on Monos Island, located off the northwest coast of Trinidad. This joint exercise by the SAUTT, the police and the TTCG netted 1,750 kilograms of cocaine. Reports speculate that the drugs originated in Colombia and transited Venezuela, indicating involvement by a major organized crime operation. Eight persons were charged: five Venezuelans, one Antiguan and two Trinidadians.”

It is important for us to take note, and I will make the point after I say this. They are talking about the flow of illicit drugs:

“Illicit drugs arrive from the South American mainland, particularly Venezuela, on fishing boats, pleasure craft and commercial aircraft. Sizeable quantities of drugs also transit the country through commodities shipments from South America. Drugs are then smuggled out on yachts, in air cargo, and by couriers. Smuggling through the use of drug swallows is also on the rise. Cocaine has been found on airline flights from Guyana transiting Trinidad and Tobago en route to North America.”

It is important for us to take note that often enough when you hear certain kinds of allegations being made against the police in parts of the country, especially those that are bordering these transit corridors into and out of Trinidad and Tobago, it is important that we do not dismiss them but take note. The complaints are not always what they seem to be and some of those concerns are

imported into other issues as well, because anything that will upset an operation as lucrative as the drug trade will produce reactions. They will not come and tell you that you are interfering with my drug trade; they will come and tell you that you are interfering with my garden or you are doing something else, but that is not their main focus, their main focus is they want to get you away from what you are doing.

I am saying all of these things because a Motion on crime is something that the Senate and the Parliament, generally, should properly involve itself in. It is serious; crime represents a clear and present danger; it has to be addressed and we need a united community to do it, but I think the Motion needs to reflect some of the contributory factors that make the issue as complex as it is, and if it does, it is the kind of thing that the Parliament could pass by acclamation. I think it needs to reflect the reality that crime represents in Trinidad and Tobago.

It is not enough for us to jump up and say, what is the Government doing about crime? That is never a solution to anything, and too often we are hearing criticisms. I understand the concerns, who would not understand the concern, but somewhere amid the concerns there must be voices that reflect an understanding of the complexity of what we are all about and too often those are the silent voices.

This document ends on noting the bilateral cooperation:

“The U.S. has a cooperative relationship with the GOTT and continues to provide Trinidadian law enforcement organizations with training, technical assistance, equipment and vehicles in support of their counternarcotics/crime efforts. The U.S. provided equipment and vehicles to the OCNu, drug and bomb detection dogs to the TTPS and the Customs and Excise Division, and fast interceptor boats and shallow draft interdiction boats for the TTCG and Customs and Excise Division. The U.S. continues to cooperate with the British to increase the GOTT's ability to detect drug swallows transiting its airports. The GOTT-funded U.S. Customs Advisory Team provides technical assistance to customs in tracking and intercepting marine vessels, including cargo container ships, and improving drug detection. The team continued to work with Customs Marine Interdiction Unit and the Canine Unit to strengthen their counternarcotics capabilities. The team provided technical assistance, along with U.S.-funded computers and training, to help the GOTT establish a Passenger Analytical Unit (PAU) at Piarco to target passengers for interview and secondary inspection. A GOTT-funded IRS Tax Assistance and Advisory Team is helping the Board of Inland Revenue detect and prosecute financial crimes.”



What we are saying, Mr. Vice-President, is that it is simply not possible for Trinidad and Tobago on its own or even the United States on its own to solve the problem that the illicit drugs trade pose for our respective societies; the crime that is produced by the growing drug trade. That is why international cooperation is needed and that is why further, the cooperation is also needed internally. One would hope that wisdom would suggest to our friends opposite the need to be more committed to the well-being of Trinidad and Tobago, that they would know what to play politics with and what to treat with the seriousness it deserves if we are going to take back our country from the criminal gangs that are trying to overcome it. Criminal gangs are a modern phenomenon. This is one of the things that Mr. Blair was talking about in the UK. It is one of the things that is very widespread in the US, Los Angeles, New York and in many of the major cities of the United States.

It has manifested itself here to the extent that the Motion talked about indigenizing the steps that are being taken to deal with crime. I understand the point that is being made, but the nature of the crime is more than just an indigenous thing. It needs that very cooperation, external expertise married to domestic expertise, because we would understand the culture of our country; they would understand the culture of the international operators dealing with the thing. International operators are setting up their links within our own space as well, so we have to know what it is we do in order to be able to confront that. I think, if we take the approach from that perspective and tailor the Motion to accommodate that complexity, we can have something on which we are all agreed.

Thank you very much. [*Desk thumping*]

**4.00 p.m.**

**Sen. Dana Seetahal S.C.:** Thank you very much, Mr. Vice-President. In dealing with the Motion before us, I propose to focus on some of the statements and generalizations in my opinion made by the previous speaker, that is, the acting Minister of National Security.

**Sen. Jeremie S.C.:** He is not acting Minister of National Security.

**Sen. D. Seetahal S.C.:** He is not? Well I beg your pardon, Sen. Overand Padmore; that was the rumour that was spread. In any event, Mr. Vice-President, may I just say that my appreciation of what the Senator said: he said or seemed to centre his contribution on the fact of the illegal drug trade [*Desk thumping*] which he had said, by virtue of our geographical position, we are vulnerable to the trade trafficking from South America. We are in this sort of position; a lot of drugs passing through and essentially that crime in Trinidad and Tobago can be explained as a result of that trade. [*Desk thumping*]

Mr. Vice-President, he also said, in my opinion again, in contradiction to this position that in a Report that he quoted that some of the factors highlighted, apart from drug trafficking—which in itself is not a cause of crime—he had cited, that unemployment and poverty, ineffectiveness of the criminal justice system, firearms, are some of the factors. So that Report which was quoted by the Senator recognized some of the factors.

Mr. Vice-President, in my 25 or so years as a criminal justice practitioner, I have come across a number of criminals, personally and through prosecuting a number of them. I have also done a Masters in Criminology. Not that I am saying that I have all the answers, but the general recognition internationally as to the root causes of crime are that they spring from social dysfunction, such as when a society moves from rural to urban and you have the necessary upheaval, anomie that sort of thing, people are separated from familial ties and the usual background they would have. That is one cause. You also have the peer pressure, that is Sutherland's peer pressure theory. You have the labelling theory, where you are labelled a criminal and you continue to fulfil that expectation in a negative way. Then there is the conflict theory which results from unemployment and persons who are powerless against those who are richer and empowered; you have that kind of response in crime. You have those major social theories and as against those you have the biological theories; the biological school, as it were, that persons have something innate in them, which make them criminals. So you have these several schools of thought and nowhere in there is drug trafficking per se labelled as a cause.

In Trinidad and Tobago we may be vulnerable to the drug trafficking trade, but I venture to say that this cannot explain and does not explain the crime that is prevalent today. That in my experience and opinion cannot be explained by virtue of our geographical position. If I may say, what I have found common among the criminals that I have dealt with is: one, most of them come from a background which is a deprived background, whether it is family contact or financial; second, many of them cannot read or write; third, many of them are members of gangs. It is not common to all of them, but these are common matters that I noticed; variables as it were; several of them are mentally ill and 60 per cent of them used drugs.

So Mr. Vice-President, when the Prisons Commissioner in 2005 said, "Of the 4,000 prisoners in custody, including remand prisoners, 65 per cent of them had been using drugs or were involved in the drug trade at the time", he was speaking of the components of the criminals as it were. What we have found is that a lot of criminals use drugs. There are 1,000 prisoners out of 4,000 currently in prison who are there convicted mainly of drug-use offences. So drug use is a factor in crimes in this

country. I have said this already, Mr. Vice-President. I have said it and made the plea for the Government through the Minister of National Security, to say what they are doing about drug abuse in this country and I have heard very little. What I would like now that the Senator has made the point that the basis for a lot of crime in this country is the drug trade, which by necessary implication means that many people are using drugs, what is the Government doing about treatment [*Desk thumping*] of addiction in this country in any real way?

Mr. Vice-President, I asked this in three budget debates—I do not know if you remember—and except for what is stated in that Social Reform Report or whatever it is, where you have some semi-private agencies dealing with addiction or who are there for treatment, very little money is allocated to this. In the prison, only in 2005 was there a programme introduced for treatment of drug use. This is after the Commissioner—towards the end of 2005, one year—had said two years before that 60 something per cent of the prisoners had been addicts or had been using. So if we are talking about that recognition by the Commissioner of Prisons, this should be known to the Minister of National Security and the Government; and if this is a common feature in criminals, why is it that programmes were not put in place? I made the point in speaking elsewhere and writing, that it must have been in the interest of someone—I am not saying the Government at all—that there should continue to be addicts in prison because there could have been no rhyme, no reason, and no rational explanation why this is allowed to continue.

I have said before that you have had for years in the prisons, treatment of people who are sexually warped or commit offences of sexual abuse; anger management; people who have low self-esteem. One would have thought that for drug addiction there should have been treatment, because people go in there, they come back and they go back out and they use. I had a client who did that, four years he was in prison, sentenced to—We made the plea, we got a reduction in the sentence; he said he was going down to Piparo and he went back the next two weeks—with all good intentions—because he had never been treated whilst in prison.

Mr. Vice-President, I feel very strongly about this. I do not think partisanship comes into it at all; it cannot, because you know why? One out of every family has at least one member, I dare say, involved in drug use, whether it is using or addiction and it is in the national interest that something serious be done. All of these programmes, you have Rebirth House, you have Caura; you have up in the Mount; they are so short. After three months in Caura or six months at the

Mount, or Rebirth House and you go down to Carenage or Chaguaramas, they come back; people go into the same environment and they start back using drugs and after doing it two or three times they get disheartened because they feel nothing can happen. If you have a parent who can afford to send you to California or somewhere like New Orleans with some programme with hundred of thousands, then you have a 40 per cent chance of recovery.

If you have some good programmes in Trinidad and Tobago; if you have places where people can go to and recreate and get involved with other replacing things so that your brain—if anyone who knows about treatment of drug addiction, I do because I used to support some of these programmes and I went and I looked at the videos and the films which showed how your synapses in your brain respond to—I am sure Sen. Dr. Gopeesingh will know more about this than me. But when you start to use cocaine for instance, the pleasure-giving synapses in your brain closes down and you rely on the drug and you need to have something—and some people go into religion—to replace that, but if you have nothing you will always go back to the drug. So the point is, there is a recognition on the side of the Government that a lot of crime is connected to drug and I am saying it is drug use. I am saying however, as a country, we have failed to deal with it and we are failing to deal with it and drug addiction is continuing unabated.

I have written this more than once and I spoke recently on the “Eye on Dependency” which to me is like one of the few lights in this darkness. That programme on a radio station where former addicts talk about their experiences and they bring other people, it is called “Eye on Dependency”, where they are eyeing different types of dependencies and how you can deal with them. You know what they said? Imagine in Tobago, in the whole of Tobago there is no drug treatment centre, and Tobago is not removed from drug addiction. We like to think Tobago is a little paradise. It is not; there is drug addiction because, possibly, of the geographical location, people use it.

**Sen. Dr. Mc Kenzie:** Plenty.

**Sen. D. Seetahal S.C.:** Cocaine and crack, which crack is from cocaine of course, is psychologically addictive, but heroin is physically addictive and heroin use is growing in the country. Only in December, persons were arrested in this country for trafficking to the US in cocaine and heroin. So you know when I hear this acknowledgement of this and we have all this crime; look at what is happening in the world and so on; yes, yes, but what are we doing here? Why is there no drug court? When I say drug court, I am not talking about a court called,

"Drug and firearms court" where you try people charged with drug offences. That is not what it is. A true "drug court" is a treatment court where persons who are users, that is under a certain amount of the drug, they go to that court and if they complete programmes of varying lengths from six months to two to three years, nothing is recorded against them, but they must come back to court and say what they are doing or they will be sent to prison.

It happens in many States in the United States; it happens in Minnesota and I attended court there for over a period of a year during a Fulbright programme, to see how they dealt with it. It was successful. It is also a kind of programme used for prostitution as well, by the way. When you are a prostitute, you keep going to these different programmes and then at the end of it, you become a good member of society, contributing in a real way rather than that way. The same thing with drug use. This is what we should have, neither there does not seem to be any urge for that kind of rehabilitation; neither any urge for real treatment.

I have found that the current Commissioner of Prisons, the only one in my opinion who is interested in that in any way and as part of that, he has put in programmes, so we have actually caught some prison officers who are facilitating the trade within the prison and the maintenance of addiction in that prison. [*Desk thumping*] So it is a good thing if the State can work with that and all of the prisons—we have six prisons and I think soon to have seven—and actually have treatment programmes. Do not tell me because some of them come and go. Some of them might come and go, but in many other countries you have people who come and go, they do part of the programme in prison and they could do the rest out because some prisoners want it. A 19-year-old boy said to the Magistrate, "send me in prison so that I can get into a programme because I know if I am out there I will continue to use drugs." The magistrate could do nothing.

Crack cocaine when it is mixed with baking powder or whatever they mix it with for the benefit of those who may not know, they mix it; it is fairly cheap. They sell tiny bits in little pieces of foil paper, that is one of the ways you know someone is trafficking, you see 50 little pieces of foil paper and you know it is a trafficker.

So, Mr. Vice-President, that is my contribution in terms of what the Senator had to say. I intended to say a lot more, but when he spoke, the whole thing struck me again because I have been trying to make the point over the last three years at least, that something has to be done about drug addiction in this country. Drug trafficking is one thing, you can enable the police to deal with it; you can give them the resources; you can probably have those little boats that go out there by Cedros which we need by the way, the interdiction boats. You know that you put

the little ones and they arrest people, and by the way, it is not working there enough. You only have about three of them and in that area between the Godineau River and Venezuela—I know of some cases by the way, I have never been there—that is where you have a lot of trafficking, especially of marijuana, but it is very difficult to intercept these things—actually, the name of the boats are Interceptors—because you have so few of them and there is a problem with that, and a lot of trafficking goes on in Cedros.

Mr. Vice-President, in a case recently, I am reading a brief and one of the offenders is saying, "Do not worry about the Cedros police because they are on our payroll. Just let us lead you out this area when you come to pick up the drug." I am not saying that the Cedros police are; I am telling you what the evidence in an unnamed matter that I was looking at recently is. So you have that; you have the lack of patrolling; and you have the facilitating of the drug trafficking, everyone knows and I know too, coming from Colombia to Venezuela through Cedros, if you are not going over the air, that is the route to use.

So you have that, but the real pressing problem, in my view, is drug addiction in Trinidad and Tobago. If we continue as we are, in about 20 years, half of the population will be addicts and I am talking about drug addicts because there are other forms of addiction. So we need to deal with that right now. If this Motion can cause the Government that has the power, the Executive, to specify means, ways, in which they propose to deal with drug addiction and other matters connected in this country, it would have been worth it.

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

**Sen. Harry Persad Mungalsingh:** Mr. Vice-President, before I go into my contribution as to the aspects of this Motion, I would like to give a few thoughts of rebuttal to Sen. Padmore's contribution.

Sen. Padmore gives the impression that most of the violent crimes are drug related, this was pointed out by Sen. Seetahal, S.C. and this is far from the truth as I will show in my contribution. Secondly, performance targets are essential in all police administrations. In First World countries, targets are always set in every well-run administration. Sen. Padmore lives in a bubble where he believes his thoughts to be true. In the ascent and account of man, we have learnt that empiricism is as much a determinant of what is truth as Sen. Padmore's thoughts. In other words, empiricism will show that Sen. Padmore's thoughts are not aligned to truth.

Sen. Padmore gives the impression that the UNC does not want to solve crime. The UNC solved crime for six solid and consecutive years. [*Desk thumping*] All Sen. Padmore proved today in this Senate is that he is well-read on the international drug trade. Sen. Padmore will have the entire nation believe that it is irresponsible and that the only responsible party in the crime transaction is the Ministry of National Security. Sen. Padmore is a trained and reputable sociologist and should know better.

Mr. Vice-President, let me start my contribution to this very valuable Motion, it is not a pooh-pooh motion as Sen. Padmore would have us believe. In fact, it has depth; it is highly responsible most of all; and it is something that requires a presentation from the other side that would address what was written in simple God's English. All he had to do and all each one of us as Senators have to do as responsible citizens, responsible to the citizenry is to read this line by line, and I read it about 35 times. In fact, I went on further to consult previous Ministers of National Security who were successful, who were not so successful, et cetera. You go through this line by line, understand the English, not necessarily any high definition or HD of National Security and respond in a line by line manner. If you follow this pattern, Sir, before you die we will see some change in this God forbidden society.

We on this side support point one of this Motion. We too express our deep concern over Government's performance in its approach to and the methodology utilized in providing security for our society. Crime is causing much fear; cold-blooded execution style murders in 16 PNM controlled communities along the East-West Corridor, Central and South Trinidad; and kidnapping of primarily Indians in Central Trinidad are as much a reflection of a failed development policy in these communities as it is with a failed security management.

Crime is nothing more than deviant behaviour from what are accepted civilized norms or the general practices of a society and which hurt and harm a participant or participants of that society. People are afraid to go out at nights as restaurant owners will tell you. If you are a businessman, you must go home by 6.00 p.m., as I do, and you dare not make a stop in going home for a drink or something to eat. The first approach to dealing with crime is therefore, to understand the social structure of communities in which crime is perpetrated.

To do this, we need a comprehensive statistical analysis of the present prison population and that is where we start to search for truth in this aspect. We need a comprehensive statistical analysis of the current prison population and a four-week analysis of those in all the court docks right across the nation. This will tell

you the nation's bad business and who is doing what, when and where by race, religion, sex, age, education level, crime-producing communities, and family structure. You just have to get a picture of the existing prison population and a picture of a four-week process of the court docks throughout the nation in Trinidad and Tobago and they will tell you the entire nation's bad business of who is doing what and where.

Researchers must cry, beg, dance and sing for the smallest grant. Political allegiance is demanded. You must starve if you express independent and real-life views. Do not for a minute say that the PNM has cornered itself by its own meaning, ritual and practices and misguided understanding of the exercise of power; they will run you from town.

This study has not been done, certainly not from the court side as far as I know. As far as I know 83 per cent of the prison population come from specific communities which predicated the need for a strong and distinct—Sen. Padmore—national development plan accepted by the entire society for these specific 16 communities and you know what communities they are.

Such a plan must include the churches. A change in abortion laws; strong family planning services with cash incentives for voluntary sterilization re-education—

**Hon. Senator:** “Oh goood.”

**Sen. H. Mungalsingh:**—in reading, writing and arithmetic; nightly on-the-spot skill training, preferably in church buildings; [*Crosstalk*] exposure to drama, art and classical music; and counselling by leading private sector individuals telling their life stories. Only a new government will be able to lead these communities—

**Sen. Dumas:** Genocide—

**Sen. H. Mungalsingh:**—into their promised land and nirvana.

**Sen. Dumas:** Genocide—

**Sen. H. Mungalsingh:** So that is your first line of attack in dealing with crime, a sociological structure.

**Sen. Dumas:** Genocide on [*Inaudible*] UNC platform.

**Hon. Senator:** That is a [*Inaudible*] [*Crosstalk*]

**Sen. Dumas:** Genocide on [*Inaudible*] UNC platform.

**Sen. H. Mungalsingh:** Secondly, in order to attack crime, we must bring an end to the zero-sum games that politicians play with Indians and Africans, this has at its genesis our weak electoral and governance model. Murders and kidnappings make the news; what do not make the news are the other types of crime that



reflect our society in its fullest, one that is small-minded, nasty, deeply divided and race built. As the prison population reflects, even crime is race built. If criminals do not kill you; if politicians do not kill you; the society itself will kill you as our model of governance corners Indians and Africans in zero-sum games for land, opportunity, economic space, financial access and education. If only I can have the opportunity to demonstrate this to the framers of a new Constitution using the probabilities of fairness, what is a strong and what is a weak model and a modern concept of power not rooted in organizational structures, then perhaps I might be able to change the hearts and minds of political elites. This is the second step to fighting crime, developing a modern societal model for the sharing of economic space, land, opportunity, access to finance and education. Such a model must as a precursor have a modern model of governance.

Let us now look at the police service, the Ministry of National Security and the third step to fighting crime. The current Minister of National Security has a merited distinction of being voted the worst performing Minister by a weekly newspaper three years in a row. If memory serves me right, it is called "Toti Awards". If one ministry can cause an entire party to lose an election, it will be the Ministry of National Security; no amount of propaganda can change that.

The police are servants of the State and must reflect state management. Brigadier Joe Theodore ran a most successful ministry; he was an expert. Three commissioners served under him, one Indian and two Africans, the problem is therefore not the police commissioner nor his or her race. Why then is there a lack of performance by the police force? These are the same people who performed under Brigadier Joe Theodore. Despite the fact that the Government has expended vast sums of money, the performance has actually dropped.

**Sen. Yuille-Williams:** Sorry, Mr. Vice-President, he is moving as we are coming close to tea, but there are two comments that you made earlier on the way you were reading. I am really interested in them, especially as we are doing the gender policy. Did I hear you say something in terms, if you can read that part that dealt with abortion and I think sterilization—[*Interruption*]

**Sen. Dr. Gopeesingh:** Stay away from that.

**Sen. Yuille-Williams:**—somewhere in your—it is something that you read there on abortion and sterilization. Could you just read that part for me?

**Sen. Jeremie S.C.:** It is in the *Hansard*, abortion and sterilization.

**Sen. H. Mungalsingh:** Mr. Vice-President, I will get back to that. Yes, I will get back to that, but I note your comments and I will try and respond to them.

**Mr. Vice-President:** Senator, if you cannot give your comment right away, I will have to ask you to comment on another occasion. We are going to take the tea break.

**Sen. Yuille-Williams:** Mr. Vice-President, before you adjourn for tea, I would like to adjourn this sitting with your permission to Tuesday, March 06, 2007.

**Sen. Mark:** [*Inaudible*] Maybe the hon. Minister is not aware, but Sen. Dr. Lenny Saith did have a conversation with the Leader of the Independent Bench and myself and we agreed that we would go up to 5.30 p.m. and then we will go into the various Motions, and that is the agreement. But I see the hon. Minister is moving for an adjournment at 4.30 p.m., the agreement is that we will adjourn at 5.30 p.m. and then we will get into Motions.

**Sen. Dr. Mc Kenzie:** Yes, Mr. Vice-President, if I may? Honestly, we have no objection if you want to take the adjournment and I am sure when I explain to my dear colleague he will understand. We will take the adjournment, but we have two motions on the adjournments, which when we come back from tea, will take two hours. We have motions on the adjournment, so we are really not going home now if you understand me. I just wanted to explain.

**Hon. Senator:** Concerning the present debate.

**Sen. Mark:** May I, Mr. Vice-President? I believe that my colleague only has about another five to ten minutes to go, so rather than him coming back next month, I would like to ask the hon. Minister, and through you, Sir, for him to complete winding up his contribution after tea or now. [*Crosstalk*]

**Mr. Vice-President:** Ten minutes.

**Sen. Mark:** Next time?

#### ADJOURNMENT

**The Minister of Community Development, Culture and Gender Affairs (Sen. The Hon. Joan Yuille-Williams):** Mr. Vice-President, I move the adjournment of the Senate to Tuesday, March 06, 2007 at 1.30 p.m. At that time I would like to ask permission of the Senate to do three special Bills that will come in a package which will deal with security. As you are well aware, the World Cup is upon us, and just a few days ago we got model legislation for three Bills and all the Caricom countries at this time are trying to put those Bills in place and you know we have to make them compatible with domestic legislation.

*Adjournment*

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We are hoping to have them ready for the Lower House and if we get them passed in the Lower House, we will do them on Tuesday. Let me just tell you what they are and ask for your co-operation because they are very important to us especially with the movement of armed forces and visiting police, we need to give them cover. We have the Security Assistance Bill, the Visiting Forces Bill, and the Visiting Police Forces Bill. The Visiting Police Forces Bill is entirely new legislation to us, so that has taken a little time. It was just a few days ago when we all got the model legislation. If it is not passed in the other place by Tuesday, then we will go on to complete the debate on the Bill, an Act to provide for the establishment and management of the Heritage and Stabilisation Fund and for matters related thereto.

In that case, Mr. Vice-President, it will mean that we will have to come back another day next week because this legislation should be passed at least now, it should be done. So if we are not finished with it on Tuesday, we will have to ask for a second sitting next week to complete it and I do ask for the co-operation of the Senate because this is very, very important to all of us here in the Caribbean.

**Sen. Mark:** Mr. Vice-President, may I ask my hon. colleague whether she can make those three Bills available soonest, so that we can have an opportunity to look at them prior.

**Sen. Yuille-Williams:** As soon as we have them we will do it because we need your co-operation to ensure that we have good legislation in that case. For us in some cases, it is the first time we are having that legislation so we need the co-operation of everyone. As soon as they are ready, we will have them sent to you.

Thank you.

**Mr. Vice-President:** Hon. Members, leave has been granted for two matters to be raised on the motion for the adjournment, so that when we come back after the tea break we are going to be doing those two Motions. We shall take the tea break now and come back at 5.05 p.m.

**Sen. Mark:** Mr. Vice-President, before we take the break, may I? Sen. Dr. Tim Gopeesingh had a motion that has been approved by the President about three weeks ago. What is the name of the Motion?

**Sen. Dr. Gopeesingh:** The one last week was on the need for dialogue and discussion on the construction of the Performing Arts Centre.

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**Sen. Mark:** The Performing Arts Centre. It was approved, Mr. Vice-President, and he was expected—he had three weeks to go I understand. [*Crosstalk*]

**Mr. Vice-President:** I remember approving that.

**Sen. Mark:** Two weeks ago?

**Sen. Dr. Gopeesingh:** A week ago.

**Sen. Mark:** A week. So what I am asking, Mr. Vice-President—

**Mr. Vice-President:** [*Inaudible*] approved it two weeks ago.

**Sen. Mark:** Oh, it was you a week ago?

**Mr. Vice-President:** One week ago.

**Sen. Mark:** Okay, Sir, but it was approved? But what I want to ask is that I have four, I am taking two with the approval of your good self and I would like to ask the hon. Minister Joan Yuille-Williams if she would have any objection to Sen. Dr. Tim Gopeesingh raising the question of the Performing Arts Centres?

**Sen. Yuille-Williams:** When?

**Sen. Mark:** Today.

**Sen. Yuille-Williams:** I want to tell you that I am unaware, only just now I saw that one, so I have not even worked on it at all. So I am sorry about that. I will be willing to do it but probably the next time. I have not seen it really to work on it.

**Mr. Vice-President:** Hon. Members, we shall now take the tea break and come back at 5.05 p.m. The Senate will now be suspended for tea.

**4.35 p.m.:** *Sitting suspended.*

**5.05 p.m.:** *Sitting resumed.*

**Mr. Vice-President:** As I indicated just before the tea break, leave has been granted for two matters to be raised on the Motion for the Adjournment.

### **Community-based Environmental Protection and Enhancement Programme (Proper Procedures and Systems)**

**Sen. Wade Mark:** Mr. Vice-President, my first Motion deals with the need for the hon. Minister of Public Utilities and the Environment to put into effect proper procedures and systems to ensure proper financial accountability and transparency in respect of the Community-based Environmental Protection and Enhancement Programme (CEPEP).

A report on this particular programme was prepared and circulated in the Parliament by the Auditor General of Trinidad and Tobago. A review of the Auditor General's report for the period May 2002 to September 2004 revealed a scandal of immense proportions that has bled this country of hundreds of millions of dollars and which includes senior management officials belonging to the CEPEP programme attached to the Ministry of Public Utilities and the Environment and the Solid Waste Management Company Limited (SWMCOL), among others.

From the inception of this programme, the Opposition UNC condemned its operations and management as being corrupt and designed to enrich a few friends and families of the PNM. We have objected to the bias in the allocation of the CEPEP gangs by region and to the quality and quantity of the actual work being done, but it took the Auditor General's report to confirm our fears. The report points to the serious problems of financial mismanagement, non-existence of control mechanisms, performance standards, appraisal and audit procedures and the absence of the machinery for properly and effectively targeting communities for project identification and implementation.

The Auditor General in her submission looked at the role and responsibilities of this particular programme; the selection of contractors for the programme; the financial management of the programme and the monitoring and reporting of this particular programme. The Auditor General found that in these organizations, that is, CEPEP and SWMCOL, the Ministry of Public Utilities and the Environment and the Ministry of Finance failed in virtually every criterion.

In those areas where they did not completely fail, the efforts at ensuring proper accountability were very inadequate and, at most times, weak. The audit found that none of the checks and balances listed in the Auditor General's audit criteria could be found in CEPEP, SWMCOL or the Ministry of Public Utilities and the Environment. It is our view that this programme was doomed from the start to suffer from the myriad of problems which have emerged. The absence of accountability and transparency was either a sloppy oversight or a deliberate plot to specifically reward certain supporters of the ruling party, whilst trying to cover up corruption which was taking place.

In initiating the programme, the Ministry of Public Utilities and the Environment was assigned the role of implementing agency with SWMCOL being the executing arm of the project. The response of the Ministry to the contents of the draft report was contained in the final report. The Ministry implicitly agreed with the report and by way of explaining its role in this particular debacle argues that it simply did not have the manpower to manage this programme. I quote from section 2.4 to 2.8 of the Auditor General's report:

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"...In addition to the limitations of its physical surroundings, which hindered its work, the Ministry of Public Utilities and the Environment was also challenged by inadequate staff...

Therefore, while having a wide mandate, Divisions and Units of the Ministry...were under-resourced...

The Ministry therefore found itself with many of its Divisions and Units being manned by one person."

In some cases there was no staff whatsoever. The Ministry was unable, from the start, to monitor or otherwise implement the mandate from Cabinet to introduce this programme. Yet neither the Minister nor anyone else made any effort to do anything about it; CEPEP was commenced, knowing that it would have allowed mismanagement and misuse of public funds.

If you look again at the administrative structure for the management of the programme, the Ministry said:

"...At the time of the implementation of the CEPEP, and for three years thereafter, the Environmental Policy and Planning Division of the Ministry remained grossly understaffed, and experienced a high staff turnover rate...

In the absence of the necessary staff and facilities, the Ministry of Public Utilities and the Environment did not have the capacity to manage CEPEP, and therein lay the root cause for the shortcomings..."

in this particular Ministry. The national community, however, four and a half years after this programme has started and after expending several hundreds of millions of dollars, is now being told what took place by the Auditor General. Even the Ministry of Finance that had an oversight role in terms of securing funds for the programme, fell down on the job.

The Auditor General quoted in her report that the Ministry of Finance did not have oversight responsibility for the utilization of the loan facility. What this meant was that no one was actually monitoring the financial operations of this programme during the period when \$379 million was spent. This is a national scandal. Someone or some persons must be held accountable and must be penalized. [*Desk thumping*]

We know the Minister of Public Utilities and the Environment to be a very amiable person, but this happened under her watch. The incompetence and apparent corruption which occurred was as a result of the absence of staff to

manage the programme, failure to identify this shortcoming, failure to take actions to either bring this to the attention of the Cabinet, failure to take action to resolve this short-staffing and failure to stop the programme implementation under the Ministry until adequate resources could have been put in place.

The Minister must bring those directly responsible for this debacle to justice. The promises to address the matter now can be taken seriously. The Auditor General listed quite clearly some of the basic procedures, mechanisms and guidelines which should have been in place prior to the implementation.

Page 23 of the report is captioned "Financing". It reveals that the sum of \$6 million was released to the Solid Waste Management Company Limited (SWMCOL) from the Ministry under the heading "Current Transfers and Subsidies - Solid Waste Management Company Limited".

"The explanation stated in the 2003 Details of Estimates of Recurrent Expenditure was that provisions under this item...were for the management of landfill sites..."

by this particular company. So the Parliament and the nation were told that this fund, \$6 million, was to do one thing and it turned out doing something else.

"According to an Executive File Note signed by the Executive Chairman and dated 2002 June 28, it was seen that the \$6,000,000.00 released was to be used as seed funding..."

for the programme.

"Evidence was seen..."

by the Auditor General:

"that \$6,000,000.00 was deposited on 2002 July 09 into a current account at a commercial bank in which the CEPEP transactions were processed."

Mr. Vice-President, it is our view that for CEPEP, which utilizes public funds, the Minister must bear responsibility for its accountability and transparency.

The selection of contractors was coordinated by a consultant. We do not know the name of this consultant who was himself hired by the sole selective tendering process. In other words, he was selected by the management of SWMCOL.

I am very disappointed in our Minister. I believe that our minister should have disassociated herself completely from that particular programme. It was very unfortunate that she had to boast in the newspapers and the Parliament that it was a public secret that her father—*[Interruption]* well, it was a big secret. I found it to be most unfortunate. *[Crosstalk]* Therefore, at this time, because of the

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misappropriation and unaccountability of funds, we demand that those wrongdoers who have committed an act of misconduct in public office be dealt with. We call on the hon. Minister to launch a forensic enquiry into the operations of this programme. We believe that the Minister must take full responsibility for this scandal and should tender her resignation, if she is committed to accountability, transparency and responsibility.

We call on this hon. Minister to do what we consider to be the honourable thing by tendering her resignation and taking steps to get rid of the corrupt elements who are in charge of this programme, particularly the Executive Chairman. I would like the hon. Minister to take action: a forensic enquiry; tender her resignation and take action against the Executive Chairman of SWMCOL.

I thank you, Mr. Vice-President.

**The Minister of Public Utilities and the Environment (Hon. Penelope Beckles):** Mr. Vice-President, I was trying to get in what order, whether it should be the resignation and then the request for the forensic audit. [*Crosstalk*]

**Sen. Mark:** You will be my friend still, even though you resign. [*Laughter*]

**Hon. P. Beckles:** In relation to the matters raised by Sen. Mark, first of all, this programme was set up in May 2002; Cabinet took a decision to establish this Community-based Environmental Protection and Enhancement Programme. Also included in that Cabinet decision was that the Ministry of Public Utilities and the Environment would be the implementation agency and SWMCOL would have the responsibility for executing.

The Government's decision to establish this programme was taken after careful consideration of the prevailing environmental and socio-economic conditions obtaining in several communities at that time. I am sure that a number of us here would remember what Trinidad and Tobago looked like prior to the coming into operation of CEPEP and, that is, in many instances and in many communities, the dumping of solid waste along roadways and open spaces and the number of dead dogs on the road.

I have said it many times in this Parliament. As a matter of fact, I recall last year that Sen. Mark actually filed a motion on the adjournment about CEPEP and it was in March 2003 that I disclosed I had requested an audit. Not that the question was asked, but I indicated that we had commissioned an audit. You would realize that it was a special audit done by the Auditor General, which was requested by the Government of Trinidad and Tobago.



In May 2003, a standard policy and operating procedures document which outlined, among other things, the objectives of the programme and its management policy were identified as empowerment of communities, to improve the conditions of the local environment, expansion of employment opportunities for the benefit of semi-skilled and unskilled citizens within their communities and, of course, the creation of opportunities for the development of small businesses.

To achieve these objectives, persons employed in CEPEP participated in the following activities: collecting, sorting and removing garbage from public roadways which are inaccessible to the waste handling systems; conducting ongoing clean up of coastal areas by collecting, sorting and removing shoreline garbage; beautification of existing dump spots; developing recycling centres for dumping recyclable materials; collecting, sorting and removing solid waste from water courses, including ravines, drains and canals; developing a yard waste composting facility and undertaking corrective environmental action based on feedback and findings from community-based assessment.

Mr. Vice-President, the first phase of CEPEP was from the period May 2002 to January 2003. During that period, some 110 small and medium sized contractors throughout Trinidad and Tobago have laboured to beautify Trinidad and Tobago. Therefore, we would have seen the establishing of these contracting firms and the creation of over 5,000 jobs for semi and unskilled persons who, by virtue in some instances, of educational attainment, were previously outside of the productive sector of the economy. Recognizing the positive impact that CEPEP was having on our economy and the environment, we took a decision in April 2003 to continue the programme with specific guidelines for prudent management of state funds.

The Cabinet approved it in April 2003 and certain directives were given to SWMCOL as it related to the programme: that it develop a comprehensive operational plan; that it commit to reducing overhead and labour costs on the programme; that it submit monthly financial statements on the programme to the Ministry; and that it submit monthly management reports. All those guidelines were specified in the Cabinet Note.

I assure this honourable Senate, therefore, that given the decision to continue CEPEP, the necessary administrative structure, systems, policies and procedures were put in place with the effective implementation and management of the programme pursuant to the Cabinet Note. For example, a project unit pursuant to the Cabinet Note was set up and that unit had special responsibilities for the provision of appropriate, timely and reliable information; the development of a

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CEPEP business plan; the development and implementation of an effective monitoring and assessment system and the implementation of a performance management system. Further, the organizational structure of the CEPEP Project Unit included the Executive Chairman as the head, a programme manager, who was responsible for six project officers and one administrative officer; three project officers were responsible for field operations and one each for finance, business support and corporate communications.

As another example with respect to the selection of the contractors, which is deemed to be an integral part of the proper management of the programme, the CEPEP standard policy and operating procedures lay out the following process: Advertisement in the newspapers; review and selection of suitable applicants; interview of the applicants; assessment of the most suitable candidates and a recommended shortlist and a further review exercise for the first assessment and preparation of a final listing for approval. The final listings sought to assign contractors on the basis of areas having high levels of employment; significant environmental issues and significant dengue and other health related issues.

I know that on the last occasion when Sen. Mark raised the issue, I did indicate my concerns that the programme was not national in scope. I also indicated to him that one of the reasons I did not want, at that point in time, to expand the programme was, of course, the fact that we were revisiting the programme and I admitted and acknowledged that there were certain concerns.

As it relates to contractors' financial matters, each contractor was required to establish two accounts: a wages and an operations account. I am aware that Sen. Dumas, the Minister of Local Government as well as Sen. Joseph, the Minister of National Security, extensively dealt with the whole issue of the finances, because the impression was given some time earlier that the contractors became millionaires. The matter has been cleared up, that in terms of the accounting procedure, all moneys in relation to payments of both the operation of the programme as well as the payments of wages and salaries and all statutory deductions for workers, go into the contractor's account and there are certain guidelines and procedures to ensure that those moneys are properly managed and disposed of.

Mr. Vice-President, do I have five more minutes?

**Mr. Vice-President:** Six more minutes.

**Hon. P. Beckles:** Some of the other responsibilities in terms of monitoring—the Solid Waste Management Company Limited was responsible for providing accounting support for training, uniform and equipment and the contractors were

required to submit reports on a regular basis. As it relates to the Ministry's response, when I assumed responsibility for the Ministry in 2003, several requests were made to the Director of Personnel Administration (DPA) to fill the Environmental Unit. Having realized after about three years no persons were sent by the DPA, I approached Cabinet for the purpose of having contract officers, at least until the DPA sent persons. Since that time we have had officers on the programme and the DPA has also been sending persons to the Ministry.

I would like to say something in terms of the number of things that the Ministry has done as it relates to this programme since that time. As Sen. Mark said, this was the period 2002 to 2004. As early as December 2003, when I became the Minister, together with my colleagues Minister Enill and Sen. Sahadeo, we have had meetings with the board of SWMCOL. Several persons in the Ministry of Finance have met with SWMCOL in terms of certain guidance to be given. I myself, as Minister, held at least two consultations with the CEPEP contractors to restate the Government's vision and to ensure that the participants were able to share with the Ministry, as we looked at revisiting the programme, some of their concerns. We were able to get proper feedback as we looked at ensuring that the programme was national in scope and as we dealt with some of the concerns raised, not just by the Auditor General's report, but by some other persons who have raised matters in the system.

I am sure that in looking at the auditor's report that Sen. Mark would have seen that the auditor listed the number of directives given as Minister, either by letter form or by meetings both with the Ministry of Finance as well as the Ministry of Public Utilities and the Environment. That is actually specified in terms of the issues of statements of expenditure and the auditor's report. As a matter of fact, I know that there was also a separate question filed at another time by Sen. Mark as it related to the whole issue of audit reports and that was well dealt with.

Mr. Vice-President, in 2005 before the actual issuance of the auditor's report, I took a note to Cabinet for the purposes of setting up a Business Services Unit in the Ministry. That unit has now the special monitoring function of the Ministry. That would allow us, of course, to deal with some of the concerns that have been raised in the auditor's report that was filed in December 2005, but that unit was approved before. That unit is going to be staffed with personnel. Already there is a head of that unit and, therefore, we have actually taken care of a number of the concerns by having that unit set up.

*CEPEP (Procedures and Systems)*  
[HON. P. BECKLES]

*Tuesday, February 27, 2007*

That unit would, therefore, shoulder some of the responsibilities in terms of the reorganization of CEPEP. The issues relating to the establishment of guidelines for the management of the programme, which includes selection for the modus operandi of contractors; the establishment of the mechanisms for the collaboration between the Ministry of Finance and the Ministry of Public Utilities and the Environment; oversee the utilization of funds; the establishment of reporting mechanisms; translation of the objectives of CEPEP into measurable targets; and the establishment of a system for monitoring and reporting on CEPEP.

Finally, I indicated in my budget contribution in October 2005 that Cabinet had agreed to separate SWMCOL from CEPEP; that would then allow specifically for a focus of ensuring that measures and practices are put in place for the purposes of specially dedicating a limited liability company exclusively to manage CEPEP. The other thing, of course, was to ensure that the Solid Waste Management Company Limited dealt specifically with some of the other issues in relation to the environment. As you know, less than 30 per cent of the country is still sewered and as we continue to express some concerns about the environment, we feel that SWMCOL should continue to focus on its mandate. So with the Business Services Unit and with a special focus on CEPEP, I am of the view that we have already put things in place, even before the coming into being of the Auditor General's report, to treat with a number of concerns raised.

It is very important that while Sen. Mark referred to issues of corruption and so on, nowhere in the auditor's report is any statement made about any corruption taking place in CEPEP. You have not heard at any point in time, as Minister, me indicating or in any way criticizing the auditor's report. The fact is that we asked for the report. The report is going to guide us. It has given quite a number of recommendations; some are already in place. We feel that we are going to be in a much better position to have the programme managed in a way that some of the concerns genuinely raised, we could treat with them.

Sen. Mark spoke about the Ministry of Finance neglecting its responsibility. The Ministry of Finance also commissioned an audit last year by the Central Audit Department. We have also received some information there, based on the reviewing of contracts and other things, and that request was, again, done by the Ministry of Finance. The management letter was issued as it related to that and the management has been given an opportunity to respond.

Just one last thing, Mr. Vice-President. Sen. Mark spoke to the fact that I boasted about a public secret. I am not sure what the definition of a public secret is. I have never heard that terminology as it relates to my father and a contract. I

listed in another place that there have been no less than 20 questions filed on CEPEP, as it related to the list of contractors, the amount of money received and its operation. It has also been filed in this House and that information has been provided extensively.

What I said was that it was public knowledge that before I became the Minister, a contract was awarded to Lionel Beckles, my father, through the process of advertisement and application. I have not in any way made a secret about that.

Mr. Vice-President, as I close, I assure the public, this honourable Senate and my colleagues, that with respect to the recommendations and concerns raised in the auditor's report, the Ministry is taking them very seriously. A number of those recommendations have already been dealt with and have already been put in place to ensure the proper management and functioning of CEPEP.

Thank you.

### **Maritime Waters of Trinidad and Tobago**

**Sen. Wade Mark:** Mr. Vice-President, on February 13, 2007, the President of the Senate through the Clerk approved this matter to be raised on a motion for the adjournment. I received it on February 14, Sir. Today is February 27. This matter deals with the failure of the Attorney General to take the necessary steps to ensure that the government of Barbados desist from oil exploration and associated activities in the maritime waters of the Republic of Trinidad and Tobago. *[Interruption]* *[Sen. Dr. Saith rises]*

**The Minister of Public Administration and Information and Minister of Energy and Energy Industries (Sen. The Hon. Dr. Lenny Saith):** Mr. Vice-President, when I came into the Chamber today, I found out that there were seven matters listed for the motion on the adjournment. The first was CEPEP by letter dated January 17; the second was SWMCOL by letter dated January 23; the third was the Alutrint smelter, January 24; the fourth was Barbados.

I did indicate to the Attorney General that Sen. Mark had requested that we skip two and three and go to four. The AG advised me at the time that he was not yet ready to deal with it. The Minister of Public Utilities and the Environment is here and she is to reply to two and three. I am prepared to do two and three right now, but we cannot do four. *[Crosstalk]* *[Interruption]*

**Motor Vehicle Tyres  
(Disposal of)**

**Sen. Wade Mark:** Mr. Vice-President, this particular matter deals with the failure on the part of the hon. Minister of Public Utilities and the Environment and the Solid Waste Management Company Limited (SWMCOL) to establish appropriate systems and mechanisms to regulate the disposal of motor vehicle tyres and the danger this poses to the environment.

We have witnessed throughout our country an absence of any mechanism or system to address the disposal of tyres, whether it be vehicle tyres or let us say large dump trucks. The issue is that when tyres are disposed of and you have to replace them, there appears to be no system, no mechanisms available in our country to deal with the disposal of those tyres.

It has been brought to my attention that even in one of the divisions in the Ministry of Works and Transport, there are hundreds of tyres that have been piled up and wherever you go in a garage, as the case may be, these tyres are being dumped. In fact, persons go on other people's private property and dispose of these tyres when they cannot find an outlet. I raise this issue as a matter of public interest, because the environment is very sacred and if we do not preserve it then the country will suffer and future generations will inherit a very ugly kind of landscape.

I appeal to the hon. Minister, because I am certain that we can find some kind of purposeful use to have these tyres recycled or have leather made out of them. There must be some creative way that we can put our imagination to in order to get these tyres recycled in a productive manner. You cannot have these tyres just all over the place, being dumped. We are in the year 2007 and you know the kinds of dangers that these things can pose. They can store water and you would have mosquito larvae being formed; you would have dengue. It is very dangerous, whether in Tobago, Sir, or in Trinidad.

It occurred to me that there is need to bring this matter to the attention of the Government through the Minister of Public Utilities and the Environment to see what plans or programmes the State has to address this particular problem that confronts our nation.

I cannot tell you how many tyres are in the environment just gathering all kinds of dust and posing an environmental hazard to the population. I am certain that there are tens of thousands of tyres littered all over the landscape of our country, in Tobago and in Trinidad. There is no systematic arrangement for the disposal or recycling of these particular tyres.

I wish to be advised by the hon. Minister on the following: one, whether she is aware of this environmental hazard to our national landscape; whether the Minister has any plans, policies, mechanisms or systems to put to some productive and purposeful use this waste in the form of tyres that are thrown all over the place. I am sure that SWMCOL which is supposed to deal with the environment, to some extent, and waste disposal, could be given the mandate to either establish a partnership with some local private sector organization or you could bring some foreign private sector firm to have a partnership with SWMCOL and through that the Government, to establish some kind of recycling plant in this country that can meaningfully employ citizens of this country, that could even take maybe CEPEP workers off the particular drudgery that they have to be faced with on a daily basis and put them to more productive and purposeful employment.

It is my hope that the hon. Minister will give this country some kind of commitment this afternoon that there is a plan or programme in place; that she has taken steps to deal with this question, because the consequences could be very horrific in the future, if we do not take steps to address this particular matter now. I await the Minister's response on the question of the waste in the environment that is causing a lot of hazards to our citizens. We hope that she would be able to give us some positive responses as to the way forward dealing with this particular question of the waste of tyres.

I thank you.

**The Minister of Public Utilities and the Environment (Hon. Penelope Beckles):** Mr. Vice-President, I thank the hon. Senator for raising this Motion. Let me indicate that I share the concerns raised by him in relation to this matter. I will give some data, because it is a matter that I have been addressing.

The Solid Waste Management Company Limited has indicated that between the period 1999 to 2003, some 1,222,504 tyres were imported into Trinidad and Tobago. Tyres are currently disposed of at the landfill and recent consumption patterns have grown to the extent where disposal of tyres far outstrip the space that once was available at the landfill. I think you are aware that I also took a note to Cabinet and got approval for the closure of the Beetham and other landfills where possible. The point is, as you have said rightly, you have some disposal in the landfill and you have disposals almost anywhere in the country. It is a very serious problem and has been posing some serious health threats to the country.

*Motor Vehicle Tyres*  
[HON. P. BECKLES]

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As a matter of fact, I think it was just yesterday that we would have heard that a house was burned because of the setting ablaze of fires somewhere in the Laventille area. There have been several meetings taking place between the Ministry of Public Utilities and the Environment, Bureau of Standards and the Ministry of Trade and Industry. Last year I had several meetings with the Manufacturers' Association and several persons from the private sector who made recommendations as it relates to this matter.

I want you to know that it is receiving urgent attention. Of course, there are a number of recommendations as it relates to that. You do have the Ministry of Agriculture, Land and Marine Resources that is also responsible for inspecting tyres that come in for agricultural purposes, because you have concerns for those tyres. You have the Bureau of Standards that is actually responsible when the tyres come into the country. You do have a number of other agencies: Ministry of Agriculture, Land and Marine Resources, the Ministry of Works and Transport and the Ministry of Public Utilities and the Environment. You also have the Ministry of Trade and Industry that is, of course, responsible for the tax issue. I have brought all the relevant players together with members of the private sector who have made recommendations. I just want to assure you that we are pretty close to resolving the matter.

We have a number of options. We have the issue where used tyres could be used as fuel and that is one option taking place in the United Kingdom, Canada, the United States, Australia, Sweden, Switzerland, Belgium, Holland and Japan. Some of these countries have extremely high environmental standards and stringent legislative provisions. Studies have shown that substituting up to 20 per cent of a cement kiln fuel requirements for tyres can be managed with no production of pollution problems. Of course, we have now dealt with the water pollution rules; the draft air pollution rules are before Cabinet for consideration.

The energy recovered from used tyres in the United Kingdom is approximately 27 per cent and in Finland, Germany, Australia and Sweden it is about 50 to 80 per cent. The United Kingdom Environment Agency has highlighted that the cement kilns are suited to burning whole or used tyres due to high temperatures, long residence times, oxidizing atmosphere, high thermal inertia, alkaline environment, no ash residue and continuous fill requirement. This ensures that there is complete destruction of the rubber and cotton content of the tyre, no smoke or odor, overall reduction in emission and the metal is incorporated into the cement clinker.



The Ministry of Public Utilities and the Environment has determined that the use of waste tyres as fuel source in a cement kiln has some merit in Trinidad and Tobago. As a matter of fact, the Trinidad Cement Limited has also submitted a proposal that it can be used as fuel. There are others who have submitted proposals.

I heard Sen. Dr. Gopeesingh talk about using it as rubber. There are several countries now using tyres as running tracks. I think Sen. Boldon might be able to give us some data on that. The production of rubberized asphalt concrete of course is another option for waste tyres. The leader in the use of this technology is the California Department of Transportation. The department has demonstrated that the use of tyres in a rubberized asphalt concrete can produce significant cost savings and divergent potential for local paving and road maintenance. While the cost of savings will vary based on the paving project, the California Department of Transport has estimated a cost savings of some US \$22,852 per mile for simple asphalt overlay and savings of some US \$170,706 per mile.

The use of rubberized asphalt provides a benefit that includes longer lasting surface resistance to rotting and cracking and road noise, less build up of road surface, reduced cost of project and ongoing maintenance. Of course, given the roads infrastructure improvement, that is also an option. Then you have the moulded rubber products where tyres of crumb rubber can be used in a number of moulded rubber products such as barriers, industrial flooring, shoe soles, carpet, et cetera.

The use of shredded tyres in civil engineering applications is another major potential use for waste tyres in Trinidad and Tobago. Used tyres have been used as an accepted beneficial application in land filling engineering, coastal defence harbour, overpasses, retaining wall fill, roadway base fill and bridges. I have actually seen it used in the Arima River where they used the tyres for retaining walls.

I would like to let Sen. Mark know that I share his concerns. As a matter of fact, there is a note that is already before Cabinet brought by the Ministry of Trade and Industry jointly with the Ministry of Public Utilities and the Environment that actually looks at working out the disposal fee. We know that the Bureau of Standards is actually the only entity that is receiving the funds as tyres land in the country. There are two issues; one is the tyres coming into the country and the other is the tyres already existing. So there is already a thought-out procedure and we are looking, of course, at utilizing how we collect the tax in terms of utilizing the Green Fund. There is a mechanism that has already been worked out and shortly I would be making an announcement.

I thank you for your Motion. [*Interruption*]

**Adjournment Motion  
(Failure to bring)**

**Sen. Dr. Tim Gopeesingh:** Mr. Vice-President, we were made to understand that for submission of a matter on the adjournment we have to submit it by lunch time on a Wednesday so as to allow five clear days for the Minister to whom the matter has been raised to put his thoughts together to formulate a response.

I am extremely disappointed today that something that we on this side consider to be important has not been brought to the attention of the relevant Minister. The relevant Minister indicated that it was only today she was shown a copy of the Motion. So we are wondering where the slip-up was and where the pitfalls were in the system whereby Parliament is supposed to be operating effectively and efficiently. It is not acceptable. When a motion on the adjournment is put forward, the relevant Minister should be able to answer to debate the Motion. I want to register my disappointment with the fact that it was treated with flippancy. The Motion related to the National Arts and Performing Centres in North and South Trinidad. *[Interruption]* *[Crosstalk]*

**Mr. Vice-President:** Sen. Dr. Gopeesingh, the language you used was not acceptable. *[Interruption]* Sen. Dr. Gopeesingh—I remember saying that the matter came before me a week ago. It came on Friday last. *[Interruption]* Sen. Dr. Gopeesingh; Sen. Dr. Gopeesingh!

**Sen. Dr. T. Gopeesingh:** When you sit, I will speak.

**Mr. Vice-President:** The matter was approved last Friday. The Leader of Government Business indicated that we were doing two matters on the motion for the adjournment; two matters have been done. Therefore, it is left to me now to go on with the adjournment. I will allow you to make your point. *[Crosstalk]*

**Sen. Dr. T. Gopeesingh:** Mr. Vice-President, if you said that you received the correspondence on Friday; you got the approval on Friday, well what is the reason for us having to ensure that it reaches Parliament before Wednesday lunch time? Is there not a time frame that is on the Standing Orders which indicates that if we are to file a matter on the adjournment it is supposed to reach before a particular time to allow five days to elapse so that we can discuss it the following Tuesday? I am just asking if it was brought to you late, it was sent by Wednesday lunch time. It is something we have to look into. I am just saying that I am unhappy about it.

**Mr. Vice-President:** Sen. Dr. Gopeesingh, please. It is up to the Leader of Government Business as to how many matters get done on the motion for the adjournment. That is one thing. Nothing says that all the matters that persons need

*Adjournment Motion (Failure to bring)*

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to raise on the motion for the adjournment would qualify. There is nothing which says that the Leader of Government Business must take them all. He indicated which ones he decided to take and we took them. [*Crosstalk*] [*Interruption*]

Sen. Dr. Gopeesingh, please. [*Crosstalk*] [*Interruption*]

**Sen. Mark:** Mr. Vice-President, I think Sen. Mungalsingh just asked your permission to make a one-minute remark or two.

**Mr. Vice-President:** What is this about? [*Crosstalk*] Let me hear what you are talking about, please.

**Sen. Mungalsingh:** Mr. Vice-President, I sent you a note indicating that I wanted to clarify a certain statement or to make expression—[*Interruption*]

**Mr. Vice-President:** This seems to be becoming a habit. Let me tell you all; every single person. Whenever I say two minutes, persons begin to make speeches and they always seem to be finishing; so somebody goes over time by three, four minutes, always. It happens all the time. I know that we have skill and we also know that the cameras are on us. We have to be careful. Every single time we have something to do, the procedure is interfered with because somebody has just one more; just one more.

No more. [*Crosstalk*]

*Question put and agreed to.*

*Senate adjourned accordingly.*

*Adjourned at 6.03 p.m.*

**WRITTEN ANSWER TO QUESTION**

*The following question was asked by Sen. Dr. Tim Gopeesingh:*

**Coronary Angiography Unit  
Award of Contract  
(Details of)**

Would the hon. Minister of Health provide the following information in respect of the contract awarded by the Ministry of Health for the purchase and supply of equipment in respect of the establishment of the new Coronary Angiography Unit at the Eric Williams Medical Sciences Complex:

- (i) The names of the Directors of that company;
- (ii) The number and names of the companies which submitted all bids;
- (iii) The value of each bid submitted;
- (iv) The value of the successful bidder's tender; and
- (iv) The names of the members of the Specification Committee and the Evaluation Committee involved in the award of this contract?

*The following reply was circulated to Members of the Senate:*

**The Minister of Health (Hon. John Rahael):** The tender called the "Request for Proposal for the Supply/Installation, Commissioning and Maintenance of Angiography Systems for the Eric Williams Medical Sciences Complex" was initiated under the North West Regional Health Authority in July 2004 and the contract was awarded to Siemens Medical Solutions, Henkestrasse, Erlangen, Germany for two (2) Angiography Systems.

The names of the Directors of that company were: Wolfgang Kroll, Guenter Wellendorf and Alberto Guevara.

Two companies submitted bids on the Angiography Systems. The names are as follows: Caribbean Heart Care and Siemens.

The value of the bids submitted were: Caribbean Heart Care, US \$3,205,806.00 (TT \$20,196,918.00); and Siemens TT \$21,220,000.00.

There is no specification committee under the RHA Act of 1994. However, specifications are developed by the end users, medical professionals, in the specific field such as the Interventional Cardiologist and other medical professionals.

*Written Answer to Question*

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The Evaluation Committee comprised the following persons:

- Dr. Tricia Cummings - Clinical Director, Non-Invasive Lab
- Dr. Omar Khan - Clinical Director, Radiology
- Mr. Russel Sooknanan - Manager, Biomedical Engineering
- Dr. Rodney Ramroop - Interventional Radiologist
- Mr. Collin Bissessar - Complex Administrator, EWMSC
- Mr. Michael Turcotte - Procurement Professional
- Mr. Deonarine Prashad - Chief Radiographer
- Mr. Ravi Ramcharan - Vice President Finance (Ag)
- Ms. Aileen Clarke - Consultant (Observer)
- Dr. F. Colin Nath - Intervention Cardiologist—by telephone contact for North America

However, it should be noted that the proposal for Angiography Systems from Caribbean Heart Care was deficient and failed to meet the requirements of the request for proposals in several material aspects, including service facilities and staff training, pre-installation and after sales service, and technical specifications. Accordingly, after a detailed evaluation of the two proposals received, the proposal submitted by Siemens was found to be far superior to the proposal submitted by Caribbean Heart Care.