

SENATE

Tuesday, April 29, 2008

The Senate met at 1.30 p.m.

PRAYERS

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

ORAL ANSWERS TO QUESTIONS

Tertiary Education
(Grant of Financial Assistance/Scholarships)

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

- A. Could the Minister inform the Senate whether her Ministry has provided financial assistance or awarded scholarships to persons desirous of pursuing studies at universities in Trinidad and Tobago, the Caribbean region and/or internationally?
- B. If the answer is in the affirmative, will the Minister provide the Senate with the following information:
 - i) a list of the names of persons who have benefited from such assistance for the period 2002 to December 2007;
 - ii) the amount of financial assistance provided to each person; and
 - iii) the names of the institutions involved?

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. Vice-President, I wish to advise that the answer to that question is not available; we shall make efforts to have it on the next occasion.

Question, by leave, deferred.

Mr. Douglas Mendes SC
(Details of Retention of Services)

12. Sen. Wade Mark asked the hon. Attorney General:

Could the Attorney General provide the Senate with:

- A. A detailed list of the matters in which Mr. Douglas Mendes SC has been retained by:

- i) the Government of Trinidad and Tobago;
- ii) the Integrity Commission;
- iii) the National Lotteries Control Board;
- iv) the Telecommunications Authority of Trinidad and Tobago; and
- v) any other state enterprise and/or statutory authority during the period January 01, 2002 and December 31, 2007?

B. Could the Attorney General also provide a detailed breakdown of the fees paid to the said Senior Counsel during the same period?

The Attorney General (Sen. The Hon. Bridgid Annisette-George): Mr. Vice-President, this answer has been submitted for approval and should be available in about two weeks' time.

Question, by leave, deferred.

**Ministry of Community Development, Culture and Gender Affairs
(Funding/Grants and/or Financial Support to Organizations)**

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

Could the Minister provide the Senate with:

- A. A list of all organizations that have received funding/grants and/or financial support from the Ministry of Community Development, Culture and Gender Affairs during the period January 02, 2002 to December 31, 2007?
- B. Could the Minister also provide the details of the amount provided and for what purpose?

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. Vice-President, question No. 13 is also not now available and we would be able to have it on the next occasion.

Question, by leave, deferred.

**Granting of Scholarships/Funding
(Committee Members)**

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

- A. Could the Minister provide the Senate with a list of the Members who comprise the committee in the Ministry of Community Development, Culture and Gender Affairs charged with the responsibility for determining the grant of scholarships/funding to needy individuals?
- B. Could the Minister provide the Senate with copies of the brochures/pamphlets containing the procedure and criteria adopted by the committee for determining the eligibility for scholarships/funding?

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. Vice-President, there seems to be an issue on this question and we do not expect it would be ready on the next occasion. However, following that, we propose that it should be available.

Question, by leave, deferred.

**V.T. Shipbuilding International
Interim Facility Contract
(Details of)**

19. Sen. Basharat Ali asked the hon. Minister of National Security:

- A. Could the Minister inform the Senate whether the two interim vessels procured under an interim facility contract with V.T. Shipbuilding International were delivered in October 2007 as promised by the hon. Prime Minister in his statement to the House of Representatives on April 20, 2007?
- B. If the answer to (A) is in the negative, could the Minister outline the reason or reasons for the delay?
- C. Could the Minister state what is the revised delivery date of these vessels?

The Minister of National Security (Sen. The Hon. Martin Joseph): Mr. Vice-President, in response to question No. 19(A) and (B), in his presentation to the House of Representatives on April 20, 2007, the hon. Prime Minister delivered a statement concerning the purchase of three offshore patrol vessels for use by the Trinidad and Tobago Coast Guard.

He indicated that an interim facility contract was executed between the Government of the Republic of Trinidad and Tobago and VT Shipbuilding International for the supply of two interim vessels to perform maritime surveillance activity while awaiting the arrival of the three permanent vessels in 2009 and 2010.

In his presentation, the hon. Prime Minister indicated that the two interim vessels which would be appropriately modified to discharge the mandate of the Trinidad and Tobago Coast Guard, would be delivered in October 2007. These two vessels, the former MV *Tamami* and MV *Andrew* arrived in Trinidad on July 03 and July 09, 2007. However, the handover to the Trinidad and Tobago Coast Guard was delayed due to difficulties encountered by the supplier during the modification process.

In response to (C), the two interim vessels have been successfully modified and renamed the *TTS Gaspa Grande CG21* and the *TTS Chacachacare CG22*. They were officially handed over to the Trinidad and Tobago Coast Guard on February 29, 2008 and March 20, 2008 respectively and were officially commissioned on April 23, 2008 and are now fully operational.

Sen. Ali: Could the hon. Minister say, according to the contract, what the point of delivery of these vessels was?

Sen. The Hon. M. Joseph: What the point of delivery was? I do not understand the question, Mr. Vice-President.

Sen. Ali: In any shipping arrangements, the shipyard says they deliver a vessel at a certain point, it may be Chaguaramas, that is the question I am asking. That determines where the delivery was. It is a straightforward question.

Sen. The Hon. M. Joseph: Mr. Vice-President, I think I answered the question. I indicated when the ships arrived, and the fact that the ships were modified, and I also indicated the fact that the ships have been commissioned and they are now fully operational.

Mr. Vice-President: Sen. Ali, I think the Minister has answered—Sen. Ali, I am on my feet—the question, if you have a separate question you can put it to the Minister.

Sen. Mark: He has a supplemental.

Sen. Ali: My supplemental question relates to the issue of \$132 million. Is that the final price of the two vessels?

Sen. The Hon. M. Joseph: Mr. Vice-President, that is clearly another question and if posed, it will be answered.

Sen. Mark: Mr. Vice-President, could the hon. Minister indicate to us what was the final cost of the modification of these two vessels?

Sen. The Hon. M. Joseph: I do not have that information in front of me. Again, Mr. Vice-President, if those questions are posed I will certainly provide them with the answers.

Sen. Rahman: Mr. Vice-President, just for the record, I am wondering whether the name of one of the big five islands we have has been changed, because I am hearing a very strange—

Sen. The Hon. M. Joseph: Mr. Vice-President, if I have not pronounced the name of the island properly, it is perhaps because of my diction, but the island has not been changed. As far as I know it, it is Chacachacare. If I am pronouncing it wrong, well then it is corrected.

Multimillion-Dollar International Waterfront Project (Status of)

25. Sen. Wade Mark asked the hon. Minister of Planning, Housing and the Environment:

With respect to the multimillion-dollar International Waterfront Project, could the Minister inform the Senate:

- (i) how many contracts were signed between the State and UDeCOTT, for the management of the project;
- (ii) the names of any other company that signed contracts with UDeCOTT for project management and construction from the commencement of the project to December 31, 2007;
- (iii) the details of the amount of money paid to each of these contractors;
- (iv) whether these contracts were the subject of competitive tendering or a sole selective basis; and
- (v) if the contracts were on a sole selective basis, what were the rationale and reasons for same?

The Minister of Planning, Housing and the Environment (Sen. The Hon. Dr. Emily Gaynor Dick-Forde): Mr. Vice-President, a response to this question went before the Parliamentary Questions Committee (PQC) where amendments were requested and further information required which has since been received, and so, we hope to resubmit to PQC and, therefore, to the Senate perhaps in the next three weeks.

Question, by leave, deferred.

**Official Residence
(Details of Payments)**

26. Sen. Wade Mark asked the hon. Minister of Finance:

- A. Could the Minister provide the Senate with the details of the final cost of the construction of the Prime Minister's residence and Diplomatic Centre?
- B. Could the Minister also provide the Senate with the details of payments of value added tax, income and corporation taxes, and all other corporate taxes by the Shanghai Construction Corporation of China during the period of construction of the said Prime Minister's residence and Diplomatic Centre?

The Minister in the Ministry of Finance (Sen. The Hon. Mariano Browne): Mr. Vice-President, the question is before the Parliamentary Questions Committee and will be submitted to Cabinet next week Thursday.

Question, by leave, deferred.

**Conduct of the Chief Justice
(Legal Advice Offered on)**

28. Sen. Wade Mark asked the hon. Prime Minister:

- A. Could the Prime Minister make available the official legal advice offered to him by Dr. Lloyd Barnett, QC and Mr. Mark Strachan, QC from Jamaica and the United Kingdom respectively on which his decision to have the President of the Republic establish a tribunal to investigate the conduct of the Chief Justice?
- B. Could the Prime Minister also provide the Senate with details of the legal costs and fees paid to both Dr. Lloyd Barnett, QC and Mr. Mark Strachan, QC for the said advice?

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. Vice-President, question No. 28 is not now available. It is on the agenda for the Parliamentary Questions Committee, and on that basis, it should be available the next time we meet.

Question, by leave, deferred.

**Todd's Road
(Status of Land Distribution)**

34. Sen. Wade Mark asked the hon. Minister of Agriculture, Land and Marine Resources:

- A. Could the Minister provide the Senate with the rationale, if any, for the allocation and distribution of the 3,000 acres of land cultivated with citrus located at Todd's Road?
- B. Could the Minister also state whether these lands were sub-divided and if so, by whom?
- C. Could the Minister further inform the Senate whether the final distribution and allocation exercise was approved by Cabinet and if so, when?

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. Vice-President, according to the information, that question was submitted to the Parliamentary Questions Committee and it was deferred pending an amendment to the answer posed. We expect it should be available shortly.

Question, by leave, deferred.

**Securities and Exchange Commission
(Government's Measures to Strengthen)**

42. Sen. Wade Mark asked the hon. Minister of Finance:

Could the Minister state the measures, legislative or otherwise, the Government intends to take to strengthen and support the Securities and Exchange Commission in its efforts to ensure that companies listed on the Trinidad and Tobago Stock Exchange submit annual reports on a timely basis to allow shareholders to be better able to monitor and protect their investment?

The Minister in the Ministry of Finance (Sen. The Hon. Mariano Browne): Mr. Vice-President, the legislative matters have not been finalized and, therefore, we are not in a position to answer question No. 42.

Question, by leave, deferred.

Sen. Mark: Mr. Vice-President, before you go to question No. 43, could the hon. Minister indicate to you and this Parliament when question No. 42 will be ready?

Sen. The Hon. M. Browne: Mr. Vice-President, I can say that the matter is under deliberation at this stage, and I am not certain when these matters will be determined, therefore, I cannot give an indication as to when I can give the answer.

**Hi-tech, Closed-circuit Television (CCTV) System
(Implementation of)**

43. Sen. Wade Mark asked the hon. Minister of National Security:

Could the Minister inform the Senate whether the Government plans to fully implement a hi-tech, closed-circuit television (CCTV) system in urban areas in Trinidad and Tobago to facilitate proper and timely policing in these areas?

The Minister of National Security (Sen. The Hon. Martin Joseph): Thank you once more, Mr. Vice-President. In response to question No. 43, hon. Senators are advised that the Government has implemented a pilot phase of the closed-circuit television (CCTV) system. This system forms part of a package of measures aimed at alleviating the crime situation by equipping law enforcement with a tool to more effectively monitor public areas, increase its intelligence gathering opportunities and alleviate street crime.

The pilot phase of the (CCTV) network involving 18 cameras was launched in Port of Spain during Carnival 2008 following the implementation of a temporary system during Cricket World Cup 2007.

Of the 18 cameras employed at the inception, 14 are government-owned, and four are owned by members of the private sector. These cameras are all being monitored from a central location.

Mr. Vice-President, the operations conducted during the initial pilot phase highlighted the need for more robust infrastructure to effectively operate the network. Since then, the Ministry of National Security has been in consultation with other jurisdictions and an upgraded network is currently being pursued comprising the latest digital megapixel Internet protocol and fixed and pan/tilt/zoom (ptz) daylight cameras.

These will provide clearer, enlarged pictures of faces, licence plates and other items of interest. It is the ministry's intention to further upgrade the network to allow for, among other things, gunshot detection sensors.

Since the launch of the network, the Ministry of National Security has procured 15 additional cameras, four of which have been installed in downtown San Fernando. In total, therefore, the CCTV pilot project is currently 46 cameras strong, 29 government-owned cameras, and 17 Trinidad and Tobago Electricity Commission (T&TEC) cameras; an additional 20 cameras which have been acquired to extend the network are expected to be installed during the month of April/May.

Additionally, the ministry has noted that there are a number of cameras installed in the Port of Spain area that are owned and operated by private entities. An inventory has been taken and negotiations initiated with a view to incorporating them into the network. This will allow the CCTV system to have a more effective reach.

Mr. Vice-President, this is all part of the Government's plan to fully develop a robust CCTV network by integrating, upgrading and expanding the system to other critical areas outside of the downtown areas such as on the major highways and Priority Bus Route, as well as within the environs of Port of Spain and San Fernando.

It should also be noted that as part of a much larger project, the Government is in the process of developing a comprehensive national monitoring and surveillance system using CCTV and other appropriate technology to monitor traffic patterns, vehicle registration and driver behaviour among other things.

It is anticipated that the CCTV network that is now being developed by the Ministry of National Security will be fully integrated into the proposed national monitoring and surveillance system.

1.45 p.m.

Sen. Mark: May I ask the hon. Minister if he could indicate to us what period of time would be required by his Ministry to have this pilot project extended to other urban centres? I am referring to Chaguanas, Rio Claro, Princes Town and Point Fortin, as examples.

Sen. The Hon. M. Joseph: As I have indicated in the answer, it is the intention of the Government—it would not be a pilot by then; by then it would be a fully operational project and I am not at this time in a position to say when it is going to be fully operational.

Sen. Mark: Mr. Vice-President, could the hon. Minister indicate to us whether he can tell us within what time frame we can have these CCTV cameras installed along our highways and the priority bus route?

Sen. The Hon. M. Joseph: I am not in a position to indicate that at this time.

**United Nations Development Programme
(Status Report of Funding)**

47. Sen. Wade Mark asked the hon. Minister of Planning, Housing and the Environment:

- (a) Could the Minister inform the Senate whether the Government of the Republic of Trinidad and Tobago has been able to access funding from the UNDP's programme for critical development and technical projects?
- (b) If the answer to (a) is in the affirmative, could the Minister provide the Senate with a status report on the funding accessed from the programme during the last three (3) years?
- (c) If the answer to (a) is in the negative, could the Minister inform the Senate:
 - (i) whether Trinidad and Tobago has graduated out of the programme; and
 - (ii) whether projects that could have been funded by the UNDP must now be financed by the Government?

The Minister of Planning, Housing and the Environment (Sen. The Hon. Dr. Emily Gaynor Dick-Forde): Mr. Vice-President, again, the answer to this question is still being formulated so we need another two weeks before it comes back to the House. Thank you.

Question, by leave, deferred.

**Judges of the Industrial Court
(Disparity in Retirement Benefits)**

53. Sen. Mohammed Faisal Rahman asked the hon. Attorney General:

- A. Could the Attorney General please inform this Senate whether there is a disparity in retirement benefits between judges of the Industrial Court and that of similar officers of the regular Judiciary?
- B. If the answer is in the affirmative, could the Attorney General state what steps are being taken to rectify this discrepancy?

The Attorney General (Sen. The Hon. Bridgid Annisette-George): Mr. Vice-President, this answer has been forwarded to the PQC. I expect we should have it in about the next two weeks.

Question, by leave, deferred.

Mr. Vice-President: Question No. 58.

The following question stood on the Order Paper in the name of Sen. Michael Annisette:

**Employee Injury and Disability Compensation
(Delay of)**

58. Could the hon. Minister of Labour and Small and Micro Enterprise Development state:

What is the reason for the delay in bringing legislation for the Employee Injury and Disability Compensation before Parliament?

**Eco-lodges
(Details of)**

59. Sen. Dr. Adesh Nanan asked the hon. Minister of Tourism:

- (i) Would the Minister inform this Senate, how many eco-lodges have been constructed from 2002 to present in Trinidad and Tobago?
- (ii) Would the Minister also identify the location of the said eco-lodges, the local or foreign investors involved and the estimated investment in the said eco-lodges?

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. Vice-President, the answer to question No. 59 is not now available. It should be ready on the next occasion because I believe it went to PQC.

Question, by leave, deferred.

**Highway Patrol Unit
(Details of)**

62. Sen. Wade Mark asked the hon. Minister of National Security:

- (i) Would the Minister tell this Senate whether there is a functioning Highway Patrol Unit?
- (ii) If the answer to (i) is in the negative would the Minister indicate when the said unit was disbanded and the reasons for the decision taken?

The Minister of National Security (Sen. The Hon. Martin Joseph): Mr. Vice-President, hon. Senators are advised that at present there is a fully functioning traffic and highway patrol branch within the Trinidad and Tobago Police Service. The branch's administrative office is located at Abattoir Road, Sea Lots, with sub-units operating out of the La Horquetta Police Station in the East, Freeport Police Station in Central and Munroe Police Station in the South.

For the year 2007, the traffic and highway patrol branch conducted 20,438 patrols resulting in the detection of 14,544 ticket offences and 114 other offences. For the year 2008, as at April 24, 7,101 patrols have been conducted, with 5,352 ticket offences and 161 other offences being detected. The answer to (ii) is not applicable.

Sen. Mark: Mr. Vice-President, could the hon. Minister indicate to us how many police vehicles are dedicated to this traffic and highway patrol that he mentioned a short while ago?

Mr. Vice-President: Sen. Mark, I believe that—

Sen. Mark: No, it arises from what the Minister said.

Mr. Vice-President: Yes, but nowhere in this question the number—

Sen. Mark: No, no, in his answer.

Mr. Vice-President: Well, I do not know if the Minister is willing to answer that question on his own.

Sen. The Hon. M. Joseph: Mr. Vice-President, unfortunately, I did not walk with the information with respect to the strength of the traffic and highway branch nor the number of vehicles. I have it but I do not have it here, so I do not want to hazard a guess.

Sen. Dr. Nanan: Could the hon. Minister say what are the operating hours of the highway patrol unit?

Mr. Vice-President: Senators, I think we are asking questions that—I mean to say, this question here was a simple yes or no answer. I think the Minister elaborated a lot on this question and I think we should move on.

Sen. Mark: No, it flows from his answer.

Sen. Rahman: Mr. Vice-President, I am very curious. Is the highway patrol at all operating on the very much abused priority bus route? I see very little evidence of police vehicles there.

Mr. Vice-President: Again, I do not see how that could be a supplemental question on this. Okay? So let us move on.

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**JOINT SELECT COMMITTEES
(APPOINTMENT OF)**

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. Vice-President, I beg to move the following Motion on the Order Paper standing in my name:

Whereas section 66A of the Constitution makes provision for the establishment of Joint Select Committees of Parliament to enquire into and report to Parliament on the administration, manner of exercise of their powers, methods of functioning and on any criteria adopted in the exercise of their powers and functions by:

- A) Government Ministries;
- B) Municipal Corporations;
- C) Statutory Authorities;
- D) Enterprises owned or controlled by or on behalf of the State or which received funding from the State of more than two-thirds of its total income in any one year; and
- E) Service Commissions with the exception of the Judicial and Legal Service Commission

Be it resolved that the Senate appoint six (6) Members to serve with an equal number from the House of Representatives to enquire into and report to Parliament on Service Commissions with the exception of the Judicial and Legal Service Commission on their administration, manner of exercise of their powers, methods of functioning and on any other criteria adopted by them in the exercise of their powers and functions:

And be it further resolved that the Senate also appoint six (6) Members to serve with an equal number from the House of Representatives to enquire into and report to Parliament on Municipal Corporations and Government Ministries/Statutory Authorities/Enterprises owned or controlled by or on behalf of the State or which received funding from the State of more than two-thirds of their total income in any one year.

Mr. Vice-President, section 66A of the Constitution basically sets out what we have just recited, except that it continues to say that:

“a Committee appointed for the purposes set out in paragraph (a) may—

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- (i) appoint sub-committees from among its members and delegate any of its powers to such sub-committee;
 - (ii) adjourn from place to place;
 - (iii) appoint specialist advisers to assist them in their deliberations;
 - (d) subject to any order of the House or resolution of a Committee, the sitting of a Committee shall be held in public;
 - (e) a Committee appointed for the purposes set out in paragraph (a) shall make a report of its opinion and observations which shall be laid in both Houses of Parliament.
- (2) A Joint Select Committee in exercising its powers under subsection (1) shall not enquire into the validity of the exercise of the functions of a body referred to in subsection (1)(a) nor modify, alter, rescind or in any way interfere with the decisions of any such body.
- (3) Subject to this section, the Standing Orders of the Senate and the House of Representatives shall apply to a Committee appointed under this section.
- (4) Subject to the Standing Orders, of Parliament, a Committee may regulate its own procedure.”

We have no difficulty with this. In fact, we support this. I think the difficulty arises in how we propose to carry out this function under the Constitution. If one reads this, one can see that, really, it talks about five very specific areas: Government ministries, municipal corporations; statutory authorities; state enterprises; service commissions. What therefore needs to be determined is by what method and how we would, in fact, establish this.

In fact, in 2001, the Government at the time opted not for five but three, and what we are basically saying to them is that we propose to support two committees instead of three, as we had on the last occasion. This is not strange to us. The Westminster system under which we operate is, in fact, primarily domiciled, if you will, in the United Kingdom and according to the information that we have, with some research, a select committee is a committee made up of a small number of parliamentary members appointed to deal with particular areas or issues originating in the Westminster system of parliamentary democracy. Select committees exist in the British Parliament as well as in other Parliaments, based on the Westminster model, such as those in Australia and New Zealand.

Through the evolution of these committees, we find that from time to time decisions are made to either improve the work flow or to deal with the business as the contingencies of the time determine. If we were to look at the United Kingdom, for example, we are aware that committees can be appointed, as most are, from the House of Commons and from the House of Lords and what is interesting is that in July 2005, the Administration Select Committee was instituted, basically replacing five domestic committees which had responsibilities for a large number of government activities.

I think, therefore, the question that really arises is: what is the best way in which one can carry out this function, given the competing claims on the resources, which in this case happens to be the time of those who are involved in the process? In our situation in Trinidad and Tobago, we have a number of committees and we have a number of responsibilities and, invariably, because of the way in which these committees are constitutionally set up, you have, more or less, the same pool of individuals who are required to perform these functions. Therefore, in looking at the limitations of that resource and in order to function effectively, one has to, in a sense, put the best possible configuration, if you will, to deal with that. Let me therefore address the issue of what is actually facing us.

2.00 p.m.

In addition to the Public Accounts Committee; Public Accounts (Enterprises) Committee; the Joint Select Committees; service commissions; government ministries; the House Committee; the Privileges Committee and the Standing Orders Committee, a Minister in this case may also find himself or herself a member of the Finance and General Purposes Committee that deals with the finances and some of the financial arrangements that we have in government; the Standing Committee on Energy Policy which seeks to chart the way forward for us; the Parliamentary Questions Committee that deals with all the issues that we spoke about this evening.

There is also construction and oversight in which the Government looks at measures to alleviate the shortages that exist currently and to deal with the supply side issue. The National Security Council is self-explanatory. Food Prices and Inflation Committee is a group of ministers who are responsible for that particular agenda item. Legislative review simply looks at the legislative agenda and ensures that when we bring Bills to Parliament, that they have gone through the scrutiny that is required.

The Public Sector Negotiations Committee is to ensure that the alignment that takes place between ministries and the state enterprises is dealt with at the policy level. Committees and appointments of boards: There are about 100 organizations for which we are responsible and it is required that we sit and go through that

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process. There is a committee that is responsible for the restructuring of Caroni (1975) Limited. As you know, part of our mandate was to roll out that in a particular way. Six years later, we are still struggling with it, bringing all the groups together.

There is a committee that looks at the purchase of literary assets. There is one that looks at our relationship with Trinidad and Tobago Telecommunications. There is also one that looks at health sciences initiatives and infrastructural works.

The point that is being made is that one looks at all this in the context of the responsibilities that we have and the need to balance what we do at the level of the Government and Parliament, so at the end of it all, basically, we would provide the people of Trinidad and Tobago with the best possible service.

The other point that needs to be made in this matter is that in many instances, we look to those who are involved in this system and try to mirror what they do. If we were to look at that, we would find, for example, that in the South African Parliament there are about 550 members; in Canada, about 242; and in the British Parliament, 550. In a real sense you are dealing with quite a large group of parliamentarians in those jurisdictions. Our situation is that we have 41 in the other place and 36 here. We have a limited amount of resources to deal with our agenda.

Our experience has been that the numbers in the way that we had it configured on the last occasion created some challenges in getting the work done. On this occasion it is being proposed to look at all the various responsibilities and conflicts that exist and attempt to put together the best system to deal with the results that we seek.

The Government supports the joint select committees as is required under the Constitution, but as the party before us exercised a choice of having three committees instead of five, our view is that we can establish all that is required within the system, by going with two instead of three. That is the issue that is different from this exercise in the past. How many committees and how is that committee tasked? I think that there is general agreement on the fact that the committees are needed and are an important part of our democracy. In all the circumstances and the other things that are happening one has to determine the best way to make it happen. It is our view that the two committees that are being proposed, one to deal with service commissions and has its particular responsibilities and one to deal with ministries, municipal corporations, statutory authorities and enterprises owned or controlled by the State should be supported.

With those few comments, I beg to move.

Question proposed.

Sen. Wade Mark: Mr. Vice-President, I rise to speak on this very important Motion which seeks to reduce the number of Joint Select Committees from its quota of three to two. I do not even believe that the Minister who presented this Motion was convinced of his argument. He was not even convinced of it. It was a very feeble and weak contribution because he knows in his heart that what he presented is wrong and undemocratic. He did not believe in his chorus.

May I take you to the Constitution of the Republic of Trinidad and Tobago for which this Government seems to have no respect. Under Preliminary, section 2 states:

“This Constitution is the supreme law of Trinidad and Tobago, and any other law that is inconsistent with this Constitution is void to the extent of the inconsistency.”

May I take you further to section 66A of the Constitution. It says:

- “(1) Subject to subsection (2), it is hereby declared that—
- (a) in addition to any Joint Select Committee which Parliament is empowered to appoint under its Standing Orders, Parliament shall, within one calendar month—
 - (i) after the commencement of the Constitution (Amendment) Act, 1999;
 - (ii) of the first meeting of the House of Representatives after any General Election, or such time as the Parliament may resolve not being later than three months thereafter, appoint Joint Select Committees, to enquire into and report to both Houses of Parliament in respect of—
 - (A) Government Ministries;
 - (B) Municipal Corporations;
 - (C) Statutory Authorities;
 - (D) Enterprises owned or controlled by or on behalf of the State...
 - (E) Service Commissions, in relation to their administration, the manner of the exercise of their powers, their methods of functioning and any criterion adopted by them...”

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The Constitution of the Republic of Trinidad and Tobago allows the Government one month after the convening of Parliament after a general election to establish these committees. The Constitution says that if you cannot do it within one month, it has given you three months to do so. This regime that is growing in dictatorial tendencies has violated in a very blatant manner the Constitution of the Republic of Trinidad and Tobago.

I will tell you how and why. The Parliament was convened on December 17, 2007. Today is in fact the 29th of April, four months and 14 days later. The Constitution says that these Joint Select Committees shall begin to operate after the Parliament meets after the general election.

2.15p.m.

We met on December 17, 2007 and this Government comes to this Parliament and to this Senate on April 29, 2008, some four months and 14 days later, to establish and get approval for a Motion to establish, not three, but two committees. I want to tell the Government, from the outset, that we are not in support of reducing the number of joint select committees from three to two.

[MR. PRESIDENT *in the Chair*]

Mr. President, these committees represent mechanisms within our Parliament to scrutinize the operations of the central government but, even though we had three of them operating in the Eighth Parliament, they suffered serious challenges and constraints. First of all, because of the part-time nature of the Parliament, these committees had limited time to meet. Even though the Constitution says that these committees shall or may appoint sub-committees from among its members, adjourn from place to place and appoint specialist advisers to assist their deliberations, no such specialist advisers were assigned or appointed to these committees. The Government must take full responsibility for not providing the necessary resources to the Parliament to ensure that those committees were able to function in the manner outlined in the Constitution.

Even in the absence of specialist advisers, I want to go on record today to compliment the chairpersons of those committees: Sen. Prof. Ramesh Deosaran, who headed the committee which focused on municipal corporations and the service commissions; former Sen. Mary King, who headed another committee, and former Sen. Parvatee Anmolsingh-Mahabir. They did an excellent job with the limited resources they had at their disposal. They are not here today and we must find out why. I will share with you some thoughts later in the proceedings.

I want also to indicate that the span of control has now expanded with the two committees, the establishment of which we do not support. We do not support the reduction of the number of select committees from three to two. From a membership of 36 persons operating these three committees, we are now down to 24 members.

What has happened is that the span of control in the context of this new development has now increased. So we have one select committee that is headed by a PNM back-bencher, so accountability has now been turned on its head by the PNM administration; it will be himself reporting to himself. They have put a PNM back-bencher to chair a joint select committee that is supposed to be enquiring into the powers of administration, operation and methods of their Executive body, and, therefore, we now have the spectacle of the Government investigating itself. The two committees are each under the control of a PNM back-bencher. Now that, to my mind, is a sick joke for an administration that is so steeped in all kind of activities that are creating lots of suspicions in the minds of the population today.

There are 23 ministries that fall under this single committee that the Government is establishing to deal with Government ministries. There are two committees: one to deal with the service commissions and the other to deal with everything else. So there are the municipal corporations, 14 of them. There are 23 government ministries or thereabout; over 129 statutory authorities and over 60 state enterprises. This is why I find the statement made by the hon. Conrad Enill so—

Mr. President: The Minister of Energy and Energy Industries, Sen. Mark.

Sen. W. Mark: Hon. Minister of Energy and Energy Enterprises, Sen. The Hon. Conrad Enill, according to protocol.

I find it very disagreeable that the Minister can tell us that this one committee, with all the responsibilities I have outlined, will be able to accomplish all that is required by the two committees.

Mr. President, the hon. Minister of Energy and Energy Industries is not on the ground as is the Prime Minister. He did not tell us in his presentation why these committees have not worked. He did not offer a proper rationale for the reduction. We have to examine why the committees have faced challenges and even though they have, they have performed extremely well.

One of the challenges they faced in the Eighth Parliament was the lack of a quorum. The Government Members were never present and when they were, they were few and far between. The committees suffered as a result of a lack of

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quorum. The Government, which constituted the majority of members on these committees, by coming up with the absurd proposal that the committee should increase its quorum from four and five to six and seven—Can you imagine a government that is committed to accountability, transparency and openness would bring a proposal to increase the quorum from four members to seven and had the chairmen begging the Prime Minister not to go that route? I would never beg the Prime Minister. I would go to the Standing Orders for every one of them.

In May's *Parliamentary Practice* and procedure that we use whenever we want reference material, a joint select committee, in England, the mother of all the Westminster parliament systems, three persons, if you have a committee of 10 or 12 comprise the quorum. This Government wanted to increase the quorum to seven in the last Parliament.

So there was the problem of the Government frustrating the will of the people. They believed that when they increased the quorum, they were doing Sen. Prof. Ramesh Deosaran or Wade Mark something. They were not doing me “nutten”. Sen. Mark, rather. They are not doing Sen. Mark anything.

Mr. President, I notice that you did not correct me. Okay. I can do my own thing. [*Laughter*]

Mr. President, the Government is not concerned about accountability. It is concerned about cover-up and protecting its own. A Minister made that statement sometime ago. I will bring a motion to take him before the Privileges Committee for misleading this Senate.

This regime, in the last Parliament, exploited the opportunities given to it. Mr. President, do you know what was sad? There were joint select committees doing the work of the people on behalf of the people and when they sought information from the relevant officials of state enterprises, they were rebuffed, insulted and those officials refused to come before the joint select committees and they were supported by the Government. I would demonstrate how it was done. They had the full backing of the Government not to appear.

One of the chairpersons of these joint select committees, exercising the power entrusted to her under the Standing Orders when these officials of enterprises they were enquiring into—I am demonstrating why the Government is afraid of accountability and why it has reduced the number of committees from three to two. Sen. Mary King, chairperson of a committee, was forced to issue an order in the Eighth Parliament for Prof. Ken Julien to attend a committee meeting. He was required, in accordance with a letter dated July 24, 2006, to prepare to answer

questions on the Memorandum of Understanding signed with reference to Alutrint and the Alcoa smelter plants; the cost benefit analysis of these smelters to Trinidad and Tobago, the impact on our national joint reserves, the price of gas to provide electricity for each project, the relationship between this gas and the royalty-based gas from bpTT, reportedly assigned to T&TEC, and the impact of the smelters on the environment and, in particular, the intended method of disposal of the spent pot liners.

2.30 p.m.

Mr. President, this is the chairperson of a committee appointed by the Parliament. The chairperson ordered, because the witness in question refused to come before the committee. That is the disrespect that these people have for the Parliament and they got the support of the Government.

Former Sen. Mary King had to issue an order. You know what happened? The gentleman did not come. He refused to come before the joint select committee. Mary King issued another order for another person called Keith Awong to come before the joint select committee, dated July 24, on the same basis and this gentleman too, refused to come. They did not come, they “pappy-show” the joint select committee. The then Sen. Mary King wrote Sen. The Hon. Dr. Lenny Saith—he was the Minister of Energy and Energy Industries—and asked him, in a letter dated August 30, 2007, to come before the committee, so that he could supply, in spite of several orders, the following information. Again it was that which I outlined a short while ago. Of course, Sen. The Hon. Dr. Lenny Saith, Minister of Trade and Industry and the Minister in the Office of the Prime Minister refused to come. He too, a Member of Parliament, disrespected the joint select committee. He did not come. He said that the information was confidential and he could not share the information. Why did he not come to the committee? You should have come to the committee to tell the committee that it is confidential, so that they would have held the meeting in camera. You know what you did? You refused to come.

Sen. Dr. Saith: Read my reply.

Sen. W. Mark: The then Sen. Mary King wrote the Speaker on September 21, 2007, asking him to institute contempt proceedings against Professor Ken Julien, Keith Awong and also Sen. The Hon. Dr. Lenny Saith. The rest is history.

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No contempt proceedings were instituted by the Speaker then. You know what happened? “Mary King gone. How she gone? We doh know.” All we know is that she was never reappointed. And you know what? “Anmolsingh-Mahabir, she gone. We doh know why, but she gone too.”

I want to bring to your attention information that you will find very interesting. I would like very much—[*Interruption*]

Mr. President: Senator, to refer to a former Member of the Senate as: “She gone”, I think is disrespectful.

Sen. W. Mark: I apologize, Sir.

Mr. President: I would ask you not to speak in those terms. The ladies that you are speaking of are hon. Senators and should be referred to as such.

Sen. W. Mark: Thank you very much. Former Sen. Mary King and former Sen. Parvatee Anmolsingh-Mahabir—[*Interruption*]

Sen. Dr. Saith: Mr. President, since you are in the mode of correcting, I am hearing the Senator and I am getting the impression that he was suggesting that the President of this country, in making appointments to the Senate, deliberately removed two Senators. I do not think that is what he is saying, but that is what he is implying.

Mr. President: I take your point and I think that he is very close to that line. I would take the opportunity here to caution you not to cross that line.

Sen. W. Mark: I will never do that, Sir.

Mr. President: Because the actions and the conduct of the President of the Republic will not be called into question in this Chamber. Very well. [*Interruption*]

Sen. W. Mark: I will never cross the line.

Mr. President: I am on my feet. Be very careful.

Sen. W. Mark: I would not cross the line, Sir. I would know when to cross the line.

I would like the Prime Minister and the former Attorney General of this country, John Jeremie SC, to tell this country and you, Mr. President, whether they summoned the three chairpersons of the joint select committees to a meeting in the chamber of the Speaker and the President sometime in August 2007 and what was the purpose of that meeting. Was that meeting designed to intimidate these

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chairpersons? Why was the Prime Minister and the former Attorney General involved in the business of the joint select committees? Why did the Prime Minister and the former Attorney General summon Sen. Prof. Ramesh Deosaran and former Senators Parvatee Anmolsingh-Mahabir and Mary King to the chamber of the Speaker, at which time the former President of the Senate, Dr. Linda Baboolal, was also present? I understand that the meeting was designed to intimidate and harass the members and chairpersons of the joint select committees from doing their work. I want the Prime Minister of this country to deny that he did not have a meeting in the office of the Speaker last August. I would like the former Attorney General to deny that he did not have a meeting in the chamber of the Speaker. Let him come and tell the country that it is not so. It was all part of a grand plan to intimidate, threaten and undermine the work of these joint select committees.

They were showing you that certain officials in this country were more powerful than the Parliament of this country. What the Prime Minister did, in essence, was to demonstrate that Professor Ken Julien was more powerful than a joint select committee. He demonstrated that Keith Awong was more powerful than a joint select committee. He demonstrated that Sen. The Hon. Dr. Lenny Saith was more powerful than any joint select committee of this Parliament. That is why today he has now come to bury—he has not come to praise—the joint select committees in this debate. He is like Caesar. “He eh come to praise”—*[Interruption]* Mark Anthony. “He come tuh bury these committees.” *[Interruption]* I did not hear.

Sen. Browne: Caesar was already dead.

Sen. W. Mark: You are already dead.

Sen. Browne: I am alive and living.

Sen. W. Mark: Okay, I have an article where you blasted a woman called Karen Tesheira and you also—I would talk to you about that later. You were in good behaviour. “Yeah man. I hear yuh have no cover for yuh mouth.”

Mr. President: Senator, address me, please.

Sen. W. Mark: I heard that he came very close to calling the woman a “wajang”.

I would like to tell you, Sir, that this Government is afraid of accountability and public scrutiny. They are afraid to submit themselves, the state enterprises and their officials, to public scrutiny. That is what they have done and are doing.

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You do not want to bring the University of Trinidad and Tobago (UTT) before any joint select committee. UTT is headed by Professor Ken Julien. He is the energy czar and whatever he says goes. What you have was intransigence on the part of these public officials.

Imagine people are spending our money like the gentleman, Calder Hart, from UDeCott. He is spending close to \$15 billion of our money and when we tell him to come to us, he is being told by somebody else not to come.

It is not the individuals or personalities that we are concerned with here. We are concerned with the principles, values and practices that are necessary to safeguard our independence and democracy as a nation. We are not concerned about Calder Hart. We are concerned with a gentleman who controls close to \$15 billion of taxpayers' money and how we are spending that money. We are concerned with Professor Ken Julien, who has in his possession over \$1.5 billion and is doing whatever he wants with it. We need accountability.

Therefore, we want to advance this afternoon that the approach to reduce the number of the joint select committees is fundamentally flawed. What should be done and what the Government should be doing today is insisting and ensuring that the various government agencies that are covered by the provisions of the Constitution honour, respect and comply with the provisions of the Constitution. That is what the Government should be doing here today. The Government should be coming here to tell the people to come before the committee and not treat the committee with contempt.

You saw what happened. You were not here. You saw Minister after Minister rising in their seat stating that the questions were not ready and that they went before the PQC. That is all we are getting. It is almost four months and the Members of the Government have refused to understand their real role in this Parliament and the Government that they serve.

We on this side of the Senate are of the view that this is all part of a wider concerted attempt by this Government to undermine and subvert the principles of accountability, transparency, openness and parliamentary scrutiny. That is the purpose. When you look at the pattern of behaviour and conduct of this administration, one will see exactly what they are about.

In the last Parliament, you sat with me on a Standing Orders Committee and one of the proposals in that committee—*[Interruption]*

Mr. President: Do not bring me into the debate, please.

Sen. W. Mark: I was a member of a committee that you were part of. “I eh bringing you in at all.” You were part of that committee and I was a member of that committee. They sought, in that committee, to bring about a reduction in the speaking time of Members of Parliament. That was the PNM’s majority on the committee. We never supported it and we will never support it. The PNM sought to reduce the speaking time. Again, it is a pattern of conduct on their part. They refuse to answer questions. They believe that they are the Lord Almighty. They do not account to anyone. They do not care.

I am reminded of a queen called Queen Marie Antoinette of France. She too felt she was king. She felt that she was big and powerful. That former queen felt she was so big and powerful, like how the PNM feels today. When the masses were hungry and crying out for bread, the advisers went to her and said: “Madam, the masses are hungry, they want bread.” What was the response of Queen Marie Antoinette? “Let them eat cake.” It reminds me of a time when someone said: “People are hungry!” and another person said: “Let them eat cassava!” Not you, Sir.

I want to tell the Government of this country that if it continues how it is going, by attempting to subvert the rights of the people, as enshrined in the Constitution, “ah hope yuh doh end up like Queen Marie.” [*Interruption*]

Sen. Browne: The manifesto.

Sen. W. Mark: No, do not worry about the manifesto as yet. I would tell you about that later.

This is the pattern of behaviour that we have seen. The attempt to reduce the number of joint select committees from three to two is part of a wider concerted attempt at undermining the democratic processes in our country.

2.45 p.m.

Mr. President, since the PNM came into power, several important bodies that were supposed to be under the Freedom of Information Act—this is a pattern of behaviour—have been removed. They have removed the First Citizens Bank, so we cannot investigate the First Citizens Bank any longer. We cannot investigate the Trinidad and Tobago Unit Trust Corporation; the Export-Import Bank; the Agricultural Development Bank; the Trinidad and Tobago Mortgage Finance Company Limited; Taurus Services Limited; the Business Development Company Limited; the National Entrepreneurship Development Company Limited; the National Enterprises Limited; the Central Bank; the Integrity Commission; and

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there was one in 2005 that says specific information held by a state public authority relating to a matter that is subject to an investigation by the authority is exempt from the application of the Freedom of Information Act. What does that mean?

These committees perform very essential responsibilities and roles on behalf of the people of this country. They are parliamentary oversight committees, and they were created in order to look after the interest of the people, and to ensure that Government Ministers do not go about spending public money willy-nilly. This reminds me of the junior Minister in the Ministry of Finance who believes that he is a senior Minister.

Sen. Seetahal SC: He is not a junior Minister.

Sen. W. Mark: Well, I think a Minister in the Ministry of Finance. No—he is the Minister in the Ministry of Finance who took up \$500 million—he came from a private sector company called Butterfield—of our money to buy a private jet for the Prime Minister. He said that we have no right to ask questions and that the business plan is a private document, and we have no access to it. That is the arrogance we have dripping from the lips of this Minister in the Ministry of Finance. That is not within their purview.

They are saying do not ask questions, and they alone will determine things for us. What the people are demanding is accountability and transparency. How can a Prime Minister's residence and diplomatic centre which started at \$40 million end up being over \$148 million? People want to ask questions!

I want to bring the Prime Minister before a joint select committee to let him explain to us those cost overruns. I want to bring Mr. Calder Hart before a joint select committee to let him tell us how the Brian Lara Stadium at Tarouba began at \$150 million and today it is over \$600 million. I would like him to tell us where the money went.

All we have under this regime is waste, squandermania and an attempt of covering up. They are all about rampant squandermania and extravagance at UTT and UDeCott. That is why the Prime Minister wants to butcher those joint select committees. He wants to butcher them! He does not want the people to have the opportunity to view these meetings live. It seems like this Government wants to establish a Gestapo arrangement! They want everything to be secret like if you are in a lodge. This is public money and it is public business. Why is this Government not embracing best international practices? Why is this Government not doing that?

Mr. President, as I said, these committees have done yeoman service to this country. In fact, the former Senators whom I referred to earlier were the pioneers of this joint select committee system, and they did a wonderful job. They truly represented what was required of them at the time.

It is really sad that in our country today we can have a situation where the Government—this Government always boasts about accountability, transparency, and the Prime Minister talks about making this country the beacon of integrity in the whole region. Why would the Government want to make this country the beacon of integrity and, at the same time, it is refusing to establish the three joint select committees?

If I had my will or we had the will, we would have increased the number of committees from two to four. Even though the hon. Minister of Energy and Energy Industries said earlier that when we had that exercise we established three committees, we would have kept those committees at that number—at least three and even go for a fourth one. How can the Government come to this Parliament on April 29, 2008 and justify this reduction?

Mr. President, you know and I know that under this regime we have more ministries, more Ministers, more state enterprises, and increased government spending. We have a budget of close to \$40 billion, and they are telling us, in this kind of environment, that they want one joint select committee to examine 23 ministries, over 100 statutory authorities and over 60 state enterprises. How can our Attorney General sit there and allow this kind of thing to take place? Where is the democracy? Where is the accountability? Where is the transparency? Where is the parliamentary scrutiny? Where are these 12 persons going to find the time to scrutinize 23 ministries when they are part-timers?

The hon. Minister of Energy and Energy Industries talked about the various other commitments that Government Ministers have to perform. How are these committees going to function? Mr. President, it is clear to us that the Government is afraid of scrutiny. That is why the Government has brought this measure to reduce the number of committees from three to two. We cannot agree with the Prime Minister and the hon. Minister of Energy and Energy Industries that the reduction of these committees from three to two will accomplish what we want.

When the Prime Minister said—this was in the newspaper—that these committees did not work and the Independent Senators who chaired these committees—

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

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

Question put and agreed to.

Sen. W. Mark: Mr. President, thank you very much. We have a situation here where the Government of Trinidad and Tobago, in an effort to satisfy a former Minister of Public Utilities who is now a Deputy Speaker, has used the cover of the joint select committee to provide that particular back-bencher—well, not back-bencher, but Deputy Speaker—the position of chairman of these committees, and there was no proper justification for it.

Why did the Government of this country remove the Independent Senators? We have competent Independent Senators on the Back Bench today. Why is the Government saying that the Independent Senators are incapable or do not have the ability to chair these joint select committees? They did it in the Eighth Parliament, so why can they not do it in the Ninth Parliament? The reason the Government does not want the Independent Senators to chair these committees is because they are fearless, and they are not singing for their supper. They tell it as they see it.

Mr. President, they conduct themselves in the interest of the population of this nation; they look after accountability and scrutiny of the affairs of the Government as well as governmental action; but the Government is not about that. The Government is about getting rid of anyone who stands in its way as it relates to public accountability. Just ask the former Minister of Trade and Industry, Dr. Keith Rowley. Ask him! [*Interruption*] Were you a member of that committee? Were you part of the special Finance and General Purposes Committee? Were you the one who said he was a hooligan? Sorry, Sir. I just want to know. I know it was said in the *TnT Mirror* that this Minister has no cover for his mouth.

The problem with this Government was outlined in an editorial on page 10 of the *Sunday Newsday* dated April 27, 2008 headline: “Issue of accountability” and I quote:

“From the moment the last Patrick Manning regime announced it would be setting up ‘special purpose’ companies to bypass the bureaucracy created by the Central Tenders Board and other government agencies, concerned citizens raised questions about the possibility of corruption.”

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It went on to say:

“Whatever we do or think we must not lose focus of the central issue. Accountability.”

Mr. President, in the *Sunday Guardian* dated April 27, 2008, on the front page it says: "Too much power"—[*Newspaper in hand*—Minister Mariano Browne—

Mr. President: This is a Chamber where we are to debate matters. At the moment, props such as photographs or whatever are not yet permitted. Therefore, I would ask you not to wave around the newspaper.

Sen. W. Mark: Can I make reference to the newspaper?

Mr. President: Yes, you can make reference to it, by all means.

Sen. W. Mark: Mr. President, the headline in the *Sunday Guardian* dated April 27, 2008 is: “Mary King slams Calder Hart—Too much power...Udecott too loose—PAEC”. That is the issue. If we had a strong Legislature, do you think that this particular headline would have made the news and our joint select committees would not have summoned Mr. Calder Hart before it?

Presently, there is no committee in the Parliament to summon Mr. Calder Hart and ask him to account for \$15 billion. If we had a strong Legislature in this country and in this Parliament, we would have already brought Mr. Calder Hart before those committees, and we would have brought Prof. Ken Julien before those committees. That is when you have a strong Legislature and not a weak Legislature as we have here today. These people can do whatever they want. Could you imagine that the Environmental Management Authority (EMA) is telling the country that our Prime Minister is incredibly unbelievable?

3.00 p.m.

Could you believe that? Is that a good kind of reputation for a Prime Minister to have? The Prime Minister of this country told the whole world that a 60-room hotel was originally part of the design and you have the EMA telling the whole country that is not so; it was never part of the design. Who to believe? The EMA or the Prime Minister? But, Mr. President, you know what is happening? You see, if our joint select committees had the kind of power to recommend criminal prosecution against these entities and officials, then many things that are taking place in this country would not have taken place.

The time has come for these committees to have more power not less power. The time has come for us to have more joint select committees, not less. We need more resources and technical advisers to our committees, so that we can better

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scrutinize the operations of the Government. We want to investigate and scrutinize governmental action. But this Government is not about that. This Government does not want its action to be scrutinized.

Ask Dr. Keith Rowley; he said that he was fired because he sought to prevent corruption. I do not know if he is telling the truth, but that is what is in the public domain. Here you have a senior Cabinet Minister telling the country that he was fired because he sought to prevent corruption. That is what was said; I do not know if it is true. I am just asking if that is true. If it is true, then the Government of Trinidad and Tobago owes this country an independent forensic enquiry into the operations of UDeCott. If the joint select committees were properly funded, resourced and we had the power, we would have been able to call these people before us long time.

All over the country, people are talking about UDeCott, Calder Hart and Dr. Rowley, because whilst people are suffering, they cannot buy food, flour, sugar; they cannot send their children to school; you have a man saying that he wants to build a 60-room hotel, which was never in the original design and we do not know what it will cost—\$200 million, \$250 million; we do not know.

You build a stadium that was supposed to cost \$150 million; it went to \$600 million and it is not finished as yet. Mr. President, what is taking place is large-scale theft of the public resources of this country. Large-scale, grand corruption taking place in a number of these enterprises. Whether you talk about the Estate Management and Business Development Company Limited (EMBDC), where you have no accountability; you have a runaway person in charge of that organization; you talk about the UTT; same khaki pants; or you talk about UDeCott, you have the same kind of attitude taking place there, where these people believe that the public moneys belong to them and they can do anything they want.

I want to warn this Government, they are provoking the population. People are hungry and starving in this country and you have one man controlling one-third of the national budget of this country. Could you believe that? One man controlling one-third of the national budget of our country. I was the former chairman of the Public Accounts (Enterprises) Committee, and when that entity came before us, I was shocked to learn that there was not even an independent auditing committee. They did not even have an internal auditor.

We understand that there are people who, right now at UDeCott, the chief operating officer at UDeCott is working for more money than the Prime Minister and Ministers of Government. The chief operating officer, who is the chief legal advisor to UDeCott, is working for over \$60,000 and the Prime Minister and a

Minister of Government does not get that amount. You know why? UDeCott is a loose cannon; they do not take any instructions from the CPO; they are doing their own thing. In the last two years, they fired about 15 people. They brought in an internal auditor when we queried them and within six months, the auditor was dispatched; they fired the lady.

So, what we have in this country, Mr. President, is a situation where this Government is spending our money in the most reckless and irresponsible manner and they have many Government Ministers who are simply covering up on these matters. But I tell you, people can only take this thing for so long. In Haiti, there were food riots and the Prime Minister was forced to resign. Corruption! They accused our government, when we were there, of spending \$1.6 billion on an airport and they have all kind of enquiries still before the court today and you have one man controlling \$15 billion and the Government of this country and the Prime Minister told this country just a couple of days ago, he does not intend to have any enquiry into UDeCott; he will not launch an independent forensic enquiry into the operations of UDeCott. Why Mr. Prime Minister? Is Calder Hart holding secrets for you? What secrets are Mr. Calder Hart holding for our Prime Minister? Why is the Prime Minister afraid to call an independent forensic impartial enquiry into the operations of UDeCott? Why? Why, Mr. President? We need to get answers.

Mr. President, I want to tell you in closing, that the United National Congress Alliance will not support the reduction of these committees from three to two. We believe the committees should remain at three or even increase to four. I am prepared to support any resolution, any motion that will increase those committees from two to three.

Mr. President, I thank you very much.

Sen. Prof. Ramesh Deosaran: Mr. President, I have not spoken in this Chamber for quite a few weeks. The main reason being that those who spoke said exactly, more or less in fact, what I would have said. Secondly, with respect to the Motion before this Senate, in the last few months, mention of this Motion and the joint select committees, have received extensive, sometimes provocative, comments in the press and for my own part, I resisted the temptation when asked to comment on whether or not the Government was going ahead to establish these committees and the process that they intended to use.

With respect to the latter point, I reserved my comment because having been for about four years in the front line of a joint select committee, the one which was empowered by the Constitution to enquire into and report on Service

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Commissions and Municipal Corporations, I think I have had enough experience within the “belly of the beast”, as you would say, and I have made enough observations as an Independent Senator to have some appreciation for what disturbs the Government with respect to the functioning of these three select committees in particular.

That experience has convinced me for a number of reasons—some of which I would refer to in a few minutes—that the joint select committees do fulfil, as the Leader of Government Business said, a very important function in a democratic society, where knowledge is given to the people about how their Government is functioning and how their Parliament is also functioning. That service through the joint select committees is a very important one, therefore that is the main reason I thought that I would make my contribution this afternoon.

I would like to anchor this Motion more precisely in the Constitution itself. In section 53, the Constitution says quite clearly that:

"Parliament may make laws for the peace, order and good government of Trinidad and Tobago..."

[Lights go out]

Should I stop, Sir?

Mr. President: Perhaps we should wait a few minutes to figure what the problem is. Hon. Senators, I think we would suspend for about 10 or 15 minutes while we find out what the problem is. We will come back at 3.25 p.m.

3.11 p.m.: *Sitting suspended.*

3.33 p.m.: *Sitting resumed.*

Sen. Prof. R. Deosaran: Should I restart, Sir or should I just continue?

Sen. Seetahal SC: Restart.

Sen. Prof. R. Deosaran: No, I want to know how the time will be counted, that is why I am asking.

Sen. Seetahal SC: Injury time.

Mr. President: I have you as having spoken for four minutes.

Sen. Prof. R. Deosaran: All right, thank you, Sir. Mr. President, I really want to throw some light in this debate because I think if we want the Government to reflect on its position, a good way to start is as I was doing, refer to section 53 of the Constitution and which asks the Parliament to:

“...make laws for the peace, order and good government of Trinidad and Tobago...”

And this is a very important point because Parliament has to achieve this objective through specific instruments, through particular processes; one very important instrument therefore is the joint select committee system to ensure that there is good governance. Further than that, even section 85 in the same Constitution says that:

“(1) Where any Minister has been assigned responsibility for any department of government, he shall exercise general direction and control over that department...”

So that is a function of the Executive, to exercise certain powers in the public interest. But to ensure that that power is exercised judiciously and properly, you must have in the system an added element, not only of the Westminster system but of democracy itself and that is transparency and accountability. We therefore move on to section 75 in the same Constitution, if only to show the connection with respect to the function of the Executive and the role of Parliament as expected by the Constitution to demand accountability. Section 75 states:

“There shall be a Cabinet for Trinidad and Tobago which The Cabinet shall have the general direction and control of the government of Trinidad and Tobago and shall be collectively responsible therefor to Parliament.”

It therefore means that there is an element of supremacy over what the Constitution expects of the Executive as expressed quite clearly in the Constitution—not only implicitly but explicitly—the phrase “collectively responsible” conveying that expectation. Therefore, the Cabinet itself cannot always come and rough up and push around the Parliament except with good reason, [*Interruption*] for example, by having a special majority when a case is properly argued. But there is a defect in the Constitution, in that the Constitution has not made clear as it should, in my view, the framers perhaps did not see the need, given the fact that the Cabinet is responsible for managing the affairs of the country.

The deficit in section 75 is that the Constitution did not make it as clear as it should as to how this collective responsibility should be achieved. That presents, I am quite sure, a dilemma for the Government itself, because as I have conceded and will concede, you cannot unnecessarily hamstring the Executive from exercising its powers to run the country, either through the Consolidated Fund or by the enactment of relevant policies.

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When you look at Standing Order 71(B)(6), (7) and (13), all these subsections in the Standing Orders give extensive powers to these select committees with the intention that these committees would help the Government, not merely an Executive, but it would help the Government run the country properly. My view of the Constitution and what the Standing Orders say is that these select committees could help the Government run the country.

I am disappointed that the Government does not, as it should, see it this way, for example in the service commissions. The Minister of Energy and Energy Industries himself has repeatedly complained, just as Sen. The Hon. Dr. Lenny Saith about the deficiencies in the service commissions. This select committee system therefore provides an opportunity to call upon the members of the service commissions, as we have done, as I have done, to examine their performance and their particular areas of deficit so as to help the Government run the country properly, be it the Police Service Commission, be it the Teaching Service Commission.

So, I see great promise in this select committee system. The Government did the right thing, I believe, in taking a second look at this committee system; the Government did the right thing but I am not sure if they did it the right way and that makes a big difference. As I said earlier on, I have some appreciation for the Government's view about these select committees, and though it has not been mentioned as part of the debate yet, but having been a witness to the proceedings as I have been, the Government very early in the operation of these select committees, through one Minister or another, has expressed great misgivings about the conduct of some members in front of the television cameras.

I must say with great respect, Mr. President, I myself was very upset and concerned as the chairman of a particular committee to witness what I would call such misbehaviour. Because it conveyed to the public that these committees are, perhaps, primarily designed to persecute rather than merely enquire and report. I expressed my misgivings to the Speaker of the House, privately, to the President of the Senate, privately, because it was a serious issue.

In my view, since the committee system and its operation was evolving, we should give it time and attend to it in the proper way so as to enable it to grow in a healthy, prosperous, productive and useful manner, and not to rough it up and cause the public to wonder what is going on, as I have heard from so many people in the public; “What is that you have there, a circus? Why is this particular Member—” One particular Member, I must say, aggravated the proceedings so much by thinking it was more a court of law to persecute rather than to elicit information in a proper way. [*Desk thumping*]

So, when I say that I do have some appreciation for the Government's position to rethink this issue, this is one reason why I say so. I am not here to remove the Government or to block the Opposition from its legitimate functions, but speaking from the Independent Bench and having been invited by the Government to chair one of these committees which I tried to do to the best of my ability, I would have liked to see these committees flourish and build public confidence in the Parliament of the country.

If things work out well this afternoon, I have an amendment which seeks to gain some understanding from the Government side that we can do this in a different, better way, without acrimony, but in the wide public interest. If that succeeds I would hope that some protocol, either through the Standing Orders or some other means, be implemented so that behaviour of Members, especially in public would be better controlled and a higher element of decorum would be manifested.

3.45 p.m.

I cannot say about “wajang” behaviour and raggamuffin behaviour, but really, it is tempting to make such references. I must say, it caused me great personal pain to witness such behaviour, even when I spoke repeatedly to the Member or Members, very few of them. Most of them were quite diligent, attentive and interested in making the process work. But the recalcitrance and the delinquency became so much, that I had to appeal to the leaders of the respective political parties quietly again, to ease the tension because we were under public observation. I am saying so merely to share the concerns of the Government, but up to the point where I think the Government too should not go as far as they seem to be going, to cut down the numbers from three to two.

Mr. President, we have held over 40 meetings in that one committee, and 40 meetings with only three being aborted is an accomplishment to be very proud about for the Members, [*Desk thumping*] both Government side and the Opposition side. Also, it is to the everlasting credit of the parliamentary staff who helped against the odds, not only to carry on over 40 meetings and these four reports that we have completed, but to be diligent in running the administration of the select committee.

If you had these select committees functioning properly, and more fully than we have them now, the need for us to speak as long as we do for an hour or even 75 minutes in another place, would not be so important. We would use the committee system to trash out the details, the intricacies of legislation, so when it

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does come here, there will be not much need to belabour the points and indulge in repetition. So, there is a future for these select committees and it is up to the Government to show the leadership that is required to attain that in the interest of parliamentary democracy.

The committee system is also good to train relatively new Members of Parliament into how to work in a democracy and to appreciate that a democracy does not always bring you unanimity. In a democracy, people must understand the need to compromise and to negotiate differences of opinion. If you cannot do that, you cannot say you are suitable to live in a democratic society because different views are the basis of a democratic society.

So the Government's story is mainly in my view, that at least at some stage—because things got better eventually—the behaviour by some committee members was highly undesirable and I venture to say, that I share that view. Very few of them, however. These committees are not designed to wilfully embarrass or denigrate people who appear before them, although those who are invited and those who appear before these committees, should also understand their responsibility according to what the Standing Orders require. That is, they must appear and they must be able to answer the questions as fairly and as fully as they could, except in some cases. And the people who appear could also ask for a private audience, they do not necessarily have to have the answers in full public glare.

I have heard it said repeatedly and publicly—and I must admit I felt a little embarrassed, but I saw no need to retaliate publicly, except now to make these few comments—by senior Government Ministers and even by our distinguished Prime Minister, that because we had Independent Senators chairing these committees, it did not work. I am an Independent Senator, I was then and I just established to you how it worked. We had over 40 meetings in that short space of time that we established—I do not want to tell you about the blood, sweat and tears that it took, but that was a mission we had to accomplish, and we who were in charge, never allowed anything to stand in our way.

We always succeeded with a quorum except on three occasions. It worked. Sometimes I am tempted to feel that perhaps it worked too well, but that aside, may I say, lest I forget, if a chairperson of a committee was behaving in an apparently recalcitrant manner, too arbitrary a manner or even unduly forceful, I believe the Government had a majority in those committees to move a vote of no confidence. I also believe that the Speaker had a prerogative to intervene and bring the matter to the full House for debate and a vote. So it left me wondering

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time and time again, rather than the Government complaining about what the Opposition or any other Member or Members were doing, the Government had the tools at its disposal to correct any apparent wrong, to neutralize the Opposition by attending these meetings and using the rules of engagement more precisely and effectively.

So there is hope or there is room and it is not good enough in the public interest, to complain, recoil, and to use what I think is too heavy a sledgehammer for a matter of this type. It is too important, not only in principle of accountability, but we have reached too far with these three select committees to turn back now. We have reached too far. All this work done; I would really like the Government to rethink its position. With all the talk about dictatorship and arbitrary conduct, we can put all that aside, and there is an opportunity now for the Government to show that they truly remain democratic and great is the PNM and it will prevail by having an honest reconsideration of their proposal this afternoon.

Cutting down things in a democracy is not right; it does not sound right. It is like uprooting a young tree that promises to bloom. Cutting down things in a democracy, reducing the instruments of accountability in a Parliament, it just does not sound right, no matter which Government is in power, and that is why there is such distaste of the Government now, in the public's mouth about this issue.

I could understand Sen. Mark's frustration in the way he has expressed himself, but I would even ask Sen. Mark and Members of the Opposition to reduce the tempo a bit. Let us try and see if we can work this thing out more amicably. The live broadcast perhaps, did stimulate some person's flair to be flamboyant, but it was no theatre show. It was not a place to perform; it was a place to deliberate seriously, diligently and with proper decorum. Some of us missed that early in the game, but as fate would have it—I do not want to say the person disappeared from the scene, I better leave it like that—there was a great relief when certain incidents took place. It brought great relief upon myself as chairperson.

These committees are very important for other reasons. You see all this squabble and quarrel with the vendors, the squatters, over food prices, that nobody is really taking responsibility for the inordinate increase in food prices, nobody wants to say yes, "I will see about my own interest and try and bring some relief to the consumer". Everybody says, "is not me; is he, is she, is them, do not blame us"; whether it is the business community, whether it is the planters, the farmers, the Government.

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If these committees—one in particular—were allowed to work properly, we could have had a measure of accountability and explanation as it were, from each of the players in this food prices controversy, as to where the price starts from the production level, right on to the shelf. We could have made enquiries more precisely without any rancour and in public view, and the Government would have found itself in a better position, rather than having to defend itself about expenditure in the public interest, as it finds itself now on the defensive. I believe the truth in terms of food prices does not lie so much on the Government side, as it lies in other areas, but that is not a subject for debate today.

In fact, two years ago in a budget contribution, when I spoke about food prices, I made my comparisons. I looked at the international figures to show how come in Trinidad and Tobago the rate of increase was so much, much more than in other countries nearby and even far away, which were experiencing similar international pressures. There are other things going on in this country that need more precise enquiry and intelligence gathering, and I submit therefore, that these select committees can accomplish that in a bipartisan manner. That is my other point.

The four reports to which I allude, as presented and prepared by my particular committee—other committees did their work; other chairpersons did their work in their own way and in their own time, but I can speak with authority on the ones that I chaired. These committees contained a number of recommendations. Some of them have 40 recommendations, the one on the Police Service Commission—you did not have to hire many consultants if you really examined the recommendations here. It is free, in a sense. This came easy and I am tempted to say as my colleague is saying, perhaps it comes too freely. But I merely make the point, again, that these committees have great value for democracy and for the future and by cutting down the size, you are really cutting your nose to spoil your face in the long run. The medicine that the Government is applying will kill the patient. That is the wrong medicine.

You can regulate live broadcast. One of the subsections in 66A of the Constitution tells us that the meetings of these select committees shall be held in public, unless the committee or the House decides otherwise. So there is a restraining factor, but you will realize how it is phrased. It says first it shall be held in public, and like all things of this nature, if there is good reason not to do so, then the House or the committee as a whole with the Government majority can properly stop it, with good reason, not arbitrarily.

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Therefore, I have heard with some disappointment that the public viewing of one of the committees, Public Accounts Committee, has been blocked. I do not think that is healthy for democracy. I do not think it builds public confidence in Parliament and I really do not think, if I might say so, Mr. President, with respect, it reflects well on the Government. There are too many things happening in this country now with the Government, whether it is real or perceived. There is a growing amount of restlessness, pockets of resistance, groups only waiting to see whether they can explore the breach in many different ways, and it is therefore proper for the Government to sit back and bring some solace and create some easiness, some different form of diplomacy to contain that growing restlessness.

4.00 p.m.

I need to say no more except that if you adversely affect the functioning of these select committees, you are merely aggravating the public perception that there is some kind of creeping dictatorship around the place; except to say that I have seen everything done by the Prime Minister has been according to the Constitution, so I am not going to, perhaps, go outside my boundaries and make any accusations.

It is not the power that is available; it is how you use that power. I think that is what is bothering the country, to some extent. I, therefore, plead with the Government; I, therefore, implore the Government; I, therefore, beseech the Government, to take a second look at this Motion. The best it could do in the circumstances is to let the status quo remain after some reflection.

Mr. President, this is not a matter of black and white or devils against angels. When these select committees were first appointed, I was asked to be a member; that is in the year 2001 or somewhere thereabouts, when the UNC government was in power. I was a Member at that time. At the very first meeting when I heard that the UNC was going to put a government member to chair not one, but two committees, the same person, foolish as I was, reckless as I was, being in the lion's den, as one lone Independent Senator, I raised my voice and objected to the fact that they were putting a government member as chairperson. I outlined my reasons. Even at that time I disagreed with the UNC putting one of its members as a chairperson.

I would have liked to hear them say that was a mistake, especially since they object to what the Government is now so doing. I object to having a government Member chair the committee now and I objected then, as an independent person. So we must be contrite enough and humble enough to know when we are wrong,

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so that the engagement could take place in a more amicable parliamentary fashion. I am quite sure before this debate ends that will be accomplished, so we could move more fully into democratizing this Parliament. Two wrongs do not make a right.

The argument is vacuous; it is not compelling, to have a government Member, if that is the intention, chair these committees. You are rankling the public confidence in our systems. The public is so skeptical of the Judiciary; it is so skeptical about the police; it is so skeptical about almost every public institution in this country. You do not need a scientific survey to come to that conclusion. As parliamentarians we have to seek all possible means to redress that challenge and to invite and build public confidence. I, therefore, submit, once again, that reducing the number of select committees is not going to fulfil that. It would merely create further unease, and you would feed more fodder to the discontent in the society. There would be a lot of speculation about trying to hide, trying to conceal.

I do not think that is the reason the Government is cutting this down. My reasons, if I should repeat, are twofold. The Government is distressed at the behaviour of some Members and, secondly, the forum is used too much to persecute. We should all take a step back. I mean no offence to anyone, but how can you speak the truth if you are worried about what distress it could cause to other people? I am venturing out, as they say, to call a spade a spade. That is why I mentioned that I have spoken to the Prime Minister on this. I wrote to Mr. Panday on this matter, to control his Members. One or two Members were in Mr. Dookeran's Congress of the People (COP); I spoke to him—he was a colleague of mine at the university; all behind the scenes, trying to get this thing working, because I know it holds great promise. It is in that context that I speak today.

I spoke to the President of the Senate; they all were distressed, but what can you do when Members have certain freedoms? It is not always right to express that freedom in ways that bring great discomfort to others and, especially to bring disrepute to the Parliament itself. A lot of people are in favour of these select committees. I have not heard one voice from the public or from any profession, those interested in constitutional reform or not. Some of my good friends—Prof. Julian Kenny has argued vociferously in column after column; Prof. John Spence, similarly; Mr. Reginald Dumas from Tobago; Martin Daly, who is now the President of the Law Association, have all argued repeatedly; so too have editorials one after the other; non-governmental organizations, the Chamber of Commerce, has argued for the promotion of these select committees. This is nothing really against the Government.

I know that you have concerns. If you reflect on this and get the Opposition to agree that such and such things would happen within the parameters of what is expected by the Constitution and the Standing Orders, if such agreement could happen in a Parliament for the benefit of the people, for the public interest, on both sides, this Parliament could be very proud of itself.

In fact, I have had requests—at least as far as my committees were concerned—from persons all over the world, asking for copies of our reports; especially the one on the Police Service Commission and the Teaching Service Commission. In fact, before I proceed, and lest I forget, one of the most memorable occasions I have had in being part of this select committee system, is when the Minister of Education, as she then was, Sen. Hazel Manning, got up and fulfilled the requirements of the Standing Orders, as a minister; that is, she replied within the 60-day period to a report that was presented to the House as a Standing Orders requirement. I have always applauded her for that. I wish I could say the same thing for others.

That is the kind of example, I would not say humility, but it was more diligence that she has conveyed to the Chamber of how Members of Parliament ought to behave. Minister, yes, but the Standing Orders require such and such, and she did it quite nobly. I have always commended her for that. [*Desk thumping*] I have always admired her for that. So there are good things that can happen. We can all ennoble ourselves by doing things a better way.

I have correspondence asking for our report on the Police Service Commission coming from the Public Safety Unit of the Organization of American States. You see how useful this is? It is very useful. Why did they ask me? I was one of a group of experts from the Latin American/Caribbean region who went to Montego Bay about two months ago, March 06 to March 07, to develop a range of proposals on a document to give to Caricom governments before the Ministers of National Security and the Heads of Government met.

The Minister of National Security, Sen. Joseph, did make reference to the document. I was proud to represent my country and to do something as important as that for the region. Christopher Hernandez-Roy was the writer, and we have the document which was given. They needed the report of the Police Service Commission to get a more precise understanding of police complaints, the relationship between the Executive and the Police Service Commission, because these were new things to some jurisdictions, and they wanted to learn from us.

Mr. President, we can avert a lot of controversy, misrepresentations, unfair blaming of the Government, a minister or even the Opposition, if these select committees continue to have the opportunity to call before them key players in the public

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domain, to enquire more precisely what they are doing and what they are not doing, and to compile it for Parliament. That is how a healthy Parliament should function, how it will grow. Let us not deny ourselves that golden opportunity otherwise we would be a penny wise and a pound foolish.

The Government did the right thing, and I agree, to reflect on this joint select committee (JSC) matter, but they are doing it the wrong way, I respectfully submit. In fact, since Sen. Mark mentioned Dr. Keith Rowley, the whole UDeCott thing, and whether it was "wajang" or ragamuffin behaviour, that could have been avoided if these select committees were functioning properly. The whole controversy about the 60-room hotel could have been dealt with in a much more parliamentary fashion, therefore bringing less distress to the Cabinet, the Prime Minister himself and Dr. Rowley.

The irony in this is that Dr. Rowley himself was one of the Cabinet Ministers who in the Lower House expressed great disdain and distress over the way the select committees were operating. He vowed never to appear, never to attend. Let us not go down that road; it will lead us nowhere, or if anywhere, there will be more darkness than light.

The hon. Minister of Energy and Energy Industries did make a point which intrigued me. I do not want to say that he misunderstood what this whole thing is about. He has been a very intelligent minister. His language is always measured, but, perhaps, unwittingly, when he spoke about the competing claims of the Cabinet subcommittees, a million and one subcommittees, the Cabinet has to run its business in the best way it could. If you have all these subcommittees tumbling over one another and you do not want to combine them, make them lean and mean and truly functional, why are you distressing the functions, objectives and the lifeblood of our Parliament to satisfy that Executive requirement? The Parliament should be left alone to flourish, to build public confidence and to continue to do what it has started do so very well.

Why do you not cut down some of those Cabinet subcommittees? [*Interruption*]

Mr. President: The speaking time of the hon. Senator has expired.

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

Question put and agreed to.

4.15 p.m.

Sen. Prof. R. Deosaran: Thank you very much. I have an amendment to move at the end of my contribution which I think will bring strength and added value to the exercise.

There is another point which the hon. Minister made and every time we are doing anything as important as this, or anything of lesser importance, we have to go on an international parade on what New Zealand is doing, what India is doing, and what Australia is doing. Countries do not grow by mimicry; of course, you make comparisons, but these select committees are a phenomenon that should be allowed to grow on its own soil, through its own temperament and vicissitudes, whether it is by trial and error, because it is so the other countries have grown.

America did not copy what happened in England, it created its own Congress with a sharper balance of power between the Executive and the Congress, so that each one has to watch the other one with sharp eyes and negotiate as a political system, in order to exist. We have to learn the art of negotiation; do not run away from a problem because you are merely displeased. You should be stronger than that. Great is the PNM! [*Laughter*]

Hon. Senator: And it shall prevail.

Sen. Prof. R. Deosaran. I want to tell them that they have the sinew, the strength, and the majority to do other things rather than taking a cutlass and chopping down the select committees, and I am trying to be reasonable.

Sen. Mark made some points that I would like to refer to before I finish, and he is really right. This is so clear that a blind man can see that what the Government is proposing will not work. How can you have one select committee, Mr. President? You know the Westminster system. When I seconded the motion for your presidency I made that reference. You know the Westminster system. How can you have one committee looking after service commissions, and another committee overseeing about a million ministries as it were, hundreds? How could that work? Anybody from the Institute of Business (IOB) with a degree in MBA would realize this is crazy. I cannot understand the logic in this; like somebody cannot count or what, or someone must have gone berserk; maybe somebody is so angry with this thing, perhaps the Prime Minister is, and he has a right you know, as I shared earlier on. What I would suggest is that we mend our ways, the Opposition and the Government, and try to make this thing work as it really should and could.

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I did not touch the issue of live broadcast to see if it works, and if again there is any miscreant or any delinquency overdone because, after all, this is Parliament and you must expect a little muscle here and there, a little challenge here and there. This is Parliament, it is not a church service, but still there should be restraint.

As I come to my conclusion, I have some misgivings about the political party system in this country. There are many breaches. The political party systems are not working as they should and I do not get the feeling that the membership in these parties are the driving force. I think there is great top-heaviness in managing the affairs of the political party because to the extent to which these parties are democratic, viable and effective, so too will your Parliament be and so too will civil society have reliance on what is a real party to carry the issues or even to join. People are scared to join political parties in this country because of the dangers that might befall them. They go in today and tomorrow they get kicked out without knowing why. I am not speaking about any particular political party; I want to make that clear. I am not speaking about recent events either. I have been looking at this thing for a very long time. So parties have to introspect too and in the PNM's case, as a ruling party, I believe there should be some further introspection from within that party because that is a more effective way of having the party reconstruct itself.

I do not think the Opposition could fulfil that role of having the Government correct itself because it comes across so acrimoniously, so threateningly that the Government has no option but to put itself against the wall and defend. So we need a new way of dealing with these things, Mr. President.

I have given way to the Government in the committee which I chaired, once, Sen. Mark would remember—because I know that he was not too happy with what I did, but I took the bruises. The committee met several times—due process—and we presented and finalized our report, only to find the Government side was not satisfied with it and they asked me to redo the process although all formalities and procedural issues were satisfied.

Because of the role the Government has in my view, as an Executive and as the majority party, I conceded to their wishes and so was able to come up with the Police Service Commission Report where everybody was happy and more particularly, the validity of this report as with the others is that it rests on a bipartisan effort. Both Government and Opposition, together with me, produced a document for the Parliament and the people of this country. Is that not of great political value in a society that tends to be so divisive and acrimonious over very little things? That kind of accomplishment we cannot ignore, we should allow it to flourish and bring added value.

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When we were disputing the select committees and the issue of a quorum about two years ago, we were told repeatedly to hold strain, when we get 41 members the issue of the quorum will be dealt with. Do you remember that? You had all my hopes pelting up in the air, now to come and tell me you still have a problem with the quorum? I think we can do much better. This whole exercise looks like being penny wise and pound foolish. There is still a chance as I said, Mr. President.

I propose my amendment—and I hope the Government reflects. If you do concede, the country will bless you. You will be doing something that is just as important as when you as a Government decided to allow parliamentary proceedings to be broadcast live. The country will never forget you for that, neither will I. That was something you did so willingly and in the history of parliamentary democracy, your name as a Government will forever shine in that particular respect.

There are other things you did. Dr. Williams transferred the powers to appoint service commissioners and other things of that kind to the President. For that devolution of power, the country should always remember the PNM Government. The UNC government gave us the select committee and I hope that is not the reason there is some scepticism about putting it forward. No, you cannot run a country in that way. The UNC has that to its credit even though it did not do it as well as it should have with resources and fine-tuning the functions and so forth and looking at the question of membership.

My amendment is as follows, Mr. President:

In the first resolution where it says *Be it resolved*, insert between the words “on” and “service” the—

Mr. President: Senator, if you are going to propose the amendment, then you need to precede it with the words, “I beg to move the following amendments”, so you should say that.

Sen. Prof. R. Deosaran: That is my intention, but in the speed of things to finish before my time—

Mr. President, I beg to move the following amendments:

Insert between the words “on” and “Service” the words “Municipal Corporations”.

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With respect to the second resolution in the third and fourth lines:

Delete the words from “Municipal” to the end and insert the following:
“Government Ministries (Part I) and all Statutory Authorities/Enterprises falling under these Ministries and owned or controlled by or on behalf of the State or which received funding from the State of more than two-thirds of their total income in any one year.”

Add a third resolution to read as follows:

“*And be it further resolved* that the Senate also appoint six Members to serve with an equal number from the House of Representatives to enquire and report to Parliament on Municipal Corporations and Government Ministries (Part II) and all Statutory Authorities/Enterprises falling under these Ministries and owned or controlled by or on behalf of the State or which received funding from the State of more than two-thirds of their total income in any one year.”

Thank you very much for giving me this opportunity.

Seconded by Sen. Wade Mark.

Question proposed.

Mr. President: Senators taking part in the debate hereafter may speak on the original Motion and the proposed amendment.

At this juncture, I suggest that we take the tea break and resume at 5.00 p.m. The sitting is now suspended.

4.29 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

The Minister in the Ministry of Finance (Sen. The Hon. Mariano Browne): Mr. President, I rise today to add my comments to the Motion for the establishment of the joint select committees. I would like to thank Sen. Prof. Ramesh Deosaran for his frank and honest views with regard to the prior operations of the joint select committees and his comments with regard to the behaviour, or the lack thereof, of some of the chairmen of the committees.

As I understand it—and I take his point that the joint select committees are there—

Sen. Dr. Charles: He did not say chairmen.

Sen. The Hon. M. Browne: I take your point—highly undesirable behaviour exhibited at the committee. Is that a proper quotation? Did I get that right? I thank him for his sense of balance and equanimity in the circumstances.

I would like to say that public service is demanding, exacting and most times without recognition and reward and it is certainly thankless. In that regard, I refer to the comments made at the last sitting where a Motion was raised and the hon. Minister, in replying to the Motion, made the point that people who are not present in this House to defend themselves are subject to attack, vilification and abuse in a fashion which seeks, in many instances, not merely to make them run and hide, but in a sense, also serves to prevent many other people who would undertake public service to move away from so doing.

I want also to make the point, in answer to Sen. Prof. Deosaran, that we understand and we fully accept the collective responsibility as set out in the Constitution in section 75 and we also understand and accept the realities which are enjoined upon us in section 66 with the operation of the committees and their purpose in bringing a sense of balance, a sense of order, a sense of openness and a sense of fairness to Government business, in that it should give Members an opportunity to ask questions, be heard and examined. We accept the fundamental principle of democracy that is espoused therein.

More importantly, we endorse the sentiments that he speaks of with regard to the principle of parliamentary democracy that allows for free and frank discussion and differences of opinion to be expressed openly. And we take the point very fully, when he talks about using the rules of engagement to allow for those different points of view to be heard, and that our approach should be bipartisan and we ought not to attack third parties. That is one of the reasons people are afraid to join political parties and that is one of the reasons, in many instances, that people are afraid to be identified with a political party, because it leads to, in many instances, mindless attack and vilification.

It is a fear of the invective and the acrimony that goes with that type of public office that prevents many people from serving, a point which I might add, that is increasingly difficult, given the ambit, outreach and implications of the Integrity Commission and the—how shall we call it—direct nature of some of the enquiries which are invoked by people under the present regime who are unnamed, unidentified, but must be investigated.

It is that which make us very wary of many things that were said on the other side and for which I must make some comments, particularly in response to the hon. Wade Mark. One of my colleagues often tells me that it is difficult to be in opposition so that I should be more understanding of Mr. Mark's position.

Sen. Mark: Mr. Mark? Sen. Mark—

Sen. The Hon. M. Browne: Sen. Mark. Honourable Sen. Mark! How could I ever forget? How could I ever make such a mistake?

Sen. Mark: I will ask the President to pull you up, you know.

Sen. The Hon. M. Browne: No, I will not have that. I am fully prepared to admit a mistake when I have made one, Sir. I hope you do the same.

Sen. Dr. Charles: But you do not recognize one.

Sen. The Hon. M. Browne: It all depends upon what we call a mistake.

Sen. Mark continued in a series of outrageous comments that always test the bounds of good sense, and I know that the hon. Senator is an honourable man. The quotes are salacious, to say the least, libellous, sometimes full of invective and very short on evidence. I know that the *Mirror* is not a place that you should look for evidence, especially when it recounts as evidence or as fact, matters which never occurred.

Further, in addition to these errors of fact or fiction, Sen. Mark, in reference to the committees and the operations of the committees, talked about—how shall we call it—not so much misuse of public funds, but how the Ministry which is under my control would spend \$500 million. Of course, the number is not \$500 million and, certainly, we did not spend it. It certainly was \$400 million, which is pretty closer to the fact.

Similarly, with regard to the powers of the committees—and I heard something about people who would not come before the committees, who would not come to address the committees, showed disrespect to this House. I looked up the operations of select committees in May's *Parliamentary Practice* and I did note that select committees can require evidence and production of documents with express authority from the House and there is a procedure and a rule by which it is done, and I notice that the House of Lords and the House of Commons certainly do have powers of arrest for contempt. But I also note that the House of Lords is an appellate court; it is a court of record and there exists no such provision with regard to this honourable Senate.

So that the points made with respect to a person who was not prepared, or did not come or did not send evidence to the operations of those committees, were completely out of line.

Sen. Mark: So are you saying this is a court—

Sen. The Hon. M. Browne: It certainly has the capacity to pass law; it is not a court of record and there is a clear distinction between an appellate court and ourselves.

Sen. Mark: So we cannot find somebody in contempt?

Sen. The Hon. M. Browne: With respect to a mistaken sense of power and the comment with regard to—is it Marie Antoinette—“let them eat cake”, I recall words which were televised when asked about his power, a certain chairman said: “I am king and you are my subjects.” What manner of man—except that man that is on television now. *[Interruption]* Sen. Mark; the hon. Senator—did I get it right this time? The hon. Sen. Wade Mark who, in attempting to command the presence of a sitting Minister, in fact, referred in his comments in this House, that the sitting Minister would not come to the committee to give evidence, when Sen. Mark clearly has the power to ask him whatever he wants in this honourable House. He does not have to appear before a committee. You have those powers right here. You have that capacity to do so here. He does not have to appear in a committee and, therefore, did not refuse to do so. He sent you a note which explained his non-attendance as to why he would not come. Of course, I am speaking about Sen. the Hon. Dr. Lenny Saith, and when you attack one of us, we need to defend him—

Sen. Mark: I did not attack him.

Sen. The Hon. M. Browne: With regard to our Motion, we fully understand that the committee structure allows for an examination of ministries and certainly will help in moving and improving the operations of those ministries. That is one of the reasons we have followed the democratic tradition and brought a Motion. We have not decided to change it, slide it or anything else; we have put our cards on the table. The Leader of Government Business on this side has given a reason, a rationale. And what is unreasonable about the reason or the rationale? We support select committees and I note the amendment to the Motion that has been put by Sen. Dr. Ramesh Deosaran.

In fact, in the information which is in front of me which is taken from the parliamentary website, it talks about joint select committees. It does set out the joint select committee appointed to enquire into and report to the Parliament on Municipal Corporations and Service Commissions, and it does set out the form of words which are very similar to the change in the amendment which is passed.

I note also, in looking at the joint select committee to enquire into and report to Parliament on Government Ministries with responsibility for areas, it says, “Part I.” It divides the business of examining the ministries and state enterprises effectively in an alphabetical order, probably for ease of administration, into (a) to (f) and, actually the second committee, Part II, carries it on from (h) to (t)—housing and transport.

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Essentially, that was an administrative procedure to break up the work and to move it between two committees. In other words, whilst not a subcommittee and it operates as a functioning committee in its own right, the division into two is essentially for an administrative purpose. So there is no magic in the number three. It really is not two, with one divided into two. So the Motion as presented from this side does not do an injustice to the facts. What the argument has been—or has been made—is that the pressure of work on this side has created a difficulty which we have now sought to alleviate.

Sen. Mark also makes a number of points, essentially saying anti-democratic behaviour and behaviour which is—I hesitate to say—injudicious on this side, with regard to abuse of the position of power, in that it seeks to appoint chairmen of the various committees. Just by way of record, I just thought that I should check who were the chairmen under the UNC administration, so I checked. The first joint select committee: Mr. Subhas Panday, Miss Gillian Lucky, Mrs. Kamla Persad-Bissessar, Mr. Carlos John, Miss Jearlene John, Dr. Tim Gopeesingh, Prof. Ramesh Deosaran. The chairman was Subhas Panday and the vice-chairman was Miss Gillian Lucky.

Committee two: Again, the Members were: Mr. Subhas Panday, Mrs. Mary King, Mr. Trevor Sudama, Mr. Ganga Singh, Dr. Daphne Phillips, Dr. Roodal Moonilal, Dr. Jennifer Jones-Kernahan.

Sen. Mark: But the Government—

Sen. The Hon. M. Browne: No, these are your committees. You all were chairmen and vice-chairman. You could have appointed an Independent. Why did you not appoint one?

Sen. Mark: At that time—[*Laughter*]

Sen. The Hon. M. Browne: What can I say to that? This is the man who was just telling us about what we do on this side. This is the same man.

Sen. Mark: No, well I am supporting an Independent being appointed—fully supportive.

Sen. The Hon. M. Browne: That is a nice idea. Well done.

Of course, the next committee: Mr. Wade Mark, Mr. Ralph Maraj, Mr. Mervyn Assam, Dr. Vincent Lasse, Dr. Hamza Rafeeq, Dr. Roy Augustus, Mr. Christopher Thomas.

5.15 p.m.

I am happy to hear that you are alive. I am looking forward for a change in your behaviour. *[Interruption]* That is very Gandian of you. I approve and applaud that philosophy.

I take the point from Sen. Prof. Deosaran that sometimes a government needs a little latitude. It must be given room to do certain things. *[Interruption]* Diction. Latitude. That is to make it clear. On this particular occasion we have suggested two. It does not in any way change the span of control or range of operations. We have not attempted in any way to hinder what it does. That is not on the table. We have not attempted in any way to change the quorum. I believe that under the Standing Orders, a quorum remains three. We have said that the Government does face a certain difficulty at this time and it has asked for a change and hence, that is the Motion we have put on the table.

I want to put on record, notwithstanding all the comments made during Sen. Mark's contribution, that I have supplied him with a copy of this document, *Standard Procurement Procedures for the Acquisition of Goods and Services to be Provided for and Works to be Undertaken and for the Disposal of Unserviceable Items in State Enterprises/Statutory Authorities/and Bodies.*

Sen. Mark: When you supplied that?

Sen. The Hon. M. Browne: I sent it to you by mail in January. *[Interruption]* I will send you another one in the morning. I certainly sent you a copy. I will give you a copy of this. I shall leave it with you. I will give this one. I will give him an original.

We on this side are very clear that there exists rules for procurement. In the majority, if not all our state enterprises, there are a functioning audit committee and internal auditors. As a back-up procedure we also have a central audit committee that is asked to do special assignments or routine engagements. We have a procedure which is followed and we do follow-up.

Sen. Seetahal SC: Mr. President, through you, if that document could be made available to the rest of the Senate we would appreciate it. I do not know where I can get a copy, should I wish. I know that you treat Sen. Mark with a certain special regard, but perhaps the rest of us could share that.

Sen. The Hon. M. Browne: Sen. Seetahal SC, I shall make a copy of this document available to everyone.

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I go on to make the point that certain comments were made about information not being provided by an organization called UDeCOTT to the Public Accounts (Enterprises) Committee. It happened that I was looking over a couple of things in looking at procurement policies and I saw some letters which were written in response to the requests for information which set out detailed responses to those committees.

The audited financial statements of that particular entity that was mentioned by Sen. Wade Mark had not been merely the subject of discussion and investigation, but the financial statements were presented and discussed by that committee. The information that was requested was presented.

With respect to our general position, we have no difficulty with the operation of investigation that the joint select committees undertake. We applaud such investigations and they ought to continue. For that reason, once again, we are moving a Motion for the establishment of the joint select committees. We do recognize that the joint select committees have a valuable role to play and we are committed to carrying out our function of collective responsibility and adequate disclosure of information in the public space and to these committees. We recognize also that private persons who are not here to defend themselves are not subject to investigation. Their private business ought not to be disclosed in this House. There are also times when private matters or alternatively, business sensitivity will not be disclosed in the House. The Government will give all the necessary information. Where there is a conflict between the Freedom of Information Act and private individuals, we would take the necessary legal advice and operate on the right of private individuals to privacy. That is our position.

Just by way of closure to my contribution, we endorse fully the function of the joint select committees. We undertake our constitutional responsibility. We would act in accordance with that. Our Motion has been presented and delivered from the point of view of administrative convenience on this side and has nothing to do with abrogation of the rights of democracy as claimed by that side.

Thank you. [*Desk thumping*]

Sen. Dr. Jennifer Jones-Kernahan: Mr. President, thank you for the opportunity to contribute to the Motion before us. I agree with Sen. Wade Mark when he made the point that the Minister of Energy and Energy Industries did not seem convinced with the arguments that he presented to us, to reduce the number of joint select committees from three to two. The Minister is an intelligent person

and he knows that his arguments are untenable. I got the impression that he was like Macbeth in his presentation. "If t'were done, 'Tis best done quickly". That is the way he presented his argument, very quickly and shamefacedly, and he sat.

This Minister knows that what is happening here this afternoon is a naked, shameless display of a brazen grab to arrogate more power on to the Government on the question of the joint select committees. He knows that in the public arena this would provoke the obvious comment, that the "emperor has no clothes". It is naked. Even Sen. Prof. Deosaran made the point. He has practically begged the Government not to go down that road. What is happening here this afternoon is obvious.

The Minister bewailed the fact that this Government has great difficulty in "figuring out" how to carry out its function of the joint select committee under this Constitution. In the Eighth Parliament, the functions of the joint select committees were carried out brilliantly under the chairmanship of Independent Senators. The most amount of work that was ever done in this Parliament in those committees was done in the Eighth Parliament. What is the problem? What is the difficulty you have all of a sudden with respect to the functioning and how to figure it out? There is nothing to figure out. It is up and running. It is one of the most important democratic institutions we have as part of this Parliament. What is your problem? The problem is the difficulty that the administration on that side has in how to muzzle the Opposition and the voice of the people in terms of participatory democracy, which is what the people of this country are crying out for.

The commitment and seriousness with which the joint select committees undertook their work and responsibilities in this country should be applauded, upheld, promoted and supported. It should not be subjected to this vicious onslaught that this Government has waged on the joint select committees. The Minister in his futile attempt to cover this naked and unashamed grab for power brought this little fig leaf full of holes and said, "Yuh know why we doing this? Because in 2001 the then administration reduced the joint select committees from five to three."

Let us be reasonable here. There has been a plea from the Independent Senators to be reasonable; to put our cards on the table; talk like big men and women and not beat around the mulberry bush. Any rational person will recognize that the decision you take is based on the reality you face and how best you will deal with the problem you have. The decision that you take today cannot

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be based on an experience and decision that was taken seven years ago by the previous administration. Why bring up that? It is irrational. I know that the Minister is an intelligent person.

The only difficulty that we have to solve and the only rational act that we have to commit is to ensure that however we change numbers, we change them with the intent and purpose of strengthening the work of the joint select committees and a commitment to transparency and accountability. I agree with Sen. Mark. If you are committed to transparency and accountability, every time you get up and open your mouth you are bleating all over the place to say what you are about. This is not what you are about when you come here and say that you want to increase the tremendous workload.

Even with three joint select committees we barely scratched the surface of the number of agencies and organizations into which we had to enquire. When you reduce it to two, what do you think would happen? Less probity; less transparency and less investigation. That is exactly what they want. They know what they are doing. It is not something that they are figuring out and are confused. They are very focused and know exactly what they are doing. That is to muzzle the Opposition and to prevent people from participating in the parliamentary democracy that they are whittling away every time they come to this Parliament.

Today, the Parliament must rise to the challenge. This Senate must rise to the challenge and reject this Motion which does not promote, but undermines the participation of the people in the parliamentary democracy of our country. Every right thinking, rational person would reject this Motion this afternoon if you are committed to more transparency, probity and investigation.

I do not understand how you go up for election, all kinds of claims and counter claims are heard on the hustings; you make all these promises; you are in governance now and all of a sudden, you are so thin skinned that you cannot stand some criticism from the Opposition. If you cannot take the heat, get out of the kitchen! We are doing our job. The Opposition is doing its job when it holds the Government to very stringent standards of probity, transparency and enquiry. The Independent Senators have done a marvellous and fearless job. We have carried the issue of parliamentary democracy to another level in the Eighth Parliament. That is too good for them.

They cannot stand that Parliament is actually proactive; interacting with people; finding out the problems and promoting good governance. They want everything to be shrouded in secrecy and mystery. The people must be awed and

not know these faceless persons who are in control of their lives at every level. People must be in fear. This is what they are promoting in this country. A climate of fear; a climate of mystery! People with guns come at you in the night and take your lives and there is no justice in this country. They are promoting that climate in the streets and they want to promote that climate in Parliament.

The Minister took the trouble to outline very pathetically, the number of committees to which the Ministers have to attend when they have so much work. If you do not want to do the work, stay home and give somebody else to do the work! That is what government is about. I agree with Sen. Prof. Deosaran. What you need to do is proper housekeeping. Rationalize your Cabinet committees and internal organs so you can deal with the issues and mechanism that give people a stake in this so-called parliamentary democracy.

5.30 p.m.

That is the priority; to give people a stake in a more participatory democracy. We are not concerned with your business and how many committee meetings you have to go to. That is not our business. Our business as the Opposition is Government oversight. This is a very powerful mechanism and tool that we have to use to the best of our ability to defend the interest of our people. We are not concerned with your problems. Your problems of governance are your problems. Do not bring them to us here.

We are concerned that the joint select committee is a powerful tool to face the managers in government ministries and statutory bodies and pose questions to them. In the Eighth Parliament, we revolutionized the whole question of interface, interaction and accountability. People came from Chatham and Cedros, sat in this Parliament and posed questions, through the joint select committees, to the highest authorities in the land and they had to answer. Some of them they did not answer because they are always clouded in secrecy and private rights and this and that. We know the game. We understand what is happening. The fact is that ordinary people came to this Parliament and faced the managers and posed hard questions and got answers. That is what this is about. It is not about their problems and how many committees they have to sit on. We are not concerned about that.

Mr. President, this Motion, which proposes two joint select committees, one for statutory bodies and one for everything else, is so cynical and obvious. They have put under statutory bodies, 23 ministries, 129 statutory authorities, 14 municipal bodies, 60 state enterprises and so on. We know when they do this that it is impossible for one joint select committee sitting day and night to skim the surface of what is happening in these ministries.

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In the Eighth Parliament, we were able to do quite a bit of work; not as much as we would have liked, but when they do something like this, they are undermining the ability of the joint select committees to function. They are being very transparent. That fig leaf does not hide their nakedness. Sometimes I believe that this administration speaks always to the lowest common denominator in this society. They do not speak to the middle class, the intellectuals or the people who have any sort of intelligence or reasoning ability. They could not be speaking to intelligent people in this manner and justifying this act of total arrogance and fascism. They do not care about the middle-class or the intelligent people. They only care about the people who would follow the PNM until they are literally dying.

The Independent Senators did a fantastic job and, as Sen. Mark said, it cannot be himself reporting to himself. That is an old calypso everybody laughed and got kicks from. They are bringing that back in 2008 with a straight face and senior Cabinet Ministers are getting up to defend it? How can they have a government back-bencher, with all his hopes and dreams of becoming a front-bencher, sitting on these committees as chairman and hope to have any degree of impartiality or any lack of bias? They have something to prove. They have to sit there and be a king and a "bad John" and lock down everything, so that they would get some recognition from their peers and have the Opposition under control. That is human nature.

In any situation, if you put someone like that there, it is not because they are PNM that they would do that. That is a human condition. If you put someone in a position like that, who has hopes and dreams of elevating himself, he will try to do what you put him there to do. [*Interruption*] I do not even know what they are murmuring about because this is defenceless. It is based on experience.

We started by saying that the government Ministers should head these committees, but eventually we supported the Independents and were happy with the fact because it has worked. Experience has to dictate what you do; not what someone did 10 or 15 years ago. [*Interruption*] What are they talking about? That is why they are still talking about bringing smelter plants in this country, 60 years after the initial industrial revolutions in other countries have decimated their lands and seas. They are still talking about bringing it here because they base what they do now on an experience 60 years ago. What we did seven years ago has no bearing on the reality today.

We are saying, based on how the committees have worked under the Independent Senators, leave the Independent Senators to do their jobs. It has worked well.

They are saying it did not work. It did not work for them, but it worked for the people of Trinidad and Tobago. [*Desk thumping*]

The Minister should protect his credibility and change the numbers he has brought this afternoon to reflect his commitment to transparency and good governance and increase the number of joint select committees because it will increase the amount of work that we can do in the committees in the oversight of government ministries and statutory bodies. If the Minister has to increase the number to four or five, that is no problem. We are committed to the work of carrying this democratic process forward. Every new Parliament should carry the process forward. Why should we have a Parliament that would take it back into the Middle Ages and talk about what happened in 2001? That is untenable.

These committees are so important. I do not know if the Government does not understand the work we do. My theory is that they understand it too well, that is why we are debating this Motion this afternoon. To increase the quality of service delivery and the proactive nature of oversight and guidance to enterprises and organizations, to increase the dialogue and the correction of administrative and financial weaknesses, there must be that timeliness. That is the essence of the joint select committee not found in any other parliamentary committee, for example, the PAC and the PA(E)C. We have the advantage of timeliness, realtime access to enterprises and managers so that we can proactively correct and guide situations.

Sen. Prof. Deosaran made the point that timeliness is the essence of the importance of the joint select committee. I looked at the *3rd Report of the Public Accounts Committee of the Republic of Trinidad and Tobago* and an interesting point was made here. I want to make that same point to show the importance of the joint select committees in terms of the timeliness of their action.

In this report, the committee said that it had called to account 27 bodies that were delinquent in the submission of financial statements by the designated deadlines. This was effected at a public meeting of these bodies held on November 24, 2004, at the Parliament Chamber.

I want to emphasize that the committee reported that it was noteworthy that several of the entities listed in the report of the Auditor General had failed to submit their financial statements, but were able to do so soon after receiving summons to attend an examination. Many of the entities undertook to have all outstanding statements submitted to the Auditor General by the first half of the following year.

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Mr. President, it means that when you crack the whip, people respond and if you can crack it in a timely manner, then you get a timely response that will actually be meaningful. Sometimes you get reports coming to the PAC and the PA(E)C five and 10 years after. Any recommendations made at that point are practically irrelevant. You have the joint select committee being timely, relevant and being able to call for persons and papers. You are on top of it; you are being proactive. You can steer a course and correct and change situations. We do not want to wait five and 10 years after to find out anything. Maybe that is why they act like they do. They always find out things 10 and 15 years after the fact and, therefore, the methods they employ to correct situations are 10 and 15 years late.

Mr. President, you must crack the whip, as the report said, because suddenly people are able to report and to come up with the necessary information. That is not abstract. That has to do with the delivery of services to the people, the most vulnerable, poor people, infants, children and older people. We investigate health services. If you are able to do these things in a timely manner, you save lives. We are talking about life and death; not stale, musty paperwork and reports that have nothing to do with anything. This is life and death in many cases, the quality of people's life and the way they live and are able to access services. We are talking about pensioners. If you correct these things in a timely manner and have proactive intervention, you are able to help pensioners to get better service and social services in a timely manner.

This is not abstract and theoretical. This has to do with the welfare of the people of Trinidad and Tobago. Why are they so nonchalant? Anything goes. Two to three to one, it does not matter and life goes on because they are Ministers and everything is okay with them. Think about people with whom things are not okay; people who have to face the serious issues of crime and high food prices, with inflation eating their savings.

I went to the hospital recently to accompany an old lady in my village. As I was casually passing through the entrance to the hospital, there was an old man sitting and talking to his old man friend. Do you know what the conversation was? "Do they have any medication in the pharmacy, boy?" The fellow said: "No, nothing there. Since last week I am looking for medication."

I was not looking for talk; I was not interviewing these persons. I was just casually passing through the hospital when I overheard this conversation. When we at the level of the joint select committee are able to ascertain the problem with National Insurance Property Development Company (NIPDEC); why they do not have proper stock and inventories; what the administrative bottlenecks are that

cause problems in the hospitals, we help those people and it is a real important job that the joint select committees do when they crack the whip, investigate, ask questions and try to bring some manner of organization. [*Interruption*]

Why are you so thin skinned? That is your job; that is not our job. It is your job to organize the Government to have proper delivery of services. Crack the whip! Are you afraid of the whip? You are not afraid of the whip. When you are ready to crack it on the Opposition, you are not afraid of that. The thing is that you do not crack it against yourselves and the persons against whom you are supposed to crack it.

This has to do with people, life and death, the people's access to medication; that old people, when they go to the pharmacies, they do not sit outside, wait for four and five hours for a pharmacist and when the pharmacist appears there is no medication. This is what joint select committees are about; to make sure that we understand what the problems are and make recommendations.

5.45 p.m.

We do not make recommendations five or 10 years after, like what we sometimes find in the other committees of Parliament. We make recommendations on the spot and if the civil servants and the managers are conscientious, they take our recommendations on board. They are happy to have them. They are happy to have the clarification.

One of the things that is important about the JSCs is that you have a whole group of people such as managers from different areas and members of the public who are there to clarify and ask questions. We have a forum for interaction and debate that is not possible anywhere else. We have a forum that could carry and is given a new level of delivery. They have to actually face questions they may not face in the little isolation in their offices; isolated from other managers and the public. We create a forum where people actually face the reality. Sometimes people need a reality check. The JSCs and the forum that they provide, give the people an opportunity for a reality check.

The joint select committees are established as part of our Constitution and the Standing Orders. The JSC has a mandate. I would like to quote our Standing Orders. Standing Order 71B(2) states:

“A Joint Select Committee referred in sub-paragraph (1), shall be empowered to study and report on all matters relating to the mandate, management and operations of the Ministry or body which are assigned to it by the Senate. In general, the Committee shall be severally empowered to review and report in

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relation to their administration, the manner of the exercise of their powers, their methods of functioning and any criteria adopted by them in the exercise of their powers and functions.”

This is what the JSC is empowered to do in our Standing Orders: to enquire into the administration, the manner of the exercise of their powers and their methods of functioning. That directly translates into better service for the people of Trinidad and Tobago.

Standing Order 71B(7) states: I want to relate this to some of the—I do not know if this is a parliamentary word—mumbo jumbo which I heard coming from Sen. The Hon. Mariano Browne a while ago. I do not know if I am reading this wrong, or if ex-Sen. Mary King read it wrong, but 71B(7) says:

“In addition to powers granted by these Standing Orders, each Joint Select Committee shall also have the following powers, namely:

- (a) to send for persons, papers and records;
- (b) to sit notwithstanding any adjournment of the Senate;
- (c) to adjourn from place to place;
- (d) to report from time to time;
- (e) to appoint specialist advisers...”

It goes on.

- “(f) to communicate with any Committee of Parliament on matters of common interest;
- (g) to meet concurrently with any other Committee for the purpose of deliberating, taking evidence or considering draft reports.”

It states clearly, under our Standing Orders, that the Joint Select Committee of Parliament has the power to send for persons, papers and records. I do not know if Ken Julien is not a person. I do not know if Keith Awong was not a person. We have the power and it is clearly stated here. It is based on these Standing Orders that ex-Sen. Mary King sent for those persons to clarify information that she felt the committee needed to have clarified. We have the power to do that.

I do not understand the issue of the court and if we have an appellate court. It is clearly stated in our Standing Orders that we can send for persons, papers and records. I do not know if they mean, in the PNM language, that you can send for them, but they do not have to come. Is that the corollary, you can send for them? That is exactly what they did. “Send for them nah, dey doh have tuh come.”

The strength and commitment of the joint select committees are based on a number of factors. You must have a feasible workload. You cannot have an impossible workload and expect the joint select committees to function in a proper manner. You must have a commitment by the joint select committees and their chairpersons; independent, rational persons, to get the workload done. You must have a commitment by the Government to observe the rule of law and to respect the powers of the JSCs, which we did not see in the Eighth Parliament and of which we are seeing even less in the Ninth Parliament. They have no respect for the rule of law.

All over the world, there are people being kicked out of government for minor infractions. We have a Government that openly meets with gang leaders and paramilitary organizations all over the place. They are wrong and strong in league with criminal gangs. They have no respect for law and order. That is why our country is in the mess that it is in.

People are dying everyday. People are being shot everyday. That is the mess that we in this country are in. Parents and mothers are crying. *[Interruption]* They are grinning. It does not bother us because they are just people and they would vote for us in any case because we are strong and we spend some money. They have total disrespect for the people. They do not realize that the system is crumbling around their ears.

In these joint select committees, the issue of governance becomes a real part of the everyday ordinary experience of the population. As I have mentioned before, we have had people who never expected to be able to come to Parliament and pose questions to their government and government departments. They were able to do that. People are out there anxious. They are asking: "When will the JSCs be reconvened? We have issues that we want to raise."

People in Acono Valley are anxious to raise the issue of quarrying in their area and the fact that their valley is being inundated with unscrupulous operators. They want to save their rivers and valleys. They want to know when the JSC will be reconvened so that they can raise these questions and get answers.

There are the people who are affected by the Essar Steel Plant and the fact that hundreds of acres or mangrove will be destroyed and the fishing industry in Claxton Bay will be destroyed. All those people whose livelihood—we are talking life and death; we are not talking about abstract theoretical considerations. People have life and death issues that they want to bring before this Parliament and they are waiting to find out when these joint select committees will be reconvened.

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As Sen. Mark said, this Government has no respect for law and order. We were supposed to reconvene within a certain time frame after the opening of Parliament. “Dey opened it when dey want. Dey bring it when dey want. Dey reduce it. Dey put their people to run it.” It does not matter because they do not care about the people of this country. They do not care about the issues that are real, pressing and sensitive to the people of this country.

One of the things that this administration does not take into consideration is the question of hope. What has happened in this country is that there are criminal and illegal activities. The guns and drugs are coming into the country and destroying communities. Our young men are losing hope because of the fact that the underground economy and the money laundering economy are driving up land prices and driving any hope that young people who are working for an ordinary salary of buying lands. They are losing hope.

When you have a country where most people do not have hope, then everything falls apart. Human nature lives and thrives on hope. Things might not be so rosy and good now, but once you have hope, you are willing to continue to work the system to try to provide a better way of life for yourself and your family.

There are many suicides of young men taking place in the country; young men who love their children, family and wife. They have lost hope of being able to get sustainable and proper employment.

There was a young man in my village, a devoted father, who committed suicide because he lost hope that he would be able to care for his young children. That is a very, very sad condition for people to reach; losing hope. You lose hope that you would be able to get a proper job to buy this ever-increasing food at an ever-increasing cost. They tell themselves that they should join a gang, take up a gun and whatever happens. They do not have hope. That is what is happening in this country.

The joint select committees are giving people in this country hope. There is still hope that you can come to the Parliament and you would get a listening ear, that somebody in authority would listen and hear your plea, and maybe something can be done, or a recommendation can be made to better your life or your situation and look at the problems that you have. That is hope. That is a powerful force. Once you deny hope to people and cut down all the mechanisms with the cutlass that I was hearing about this afternoon—chop at the root of parliamentary democracy—and you cut away all the hope for the future, then you would have a very, very unstable society.

The joint select committees that have been functioning in the Eight Parliament have started, as Sen. Prof. Deosaran said, a very important tradition. It has established itself. In our particular joint select committee, we did everything that the Constitution and Standing Orders allowed us to do. We adjourned from place to place. We sent for committees and papers. We had sittings in Sangre Grande and San Fernando.

The joint select committee on health—in spite of the fact that people on the committees are not full-time and they have their own private things to see about—visited all the hospitals in this country. We spent a whole day in San Fernando, talking with the Regional Health Authority, looking at the wards, the problems and speaking with people. We visited the Eric Williams Medical Sciences Complex, the Mount Hope Hospital and we went to Port of Spain. We looked at the problems and complaints of the ghost equipment that was coming into the Port of Spain General Hospital and being moved out without proper checks and balances. We talked to people. We did everything possible. We were committed to the work. We loved the work and we found the time, most importantly. We sacrificed because we understood how important this is.

The parliamentary staff worked hard alongside members of the joint select committees to get the reports done, took notes and did everything possible to support the joint select committees.

As Sen. Prof. Deosaran was saying, what we need to do is strengthen the parliamentary staff's ability to support the joint select committees. We should supply offices where the Senators can meet, talk, do reports, converse and have conferences. We should strengthen the infrastructural and technical support. This is what you need to do.

You are all over the place saying: "We care about people." There is a cost. You have to pay for that. You cannot talk that. The cost is that you have to actually show them that you care. You actually have to do things. You cannot be saying one thing all over the place, just mouthing things, much to do about nothing. Sen. Mariano Browne likes Shakespeare: Much to do about nothing; mouthing all these high principles all over the place all the time. You come here every time to do something to cut back on the people's democratic rights, freedoms and ability to participate. You cannot have it both ways. You can fool some of the people some of the time; you can fool some of the people all the time, but you cannot—it is an historical impossibility—fool all the people all the time. You will meet your Waterloo "doh worry". The people will deal with you when the time comes.

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6.00 p.m.

Mr. President, I want to just end by making the comparison between the PAC and the joint select committees. Based on this report that is before us—*[Interruption]* Do not tell me what I have. I know what I have. *[Laughter]* He just came to the Parliament and he wants to tell me what I have. *[Laughter]* He cannot do that.

Mr. President, it was interesting to look at, as I said before, the problems that the parliamentary committees like the PAC and PA(E)C were faced with. There are some tables and charts here that tell you when the Parliament actually got some of these reports as opposed to when these reports were actually laid. Like the North West Regional Health Authority report for 1994/1995, it came to the Parliament and it was laid in 2005. There was an NCC report for 1998—2003 which came in 2005; and an NHA report for the years 1997—2003 which came a couple years later in 2005.

The Minister made the point that we have all these committees, and there is an overlapping of these committees and so forth, but I am saying to the Minister this afternoon that each committee has a different function. The function of the PAC and the PA(E)C is to investigate the financial integrity of organizations and so forth. One of the problems is that these reports come in much too late for any recommendations to be made to have any relevance.

I am making the point that we need to have more urgency. This Parliament needs to be more urgent in the way it approaches the people's business. We have to look at fast-tracking the relevance of the reports and the timeliness of these reports, and we would have an opportunity in the joint select committees to do just that.

As one of the previous speakers said, if we had convened the joint select committees as we should have—we should have had them up and running—then we would have been able to call in all the players—who is hooligan and who is “wajang” and so forth—and we could have understood a lot better. We could have understood a lot better what is happening in UDeCott, but that is if the Government would have allowed them to reply. That is another matter.

Mr. President, Parliament has to do something about this matter and get firm and say that it is not going to stand here and rubber-stamp this Government's corruption and lack of transparency and so forth. We have to get firm about that and denounce this Government when it refuses to let the joint select committees do what they have to do, and when it refuses to let persons whom we have to send for to answer to the Parliament, as is supposed to be done based on the Standing Orders we have before us.

Mr. President, this is urgent. This is about life and death; this is about the people's business and better delivery of services to the people; this is about our social contract with the people of Trinidad and Tobago; and this is not about theories and airy-fairy things that have nothing to do in practice.

So, when this Government comes here this afternoon and says that it wants to reduce the number of joint select committees from three to two, probably what they are doing is condemning a lot of people to a low quality of life; and they are condemning some people to not getting the medical attention they should get, because people are not being kept on their toes and on the ball when investigations are taking place.

The PAC said that when you ask for reports you get it, because people understand that the Government is serious, but when you have people “kicksin” and laughing and having a good time on the other side, witnesses understand that you could call who you want to call, because they do not care—Government’s attitude is “you do not have to bother with these people, they are just talking and they do not have any powers, because it is not a court” and all kinds of nonsense—then you get people dying on the streets; people losing hope; and a very dangerous and unstable society which they are presiding over.

I thank you. [*Desk thumping*]

Sen. Basharat Ali: Mr. President, thank you. Coming just after the Tobago Jazz Festival, I cannot say that I was bewitched, but I was certainly bothered and bewildered by the Motion brought by the Government seeking to reduce the joint select committees from three to two. The way that they were going to be reduced is that the service commissions were retained as one entity, except for the Judicial and Legal Service Commission, and the second joint select committee was going to oversee a large number of entities.

Mr. President, a very rough check by me shows that there are some 24 ministries which are involved; 70 statutory authorities; 14 municipal corporations, and with respect to state enterprises—it is always going up—my count was over 55. So, I could not see how a single committee could get anywhere near to handle the onus that would be placed on it to carry out its functions as required by section 66A of the Constitution.

I tried to find out what was really the reason for the proposals. The proposals were for basically two, and the Motion passed in the other place was for two—one is for the reduction in the joint select committees from three to two and the second one was basically to say that the Independent Senators were not

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functioning. So, I went to the source. The hon. Prime Minister spoke on March 14, 2008 on the Motion in Parliament, and with your permission let me read what the hon. Prime Minister said in his contribution. He said:

“The fact of the matter is that the PNM is of the view that at this stage of the country’s development, where we have embarked on major transformational work to make this country a developed country by 2020, then the span of responsibility of a Minister ought to be narrow enough that the Minister is not overburdened or overloaded, but the Minister can pay personal attention to the transformation. It is our experience that if that does not take place, then the transformation to which we aspire is unlikely to happen. That is the reality of it. If hon. Members opposite do not share that view, then it is for them. We are in Government at this time and we will apply the processes of government...”

That was an alternative that was given in the other place; take it or leave it.

Mr. President, what I have read there about the work of Ministers appears to me to be complete micromanagement by these Ministers. I thought that what was being elucidated there was really the work of permanent secretaries and not Ministers. I am glad that Sen. Prof. Ramesh Deosaran drew our attention to section 85(1) of the Constitution which says:

“Where any Minister has been assigned responsibility for any department of government, he shall exercise general direction and control over that department; and, subject to such direction and control, the department shall be under the supervision of a Permanent Secretary whose office shall be a public office.”

That is what I understand to be the job of a permanent secretary. I worked in the public service so I know. The Minister is the one who proposes the policies and the implementers are, in fact, the permanent secretaries. I am quite certain that there are many more permanent secretaries and deputy permanent secretaries than ever before, than when I was in the public service and that is a long time ago.

I was really flabbergasted by this statement by the Prime Minister. I did do a quick check as to what might be the availability of Members on the Government side for the committees, and I came up with some numbers. In the Eighth Parliament—I am going to the House of Representatives—there were 16 Ministers, no Parliamentary Secretaries and four back-benchers which included Mr. Breaux, Mr. Khan, Mr. Williams and Mr. Achong.

Now, in the Ninth Parliament, we have more Members. We have 26 Members; 21 Ministers with five Ministers of State; two Parliamentary Secretaries and three back-benchers which include the Deputy Speaker, Mr. Anthony Roberts and Mrs. Ojah-Maharaj. Overall, we see a larger number of persons who should be available to be on joint select committees.

Similarly, in the Senate, in the Eighth Parliament we had 14 Ministers, no Parliamentary Secretaries and one Member who was the Vice-President. He was Mr. Rawle Titus who did a fantastic job. He was Vice-Chairman on at least two joint select committees during his period as Vice-President.

In the Ninth Parliament we are much better off. When I look at the back bench, I see a lot of talent—one Parliamentary Secretary, three Members, and I would like to add one Minister of State who is Sen. The Hon. Tina Gronlund-Nunez. So, there is a much bigger pool of Government persons available for committees. I am of the view that we can have the three committees rather than two.

Mr. President, I tried to do a little work as to how the previous committees functioned, and I did a sampling of reports of the PAC on which I served, the joint select committee Part I and Part II and the service commissions committee. Once again, particularly, in terms of the PAC, PA(E)C and the joint select committees, I was appalled by the number of aborted or cancelled meetings due to the lack of a quorum. The quorum for the PAC was four Members; the joint select committees were reduced to three or four Members and the PA(E)C was reduced to three Members. There were smaller quorums and fewer meetings. It was never pleasant to have aborted meetings.

So, my personal experience in the PAC was being embarrassed. I hated to come and find that we could not get a quorum. The chairman had to send back people, and that was a terrible thing. There were people coming from the Rio Claro/Mayaro Regional Corporation and the Penal/Debe Regional Corporation, and they had to make their way here only to be told that we are sorry, we have not been able to have a quorum of four. To me, that is a terrible indictment on the Parliament and on our committees that were in operation at that time. I am pleased that Sen. Prof. Ramesh Deosaran said that they had a much easier time with their committee, which is a good sign.

The other thing is that the PAC was always in camera, except for one meeting where we really sought to get all the delinquent persons to report, but it was always kept in camera, and we still had that problem. Sen. Dr. Jones-Kernahan

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referred to that matter. When you looked at the 3rd Report of the Public Accounts Committee which I had the honour to propose in the month of July, I made the point that we were always having this difficulty with a quorum.

6.15 p.m.

It is interesting, because when you look at the data you would see that up to about mid-2004 there was a reasonable attendance, but then it tailed off after that. That is when it started to become very difficult to get four in our case, and I can certainly speak to that one. What the reason was, I do not know. Was it a loss of interest or commitment, but our committee was almost the same four people; that is why our committee was dubbed the "awesome foursome".

It was Mr. Gerald Yetming as the chairman, myself, as a member, then Mrs. Carolyn Seepersad-Bachan and Member of Parliament, Diane Seukeran. That was the four people and that is why they called us "awesome foursome", because we were always there for the meeting. We had occasionally junior Ministers like Mr. Fitzgerald Hinds, who came a few times and Satish Ramroop. It was, to me, a learning experience but I was always hopeful that we would do better than that, especially when we had to meet with the public.

So, I cannot say what was the cause of this lack of interest and what the hon. Prime Minister said about the Independent Senators as chairpersons, not working. "Our experience is that it has not worked well; that is the fact of the matter"; that is a blank statement. I was going to ask today, what examples have we had. When you make an accusation like that, you must have a reason. If you are the accuser then we must know why they did not work. I think there is a very good reason why the Independent Senators should head these committees and I think it was voiced by different sides today that they are the independent voice.

You cannot have Government looking at themselves or himself looking after himself. It is in this circumstance because it is such a combative business where the one person who is available and neutral could do that job. I am not saying that Independent Senators are always neutral; it would appear that was not always so, but I think in principle that is what we should have. It is really a terrible thing that the system there has not worked. In the Eighth Parliament, the three Independent Senators' names were mentioned: Mrs. Parvatee Anmolsingh-Mahabir, who handled what we call a Part I—ministries, statutory authorities and state enterprises. That is 12 ministries, 14 statutory authorities and 25 state enterprises; that is quite a load already. Mrs. Mary King had 11 ministries; all of the municipal corporations, 29 statutory authorities and 30 state enterprises.

So really, in my personal view, those are not sufficient members of committees but those are the resources that we have and we have to make the best use of it. I think Sen. Prof. Ramesh Deosaran gave a good mark and supported by many people, our service commissions, but he had probably the easiest of the lot to deal with and was able to handle it quite efficiently.

I am really concerned about why we have not succeeded and why we are in this position of having not got the commitment and having the situation where we are. We speak of oversight; I had to go back to the dictionary to find out what oversight is and in fact, if they should go to the dictionary they would get into more trouble, because the Concise Oxford dictionary says that oversight is a noun. One, is a failure to notice something; two, an inadvertent mistake and three, supervision.

Mr. President: Senator, we have a procedural matter.

PROCEDURAL MOTION

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Thank you, Mr. President. In accordance with Standing Order 98, I beg to move that the Senate continue to sit until the conclusion of this debate.

Question put and agreed to.

JOINT SELECT COMMITTEES (APPOINTMENT OF)

Sen. B. Ali: Thank you, Mr. President. I will continue from where I left off. I have been trying to find a reason, the norm. Is it that the Government does not want to expose all the information they have? On a personal basis, I looked at this one thing, which I have been trying to get since January this year, and that is a very simple question. Question No. 19 to the hon. Minister of National Security, which has been with us; which was filed by me in January and qualified for the Order Paper on February 05, and there have been all these postponements. I did a little timeline, February qualified, 19, 26; March 04, deferred; March 18, deferred and then we had the Easter break.

But lo and behold on March 25, that is one week after, the Ministry of National Security had a press conference and I have here the transcript of that press conference, which really addresses the questions which I was asking. I would read a couple of excerpts from this transcript dated March 25 for this press conference and the title for the excerpts comes from the naming of two interim vessels for the Trinidad and Tobago Coast Guard; that is the question I asked.

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Some of the excerpts are, “Cabinet approved the recommendation of the Ministry of National Security for the naming of two interim vessels, which are the *Gaspar Grande* and the *Chacachacare*.” Those were the two names of the vessels and the pennant numbers are given.

This statement also says that:

“...two vessels were officially handed over to the Ministry of National Security on November 07, 2007 and have undergone some modification in terms of naval configuration. In addition, the coast guard officers received specific training on board the vessels. The vessels therefore, are ready to be commissioned. It is anticipated that the vessels will be commissioned sometime in April of this year. Rest assured that all members of the media would be invited for the commissioning.”

This is March 25, one week after my question was deferred and my question asked about delivery. Was the delivery in October 2007? If it was not, what is the reason for the delay and what is the new schedule? There are some of the answers here, but not in Parliament. In fact, when we got back on April 01, the question was again deferred. It was All Fool's Day; probably they did not want to answer questions on All Fool's Day; April 08, 15 and 22 deferred.

Lo and behold, on Wednesday, April 23, we had the commissioning of these vessels. It was reported in the *Express* of April 25, 2008 and let me once again, read a couple of excerpts because I have really been very disturbed by the lack of answers. It says:

“The two interim vessels, *TTS Gaspar Grande (CG21)* and *TTS Chacachacare (CG22)* were refurbished at a cost of US \$9.7 million.”

This is why I was asking this question earlier. Is it possibly \$132 million or is it additional; US \$9.7 million or TT \$61 million. So, is the cost really \$132 million plus that, which comes up to nearly \$200 million and nobody is answering the question. I know it is not in the budget anywhere. Sen. the Hon. Mariano Browne would remember I spoke about these matters when we discussed the supplementary appropriation.

Mr. President: Senator, the Senator should be referred to by the title, the Minister in the Ministry of Finance, please. I would be grateful if you would make a nexus between the points you are making on the matter before us.

Sen. B. Ali: I am connecting it to the fact that really it was, to me, virtually contempt for Members of Parliament, that a question posed in February has never been answered until today. The question was asked within two lines and when I

asked about whether there was any other cost, they said that was a separate question, ask it another time. If I had said, okay, I will put another question: is this US \$9.7 million reported? Was I going to have to wait for three months for an answer? So, I think it is very, very critical or appropriate that I should raise that question here today.

Sen. Mark: Mr. President, I would just like to ask you, based on the points that have been raised by the hon. Senator, whether it is not a contempt of Parliament and breach of privilege for any Minister of Government, conscious of the fact that there is a question on the Order Paper, who refuses to answer the question; seeks a postponement; then goes in the public and gives the public the answer and never responds to the Member of Parliament who would have asked that question.

I think it is a very serious breach of privilege; it is a contempt of the Parliament and I would like, Mr. President, that you give the ruling on this matter at the next sitting of Parliament, because it is a very serious matter that the hon. Senator is raising now.

Mr. President: With all due respect, I will rule on the matter right now. There is nothing in the Standing Orders, as you very well know, that can compel a Minister to make an answer and therefore that is where we are. As far as I am aware, in this session and in the last one, no Minister refused to answer a question. At this point, Ministers have risen and said that the answers are not ready. If that is the case then that is the case. If it is that the process is, as we know, that they have to get the approval of the Cabinet, it means that the Cabinet has not approved the answer to be presented in the Chamber. It has nothing to do with what the Minister may say on a platform, to the media or any other forum, and we are guided simply by those guidelines and that is as it is.

To get back to Sen. Ali, I still fail to see the nexus between the asking and answering of questions and the establishment of a joint select committee. I have given you a fair amount of latitude and I think that you should either make the nexus for all of us directly to the matter at hand or move on to your next point.

Sen. B. Ali: Thank you, Mr. President, if you so rule I would oblige with your ruling. We are in the position now where there is a proliferation of these special purpose companies; they do not seem to have to come under any particular regime and we have all the time—they going there with large amounts of expenditure. I would not like to go into them when we look at them; it is not the first time I am talking about it, Mr. President.

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You and I know that I have, on many occasions, raised the question of expenditure of these companies and there is no reporting to Parliament and there is no overall scrutiny, and we have gone six months already into our fiscal 2008 and we have not gotten reports or anything like that. I am sure there will be many supplementary appropriations coming. These decisions are just made in Cabinet and we do not know.

6.30 p.m.

Mr. President, US \$40 million for four new water taxis. I do not know where they are. I have never seen it in a budget. I have looked, I do not see it anywhere in a budget, so we will have to wait until the hon. Minister comes up with a supplementary appropriation for that. Because, when I looked at the last document on budgeting and that was 2008 estimates, the total for water taxis from Point Fortin to Port of Spain was \$78 million for expenditure in 2007 and 2008, and that is what the four foreign-used water taxis cost; \$76 million.

I do not know where the money is coming from and it is no use asking in the Senate—particularly any questions, because once we get to the stage of appropriation budget, we do not have a vote to start with—we can speak but nobody has to answer, in fact we do not have a vote, so that is how it goes. This is where I see that we need a very close look at all these companies and a list is there of these special purpose companies. In fact, I had a quotation which referred to the hon. Minister saying that, “Unlike him I do not have the faith in these companies”. But I would not go into it at this stage because you have so ruled.

Sen. Enill: Mr. President, just to clarify something that has been said. All these special purpose companies do in fact subject themselves to Sen. Mark's accusation [*Interruption*] because EMBD, UDeCott and all of those, once we lay in Parliament the report, that triggers the committee into action. In the last Parliament we spent a lot of time and effort—certainly I did—providing information to the Parliament on all the issues that you and others are raising now—because I do not think you can be as tough as Sen. Mark in trying to get to the bottom of whatever it is. So I just want to correct the impression that was given that these state enterprises are laws unto themselves. They are not and the funding is in fact received from us. We authorize it, we approve it, and, in fact, we account to the Parliament through the PA(E)C.

Sen. B. Ali: Thank you, hon. Minister, but we have not had any meetings of any of these committees for almost a year because of aborted meetings and whatnot. I hear what you are saying. I know that these companies have—the role

of the Central Audit Committee of the Ministry of Finance is there and I have reacted through some of them, but the monitoring is not there.

In the Public Accounts Committee I have met the Sports Company of Trinidad and Tobago that has the Brian Lara Stadium and things like that; they do not have the monitoring capability. I have met the Ministry of Agriculture, Land and Marine Resources with the Moruga Fishing Complex; they do not have the ability to monitor these projects, so the Ministry of Agriculture, Land and Marine Resources is the one that is handling that. My concern is that we are spending large amounts of money and we do not know what is happening and I could go on and on. Then for the consultancies, it is the same thing, we read of all these companies—the hon. Minister of Health in answering a question about the national oncology project told us that they have a lot of problems. I do not know whether they are solved yet, but the Minister was answering a question and he said that they were in arbitration and that is a government to government contract.

I knew there was trouble because when the local company puts out tender notices and pulls them back, I knew that something was wrong and something probably is still going on there. I do not know if they have resolved it. The Minister said we cannot talk about it because they are in arbitration. I do not know whether they are in arbitration with CCC which is a comprehensive care, the corporation or CCI; they all have the same kind of name anyway. That is the position in a government to government contract and the hon. Minister gave us that information in this Senate. We still do not know where we are on it.

I noticed another question came up on the computer system for the Ministry of Works and Transport, Transport Division. Once again everything has failed with UNDP after four years, and what has happened? Four years has gone, we have lost four years and now suddenly the Minister of Works and Transport says that they are going to a government to government contract to install that. We should have been able to do that in Trinidad and Tobago. I spoke on that in 2004. Budget 2004 I spoke about a model which could have been used for that but it was never done, they cancelled, they went and now they aborted everything and started afresh and the Government is doing it on a government to government basis with some other company.

So, that is where we go all the time and until and unless we get the procurement regime in place, until and unless we get the legislation going—and let me remind this Senate that under the policy there, there will be a regulator and that regulator will be looking at matters under section 66A of the Constitution. The policy says so, but I do not know whether the policy will be changed. We

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hear there is an upgraded policy coming into the legislation; when we are going to get it, we do not know—but White Paper since 2005 and we are getting to the end of 2008 and nothing. So, we are working blind and the amount of money involved is into billions and billions of dollars and I am concerned.

As I have mentioned before, Mr. President, I was there during the first boom bust, I know there was a lot of expenditure and I know there was also a lot of corruption and in one of my budget contributions I said I came out with clean hands. People said even I was corrupt, but I said I came out with clean hands and I still maintain that. It worries me that we are going helter-skelter and we are not having the kind of oversight, either in terms of how the procurement process is being undertaken or after the fact even, the oversight required by the scrutiny of the joint select committees. So, I am really very disturbed when it comes to matters like that.

I would not go on any longer on it but I want to say that I am in support of the amendment of the Motion being brought by Sen. Prof. Ramesh Deosaran and really it is doing what I read it to do, saying there are going to be three committees.

The first committee is for the Municipal Corporations and Service Commissions except for the Judicial and Legal Service Commission and two other committees which will handle what has been handled in the Eighth Parliament, that is the ministries under Part I and the accompanying statutory authorities/state enterprises; and the third committee will be ministries Part II under statutory authorities/state enterprises committee. The wording needs to be redone because there are a couple of small errors in it, especially in the second resolution, so I am not sure when or how, if we need to do it, but that is the principle that is there. The work is for the drafters if that is the way we are going to go for those three committees.

I urge Senators here, I am afraid I will not at any time vote for the Motion as is, and in fact, if it is passed, I intend to opt out of any committees if I am offered to be on a committee. No, I have very strong views on that and I will not come here and be embarrassed as I have been for almost four years, come here and sit down and the poor chairman had to go and tell people, “I am sorry that we cannot have a meeting”. That signalled to us that the JSCs were useless. Who said that?

In the last Parliament it was the Leader of Government Business in the other place “they are useless”, and proposed that they increase the quorum. You are struggling to get a quorum of three or four and they want to increase it. The only

reason for that is to frustrate those committees and I take real strong exception. That is why I say categorically, if this resolution is passed as is today, I will bow out of any committees and I say so unreservedly because I am too old to be embarrassed again.

Thank you very much.

Sen. Subhas Ramkhelawan: Thank you, Mr. President. We are a young democracy and our effectiveness or lack of effectiveness is judged much more harshly because we do not have parliamentary goodwill as more established democracies would have. Therefore I want to address this particular Motion in the context of effectiveness in terms of whether three committees would be a better choice than two, which Sen. The Hon. Conrad Enill is proposing, to collapse three committees into two as opposed to the amended version of the Motion which has been raised by Sen. Prof. Deosaran.

I am worried about the level of effectiveness of our Parliament to be able to deliver the goods that are necessary to be delivered to the citizens of this country. This is, of course, quite apart from the ability to deliver in any other area. I am worried about ability in this Parliament to deliver the goods effectively. I say this because in my short stint in the Senate I have seen Bills that are coming up for debate that have been drafted and crafted as far back as the year 2000 and as far back as the year 2001. I say this because I see reports coming from municipalities, regional corporations; the latest version of those reports being for the years 2000 and 2001, and that does not bode well for the effectiveness of oversight in this Parliament. Therefore, that really underpins the concern which I have with regard to effectiveness.

It now begs the question as to whether two committees would be more effective than three committees in terms of our going forward. I thought that it would have been a matter that would have been easily decided because whether we had two or we had three was merely a rearrangement of the deck chairs on the *Titanic* because it would not improve effectiveness in any possible way. But I was swayed by the arguments of Sen. Prof. Ramesh Deosaran and his own experiences in terms of the running of one particular committee of which he was chairman.

The second question as to effectiveness and as to appropriateness comes with regard to the whole question of chairmanship of these committees. I have followed the discussion and the debate as to who was the chairman with one administration and who was the chairman in another administration. The question is not what happened in history but the question is what is best in order to achieve the highest level of effectiveness within the structure that we currently work.

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I am minded in that context to support an Independent Senator as chairman in each case of three committees rather than someone with any political slant chairing these committees. The reason for that is that I think that sometimes there is need for some evenhandedness which is not, if you will, stained by a particular version or slant of the truth, but rather an open-mindedness in terms of the deliberations that will come before these various committees.

6.45 p.m.

And so, this is where I stand on the matter. I stand to support three committees rather than it be collapsed into two committees and I stand in support of chairmanship by an Independent Senator in the case of these committees.

I think that we have heard a lot in terms of delivering to our citizens, a higher level of transparency and accountability. The point that I would like to make in support of three committees, is the whole question of balancing of the workload and in two committees, one of which is intended to have an oversight of all of the ministries and even further weighted in terms with their attendant state enterprises and so on, there is an imbalance if you have two committees, one which deals with commissions and one which deals with the ministries. And so, while I am also mindful of the comments made by Sen. The Hon. Conrad Enill in respect of the workload that exists—

Mr. President: Again, allow me to remind you that he should be referred to as the Minister of Energy and Energy Industries or the Leader of Government Business.

Sen. S. Ramkhelawan: I stand corrected, Mr. President. In terms of the Minister of Energy and Energy Industries, he spoke about the workload that is visited upon Ministers and Members of Parliament who carry ministerial portfolios or parliamentary secretary portfolios as the case may be.

Of course, this addresses the question of the structure within which we operate in a much broader sense, and by that I mean, take the average week of a Minister who is an elected Member of Parliament. One day is set aside for meeting of the constituents for a more diligent MP; one day is set aside for Parliament, usually a Friday—except when there may be the odd Plymouth Jazz Festival when it was brought forward to a Thursday as the case may be. Then, you have all the various committees that—and one being set aside for Cabinet. So that the way our system works, in a sense, promotes a level of effectiveness that may not be the desired outcome or the desired result. Notwithstanding that, it seems to me that we have to trade off the workload of these various persons with our undertaking to deliver transparency and accountability to our citizens.

Mr. President, if that is delayed in any way, then accountability will become much more opaque because if we have the report from a regional corporation that is six or seven years old, there is not much that one could do about that. I want to suggest that we seek to make it mandatory, that reports are completed within 90 days for submission to the Parliament, mindful of the role of the Auditor General which may result in some delays for some of these entities.

But, Mr. President, public companies owned by shareholders are required by the Securities and Exchange Commission, for the purpose of disclosure, transparency and accountability, to deliver a report within a particular period of time. I believe it is 90 days, but I would stand corrected by the Attorney General who was a former member of the Securities and Exchange Commission. And since the people of this country, all citizens have an interest in the expenditure of public companies, or I should say state enterprises in terms of regional corporations, I think that it is imperative that we set higher standards of reporting in order to ensure that the whole question of disclosure delayed is improper disclosure. Because there is no corrective mechanism that could be taken if something is reported six or seven years later as the case may be. So I think that this question of effectiveness is extremely important.

Sen. Enill: Mr. President, I am intrigued by what the Senator just said because I wonder if he would simply suggest to us, how we might be able to achieve that which he speaks about, simply because in many instances what he talks about is available but to the Auditor General, who is in fact an independent body, is not able to respond despite providing all the resources. So how does one achieve what you are suggesting for which we are responsible, yet at the same time there is not a mechanism to leverage the Auditor General into compliance at a faster rate? I just want to know if you have certain—*[Inaudible]*

Sen. Mohammed: The same way we can get you to answer questions.

Sen. S. Ramkhelawan: I thought the Government would be in a better position to answer that particular question for me, but I will take a stab at it because I believe that if it were possible—I understand that the Auditor General subcontracts some work, and if we could extend that, I think the challenge is the sign off. Maybe, that might be one of the areas that we should discuss in sub-committee, as to how can we break that logjam, because if we break that logjam, it really helps in terms of transparency and accountability. I cannot say that I have the answer, but I am sure that we can work together to find that answer.

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Mr. President, I wanted to just touch a little on this question of the separation of the functions when we talked about elected MPs as Ministers and so on. I believe that in our young democracy, that the need to separate legislative function from the executive function without an extensive level of overlap, argues for an executive president, setting aside for a moment, the challenges of checks and balances. I believe that is something that we as a young democracy and as a young society need to look at, because let us face it, it is unreasonable now to suggest that an executive who is a Minister has within his power \$5 billion or \$10 billion of expenditure, common sense alone is not sufficient. Certainly, a high degree of expertise and a strong level of management is now needed in our democracy, in order to improve the level of effectiveness with which we can deliver goods and services to our citizens. I think that is an important consideration as we go forward.

Sometimes, you have a situation where—I talked about a Minister being a legislator and an executive and having to deal with his constituents and as part of an executive, having Cabinet and Cabinet sub-committee meetings. That cannot help our effectiveness, and as a young democracy, we need to address those matters, how best we can deal with it. And how best we can deal with it, will require good sense to prevail on behalf of all parties, whether they be at the Government level or whether they be at the Opposition level and if we come together, we will answer the question, what is best for our society and what is best for our system.

So, I was making the point about effectiveness and Minister and workload and so on, and the point is that the time has come for us to start thinking about the executive being experts in their fields, experts in management, having experience in their particular area because common sense alone is somewhat deficient at this point in time and the separation of the Executive from the Legislature would mean that legislators have more time—and I am going to make a controversial point.

I think if you look at the backlog, at the logjam in the Parliament, it may be that there is need now for full-time Senators at all levels and that the Senate meets twice per week rather than once. It needs us to look very clearly and cogently at the issues and come up with answers because we cannot have a society and a system that is moving along at this pace, and legislation and accountability moving at a slower pace or a snail's pace. That might be allowable and permissible in democracies and in societies that are much longer established, but it is not acceptable, it is not appropriate for a society as young or a democracy as young as we are.

Mr. President, I heard in the discussions a number of issues relating to so-called private persons not wishing to, or not making themselves available to report to this Senate and I think that that is a great deficiency in our system that ought to be resolved. Persons who are holding public office cannot be private persons. If they are expending the resources of the people, they cannot be private persons. If the Government owns or the State owns more than 51 per cent of these companies, or if the State funds more than two-thirds of the requirements of that company, those persons who hold the purse strings cannot be private persons, and therefore, they must be held accountable and must be reportable to this Parliament. I think that is important as we build our democracy and as we build our parliamentary system.

Mr. Speaker—Sorry, Mr. President, I have no aspirations for that other place. I do not know why it was a furore. It is not a Freudian slip; I have no aspirations for that other place. I end by concluding that three committees would be more useful at this stage than two, in order to balance the workload. And secondly, that the chairmanship of these committees would be best served by someone who is an independent and I will vote accordingly.

I thank you, Sir. [*Desk thumping*]

7.00 p.m.

Sen. Cindy Devika Sharma: Mr. President, as I rise to join this important debate with respect to the Joint Select Committees, I thank the eminent speakers who went before me. I feel very humbled because I suspect I am definitely not as learned as these individuals, but I think of myself as a simple person, and I am going to attempt to frame this debate from that perspective.

It is my humble opinion that employers are to be held accountable for their actions. An employee is to be held accountable for whatever action he or she might take. I would like us to, at least, draw the analogy that Government is, technically, an employee of the citizens of this country. This is one of the instruments by which we are able to enquire into government activities. It is not simply a matter of attempting to make the Government look bad, it is really an attempt for the Government to buck up on its own performance and improve its own performance, because for me accountability is linked to quality performance. I suspect that if you want to continue to have quality performance you need to ensure that some form of assessment, some form of enquiry into your activities, takes place. Notwithstanding the argument that government Ministers are apparently overworked because of, perhaps, some changes that have taken place,

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there is a lot of growth and development taking place, ministers might feel that they are overburdened, more so today than, perhaps, at any other time, I cannot quite see that argument being so overpowering that it would require Opposition Members as well as Independent Senators to agree with the position taken by this Government to reduce the number of Joint Select Committees from three to two.

I have heard many speakers who have gone prior to me speak about both the deficiencies of the select committees and also the great good that they have done in service to the nation up to this point. I feel it is with that latter point we need to go. They might have had their challenges, but like any organization, any institution or any instrument, there is always the need to review and reflect on what has taken place and what we can do to remedy the situation. For me, an attempt to reduce the committees from three to two is not a remedy. It is almost as if we are saying, "Well the thing has failed, we do not have time for it; we have more important matters to deal with."

I suggest that this is an important matter, because it allows you to actually pinpoint your own weaknesses. If I were a government minister I would love for someone to criticize me, intelligently, at least, on where my failings are and how I could improve my performance in whatever area.

As a teacher, for example, an employee of the State, I am called upon to be accountable, not only to my administrator, but to my students who are there to assess my performance every single day that I am in the classroom. I am called upon to be accountable to parents, other stakeholders and committee members. I suspect that it has assisted me, and I believe it does assist persons and organizations, when accountability is thrust upon them.

I suspect that the joint select committee as an instrument of Parliament, is very powerful, and, perhaps, one of the reasons it might be viewed in a very negative way at times, might be because of that very power.

As I was perusing this document, the *3rd Report of the Public Accounts Committee, 2004/2005*, I came across a quotation by Kenneth Wheare, author of *Federal Government and Modern Constitutions*, with regard to the task of the committee. I quote:

"the task is not to take part in the process of administration or legislation nor to advise others about what should be done. They are entrusted with the task of seeing whether or how a process is being performed, and by their conduct of this task they serve to provide the means of some sort of control over the carrying out of the process."

I feel, at least, from what I have heard from the Government, the Independents and Opposition Members, that everyone here does, in fact, believe firmly that these committees serve a very good purpose. I do not believe I heard anyone say today that they are not worthy of consideration.

Bearing that in mind, however, the argument put forward by the Government in terms of the overwhelming workload, the attempts to work out the logistics of having these committees operate at this time, pales in comparison, really and truly, to the valuable insight to be gained into the performance of Government. It is because of that I do feel strongly that these committees should not be reduced from three to two.

In fact, I have to ask the question: Would a reduction by one suddenly give government ministers all the more time to operate? I do not think so. I think that probably what we need to look into is reorganizing how these committees are structured, the staffing arrangement of Members that could assist them. In fact, if we move towards expanding and, perhaps, increasing the number of joint select committees that look into the different bodies that government institutions run, it would serve to strengthen our Government and improve the quality of performance, whether it is a PNM or UNC government or otherwise.

The precedent should always be set by those who recognize the value of any instrument or ideology that has come about. I plead with the Government; they are in a position right now to solidify their own performance and to move towards improving our country. I believe with Vision 2020 this is their aim. I suspect also that if we look into developing these committees, assisting them and widening their functions, perhaps, very well and truly, we will be moving towards a greater Trinidad and Tobago, at the end of the day.

As a final point, I make a reference to the question of efficiency and effectiveness that arose during the prior contributions. I also remember that the question of the principles of democracy came up at some point in time. I also believe, with regard to those two issues, that it is in the best interest of the Government and other stakeholders that we seek the best interest of citizens, at the end of the day. When these joint select committees look into the functioning and weaknesses of institutions that exist and are currently not performing in the way that they should be, therefore, the interest of the people would be served, at the end of the day. I think this is what we are all about here.

It is, therefore, in the interest of this Government and, in fact, any other government, to keep the government and government bodies accountable for the

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public funding that they have and the public spending they take part in. This is extremely important in today's world where resources are even more critical than at any other time before.

I do not have much more to say in this regard. I hope that the Government does take into consideration many of the points suggested by the Opposition as well as the Independent side.

Thank you, Mr. President.

Sen. Corinne Baptiste-Mc Knight: Mr. President, I have considered this Motion and I must say that I have come to the conclusion that it does no justice to the Government's oft-stated commitment to transparency and accountability. [*Desk thumping*]

The fact that the Leader of Government Business could have come to this Chamber and explained to us that there was a pressing need to reduce the number of committees owing to the shortage of government personnel, makes me wonder. It occurred to me that the Government Benches account for, roughly, 60 per cent of Parliament. The committees are, more or less, constituted giving Government 60 per cent of the membership. If the Government does not have personnel to man committees that are required by the Constitution, then I wonder whether in the allocation of responsibilities and portfolios, the fact that personnel would have been required to service these constitutional requirements, was not taken into consideration. I shudder to think that such an important task was not considered when persons were being appointed to various positions.

Mr. President, I feel, further, that the allocation of functions between the two committees that the Government seems to favour, gives the impression that while it is quite in favour of oversight for the service commissions, the same is not the case for the complete variety of other functions. It so happens that among these other functions which require constitutional oversight, we have the ministries all headed by Members on the Government Benches. I would have thought that they would have been very concerned to have the population know that their management was open to inspection by the joint select committees.

I have very little experience in this House, but so far I have been assigned to the Public Accounts Committee. We have had four meetings; at these meetings we have managed to consider two matters. We have actually investigated two groups. At this rhythm of work, which is one per month, if we are able to accelerate this, I am positive that we cannot do more than two matters per month.

If I were to extrapolate this to the second committee that is mentioned here, which is supposed to have oversight over everything except the service commissions, the volume of work involved means that that particular group, if it could meet every month, if it was able to get a quorum, and if we worked for 52 weeks for the year, which is not possible and definitely not probable, we could, at best, assume that we could probably look at maybe two, three, maximum; 5 per cent of the workload that is there currently.

7.15 p.m.

Now, I do not think that this is what the public of Trinidad and Tobago expects of this body, we have to do better than that. If one joint select committee can look at a maximum of 5 per cent of its work I think the mathematics would state that two doing 5 per cent each, would be 10 per cent of the total workload. Therefore, we stand a better chance of appearing to want to do what we are supposed to do if we could manage to have the three committees.

I do not really think that it is a problem that is beyond the Government Benches to be able to reallocate schedules to find six additional persons to service this committee that is being proposed by my colleague, Sen. Prof. Deosaran. I think we owe it to the public to give them the impression that we want to do what they require of us.

It is for this reason, Mr. President, that with regret, I will not be able to support this resolution as it stands. I would prefer an amendment along the lines proposed by Sen. Prof. Deosaran, but I am open to other suggestions that will require more than two joint select committees.

I thank you.

Sen. Dr. Carson Charles: Mr. President, I pity the hon. Minister of Energy and Energy Industries and his colleagues, including the energetic, irrepressible Minister in the Ministry of Finance this evening in coming to this Senate today with this proposal for which we really have no cogent arguments to support this Motion. Why would you come to the Senate to try to reduce three committees to two and there are so many important things you have to do? You come and take up the entire evening of the Senate into the night to reduce the number of committees from three to two.

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

You have no arguments to justify that; three over two, four over three. The argument you have, you need fewer committees because you do not have enough Members with time to serve. That does not hold any water and we all know it.

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The point that you want the Members on the Government side to chair the committees when they do not have time, they are all busy, and you cannot have three committees, you have to have two because you are so busy, but you want these same people to chair the committee. The Chairman always has more work than anybody else, so you should not want to chair the committee, you should be very happy to pass that responsibility on to somebody else. So clearly, this evening—[*Interruption*] I know you will go on to the idea of alliances sooner rather than later. I am happy to see it is already happening. It is an important point; that is the way human beings run societies and that is how we progress as societies, we always form alliances and I will tell you a bit about that just now. I will tell you about the right kind of alliances you need to form.

Mr. Vice-President, for five years and actually, hopefully it is for less, we do hope it is for less than that time—we all love this country and we have to live in it and would like to see the country do well. So while we are keen on showing the Government up as inadequate—that is our duty and our conviction as well—we are actually not keen on the Government failing. We do not want it to fail, we want it to succeed, but we want to demonstrate it is inadequate. We know it is inadequate. [*Crosstalk*] I am speaking as citizens of the country feel, and as I personally feel. One does not always say what one feels, one might have to say important things and so forth in politics, but I am speaking of how people actually feel. While we are anxious to demonstrate the inadequacies of the Government, and make no mistake about it, I believe it is quite inadequate to its task, we do not want it to fail because when the Government fails, the entire nation suffers. So for the period of five, four, three or two years, if you continue throwing out Members of Cabinet every time they disagree with you—Dr. Rowley may not mash up the Government you know, but the Prime Minister will if he continues throwing people out. You know, it is a bad habit people get when they are in office.

For whatever time it is, the point is, it is for that time we need the Government to at least be able to carry out its duties. When there is crime on the streets, we all suffer. We cannot say because we are not in office we are somehow immune. We all have to live here and face the supermarket and so forth.

Mr. Vice-President, we really do not want the Government to waste its time by coming with things that make no sense. The only reason that the debate is taking this particular turn this evening is because of the make up of the Senate. It is a matter we have to take note of. You see in the other place, you can come with a vacuous argument and present it and make a lot of noise on your side and you

do not really care what the other “fella” says. Who cares what is really logic and what is not? At the end of the day you vote your way and the next side votes its way and you win because you have the majority. I believe this is what happens in the other place, because some of the arguments there make no sense.

You cannot bring them here, because we can actually listen to arguments and there are more dynamics in the Senate than you have when people are simply shouting on both sides. The only reason you want to reduce the three committees to two is because somebody does not want them, somebody thinks it is a burden. It is not a matter of Members not having time, it is a matter of what you decide to spend your time on, and some Members of the Government perhaps feel that they do not want to spend their time on that. So I think we really need to examine what is the benefit of spending your time on the joint select committees, or giving it the attention it deserves.

As Members of the Government, if you perhaps see there is some benefit, whether you can change your position or not, but you will at least appreciate that the position taken by the Opposition and the Independents in this case is one that absolutely makes sense if you can see the benefit in it. So let us look at the benefit of having—whether it is two, three, four or five—a system that works and I think people are very clear that two cannot work because if you look at the numbers, they make no sense. Even with three committees you have a very hard time getting through the work, so why do you want to go to two?

Let us look at what can happen if these committees were to work. I want to start with the point that there is too much rancour among what I call members of the ruling elite in this country and I do not limit that to the political parties, but the people who have the responsibility for one reason or another to carry the ball of the society as a whole. There is too much rancour, there is not sufficient time being spent on addressing matters based on their own merit, too much time is spent banging each other on the head and that goes way beyond the politics. All kinds of people in the society are involved in political warfare now; the whole country is involved in warfare. You make a point and someone who is not in politics takes a political posture towards it.

You are in the Opposition and you make a point and a person thinks that because the Opposition said that, he would not print it or he dares not repeat it. If the Opposition makes a valid point, there are some people in this country who are not in politics, or who do not say they are in politics, but they would not even repeat the point because they do not want anyone to say that they are taking the position of a particular Opposition parliamentarian. That is where we are, so we cannot even debate issues based on common sense, based on the logic of the issues, and you cannot run a society that way. So I will start with that point; there

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is too much rancour, too much bitterness and hate among the persons who comprise the ruling elite of the society and it will go nowhere, and at all levels below that, we will continue to be at war. The entire country is at war.

[MR. PRESIDENT *in the Chair*]

People are at war on the streets, and I do not want to say this evening what is the reason for it. I would not take that angle this evening, but at least we know we could say that whatever caused the problem we know we are not going to be able to solve that problem of the virtual breaking up of the social order without the persons in the senior positions in the society who are the exemplars displaying some ability to work, communicate and bring peace, as well to disagree while maintaining the peace.

We have to bring an end to the rancour, the hate, the spite, all the bitterness and viciousness which are taking place at the senior levels of the society; otherwise we cannot possibly put out the fires that are on the streets of the society today. Let us not get caught up with our nice setting this evening and forget that there are virtual fires in the country today. People are at war outside there, they are killing each other for the slightest thing. If you make too much noise with your glass, somebody may shoot you if you are in the wrong place. That is where we are. We cannot bring these things under control in the society if we continue at the senior levels to be at war. So that war, in my opinion, has to be brought to an end.

We have to disagree, we have to show each other up, and that is our duty. On our side we think it is quite easy to show you up and the inadequacies of the Government, but we must be able to do that and disagree without at the same time to be seen to be at war. That is what the Parliament is for; it is a place where you can disagree instead of having to fight it out in the streets. Those on the opposite side of the political divide are able to disagree, express their disagreements, come to agreements on some things, compromise in certain areas based on what is presented, based on give and take.

I say I hope that because we are fortunate to have the Senate made up differently to the other place, where it was not possible to have any meeting of minds at all, but in this Senate it is possible to have meeting of minds on matters like the one before us.

Mr. President, one may ask what is the reason for the Government reducing it from three to two and one may think that it is because you want to strangle and stifle it, but I am being a little more generous and I say that although it could be that you want to strangle and stifle it, let me get past that. It is just because you have not really taken the time to see how your job as Government fits into this

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bigger picture. How does it fit in? The Government cannot solve the problems of the country by itself. You are not running a company. If you are running a company, you have to be concerned about your employees and perhaps, according to the nature of your company, the marketplace, your clients and the regulatory agencies, but you do not have to be concerned about anybody else to run your company. The Government is not a company, or if it is to be seen as a company, it is one for the whole country. So you cannot succeed as a Government by ignoring any substantial section of the entire country.

7.30 p.m.

In fact, far more important than your technical capability, your professional knowledge and know-how in running a particular department of Government, a ministry or whatever; far more important than that, I submit, is your ability to give general guidance to inspire the persons who are part of your team; to inspire confidence in the wider national community, which is part of your team as well. I think that is far more important. I do not think that you are going to be successful, especially when you want to spend billions of dollars in a short period of time, hopefully, to transform the society—that is what you say you want to do—I do not think you can expect to be successful in that if you ignore the most important thing, which is to inspire the entire nation.

Where is the effort at inspiring the nation? There is no attention to that these days. It is: “Listen, this is my way; my way or the highway. If I say it is going this way, that is it, fellows, because I have the majority in here.” So we vote and that is the end of the story. That is the attitude. With that attitude even being brought into something as simple as the committees and so on here, we can get nowhere. We have to throw away that attitude. The attitude of leaders, especially the persons who lead Government—the Prime Minister and Ministers of his Government, and so on, must be at all times to seek to inspire the nation. And if you have this great plan of transforming the country so you do not even think you can spend too much time on parliamentary committees because you have more important things to do—you see, you want to transform the society; you want your ministers to manage their ministries; that is why they do not want the permanent secretaries to manage them, because they think that they want to transform the ministry; transform the society and only the Ministers can do that.

I am not going to argue that point, I am just saying if you want to do that, do not think you can do it by a minister operating as though he is managing a particular department of a company or a corporation.

Sen. Browne: That is an assumption.

Sen. Dr. C. Charles: Well, assumption is based on what I see. You present Vision 2020 and you say you want to go in that particular direction; you want to transform the society into that new state that you are trying to create. That is what you said. If you want to do that and you have the resources at hand right now to do it—at least, you have more resources than anybody ever had in this country before—I am suggesting that you would have no success at that if you do not have the self-confidence. Rather than seeking to push everything down people's throats and to impose yourself on them, if you do not have the self-confidence to share your vision with the country and to seek to inspire the country to buy into your vision and to go with your vision because it is a vision that they believe in; if you cannot do that, you will never achieve it. How are you going to inspire the country if the country is locked out of the process?

The joint select committees are excellent instruments for bringing the people into the process. So you should see how important it is to put some effort into the operations of the joint select committees while you have to spend time, and so on, dealing with your administrative duties of running your ministries and spending moneys and making sure all these state companies are doing whatever you want them to do. You should see that it is also in your interest if you want to be successful in transforming the society and taking the country on a particular path that you bring the population into the picture, and this is one of the avenues whereby the population can come into the picture.

Many years ago I remember—and some said it was good; some said it was bad—attending something called “Accounting to the Taxpayer”. A past Prime Minister thought at some point he would do that. I was a public servant in those days. Public servants thought, “Well, this is the worst thing you could do to us because you have to send us to go and explain to the people now, how our money was spent but we never had a chance of deciding how the money should be spent. It was you deciding that. How come we are the ones explaining to the population how the money was to be spent?”

So people took it down on that angle, but I do not want to say that the gentleman was Machiavellian at all; I do not want to say that this evening. Instead, I will simply say that this idea of interacting with the people is something that at times the Government has found convenient. The same PNM has found that quite convenient in past times, of having its public officers interact with the people.

In this case you get a chance to do it in a structured fashion. In those days nobody was worried about whether people abused you when you went to a public forum and you had to account to the taxpayer. If anybody from the public abused you, you had to take it. At least here in the parliamentary system, you can appeal to Members of Parliament in terms of their conduct, and so on. You could appeal to our over-enthusiasm. Sometimes people react to the fact that they are not getting cooperation from the officers concerned or they suspect that the officers are involved in some underhand deals and people over-react. You cannot throw the baby out with the bath water. You are building a society; you are building a democracy and you want to throw everything away because of some particular episodes you had in the past? That makes no sense.

The Government cannot assume that it will—I do not know if this Government is only here—or most of the Members of Government are here now a few months, so I do not know how much experience they have; some of them, at least, would know what I am talking about, that you cannot assume that because you are the Government that public officers are carrying out your will or doing what you say. Sometimes you are the Government and the public officers are going along the same old path. They are not going to change anything at all. You, as the Minister, are giving all kinds of instructions; new policy positions and so on, and nobody is taking you on. The public service is going the same route and you get frustrated.

There are opportunities where you can use these committees which call people to account. They have to come and they have to explain in a transparent manner what they are doing with the taxpayers' money. This can be of assistance to you, as Government. If you take the high ground and instead of seeking to simply impose your majority, you begin to inspire and to convince; share your vision with the population—you might not want to share it with the Opposition; you might think that we are hopelessly opposed to you, but you are fortunate; we are only six here, so we cannot do too much harm to you, although Sen. Mark could probably take on about half of the team across there, I think.

In seriousness, I am making the point, you really should change the way you are doing things, because we have really serious problems in the country right now and the most serious problem we have in the country right now—do you know what it is? It is that if the Prime Minister goes on the television and he says: “I am going to address the nation”, the nation is not taking him on. That is the most serious problem in the country right now, that the leader of the country cannot inspire the country! He cannot call the country to arms to fight any

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particular cause that we have out here. He cannot call the country to go and plant food! They will not take him on. He cannot call the country to conserve energy, water or anything. The leader of a country must be able to call the people of his country in times of any crisis, to rally, because you cannot run a country by simply issuing orders.

Your parliamentary majority means nothing on the streets. You run a country by inspiring the people and your leader—there was a time, I am sure some fellows in the PNM might remember, when your leader could have inspired people and your new leader might not be as gifted, but he should at least recognize that is the important direction to follow. That is what he should seek to do, to develop the ability, not by great oratory—you do not always have to have that—but based on trust, a relationship with the population, that they actually think you are working for them and you are trying to solve their problems, and when you come and speak to them, you are not coming with some kind of con game; that you are not trying to trick them.

People in the country are not stupid. They want, when their leader comes and speaks to them, whatever party they belong to; whatever they support politically when they go to the polls, for the period of time between polls, we have a government. People want to know that when their Prime Minister comes to speak to them, he is seeking to inspire them and when he says: “Let us do this as a nation because there is a crisis right now of food prices”—we are not getting into what caused it; we are getting into what we can do about it. I can get into what caused it, but we are getting into what we can do about it, and one of the things you must be able to do about it is to get cooperation and not confrontation, from all the players in the game, because there are lots of players.

It makes no sense attacking this one and that one and saying it is caused by some particular group in the society. What are you going to be able to do to inspire cooperation, at least, from the major players? What are you going to do to inspire cooperation from the general public and how are you going to get the general public to cooperate with you if every time you bring something here, it looks like some underhand thing? It looks like an act of spite; it looks like an act of: “I do not really want to have to waste my time accounting to you because I have important things to do.”

That is how it looks; that is how I see it. It does not look like you—I cannot say it is because you have something to hide; that is another issue. I do not want to accuse you of corruption. That is another issue too. But at least it looks as

though you do not have the time to spend accounting to people. You do not want to spend the time on that issue and that is a very bad signal to send, if you want people to buy into your plans and have them feel that you care about them.

You know, it is as though every time we are busy looking for medication for the patient, we are busy wounding the patient while looking for medication. The whole country is scrambling, looking for medication for the patient but you are wounding the patient over and over. How are you ever going to heal the patient? Why is it that you have to undo things that others did? I mean, we have all this wonderful coverage, and so on; live television, et cetera. Every politician can be a star now. But there was a time when the PNM would not even allow another television station other than the Trinidad and Tobago Television (TTT). You might have forgotten that, but there was a time when they would not even allow another station other than TTT. They would not license any radio stations, so we had two stations. They would not do it. *[Interruption]* Who brought all those things, cable and so on? Who liberalized the whole place? We were the ones who started that.

But I am making the point that it was started and everyone in their turn had the opportunity to improve on it and make it better; make it work. So even if you do nonsense at some time—you do a good thing and you do a bad thing—okay, the person who comes afterwards must fix the bad thing. Was it not Chambers who said: “What is right must stay right and what is wrong, fix?”

Sen. Mark: Yes.

Sen. Dr. C. Charles: He was not a bad fellow. I am appealing to the Government along those lines. We could condemn the Government this evening, and so on, and I am sure that you had some of that. I do not want to spend time condemning the Government this evening. I think that you really have no argument here. You do not have a leg to stand on with this. Instead of condemning the Government, I would suggest that—a little bit of advice—you just tell those who are operating in the other place, we understand their way of operation, but here, we could spend some time dealing with the arguments, and so on, and based on these arguments, you do not have a leg to stand on.

So we should not even have to argue for you to support the proposal in the amendment to have the three committees. Let the committees work; let the Independents chair the committees. We would not go so far to say, let the Opposition do it, because we know that we are in a contentious situation. Let the Independents chair it. Make use of the fact that we have got this system which allows for the existence of Independents and there must be a function they could

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perform and that is one of the great functions of getting men and women who would take their time from their private lives and their professions and devote to this business of overseeing the operations of state companies, government agencies, and so on. That is a fantastic thing to have! They are not full-time politicians. They are not contending for power. They will spend their time doing this in the interest of the nation. How can you disregard that?

So I would like to join with those who have spoken in favour of the amendment and say, let us go in that direction; let us not spend time just in all the hostility, and so on, this evening. Instead, let us recognize that these committees, at least, are one thing that can add to the growth and development of the Parliament, from government to government, from one to the next. Just like the media coverage has come a long way since it started way back then and now we have a different way of operating, and people who were afraid that it would have been a real bad scene in here, I am sure they are quite happy that the coverage has been so responsible, and the media has been so responsible with coverage of Parliament.

So, again, we can tackle the problems of having people who behave out of order at the committee session by having rules of conduct on how the session would be conducted, et cetera. We can develop those things to make sure that they actually work. Let us go in that direction and let us reap the benefits that come from this improvement, this growth in Parliament; one of the few things we have from government to government.

I would not be able to sit before pointing out one little change that the Government should not really go through with, this tendency to keep on changing and undoing whatever was done in the past: This government did something so when you come you have to undo it; change it or mash it up just because you are different, and somebody else comes and they have to do the same thing. We really want to bring that to an end. That includes the local government thing where I see now they want to go back to the old county council days of having seven councils. Do we have to go back to that, really? Could we not go forward? That is all part of the whole idea of people participation; the population getting a chance to have a say; each town having a corporation. That was the original concept. Why do you want to go back to the old county council days? You have reduced it from 18 to 14; now 14 to 12. Why are you going back? Because somebody else did that?

Let us get away from that kind of thing. Because we did that particular act you have to undo it? Stage by stage you will undo it until you reach right back down to the old days? Are we going to go back to pre-independence just now just to undo it?

Do not undo everything that was done by somebody before. Try to improve on it. Make it better. Find out what they had in mind and make it better. That is my appeal to the Government this evening.

7.45 p.m.

I think it is clear that my position is in support of my colleagues on the Opposition Benches and the amendment of Sen. Prof. Deosaran. I hope that in this case, the Government sees it possible to accede to this request for support, so for one moment we can make Parliament rise above the usual rancour, hate and bitterness which permeate the politics and the society that is ripping us apart in this country, from the highest level to the lowest. This evening we can take one little opportunity of rising above that.

Thank you.

Sen. Helen Drayton: Mr. President, I will be as brief as possible. On observation, this has to do with the question posed by the Minister of Energy and Energy Industries and the Leader of Government Business to Sen. Ramkhelawan with respect to the Auditor General. Let me say that that underscores the importance of these committees. The Auditor General though independent is not above scrutiny. There is no reason why any of these committees cannot call the Auditor General to account for reports that are six and seven years old, a situation which subverts the whole process of transparency and accountability.

That is why in this instance I support the joint select committees and the Motion by Sen. Prof. Deosaran.

So much has been said with respect to bipartisanship; the democratic process and of having the people participate in the decision making. I too have witnessed on public television the tragedy that has been these sessions of committees that are viewed by the public. Public officials are not called in, from what we or the public witness on television, with respect to transparency and accountability. The manner in which these sessions have been conducted is such that public officials are called in to squirm and be embarrassed. With that attitude and the inefficiencies that exist—I do not want to impute any motives with respect to the Government—but I too, like many members of the public believe that government and parliamentary committees, thus far, have been a waste of time. At the end of the day it did not change the price of cocoa. They brought no benefit to the people of Trinidad and Tobago.

If it is a question of bipartisanship with the kind of puerile adversarial politics that takes place in Trinidad and Tobago, it is hard to believe that Members are indeed bipartisan and that they act in the interest of the public good.

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I submit that while I certainly support the intent of committees and the amendment by Sen. Prof. Deosaran, I call for a different dispensation, attitude and conduct with respect to parliamentary committees. That is, Senators act in the spirit and intent of these committees; they underscore the basic tenets of democracy; put aside the politics and do the job that needs to be done.

While I support the Motion of Sen. Prof. Deosaran, I do not believe for one minute what the Leader of Government Business has said is the reason for reducing three committees to two. If there is one thing that the Government can find, that is resource, or should I say resources for committees upon committees upon committees. I do not accept that. I think that in the spirit of the exercise, I urge that the Government take on board what has been said in the Senate and return to the idea of three committees.

Thank you.

The Attorney General (Sen. The Hon. Bridgid Annisette-George): Mr. President, as I join this debate this evening, I commend the hon. Sen. Prof. Deosaran for his stated intention of bringing light to this debate. After his contribution, I thought that his objective was served. However, because the light that he sought to bring so quickly faded, I have decided to lend my voice to this debate. I also commend him for the effective and efficient functioning of the committee which he chaired.

In hearing the contribution of the hon. Sen. Wade Mark, one almost forgot that there were three committees appointed under section 66A of the Constitution in the Eighth Parliament. The hon. Sen. Wade Mark in his very veiled innuendo made it appear that the former Senators Mary King's and Parvatee Anmolsingh's absence from the Ninth Parliament would have had something to do with the fact that they were chairmen of two of the joint select committees.

I want to distance the Senators on this side from any such statement and any such veiled innuendo. When I heard the voice of Sen. Prof. Deosaran it made it very easy for me to feel without any reservation that I could distance my colleagues and myself. I also pay gratitude to the two former Senators for their dedication and commitment to the work of the committees and the welfare of the people of Trinidad and Tobago.

Further, in hearing Senators on the opposite side, my mother always said that when one readily speaks of and sees ignoble intent in what somebody does, it reflects the intent of the heart of the speaker. Sen. Dr. Carson Charles, I have to say that maybe, you are on the wrong side, because even though you do not

support the Motion as proposed by this side, there was a distinction in your contribution and the rhetoric that was coming from your colleagues. We heard terms like “cracking the whips” and “Marie Antoinette”. I recall distinctly, being a private citizen and watching television in the comfort of my living room and though my mind was very distant, being intimidated by what I saw as proceedings before the joint select committee being chaired by certain Senators who sit here.

Again, it seems that some of us seem to be taken up with imperial France and talk of the emperor. I do recall, “I am king,” even though some people may have forgotten. “I am king and you are my subjects.” The imperial court of King Mark. *[Interruption]* Precisely the point. I do not think that the intent of these committees was ever to be sources of persecution. It was never intended to intimidate and that could be also in the process as chaired by the emperor.

In making my contribution I will pay some regard to the history. Sen. Dr. Carson Charles is correct, in that when he paid recognition to the composition of the Senate, in my short stint here, very often coming from the Independent Benches, there is always a great deal of wisdom. Sen. Ramkhelawan spoke about our young democracy and the consequential deficit of parliamentary goodwill. When we talk about the history of these committees, we refer not only to our young democracy, but also these committees. They are a younger creation than our parliamentary democracy.

It would have been by a constitutional amendment, I think Act 29 of 1999, that that Parliament was empowered to give effect to certain committees. According to section 66A, these joint select committees are to enquire into and report to both Houses of Parliament in respect of five areas: government ministries; municipal corporations; statutory authorities and enterprises owned or controlled by or on behalf of the State and service commissions. It is noteworthy that our Constitution is silent on the number of committees, which should be four.

In the contribution of a Member of the Opposition in the other place, that is the Attorney General in 1999, who would have piloted the constitutional amendment, he admitted:

“There is no provision in the Constitution for the fact that if you have five sections or areas you must have five committees.”

I agree with that.

8.00 p.m.

Even coming from the Opposition side this evening, there is agreement that there is no need for five. In fact, the calls are for three. There is no kind of resistance to less than five. It is accepted, I think, that there is no magic in the

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number and the magic is really in the purpose, the objective, of the committees. They must be meaningful in promoting effective government and, from all the contributions, accountability. The committees are no way intended to retard effective government and they are not to be used as instruments to impede effective government.

The Member in the other House, who is the proponent of the committees, had indicated that the number of committees is really a question of what is reasonable. I would want to submit that what is reasonable must be seen in the light of what is the Government's objective and policy. While this Government pays high regard to accountability, there is a balance. There must be a balance between promoting oversight of effective government and in the achievement of effective government. This PNM administration has undertaken to deliver to the citizens of Trinidad and Tobago the hallmarks of developed country status on or before the year 2020 and, in order to achieve that objective, this Government, in its wisdom, feels that it is important in striking the balance that Ministers be the driving force in their ministries.

Again, I refer to the contribution of Sen. Dr. Carson Charles. In his contribution, he said that the Minister may have his policy to carry out, but he may not get the cooperation of the public servant. While Ministers are not by any chance taking it upon themselves to fulfil the functions and duties of the Permanent Secretary; we all operate within the law and within the Constitution. It is the very reality that Sen. Dr. Carson Charles paid regard to; that very reality that requires Ministers in this administration to pay a little more regard to what is happening in their ministries.

When we come to accountability, the contribution by Senators opposite will make it appear that the only mechanisms for accountability reside in the committees. In fact, there are several mechanisms that require and provide accountability by the Government. Under Standing Order 15, there are questions.

Sen. Mark: Which you do not answer.

Sen. The Hon. B. Annisette-George: Which are answered. There are motions under Standing Order 21. There are provisions under the Constitution, sections 116 and 117, which refer to the Auditor General and the role the Auditor General plays in carrying out audits of accounts, balance sheets and other financial statements of all enterprises owned and controlled by and on behalf of the Government.

There are also the two other standing committees provided under section 119 of the Constitution. They are the Public Accounts Committee and the Public Accounts (Enterprises) Committee, one of which “the king” chaired. Under section 119(1) is the Public Accounts Committee and under section 119(6) of the Constitution is the Public Accounts (Enterprises) Committee; all of which provide mechanisms of oversight and accountability.

Before I forget, I would like, in response to the contribution made by Sen. Helen Drayton, to refer to section 116(6) of the Constitution, which says that:

“In the exercise of his functions under this Constitution the Auditor General shall not be subject to the direction or control of any other person or authority.”

I tie that back to section 66A(1)(ii), which lists the categories which are subject to the joint select committee and again referring to government ministries, corporations, et cetera, which would exclude the Auditor General being called by the joint select committees under section 66A. However, as everything else, the Auditor General is subject to the oversight of Parliament, as Parliament is supreme, and that is provided for in the provisions for the Auditor General.

Further, Mr. President, this particular Motion really seeks the establishment of the committees. It has nothing to do with the chairmanship of the committees. I would think that, as with all committees when constituted, the members pick the chairman from amongst themselves. Furthermore, Mr. President, in the contributions of several of the Senators of this honourable Senate, the words. “reduce the committees from three to two” and “collapse the committees from three to two”, that phraseology has been used consistently.

As we speak now, there are no committees and, therefore, there are not three. What is being really asked is that the Government repeats the course of action it adopted in the Eighth Parliament by proposing three committees. The Government has seen how the committees have operated in the past; they have learnt the lessons and the Government, in its wisdom, finds it reasonable, balancing all the other considerations, to propose at this time, two. It is not the question of a reduction, but a question of establishing two committees. *[Interruption]* I am very serious.

Although, as I pointed out, the issue of the chairmanship is not a question for debate, I would want to say that good decorum and propriety is not resident in one place. And while intending to detract nothing from the chairmen of the

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committees in the Eighth Parliament, there is nothing to say; there is nothing to support that a back-bencher will be any less impartial than an Independent Senator in chairing the committees. [*Desk thumping*]

In fact, these committees sit in public. They sit under the glare of the television and I think that any back-bencher who would be made chairman of any such committee would be compelled by the public glare to behave with good decorum and in a proper and impartial manner.

So, in making my contribution to this debate, I support the proposal that there be two committees and, as I said before, I make no issue with respect to chairmanship. That shall be decided by members of the committee when so constituted. I thank you.

Sen. Mohammed Faisal Rahman: Thank you, Mr. President. I have the highest regard for the hon. Attorney General, but I must say that I am a tad disappointed with her contribution this evening. I am confident, first of all, that our very honourable colleague with whom she is well pleased will not be moved by the blandishments of the other side and will continue to function in our ranks as excellently as I myself have found him contributing today. [*Interruption*] We take our chances.

The matter of the joint select committees is a very important one. I had hoped that, with the contribution of the Independent Senators, there would have been a change of heart on the Government side, at least to reconsider the wisdom of the course of action which they have contemplated by bringing this Motion to the Senate today.

I do not want to reread things that have been recited here so many times this evening, but the joint select committees are instruments of the Constitution and when they are appointed, they are appointed with certain authority. I think it is disingenuous to argue that because the Parliament is not a court of appeal or a court of record, that the joint select committees do not have authority to summon and to examine.

8.15 p.m.

The purpose of the joint select committees is to look into the performance of the Government and to act as the policing authority for the functioning of the Government and the various financial arms or functioning of the State.

We have been talking about the use—well the good hon. Attorney General has made a very technical point; this is not a motion to reduce. She is quite correct.

What is gone is gone. She was very wisely positioning herself to say that we are here to appoint two joint select committees. Technically, she is quite correct.

It reminds me of the Bush administration insisting, when it was about to undertake the surge in Iraq, and objecting very strenuously to any suggestion of increasing the troops. That was never to be mentioned. There was going to be surge but there would be no increase in the troops. The reality is, that in addition to the constitutional basis for the joint select committees, there is a parliamentary tradition in this Parliament. Traditions take a long time to be established but it has been fairly well agreed that even the joint select committees are new infants in the bureaucracy, if you wish, of how we function. Having been there for two terms, it is as solid a tradition as we can claim to be, besides which, it copies similar institutions in the mother Parliament that we are supposed to look to for guidance.

I do not think that it is a tenable argument to say that these joint select committees do not have authority and that in fact we can reduce the number at any time. If we can reduce them from three to two, then we can reduce them from two to one. Then we have made a mess of the Constitution because it speaks of joint select committees in the plural and it also provides for several other committees that the Parliament may wish to appoint. The Constitution, as is being suggested by what has been proposed here today, really is a mish-mash document because it does not have a clue as to how these things function. The reality is that the Constitution states that we have to have committees for the very good purpose of overseeing. I do not like the word "oversight" because it means to not notice or not see, as Sen. Ali has pointed out.

The joint select committees are here to oversee the proper functioning of the Government, insofar as the management of the nation's wealth is concerned. If you wish, the joint select committees form the police service of the Government or they form the Ombudsman Office of the Government. But, to deny the necessity and the validity of the joint select committees as if we are saying: we are going to conform and do the best we can and we will only take two, is to disregard the very solid reasons for the existence of the joint select committees.

The Attorney General made another point that there are other mechanisms for the investigation of Government's functioning. In several of those cases, those mechanisms come back to functioning under the authority of the joint select committees. Really, we cannot diminish the significance and importance of the joint select committees, nor can we realistically deny the tradition that we have established, following the traditions of other Parliaments to which we look for guidance.

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I would like to make a very interesting point. We have been talking all along about reducing the committees from three to two. As a matter of fact, the hon. Minister of Energy and Energy Industries made the point that in reality, one of the joint select committees may be split into two, so we virtually would have three committees in action anyhow. I think that is also disingenuous but I must commend him for the lack of enthusiasm that he displayed in presenting the Motion today. Surely, he is aware that his position is an untenable one. The reality is that by seeking to establish, if not reduce, two joint select committees rather than the three to which we have become accustomed, and which have been struggling to function—it is even appearing to be an inadequate number to begin with—we are seeking to reduce the personnel who are responsible for investigating these various arms of government from 36 to 24; not just from three to two, but from 36 minds, intellects and personalities capable of coming to grips with the problems of the Government. We are reducing that number from 36 to 24.

It becomes more significant if we look at it from this perspective. We are not simply reducing. If we were to say that we are going to make the committees two, rather than three, but we are going to expand the number of the membership, then you are making a strategic move, maybe for making better control. But one cannot escape the feeling that the—I say this with regret, because we want to believe that the Government is as concerned about public morality and public integrity as much as we are.

Now, we all remember, I think it was a gentleman by the name of Desmond Cartey who went up on a public platform after a long reign of PNM rule and admitted to a very strange thing. I do not know if I am permitted to repeat it. He said these words: “All ah we tief.” The history of this country has names like hon. Prevatt and hon. O’Halloran and we do not know how many honourable current holders of office are of the same ilk. The only way that we can really get into this is by having a body to scrutinize, without trammelling the financial affairs of the State, particularly when we have \$15 billion being handled by one individual, on behalf of the Government, out of a budget of \$40 billion per year.

I do not know that Parliament’s approving is going to prevent corruption over disbursement of those funds and the procurement principles and policies that are going to be practised. Parliament’s approving, that is so disingenuous. You are compounding it to even suggest that because Parliament has approved it, it is now perfectly in order to the end of the day. Why do we have an Auditor General’s Office? Is it not to look into what was done with what Parliament has approved?

Please, let us get serious and not insult intellects. We have to understand that we are dealing with fallible human beings. We are not dealing with angels. None of us is an angel here. We all have skeletons in our closets and how many more to come out, God alone knows.

The reality is that we need joint select committees and the protestations that the Government really does not have enough personnel to allocate to these joint select committees is another insult to our intelligence as Sen. Dr. Charles has pointed out. While the hon. Attorney General wants to deny that this is part of the package, the reality is that the chair—because it was answered earlier by the Minister of Energy and Energy Industries when he said: “You all had your people changing the committees, so we can do the same.” Now, that is blowing hot and cold. He said that and the hon. Attorney General said: “No, that is not the case right now. You cannot say that is the intent.” Oh God, how many insults are you going to throw at this side this evening? It is getting disgusting.

Clearly, if you do not have enough personnel you should seek to divest yourself of these onerous responsibilities. Let the four-people quorum go on the floor and function and you can have your input as and when you want. To say that the committees are constrained if they are run by Government Members, by virtue of the television exclusion—We heard from Sen. Prof. Deosaran that it did not stop one of the persons from an earlier committee from being very inquisitorial and obnoxious in the full public glare. That is not guaranteed.

In addition, there is the suggestion by Sen. Dr. Charles that the Government should not seek to control these joint select committees. They should give free rein and have confidence in our Independent Senators.

I believe the Independent Senators, particularly those who have served on the joint select committees in the past, deserve an apology from the Government, if not from the Prime Minister himself, who freely stated that they did not do a good job. That is not the impression I got from the Members here this evening. Even the Attorney General admitted the sterling service that was done by these worthy people. Former Sen. King continues to exercise her voice in the public fora and she is being paid attention to.

How can we escape the idea that the Government, as represented by the Prime Minister, is very concerned about scrutiny, when somebody who has a right to question, is fired on the flimsiest of grounds?

I do not want to jump to conclusions, but I was a little surprised by something that the goodly Attorney General said a little while aback. She was watching a joint select committee meeting on television once, if I heard her correctly and she was

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rather intimidated by what she heard. The impression I got from the newspaper report was that certain people were intimidated by Dr. Rowley. I am wondering whether we can connect the dots here. Dr. Rowley made sure that he got rid of all the strangers. He sat among his peers. I am not a lawyer but I have sat among lawyers who were handling cases for me and when we were there, the sort of language that was used among the lawyers made me want to blush because I do not use that sort of language. But I do not know that I can quarrel with anybody who, in a serious setting, wants to express his view. The Prime Minister was not even there. I am making this point because it is my conviction that it is a dislike for scrutiny that is causing the Government, with a very pious face, to come here today with a Motion not to reduce but establish two joint select committees. I do not buy it. I cannot buy it.

8.30 p.m.

We are effectively reducing a 36-Member committee system to a 24-Member committee system, in a situation where we have a burgeoning development of financial infusion and disbursement. This is, perhaps, why the Government is having such a difficulty with accomplishing anything with crime.

The Government has allowed the policing authority to be diminished, just as it wants to diminish the JSCs from 36 to 24 and have them cope with more work. This is reflective of the Government's policy to not repopulate and re-recruit and bring the police force up to standard. We have an increasing criminal situation, and we are going to have an increasing corrupt misappropriation of incidents in the financial sphere of this Government. When you are dealing with billions of dollars, a little pilfering from the kitty is inevitable.

I read where the Integrity Commission has authorized—I do not know if it is Inspector or Superintendent Wellington Virgil, to look into some matters that Dr. Rowley has raised and I said, thank God. I do not know how impartial or how efficient Mr. Virgil will be, but I said, thank God. At the end of the day, whether we have the JSCs or we do not have the JSCs—the JSCs would have assisted in the investigation—they are not going to get away. As somebody famously said, you can run but you cannot hide. Murder will come to light; the truth will out. We do not want to pull the blinds and shield the murderer, and make it easy and facilitate the corruption that we know has taken place in every administration. I am not shy to say this. Mankind is fallible. The first man fell and all of us are still falling. So, we are not impervious to the temptations.

Sen. Dr. Charles made the point that we have personnel, so do not try and commandeer the joint select committees. Let them function and put in their independence and continue to do the grand job that they have done in the past, but I will go a little further.

One of the practices of the Government—now they have more seats than they had before, and as Sen. Ali or Sen. Prof. Ramesh Deosaran said, they were promised that when the seats were increased to 41 that there would be better functioning of the JSCs, but this has not come to pass. As a matter of fact, there was a renegeing on the promise.

The policy of the Government is to bring in people as Senators who they could use and place in ministries as junior ministers and additional ministers—I do not know what the terms are—supporting ministers, supplementary ministers and joint ministers. We have plenty Ministers; Ministers coming through your ears.

Now, we know that Government has a lot of confidence in technocrats. Prof. Ken Julien is a technocrat, and he has been given a tremendous amount of money to manage.

Hon. Senator: What is the relevance?

Sen. M. F. Rahman: I am showing you here how you can get around the problem. You do not really want to know how you can get around the problem, but you want to cover up as well.

We have a situation where a gentleman was given \$18 billion to manage and another gentleman—he knew that whereof he spoke—who said that even if he gave us back the money for the jet, we are not going to get hospital beds. We still did not get any hospital beds, so he knew what he was speaking about.

Mr. President, what I am saying is rather than increase the number of Ministers—we are parliamentarians, and we have to debate and come to an understanding, even the Government that has the majority. The technocracies or the technicalities in the various ministries can be handled by personnel recruited either on contract or long-term labour. For example, I am not aspersing anything against the hon. Minister in the Ministry of Finance across there. I do not see too well and I can never read these tags.

The Minister has been brought in from his favourite place which he is very proud about—I have been there, and it is a nice place to visit, but I do not want to live there—to add to the staff in the ministry. He could have been brought in and

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paid a similar salary as a non-parliamentarian to bring all his expertise into the Government, and we could have had people in the Parliament to serve on the JSCs. It is as simple as that. [*Laughter*] I know that amuses you, but the reality is that it is a revolutionary way of looking at it. It is one good way to practise patronage, cronyism and nepotism and all of these things, but feeding at the public trough is one of the perks of belonging in Government.

So, when you add to the Ministers—you have 20 or 30 Ministers in 10 or 15 ministries—you are simply giving people titles and big salaries which could have been filled by them privately, and then the Government can function with integrity, not only doing the people's business, but letting the people see that they are not afraid of scrutiny. Clearly, there is a concern for scrutiny that has caused this Motion to come today—whether the Attorney General would admit it or not—to reduce the number of JSCs, and to reduce the effective personnel who are intended to police these avenues of investigative efforts.

So, I know that was very amusing, because it put some jobs at risk. We are not going to have all this battery of Ministers anymore. There is a principle in management where you have delegation of authority. I remember Mr. Gordon Draper conducted a course for a prior administration and he told them how to run their ministries, but it seems as though since he has passed on, they have lost touch with some of the lessons he gave them.

Mr. President, the Government is about management of the State's resources, in addition to looking after the affairs of the people. If the Government is serious about managing the affairs of the people, and having the transparency that is demanded of them, then they will take a second look at how they fill the ranks of ministries from among the persons who are supposed to be investigating those ministries from within the authority that the Constitution gives to them through joint select committees.

Finally, there are other things that I could have said, but we are late in the night, and I do not want to prolong all of this. The other side tends to laugh at serious matters, but I could understand, because it is embarrassing. I have one last point to make, and I am going to throw this out as a challenge to the Government. If Mr. Manning does not believe that the number of seats that he has in the expanded Parliament is enough to do the work of the Parliament, in the proper way as the Constitution requires, then he should go back to the polls and try to get some more seats, and let us see how well the nation approves of his stewardship for the last several months, and then we would have an expanded Government with a constitutional majority, able to have its own way, without the dissent of anyone.

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

Mr. President: Senators, I have been informed that dinner is being served in the tea room. We are not going to break formally for dinner, but I am going to invite Senators to filter out and help themselves so that we can wrap up this debate at the earliest opportunity.

Sen. Gail Merhair: Mr. President, I thank you for the opportunity to make a very brief contribution. I rise in support of my colleague, Sen. Prof. Ramesh Deosaran. I support most of what he has said, and I think he echoed the sentiments of most Independent Senators. I think that the joint select committee is an important ingredient in our parliamentary mix that is necessary to ensure accountability and transparency in our democratic State. In this regard, I would like to give notice of an amendment to the previously circulated amendment that was done a little while before and it reads as follows:

- “1. First resolution, third line:
Insert after the words ‘Municipal Corporations’ the word ‘and’.
2. Proposed third resolution, third line:
That the words ‘Municipal Corporations and’ appearing after the words ‘report to Parliament on’ be deleted.
3. The terms ‘Part I’ appearing in the second resolution, second line and ‘Part II’ appearing in the third resolution, fourth line refer to the attached list.”

This is being circulated right now to Senators.

My final point is that I would like to urge Senators that whatever we do here, we should do it in the interest of the people of Trinidad and Tobago. It is in that regard, I support the views shared by my Independent colleagues, and urge the Government to rethink what has been proposed.

Mr. President, I thank you.

Mr. President: May I have someone second the amendment that Sen. Merhair has proposed?

Seconded by Sen. Prof. Ramesh Deosaran.

Mr. President: Senators taking part in the debate thereafter may speak on the original Motion and the two proposed amendments.

Sen. Dr. Adesh Nanan: Mr. President, thank you. As I rise to speak on this Motion, I listened to the hon. Attorney General’s contribution, and in her opening, as she started her contribution, one would have thought that she was supporting

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the amendment to the Motion by Sen. Prof. Ramesh Deosaran, but as she continued in her contribution, it reminded me of that famous calypso “Snake in the Balisier”. [*Desk thumping*]

8.45 p.m.

The Attorney General said that the light faded away after Sen. Prof. Ramesh Deosaran's contribution. The only light I saw for the evening that faded away was in the Parliament when the lights went out, and I came to the conclusion that the Attorney General wanted an excuse this evening to put forward to the Senate, the proposal from zero to two or from three to two; mathematical gymnastics as they call it.

The issue I want to deal with is Standing Order 15 or even 16, that the Attorney General made reference to, as one of mechanisms to be used for accountability, and it really begs the question, is the Government serious about these committees. What are Standing Orders 15 and 16? They deal with questions to Ministers. I have a bone to pick; I have several questions on the Order Paper that have not been answered and these questions are not searching. How could a question in this Senate, asking about how many eco-lodges have been constructed in Trinidad and Tobago, from the period 2002—2007—? That question has nothing to do with corruption; that question has to do with building the tourism potential of the country and the Minister of Tourism refuses to answer. Where is the accountability that the Attorney General speaks of, one of the mechanisms?

The other area the Attorney General was speaking about was the chairmanship of committees; I will come to that later on. The issue here is the lack of accountability; what we are seeing is the avoidance of parliamentary scrutiny, and we have expenditure ballooning out of proportion. We are not dealing with a budget of \$15 billion in the past; we are dealing with a budget of \$50 billion and increasing; that is the point here. And as the Minister in the Ministry of Finance interrupted me, I will deal with that Minister right now, because the Minister told this Senate and the Attorney General sat right there and made no attempt to correct him, whether he is right or wrong.

The point is, when the hon. Sen. Wade Mark made reference to witnesses being called and witnesses did not want to be summoned, the Minister in the Ministry of Finance stood here and made reference to the House of Commons in May's *Parliamentary Practice*—and I saw him with the book—and said this is not a superior court of record or an appellate court, so you cannot find anybody in contempt. That is what the Minister in the Ministry of Finance said.

Sen. Browne: Mr. President, I referred to the House of Lords as an appellate court and as a court of record, not the House of Commons.

Sen. Dr. A. Nanan: I stand corrected, Mr. President. The point I am putting forward is—whether it is the House of Commons or House of Lords—that in the other place they are now charging Ministers; a *prima facie* case has been made out for contempt in the other place. So, how could you have that when you have the House of Lords talking about this is not a superior court of record or an appellate court? Where is the contempt? What is happening?

Hon. Senator: The making of laws is arbitrary.

Sen. Dr. A. Nanan: Of course! That particular *Hansard* contribution will make a major difference with respect to this particular issue.

Sen. Browne: Mr. President, please, if you could give way?

Sen. Dr. A. Nanan: No, I am not giving way.

Sen. Browne: It was about the powers of arrest we were speaking of, not contempt.

Sen. Dr. A. Nanan: No, we will deal with contempt, Mr. President. The *Hansard* record will give you the correction. Yes, Mr. President, as I dealt with that particular issue, I want to move on quickly because I know the hour is late.

The other issue I want to deal with is the joint select committees, because I served as a member on a joint select committee and I recall very clearly a certain matter. The Minister of Public Utilities was asked a question in this Senate, the Minister replied with an answer, and when questioned whether the answer was correct, the Minister of Public Utilities said yes, that answer is correct.

I recall that when we had the Meteorological Services Division before the Joint Select Committee, that particular Meteorological Services Division reported at that time with respect to that particular issue that the question pointed to. And the question was not directed to make the Minister tell an untruth in this Senate, but the Minister gave an answer that was totally false. I am calling upon that Minister, in fact, I am giving the Minister of Public Utilities ample time to return to this Senate to apologize or else I would have to go to Standing Order 67, with respect to a substantive motion on privilege.

That is the joint select committee; that is the role in terms of the investigative power. That is what the Government is afraid of, the investigative power. Yes, a Minister has general direction and control under the Constitution, but with respect

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to Ministers reporting in this Senate and making false statements, there is that substantive motion, because we saw it already; a Minister had to apologize in another place.

The Meteorological Services Division when questioned even further on that Joint Select Committee acknowledged that there was no radar in the country at that time. The Government was operating blindly in terms of meteorology. This is the utilization of the committees. We heard about my hon. colleague here being called emperor—

Hon. Senators: King.

Sen. Dr. A. Nanan: King—and his conduct was being called into question. But in terms of the functioning of the committee, the hon. Sen. Wade Mark made a substantive contribution in terms of getting the information that would help the country. He made a difference in getting that information. So the investigative power of the committee is not for the Opposition to make the Government look bad; it is to get the information. You know something, Mr. President? Any member of the public could write to the chairmen of these joint select committees and make a complaint. That is what could be utilized at some point in helping the administration.

If you look at the landscape, as it stands now, another area the Attorney General mentioned was the Public Accounts Committee and the Public Accounts (Enterprises) Committee in terms of the use of these committees for accountability. What is happening as we speak? The quorum is being increased in the Public Accounts Committee. It is my information, I could be wrong, that the quorum is to be increased in the Public Accounts (Enterprises) Committee.

So, if those things are happening, what is going to happen is a lockdown situation. Whether you put three committees or two committees, the way the Government is operating, there would be no live broadcasting. That would be a no, no, because that live broadcasting is what crippled the Government and there would be a definite lockdown. It will happen in the Public Accounts Committee, the Public Accounts (Enterprises) Committee and all these committees, because they cannot withstand scrutiny; that is a fact.

When the Attorney General stands in this honourable Senate and says we are going with the two committees proposed; no recourse; we would not even consider the amendment; total arrogance. We are here since 1.30 p.m. today, it is

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now 8.55 p.m. and the Attorney General will not have any conscience in this particular Senate; all the Attorney General would do is commend Sen. Prof. Ramesh Deosaran and the former Senators for their work as chairmen.

I also want to put on record that the former Senator Parvatee Anmolsingh-Mahabir did an excellent job when she chaired the Joint Select Committee, because work was being done. [*Desk thumping*] Somebody mentioned that the joint select committees are young, but if they are young and they have done such a good job in terms of their—

Another point that is of great importance, is that these committees were starved for resources. Under the Constitution and also the Standing Orders, there are allowances for specialist advisors to these committees, but the Government starved the committees and still, they made a difference. That was the commitment of the Members. When the matter of Dr. Rowley came up—and they want to see the relevance; Dr. Rowley was a Member of a joint select committee and he never attended one session; that is the arrogance.

When you look in terms of performance and you look at the reports and with respect to the various commissions and the commissions were called to account, it made a great difference, because the Ministry of Education benefited tremendously in terms of the recommendations put forward by the committee dealing with the service commissions. That is one area.

We have the Minister of Health today, if there was a Joint Select Committee in place we would not have the Mount Hope Medical Hospital shut down, because nurses are on strike. And why? Because of safety and security concerns. We have a situation where the population now is at risk because the Mount Hope Medical Hospital is not functioning.

The role of the joint select committee is very important in preservation of democracy and I recall the Minister of Energy and Energy Industries, in his contribution, talking about preservation of the democracy. But on one hand, the Minister of Energy and Energy Industries and Leader of Government Business talked about the democracy and then we heard a contribution from the Attorney General that completely contradicts the Minister of Energy and Energy Industries.

I would not want to be in the Minister of Energy and Energy Industries' shoes this evening, because I am sure that during the contribution from Members, especially the Independent Senators, the Minister of Energy and Energy Industries was getting some comfort in terms of moving towards the position of three committees and getting the kind of support, and then the rug was pulled from

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underneath him by the Attorney General in one fell swoop. It is a sad day for democracy when the Attorney General has no sympathy. That is the situation we are faced with.

The other area of these joint select committees; I recall again in another joint select committee, when we were dealing with the National Reforestation Programme, that a separate unit—there was no mention of that in the public domain, but it came out in a joint select committee—was established to run the National Reforestation Programme.

9.00 p.m.

The Minister at the time was the Hon. Penelope Beckles, Minister of Public Utilities and the Environment, and this particular unit was housed in the Arima office, very close to the Minister's constituency office. That particular unit was paying exorbitant salaries and moving the foresters from the Forestry Division into that unit and paid a higher salary for this National Reforestation Programme. There was no kind of tendering; no procedure in terms of—there was just a secondment from the Forestry Division to this new project unit. No accountability, so we have to be guarded. That is why when we talk about accountability, the role of joint select committees, the numbers of state companies and statutory authorities—

Another question we have to ask is in terms of when we had the Zoological Society before the joint select committee, we were dealing with the Emperor Valley Zoo, the expansion of the Emperor Valley Zoo and if there was going to be any movement towards the Freeport area, because in Central they were thinking about expanding the Emperor Valley Zoo at that time. Then we found out that the Minister of Tourism was now taking over the zoo and there is going to be a large allocation, but we heard nothing in terms of how far they have gone and what the plan is.

Mr. President, I have been told that the Chairman of UDeCott, Mr. Calder Hart has been seen walking around in the Botanical Gardens and people are afraid that the Botanical Gardens will be no more. They might even put a hotel there. I see you are smiling, Mr. President, it may be a fact. That is scary stuff. [*Laughter*] [*Desk thumping*] Because we have to have accountability. [*Interruption*] We have to have accountability in terms of—and of course it is no mystery that Lady Chancellor Hill is a great site in terms of potential for a hotel and probably a recreational facility. What will happen to the Emperor Valley Zoo? I do not know what will happen to it.

You see the anomaly because on the one hand there is a \$50 million allocation for the upgrade of the Emperor Valley Zoo and then that might be scuttled because somebody wants to put a hotel and a recreational park in that particular area. Probably another 200-room Marriott Hotel might be going up there. *[Interruption]* And that is why those things come out in these joint select committees, making a difference whether we are dealing with tourism—In fact, it is very important in terms of the functioning of government.

If you look at these ministries, if I recall the Ministry of Education had 16 departments at one time and a Minister has general direction and control of his ministry, but you have a Minister dealing with outing fires—especially in the education ministry—what we call bush fires, you have a school closing down here or you might have children getting poisoned through the school nutrition programme, so you have a lot of issues to deal with; one minute you might be dealing with protests in a particular school, protests in front of the ministry, you might have to visit the ill children in the hospital and all of those issues that were not planned take up a Minister's time.

It goes even further. There are a number of files coming forward from the various departments, especially in that Ministry of Education, so you have that situation developing where you have very little management of the time allotted to you. But that is no excuse because the Constitution allows you general direction and control, so you have to be able—and I see that your Minister of Information says that the advertisement programme with close to \$1 billion in terms of public expenditure did not work. The population did not buy it; apparently that is why we heard of lack of confidence in the Prime Minister from Sen. Dr. Carson Charles in terms of the population not heeding any address to the nation by the Prime Minister. So, we have that situation where if you look at the society today you have a number of marches being planned. You have a crime march being planned—

Hon. Senator: A million dollar march.

Sen. Dr. A. Nanan:—a million-dollar march being planned, I think the unions are going to march.

Sen. Hadeed: How much is Jack paying for that?

Sen. Mark: You are supporting that in John Rahael, the million-man march.

Sen. Dr. A. Nanan: And it reflects the mood of the society. You see what is happening, Mr. President, the Prime Minister recognizes *[Crosstalk]* that there is a window of opportunity. The Prime Minister calculates for the year, in terms of

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our calendar year. Yes, January, you are coming from the Christmas and New Year period into the Carnival period, so you have that window there. Then the Jazz Festival came in, you go into that other period where you might have cricket, so you have a lot of distractions to the nation as the year is passing along.

Right now, in fact, there is very little window of opportunity but soon you are going to have that situation where the cricket will be resumed and then you go into the holiday period and before you know it, there is Divali and Eid-ul-Fitr and we are back into the Christmas vacation and the year has gone. Of course when the budget speech is given later in the year you get another allocation and everybody hears more allocations in various areas, and years and years go by and there is no accountability. The Prime Minister knows they will march but nothing comes out of it in terms of follow up, because that is the situation of the society.

But there might be a rude awakening, because there is only so much, as Sen. Dr. Charles said, in terms of how much this population can take. This population is reeling under the policies of the Government. In terms of the construction area, in terms of materials for people to construct homes, it is almost impossible. Purchasing a private home is almost out of the question because land prices have skyrocketed, and do not talk about the price to buy an already built home, it is ridiculous. That is almost an area where you cannot go into in terms of owning a home so you have to rent. So, you are in a situation where you have to utilize part of your income there and get no benefits.

Then we have the citizens reeling on the other side with food prices going out of control. *[Interruption]* And that is why the joint select committees would have been able, because there would have been a number of farmers or people in the society who would have written to the various chairmen of these committees and pointed to the direction in which this particular economy would be heading. Probably at these joint select committees where the information is being transmitted something could have been done. The Government can utilize these committees for their own benefit rather than stymie all these committees. It is a useful tool, as somebody said, in terms of utilizing these committees. *[Interruption]*

They will pay the price. They will pay the price because they are moving ahead in terms of their 2020 vision—I think recently somebody said 1920—and we have to ask that question maybe because a lot of the proposals are going back rather than going forward. But they are going ahead with this 2020 vision and they are not surveying the society. I do not know what they are doing, Mr. President, in terms of what society they are planning for a 2020 outlook, but certainly it will not be this population going forward in that 2020 as we see so many people getting killed on the roads and so many people getting killed on the whole.

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Mr. President, with respect to joint select committees, there are many areas the Ministry of National Security could have utilized, because the Police Complaints Authority came before the joint select committee and I was a member. I recall that they had very little power. They had no power in terms of doing anything really, just accumulate information and there is no investigative power; they had very little resources, by this particular committee. When the Ministry of National Security actually was before these committees—we had the prisons, people from the prisons came before this committee. The commissioner came before the joint select committee. Mr. President, when the commissioner came before the joint select committee at that particular time I found he was such a solid individual. Just as how the Attorney General fooled me here this evening, [*Interruption*] I was convinced that the commissioner had the soul of the nation, but when I saw what was happening with the commissioner forming alliances with prisoners and that kind of situation, I realized it was a conman job that we got there, similar to what the Attorney General did this evening in terms of her—

Mr. President: Senator, I think that is out of order.

Sen. Dr. A. Nanan: Sorry.

Sen. Annisette-George: [*Inaudible*]

Sen. Mark: You came very close to doing that.

Sen. Dr. A. Nanan: Well, ruse will not be acceptable either, Mr. President.
[*Laughter*]

Sen. Mark: What?

Sen. Dr. A. Nanan: Ruse.

Sen. Mark: No.

Sen. Dr. A. Nanan: Oh, sorry.

Sen. Mark: No, ruse is a proper word. It is a proper word; con is a different thing.

Sen. Dr. A. Nanan: Yes, Mr. President, so in terms of the joint select committees and what we had, a number of individuals who came before these joint select committees, we found that they are very good people. Some of the entities that came had all the information at hand; they were so prepared to give the information to promote their ministry and give that kind of support to their Minister. But we have to remember that what the joint select committees are utilizing are administrative reports that are being produced by ministries. A lot of these administrative reports that come to the joint select committees come with strategic plans.

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That is an area when you are looking at a ministry's strategic plan that you can determine how that ministry is positioning itself in terms of utilizing the strategic plan in these joint select committees; utilizing the strategic plan to see in terms of manpower resources and personnel, and if the ministry has the commitment and if the strategic plan will actually help in terms of getting more people on board in the various areas and giving that kind of assistance to a Minister.

In terms of the focus of the joint select committees, of course, Mr. President, there is another area if you are dealing with the state enterprises. I am not here to talk about state enterprises and the allegations of corruption in state enterprises. If you walk along anywhere you have to question that if you are seeing a certain distance of pavement that is costing, let us say, \$300,000 and now you see a bill for \$3 million, you have to question these things. How something that costs \$300,000 could now cost \$3 million? Because it is being done by one of these special purpose companies, what is so different? Is it something that is being put aside for something else? We do not know and that is why these joint select committees are important.

In the Public Accounts Committee we have reports from the Auditor General on various boards, but they are outdated, and in many of these committees we had called for relevance. We had called for relevance in terms of dealing with the particular year that the financial report is pointing to. How can we make a difference in these Public Accounts Committees when we are dealing with dated reports and we are being put in line in terms of dealing with financial matters? And if we ask any question outside of that, we are called for relevance.

9.15 p.m.

How can we make a difference? How can we make a difference here? If we are giving guidelines and trying to help in terms of positioning ourselves for the same 2020 vision projection, we should be able to utilize that financial report, extrapolate to how we are now, get some kind of position, and if we ask a question, how many houses were built in 2007, that should not be irrelevant. Because we are trying to make a difference, utilizing a financial report, looking at the purpose of that particular company and how it is doing now. But no, that is irrelevant and you are quoting the Standing Orders. That should not be, we are dealing with accountability and we are dealing with the public's interest.

I agree that if we have these reports coming in for 2007—we get them probably 60 days after—we can utilize that, but in the interim, when these reports are coming, we should be able to ask questions. We should be able to question in

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terms of how relevant is the utilizing of those particular records, today. That is something that needs to be addressed in that particular committee that the Attorney General spoke about in terms of accountability.

The other area that I want to look at in terms of the same administrative reports—we had an administrative report from the Ministry of National Security and when we read that strategic review, it was beautiful. It was going to transform the Ministry of National Security. That was two or three years ago. Today, when we look at what is happening in the Ministry of National Security and the situation in this country, we hear a Minister reporting on how many cameras they have purchased and the detection rate is almost down to zero in certain parts of the country, we have to ask these questions in terms of the strategic review that is coming.

We have to scrutinize these strategic reviews and administrative reports very carefully, and we have to be very careful because of this particular time frame placed on ministries, that they do not put just anything in a document and send it to Parliament. That is why in joint select committees we have to look through these strategic plans and make sure they are not fake because we have to question the Government. Not only in the Ministry of National Security, we saw that in the Ministry of Planning, Housing and the Environment, in terms of a great strategic plan coming to the joint select committee and we see nothing happening in the Ministry of the Environment. All the questions are being directed to the Minister of the Environment: “We will answer in two weeks; we will answer in three weeks; we will answer in four weeks.” Meanwhile, in terms of environmental sustainability, our environment is collapsing in almost every area of the country, so we have to make a difference.

As Members of Parliament, we have volunteered our services to serve on these joint select committees because we recognize that the utilization of these committees will make a difference in the country. We will utilize this resource to the best of our ability. We want to work with the Government and we want the Government to commit to the resources of these committees. Give the specialists advisors; let the committees have more personnel on board.

If you look at other countries, yes, we heard of numbers in terms of the numbers in Parliament, but if you draw references in terms of beehives of activities in other countries and the difference that they make utilizing joint select committees, you would see that the joint select committees not only deal with ministries, they also deal with other matters in terms of the legislative areas and policy directions. In terms of the scope of these committees, they are extremely broad and they utilize these committees to make a difference.

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So, we are willing to work with the Government to build the country. They are rejecting our proposal to build the country. They want to keep out of the public eye and remove parliamentary scrutiny. We have seen it already. We have seen it in budgeting. In many of the budgetary documents that we receive during budget debates, many items are left out. We have to search and keep on asking the chairman questions and we do not get answers, especially from the Minister in the Ministry of Finance. The most unanswered questions in a budget debate come from the Minister in the Ministry of Finance.

So, Mr. President, as I close, I have an amendment to the amendment proposed by Sen. Prof. Ramesh Deosaran. After the third resolution of Sen. Prof. Ramesh Deosaran's amendment, this is the amendment:

"And be it further resolved that the said joint select committees be chaired by Independent Senators for the duration of the Ninth Parliament."

I beg to move.

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

Seconded by Sen. Mohammed Faisal Rahman.

Mr. President: Senators taking part can speak on all of the amendments.

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Thank you, Mr. President. Let me first of all thank all those who have contributed to the debate and I think that is more or less everybody. The way that we have progressed the debate so far causes me some concern and I will tell you why. Think about the composition of the committee which it is as follows:

The joint select committee is made up of 12 persons: 7 Government, 4 Opposition, 1 Independent Senator. You multiply that by two, you get 14 Government, 8 Opposition, 2 Independent Senators. You multiply that by three, you get 21 Government, 12 Opposition, 3 Independent Senators. Now clearly, Mr. President, the first thing that we need to understand in this particular thing, is that while there are views that have to be expressed, the Government came to a particular conclusion on the basis of six years of looking at the particular issue, and therefore, I want to put that in the context of the work that we have to do. In the very real sense, a lot of what is being talked about here in terms of responsibility, is really carried out by the government to a very large extent because that is the way the Constitution set up the committee, and in fact, has the composition. In any event, a couple of things.

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On the last occasion, it was the Government that decided that it would experiment with the question of supporting Independent Senators as chairmen, and the review of that suggests to us that it is really personality based in some instances. But more than that, there were some very bad experiences that we had and it is our view that we should not repeat those mistakes that we have made in this Parliament. Mr. President, the Prime Minister has always stated that there are times when you must listen and when you so do, there are sometimes things that you should consider and I think today qualifies as one of those days.

The Attorney General spoke at length about the various issues by which Members can, and do in fact contribute, but the Constitution sets out very clearly how we should operate, and in this regard, the Government is in fact operating as is its right under the Constitution. It would seem to me therefore, that there are really two issues. The first issue is the issue that has to do with the number of committees, and the second has to do with the chairmanship of the committees. What is being asked that the Government support at this point in time really is in relation to Standing Order 70(3) which says:

“Except as is otherwise provided by these Standing Orders or by special direction of the Senate, a Select Committee may elect a Chairman from among its Members.”

Now, the Motion or the last amendment also requires, I believe, support from the other place, so I really do not know how that is going to play out.

Mr. President, I think that there are sufficient issues that were raised that we need to clarify, we need to think about, we need to look at, and at least we need to respond to. Therefore, in those circumstances, and because we believe that all of us have a responsibility to pass good legislation, on this occasion, I am not prepared to continue the debate until we do some consultations on our side, taking into account [*Desk thumping*] some of the views expressed.

ADJOURNMENT

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. President, I therefore beg to move that the Senate do now adjourn to May 06, 2008 at 1.30 p.m. where we will continue this debate and we will debate on that occasion, Bill No. 1 on the Order Paper, "An Act to make provision for the transmission of advance passenger information respecting persons travelling to Trinidad and Tobago and for related matters."

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 9.30 p.m.