

*Prayers**Tuesday November 22, 2011***SENATE***Tuesday, November 22, 2011*

The Senate met at 1.30 p.m.

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

Madam Vice-President: Hon. Senators, I wish to inform you that the President of the Senate, Sen. The Hon. Timothy Hamel-Smith, is currently acting as President of the Republic of Trinidad and Tobago. I have granted leave of absence to Sen. Prof. Harold Ramkissoon who is out of the country.

SENATORS' APPOINTMENT

Madam Vice-President: Hon. Senators, I have received the following correspondence from His Excellency the President, Prof. George Maxwell Richard T.C., C.M.T., Ph.D., and from his Excellency the Acting President, Sen. The Hon. Timothy Hamel-Smith:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency TIMOTHY HAMEL-SMITH,
Acting President and Commander-in-Chief
of the Republic of Trinidad and Tobago.

/s/ T. Hamel-Smith
Acting President.

TO: MR. RABINDRA MOONAN

WHEREAS the President of the Senate has temporarily vacated his Office of Senator to act as President of the Republic of Trinidad and Tobago:

AND WHEREAS the Vice-President of the Senate is acting as President of the Senate:

NOW, THEREFORE, I, TIMOTHY HAMEL-SMITH, acting President as aforesaid, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in me by section 40(2)(a) and section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, RABINDRA MOONAN, to be temporarily a member of the Senate, with effect from 22nd November, 2011 and continuing during the period that Senator Timothy Hamel-Smith has temporarily vacated his Office as Senator to act as President of the Republic of Trinidad and Tobago.

Senators' Appointment
[MADAM VICE-PRESIDENT]

Tuesday November 22, 2011

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 21st day of November, 2011."

"THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

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

/s/ G. Richards
President.

TO: DR. LENNOX BERNARD

WHEREAS Senator Professor Harold Ramkissoon is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, GEORGE MAXWELL RICHARDS, President as aforesaid, in exercise of the power vested in me by section 40(2)(c) and section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, LENNOX BERNARD, to be temporarily a member of the Senate, with effect from 22nd November, 2011 and continuing during the absence from Trinidad and Tobago of the said Senator Professor Harold Ramkissoon.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 18th day of November, 2011."

OATH OF ALLEGIANCE

Senators Rabindra Moonan and Lennox Bernard took and subscribed the Oath of Allegiance as required by law.

**JOINT SELECT COMMITTEE
(APPOINTMENT OF HOUSE OF REPRESENTATIVE MEMBERS)**

Madam Vice-President: Hon. Senators, I have received the following correspondence from the Speaker of the House:

Madam Vice-President,

Appointment of Members to the Joint Select Committee to consider and report on the legislative proposals to provide for Public Procurement and Disposal of Public Property and to Repeal and Replace the Central Tenders Board Act.

Your letter dated November 15, 2011, on the subject at caption refers. Please be informed that at the sitting held on Friday November 18, 2011, the House of Representatives agreed to the following resolution:

Be it resolved, that this House appoint the following six Members to serve with an equal number from the Senate on the Joint Select Committee established to consider and report on the Legislative Proposal to Provide for Public Procurement and Disposal of Public Property together with the Legislative Proposal to Repeal and Replace the Central Tenders Board Act:

1. Mr. Prakash Ramadhar
2. Dr. Tim Gopeesingh
3. Mr. Herbert Volney
4. Mr. Collin Partap
5. Dr. Keith Rowley
6. Mr. Colm Imbert

Accordingly, I respectfully request that you convey this decision of the House of Representatives to the Senate.

Respectfully,

Speaker of the House

The Hon. Wade Mark, Member of Parliament

RETIREMENT

(MR. NEIL JAGGASSAR, CLERK OF THE SENATE)

Madam Vice-President: Hon. Senators, I have an additional announcement: the retirement of Mr. Neil Jaggassar, Clerk of the Senate.

I wish to advise that Mr. Neil Jaggassar, Clerk of the Senate, will retire compulsorily from the Public Service on November 26, 2011, after 40 years of dedicated public service, of which seven years were spent as the Clerk of the Senate in this Parliament.

When this Senate next sits on Tuesday, November 22, today, it will be his last official sitting at which Mr. Jaggassar will serve in the capacity of Clerk of the Senate. We know, however, that his support will continue and I dare say, many Senators may continue to seek words of advice and wisdom from him, long after his retirement. At times like this, we are very happy to see a long-serving public officer obtain the rest so richly deserved but, on the other hand, we are very mindful of the wealth of institutional memory which is lost in many instances.

Retirement (Clerk of the Senate)
[MADAM VICE-PRESIDENT]

Tuesday November 22, 2011

I am confident that some of this knowledge would have been passed on to the younger generation of Procedural Clerks now serving at the Table. But Neil Jaggassar will certainly be missed for his quiet efficiency and exceptional administrative style. Neil has proven himself to be a towering pillar of unobtrusive strength and an outstanding example of the highest professionalism so critically needed in any organization, and certainly most appreciated in this Parliament.

Hon. Senators, while we say thank you to Mr. Jaggassar on this day for his many years of service to the Parliament and the people of Trinidad and Tobago, we do wish him God's richest blessings, and we expect to show our appreciation to him in a more meaningful way, December 10 or 11, 2011, the details of which will be provided in due course.

I know that many Senators would like to pay tribute to Mr. Jaggassar on this last sitting which will be done at the end of the session. Thank you.

**ADMINISTRATION OF JUSTICE
(INDICTABLE PROCEEDINGS) BILL, 2011**

Bill to repeal and replace the Indictable Offences (Preliminary Enquiry) Act, Chap. 12:01 and to provide for a system of pre-trial proceedings relating to indictable offences and other related matters, brought from the House of Representatives, [*The Minister of Justice*]; read the first time.

Motion made: That the next stage be taken at a sitting of the Senate to be held on Tuesday, November 29, 2011. [*Hon. E. George*]

Question put and agreed to.

PAPERS LAID

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the Statement of Receipts and Payments of the Intellectual Property Office for the year ended December 31, 2008. [*The Minister of Public Utilities (Sen. The Hon. Emmanuel George)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the Statement of Receipts and Payments of the Intellectual Property Office for the year ended December 31, 2009. [*Sen. The Hon. E. George*]
3. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the College of Science, Technology and Applied Arts of Trinidad and Tobago (COSTAATT) for the financial year ended September 30, 2003. [*Sen. The Hon. E. George*]

4. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the College of Science, Technology and Applied Arts of Trinidad and Tobago (COSTAATT) for the financial year ended September 30, 2004. [*Sen. The Hon. E. George*]
5. Annual Audited Financial Statements of First Citizens Bank Limited for the financial year ended September 30, 2010. [*Sen. The Hon. E. George*]
6. Annual Audited Financial Statements of First Citizens Brokerage and Advisory Services Limited (formerly CMMB Securities and Asset Management Limited) for the financial year ended September 30, 2010. [*Sen. The Hon. E. George*]
7. Annual Audited Financial Statements of First Citizens Investment Services Limited and its Subsidiaries (formerly Caribbean Money Market Brokers Limited) for the financial year ended September 30, 2010. [*Sen. The Hon. E. George*]
8. Report of the Central Bank of Trinidad and Tobago on Insurance and Pensions for the financial year ended December 31, 2007. [*Sen. The Hon. E. George*]
9. Report of the Auditor General of the Republic of Trinidad and Tobago on the Statement of Recovery of Expenses of the Ministry of Energy and Energy Affairs for the year ended December 31, 2010. [*Sen. The Hon. E. George*]
10. Annual Audited Financial Statements of the National Commission For Self Help Limited for the financial year ended September 30, 2009. [*Sen. The Hon. E. George*]
11. Annual Audited Financial Statements of the Point Lisas Industrial Port Development Company Limited (PLIPDECO) for the financial year ended December 31, 2010. [*Sen. The Hon. E. George*]

1.45 p.m.

**JOINT SELECT COMMITTEE
(APPOINTMENT OF SENATORS)**

The Minister of Public Utilities (Sen. The Hon. Emmanuel George):
Madam Vice-President, I beg to move the following Motion:

Be it resolved that this Senate appoint the following six Members to serve, with an equal number from the House, on the Joint Select Committee established to consider the legislative proposal to provide for public procurement and disposal of public property, together with the legislative

JSC Appointment of Senators
[SEN. THE HON. E. GEORGE]

Tuesday November 22, 2011

proposal to repeal and replace the Central Tenders Board Act, which was laid in the House of Representatives on Friday, June 25, 2010, along with the work of the previous committee appointed in the First Session of the Tenth Parliament:

Mr. Anand Ramlogan, Dr. Bhoendradatt Tewarie, Mr. David Abdulah, Mr. Faris Al-Rawi, Mrs. Helen Drayton and Dr. James Armstrong.

I beg to move.

Question put and agreed to.

**TRINIDAD AND TOBAGO POLICE SERVICE
(FIGHT AGAINST CRIME)**

[Second Day]

Order read for resuming adjourned debate on question [October 25, 2011]:

Be it resolved that this honourable Senate take note of the strengths and deficiencies of the Trinidad and Tobago Police Service and its impact and potential in the fight against crime.

Question again proposed.

Madam Vice-President: The list of those who spoke: Sen. Fitzgerald Hinds, the mover of the Motion; Sen. The Hon. Brig. John Sandy, Sen. Dr. Rolph Balgobin and Sen. Penelope Beckles. Sen. Beckles, you spoke for 10 minutes, and you do have 35 minutes remaining of your normal speaking time. At this stage you may continue.

Sen. P. Beckles: Madam Vice-President, as you indicated, I am continuing in the debate on the Motion filed by Sen. Hinds:

Be it resolved that this honourable Senate take note of the strengths and deficiencies of the Trinidad and Tobago Police Service and its impact and potential in the fight against crime.

I would like to start by referring to a couple of matters that were raised by the hon. Minister of National Security. Those are the matters I will address, together with some other matters that I would want to raise during my contribution.

The hon. Minister spoke on a couple of matters that I would like to deal with. One of the things he spoke about was the issue of the work done by the police. He praised them for their hard work and professionalism. He expressed some concerns about the slow rate of dealing with disciplinary procedures. I know that

having come from the army where their procedure certainly is to deal with these matters with dispatch, the system is quite different, but I do agree that it is a matter for concern, and also the issue of career planning. I imagine that would have been raised by him because of the policy in the army which seeks to certainly allow persons to go on a particular career path, so that at least when you leave the army, depending on the rank in which you retired, you do not have to depend on your pension alone. One could hope that the Minister would bring to bear that experience, and the way in which the army has dealt with that matter maybe the police service could take an approach that is similar.

He also focused on the whole issue of evidence-based policing, the deployment of human resources and, of course, the issue of better training. The other one had to do with the issue of the negative image of the police service. In essence, I want to deal with some of those and say, at the outset that I support some of those concerns raised.

The Senator talked about the fact that in the past patrol cars would drive by with their windows up, but now officers are told to meet, greet and chat with the public to increase their responsiveness and visibility. I do not think anybody would have any complaints with a lot of those positions that have been taken by the hon. Minister of National Security.

In some instances he may have been bang on target, having regard to what has transpired, not just within the recent past, but for a number of years there have been certain issues in the police service that need addressing. I therefore would like to certainly congratulate my colleague for filing this Motion. [*Desk thumping*] I do hope that with the Minister's statements and the fact that he has recognized those issues, we would see some improvement, certainly in the years to come, if not in the immediate.

The reason I said those concerns were very timely was particularly because of this. We would have seen within recent times, and I refer to page 12 of the *Guardian*, the headline on the front page saying:

“Bad day for cops”

That “bad day” was because you had several officers on assault charges and several officers on murder charges; interestingly enough, all appearing on the same day.

On Friday, November 04, the Police Service Association indicated:

“Cops losing public's trust”

That is why I said that the Minister's statement was so very, very important.

This is an article by Julien Neaves on the *Express* of Friday 04:

“Recent cases of police officers being charged for criminal offences, including those involved in the Moruga shootings, will create an even wider gap between police and the public, said president of the Police Service Social and Welfare Association, Sgt. Ramesar.

‘We accept that it is something that has injured the image of the Police Service in the eyes of the public and what it did is that it would have further widened the gap in terms of public trust and public confidence,...’

He went on to say that these incidents have further injured morale within the Police Service and that the members were taking a step back in relation to some of the activities. Having regard to what has been taking place in the public domain, that is definitely an issue which needs some urgent attention.

The hon. Minister of Justice said in an *Express* article of Saturday 19:

“Cops to blame for Anti-Gang collapse”

I do not know that at this point in time it is helpful for the Government to blame the police for the collapse of the anti-gang cases. I think we have to move on. If you recall, all of us in this Parliament voted for anti-gang legislation. I think that at that time, Madam Vice-President, you might have been sitting across there. I do not think you were in the Chair. But the bottom line is that Independents, Government and Opposition all voted for the anti-gang legislation.

We are now aware that in the public domain there are a lot of people expressing concerns about the legislation, that it is flawed and what have you, but I do not think that the point raised by the hon. Minister, the issue of image, morale and training, would help to blame them for everything. The Government has to find a way to move forward. We recognize that the persons who have the responsibility, as the Minister said, for collecting the evidence, is the police. So I do not think that going to say to them, “It is all your fault,” would help.

I think we need to still give them support, because they are the ones who still have to go and do the work and they are the ones who have to appear as witnesses. Notwithstanding the shortcomings of the Bill, whether it is flawed, whether it has to come back to the Parliament or whether or not, as the Attorney General said, there is a group of lawyers who actually is going to train the police officers, hopefully that is going to at least comfort members of the public. We

wait to see whether that training would actually help the situation. My point is that blaming them will not help us, because I really believe that notwithstanding whatever we may say, the police officers went genuinely to protect and serve. There may be some who did not do that, but in the main there are a number of officers who genuinely believe and genuinely protect and serve.

The police association said that they were given instructions and so on to charge without evidence. I think over the last couple of months we have gotten a much better picture. We have reached the stage where all the persons who were arrested, the matters have all been dismissed. We need to move forward in a way in which those of us who clearly voted for it, in all good conscience and expectation that it would have done what it was expected to do, the matters could be dealt with.

I certainly remember that we finished that debate maybe four o'clock in the morning. I cannot remember the exact time. I stood here with a very heavy heart saying that I was voting for the Bill, but I expressed all my reservations, and I really was not happy with it. But having had a joint select committee made up of Independents, Opposition and Government, we all felt there was a procedure in place that we should at least give it a try. Everybody has gotten their share of licks, whether it is Government, Independents or Opposition, on the matter, but the lesson we have learnt from this exercise is that we really need to be extremely careful.

One of the issues we had raised in the debate was that of education and training. Several persons spoke about it. The Minister's concerns about it were quite valid, and I indicated that I supported it. As Minister of National Security, I hope that he would not take the position of his colleague by blaming the police for the failure of the anti-gang legislation. I feel pretty certain that he would not make those kinds of statements.

We saw that in terms of the PR used, you had "big fish", "little fish" and even "Robo Cop" being charged for murder, and recently the matter was dismissed. So there is a wealth of evidence that basically demonstrates that there is need for urgent training in the police service and there is need to give them the kind of support, so at the end of the day we could all feel comfortable they are doing the best they can.

Continuing on the issue of the police service, there is a matter that has concerned me for a little while. The Minister's statement about the police putting down the glass and meeting and greeting with the people is very important. I refer

Trinidad and Tobago Police Service
[SEN. BECKLES]

Tuesday November 22, 2011

to the issue that was raised in the *Newsday* of Thursday, November 17 relating to the road fatality of Joan Webb. It is a matter that has caused some concern for members of the public. I think the following day would have been her 70th birthday.

2.00 p.m.

There are two aspects of that particular accident: one had to do with a report in the newspaper that suggested that there were police officers who were injured in the accident, and other police officers came and removed them from the scene whilst the other parties who were injured were left on the scene; that is the report in the newspapers.

The second aspect is the issue of the alleged breaking of the traffic light, and I thought that it would be a good opportunity for me to share with probably the Senate and other members of the public, a case that dealt with that matter.

Madam Vice-President, I am sure you may have encountered situations where you are on any street in Port of Spain and you hear a siren, and it is not the Prime Minister or the President, it is a police officer—sometimes he is the only person in the vehicle and there is traffic—and that police officer believes that he needs to get wherever he has to go faster than everybody else.

Those of us who have been fortunate enough to have a bus route pass, on any morning, hon. Minister, and I am sure you know what I am speaking about, they are taking prisoners to court and they feel that they have the right to break every traffic light, once the siren is on and once they have a police officer that is in front—they have the escort. And it is alleged that on this particular day in relation to Mrs. Webb, that Mrs. Webb and the person driving had the green light, the police officer had the red light, and on approaching the red light they put on their siren.

Now, I encounter this every single day when I am going to court and I am sure that this is not something exclusive to the Opposition, to myself, I am sure both the Government and Independents encounter it.

The reason I am raising this issue—it is almost as though it has become a cultural activity, and it is not all officers but a number of them, and even the ambulance drivers feel that it is a right to break the traffic light.

Madam Vice-President, there was a Court of Appeal case of *Roger De Matas and Cannings Limited*—those were the appellants—and *Basdaye Mahabir*. And it is a court of appeal decision, Court of Appeal No. 19 of 2003. Now the appellants actually had the green light, the ambulance would have had the red light but it is

the appellants that were in a sense, the court ruled that there was some contributory negligence on the part of the person who had the green light, and I am using that because it shows you that even where you have a green light you can be found negligent, much more for having a red light.

Hamel-Smith JA—and if I can just quickly give the facts; the ambulance ran into the left side killing the driver and the passenger in the ambulance, and De Matas who was the appellant claimed that he had heard the sound of the siren only a split second before the impact but did not see the ambulance until it crashed into his van.

Now, this is basically the ruling of the court. The court ruled that:

“...it was obvious that the driver of the ambulance proceeded along the Bus Route on the assumption that as long as he sounded his siren as he approached a red light at an intersection he was free to run the red light. This was an ill-advised assumption because there is no provision in the law that permits an ambulance driver to run a red light simply because his siren is turned on. Regulation 38(19) of the Motor Vehicles and Road Traffic Regulations applies to Fire Brigade engines only and then only when the engine is on its way to or from a fire. It provides that in the case of a Fire Brigade engine, a motorist must pull to the left and stop, leaving the centre of the road for the free passage of the engine to pass.”

Madam Vice-President, the ruling went on, the judge hon. Hamel-Smith:

“No reference it made in the regulation to police or ambulance vehicles but judicial notice can be taken of a practice that has grown up over years of vehicles pulling over whenever any emergency vehicles is approaching with its siren on. Neither the regulations nor this practice permits the driver of an emergency vehicle, be it Fire Brigade engine or otherwise, to run a red light at random. The driver, like all other road users, must obey the traffic lights and it is in circumstances only where the traffic gives way, can the vehicle proceed through the red light and, then with a measure of caution. Accordingly, it was not sufficient for the ambulance driver in the instant appeal simply to turn on the siren as he approached the red light and contend that that was sufficient warning to other motorists who may lawfully be proceeding on the green light.”

Now I know a lot of people are not aware of this case. I do not know if the hon. Minister is but I am sure that the Attorney General is. It is something that we need to educate our ambulance—all our protective services because it happens every day. To me it is almost a joke, okay, where people feel they have a right to break the red light—put on a siren, and in some instances, Madam Vice-President, you would have seen that they do not even put on the siren. It is a police vehicle, hon. Minister or AG, as you would know, and they simply come along to the traffic light and you are supposed to stop, and that is a practice. It is a dangerous practice, and I hope that having raised this that maybe it will put some sense into the head of others. Because on any day you are going up Edward Street, St. Vincent Street, you are going across Park Street, and there is a situation where no one can cross going east on Park Street, and no one can cross going north on Edward Street, but you hear a siren coming. When you hear that siren coming—very often going east on Park Street, there are three lanes of traffic; going north on Edward Street there are sometimes three lanes of traffic and you hear the siren, and everybody has seen how everybody starts to manage and manoeuvre so that the police vehicle could pass, and then you see one policeman in the vehicle.

Now I am not saying that it is not possible that he may be going to do something urgent or genuinely, but I am saying the likelihood of that is absolutely impossible. But a lot of them have decided that they have a right and they must always be first in line.

Madam Vice-President, I want to say that it is a practice actually of not only police officers, but we are seeing now that even some Ministers going from one place to the other who have access to motorbikes and so, are adopting that attitude where they need to go to a function very early and you see the motorbikes and others going through the traffic lights, and I hope this will be a caution, not just to police officers but all of those who feel that they have the right to break the law.

Sen. Hinds: Prime Minister using helicopters.

Sen. P. Beckles: Madam Vice-President, I want to move to another matter that has caused some concern and I am sure that it will cause you some concern, and probably has caused you some concern, and it has to do with a recent incident that took place at one of our stations. It had to do with:

“A 23 year old woman who was allegedly raped on Monday”

Well, this is written by Anna Ramdass. The woman spoke to the *Express* about her experience, and she indicated that—and this is the operative part, hon. Minister, that I know you would be concerned, having regard to what you stated:

“The (police) didn’t care for my safety. They might think it’s my fault I got rape, but I took a taxi like a normal person. I just got raped; I was naked and they turned me away from the police station and didn’t help me because I was naked.”

The woman said that the driver and his accomplice took her to Morvant and she explained exactly what it is that happened. The important part about this is that she went to the Morvant station to get help and, fortunately, there are still some good samaritans. She was naked having been raped because there was a vehicle coming and the drivers panicked. She started to run and she ran towards a car and the occupants of the vehicle actually stopped, and by pure coincidence one of the persons, another woman, had also been a rape victim, so she probably sort of understood.

So they went in and told the police that this person was raped but she was naked in the car. A policeman came outside wearing a raincoat over his uniform. He looked at her in the back seat, he told her that she could not come into the police station naked. And the occupant of the vehicle said, “Well, could you give her your raincoat?” And he said, “Nah, nah, nah, I cyar give her my raincoat”. So what happened is that the occupants now had to take her back to where she was living, put on her clothes and then bring her back to the Morvant Police Station. Now they said that they were going to file a complaint report—now this is the mother of the victim.

“I am so upset; if it was his mother or sister, would he treat her like that? Would he turn her away and not help her? Do you know how I felt when a stranger called me and tell me that my daughter now get rape, and the police can’t do nothing because she is naked? ... ‘My daughter is traumatised, and I cannot believe that after being raped, after suffering through something like that, the police who is supposed to protect—and serve—turn her away.’”

Madam Vice-President, I want to ask the hon. Minister of National Security to investigate this matter—the hon. Brig. Sandy—because you know this is a serious indictment on all of us.

Now, I made the point a while ago that it is not all police officers who operate in this fashion. Madam Vice-President, you would have read where police officers actually delivered babies in the police stations, okay, and there are many others who we can give credit for going beyond the call of duty, but I think that this is more than just an embarrassment. I certainly want to express my sympathy to the young lady and her family, and that is not the first occasion on which something

Trinidad and Tobago Police Service
[SEN. BECKLES]

Tuesday November 22, 2011

like that has happened. We know of women who have gone to the police station to make reports, domestic violence, and have been raped in the police station by police officers and that is not something that is far-fetched.

Now, I raised this in the context of the debate that took place in the Senate last week. Madam Vice-President, you know that there is a particular clause in the DNA Bill, raised by Sen. Drayton, I think Sen. Baptiste-Mc Knight, and if I recall correctly, Sen. Al-Rawi. And we—well not we—the Senators who spoke raised genuine concerns about that clause that related to—and I am speaking about clause 20, that spoke about the fact that:

“A qualified person who takes an intimate sample from a person shall ensure that:

(b) that it is taken in the presence or view of a person who is of the same sex as the person from whom the sample is taken.”

Then clause 23 says:

“A person authorized under this Act to take a sample, or a person assisting such a person, may use reasonable force to take and protect the sample.”

Now, Madam Vice-President, I think that a lot of concerns raised, not just by the Senators but other members in the public domain, were on the issue of the experience that a person who would have been raped would have to go through again for an exercise similar to this.

Sen. Hinds: Second rape.

2.15 p.m.

Sen. P. Beckles: I think most people said very clearly that that is almost as though you were going to be raped a second time. [*Desk thumping*] Just imagine what this young lady went through and just imagine if this piece of legislation were passed as is, with the police officer having been so disrespectful, insensitive, inhumane and everything that you could talk about, that that police officer would have been given the responsibility to act under this piece of legislation. And that is why when the hon. Minister of National Security, sorry Minister, the hon. Minister of Justice, indicated that the Senators and the writer in the *Express*, Judy Raymond, were feminist because they raised this issue, it was really shocking. On page 18 of Friday's *Express*:

“In an interview in yesterday's *Express*, Volney described the position taken by these women”—these women—“on the DNA bill as a ‘strictly feminist posture’, which was ‘totally unacceptable’.”

Now, I am really hope that the hon. Prime Minister would—

Madam Vice-President: Senator, I know the debate today is on the deficiencies and strengths of the police service, but seeing that we have started debate on the DNA legislation, it is not yet complete, I am going to ask that you confine, according to Standing Order 35(1), at least, your contribution on the police service in this particular Motion. Thank you. And we can leave comments on the other legislation for that sitting. [*Desk thumping*]

Sen. Hinds: Very relevant! Very relevant!

Sen. P. Beckles: I see certain people are willing to thump the desk, [*Interruption*] but the bottom line is that I am saying that here it is you have a person going to the police station, having been raped—I am saying that you are talking about the strengths and weaknesses of the police service, and I am of the view that this is relevant [*Desk thumping*] because you cannot just say—

Sen. Hinds: More than relevant!

Sen. P. Beckles:—that people are feminist because they raise such an important matter. Yes, you have the Bill that is being debated, but the point is that I am raising a matter that is in the newspapers, on the *Express*, that is where I am reading it from, that clearly indicates that comments like these ought not to be accepted; [*Desk thumping*] that women ought not to be called feminist for raising serious issues as they relate to rape, Madam Vice-President, and I take your caution.

Sen. Hinds: What? You have the right to say—

Sen. P. Beckles: I take your caution, but I just want to say that this is a very, very important matter for which I think the Minister of Justice should apologize. [*Desk thumping*]

Sen. Hinds: And I dare say you have to right to say it!

Sen. P. Beckles: Madam Vice-President, I just want to say that for me, certainly, as a woman, I have a particular concern about it, but I would heed your ruling. [*Interruption*]

Madam Vice-President: Senator, please! I am going to ask that all Senators of the Senate confine their contributions to the Motion at hand. Legislation that is pending and is yet to be debated would not be accepted as part of their contributions here. And further—and this is in particular for Sen. Hinds—as it was noted in the other place, this Chamber, the acoustics are very different and I would advise all Senators to be very, very careful in their words, because the

Trinidad and Tobago Police Service
[MADAM VICE-PRESIDENT]

Tuesday November 22, 2011

Chair is not too far and the words are very clear, and certainly, even *Hansard* would record many of the statements that are made while you are not on your legs. So kindly confine your contributions to that and your comments to the honour of this Chamber.

Sen. P. Beckles: Thank you very kindly, Madam Vice-President, I want to say that I have every respect for the Chair. I want to also say that the Motion says, “take note of the strengths and deficiencies of the Trinidad and Tobago Police Service and its impact and potential in the fight against crime.”

Sen. Hinds: Simple! [*Desk thumping*]

Sen. P. Beckles: I want to say that in emphasizing what that Motion is, if women are to be safe in Trinidad and Tobago to a large extent it is the police that must protect them. [*Desk thumping*]

I therefore raise this point: [*Interruption*] I am a former president of the Rape Crisis Centre and I have seen the insensitivity that women often have to treat with, [*Interruption*] and I saw recently where the communications officer of the police service was boasting that there was a reduction in rapes, particularly during the state of emergency. I raise this matter because if it is that there are women who read about that incident that took place in the Morvant Police Station, are they really likely to go and report any rapes at all if they know they are going to be subjected to that kind of thing? [*Desk thumping*] That is my reason for raising the point and that is my reason for saying that the Minister ought not to be calling women feminist, because they have raised that point. [*Desk thumping*]

This is where I have to raise my concerns about the safety of our young girls, of our young women and about women being raped in Trinidad and Tobago. [*Desk thumping*] This is where I have to raise them! [*Interruption*] I would think that all of us, both men and women, who have daughters, sisters, granddaughters, ought to be concerned and ought to recognize that my point is a valid one that needs to be raised. [*Continuous desk thumping*] Madam Vice-President, I will tell you why this is even so important; last week, on the 17th in the *Express*—and again, I am sorry Minister, I hope you do not—I am not putting too much on your plate, but this is a matter that, again, I am concerned about—hon. Minister, through you, Madam Vice-President, there is an article in the *Trinidad Express* “Cop to face rape trial”. Now, actually Minister, there are two articles. There is one article showing a picture of a citizen who was charged with rape, he is handcuffed and the handcuff is in front of him, so of course he cannot do much, and the police officer is holding him and you could see his whole picture. They have a whole picture of him being charged with rape, but then there is a police officer who was charged with rape and this is the difference—

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

Motion made: That the hon. Senator's speaking time be extended by 15 minutes. [*Sen. F. Hinds*]

Question put and agreed to.

Sen. P. Beckles: Thank you. I have a number of things so I am going to be very quick, but this is important. Madam Vice-President, this police officer called PC Derrick Badree, he was committed to stand trial.

Sen. Hinds: What is his name?

Sen. P. Beckles: PC Derrick Badree.

“On November 18 2008, Badree was charged with serious indecency, rape and common assault.” [*Interruption*]

“On the day he appeared in court, police officers locked the door to the courtroom and prevented the media from entering. Attorneys were also blocked.

Officers laughed as media took pictures of a man who pretended to be Badree, covering his head and running out of the courtroom.

The real Badree was allowed to leave through an exit reserved for the magistrate.”

Now, this is in Trinidad and Tobago. This is last week's newspaper and therefore you would understand my concern and my passion about raising this matter and women being called feminist in these matters because it is so, so serious. [*Desk thumping*] I said the Minister of National Security hit the nail on the head when he talked about issues of image, and a lot of his concerns and recommendations are absolutely correct, but his job is a very difficult one. [*Interruption*] You ask yourself if any of us who might have been charged with any similar offence—and I am not saying anybody would—but the point is that, could you imagine that they are taking out somebody who is committed to stand trial, they put another person and there it is the media is busy taking out pictures of this police officer and lo and behold he has the authority, he has the power, he has the influence to pass through where the magistrates pass and he has just been committed to stand trial for rape? [*Interruption*] So, you could understand my concern.

Trinidad and Tobago Police Service
[SEN. BECKLES]

Tuesday November 22, 2011

So, Minister, I know I am giving you a lot of matters to investigate, but I know you can deal with it and that is why I feel so, almost, upset about it. But there are a few matters, quickly, I want to raise and one has to do with the issue of—[*Interruption*] and that is why it really surprised me, the particular person whom I saw thumping the desk. But then again, I am not surprised, I would deal with that on another occasion.

The two or three other matters I want to deal with very quickly: the issue of ganja/marijuana being found in containers and the fact that—“ganga seized among frozen chicken at Point Lisas”, and I do not have the time to go through all of this, but I want to urge the Government to use modern technology to deal with this very, very serious matter. Because, could you imagine that someone is providing us with concrete evidence and information to suggest that it is a regular thing for cocaine and marijuana to be coming in chicken parts and that is why chicken is so cheap in Trinidad and Tobago. It is amazing that we actually have someone telling us that that is why chicken is cheap.

What is frightening for me, Madam Vice-President, is that in my years in practice as an attorney, if someone owns, be it a car, be it a truck, if they come into your house, whatever it is—

Sen. Hinds: A vessel.

Sen. P. Beckles:—a vessel, the law is very, very clear—well, if they came in here now and they found marijuana, I do not know if they are going to carry all of us down?

Sen. Al-Rawi: Strict liability.

Sen. P. Beckles: I see the Minister is smiling, but the point is that the legislation has been amended that the police officers have no discretion; you go to court and you give your explanation. But within recent times we have had an interesting development that they have been finding drugs in the airport, in suitcases and they are finding them in containers and they know who the owners of the containers are, and somebody could give a defence; they are not even charged, they give a defence and say hear what, “somebody put that in there”.

Well, that is your defence. That is your defence when you have been charged. [*Interruption*] But it is amazing that people could actually say, “Well, hear what, it is my container, but it’s not my coke; it is not my marijuana”, and they could go scot-free. [*Interruption*]

I want to urge the Government, therefore, on the issue of scanners and putting modern technology so that they can continue the kind of surveillance that does not allow people to come casually and to put a defence that puts the Government, or compromises the Government, or compromises Customs. I think that needs to be urgently done. [*Desk thumping*]

Madam Vice-President, just moving very quickly, and that is why I think that the issue of the radars, the purchase of the OPVs, the purchase of the coastal vessels were so very, very important. We know very well that the helicopters that were purchased were purchased to work on the OPVs, and that was supposed to be all part of the Government's ability to do surveillance around the coastal waters of Trinidad and Tobago. As it stands now, there are two things that have happened in relation to those helicopters that really can—as I understand it today, they still have not been able to be properly licenced for which they were intended, because the hangers have not been completed, and therefore, the Government cannot yet obtain the licence.

But recently one of those helicopters has been damaged—I am so advised.

Sen. Hinds: Grounded!

Sen. P. Beckles: Grounded, and it is going to cost some \$5 million to repair.

Hon. Senator: “Oh goood, and they eh use it yet!”

Sen. P. Beckles: That is because a contract was given out to a company to repair the runway and one of those helicopters was damaged and I am hoping that this Government would ensure that that person—one was damaged. [*Crosstalk*] Thank you very much.

2.30 p.m.

Sen. Hinds: And the other one transports the Prime Minister.

Sen. P. Beckles: I am hoping that the Minister will ensure that the company who did defective work, that they are taken before the court and that his Ministry and his Government are properly compensated for bad work. [*Desk thumping*] The taxpayers are the ones who are going to be responsible for that.

Madam Vice-President, we all know that there is a situation where—and I know, hearing what the last Minister said in relation to the OPVs, that he probably had a very different view and collective responsibility forces him to accept certain things. But at the end of the day there are certain things that are taking place that will make it very difficult for the police to do the work that they have to do.

Trinidad and Tobago Police Service
[SEN. BECKLES]

Tuesday November 22, 2011

Because the police cannot do the work by themselves, the police must do the work in conjunction with other protective services if they are to be successful. The police do not have their own aircraft and ships and vessels as they had before, so they have to depend on the coast guard. And we know very well that under the last Government six ocean vessels were purchased, again to help and work together with the OPVs.

I am advised that one of those vessels has been damaged and the other five are not being properly maintained, and we are going to find ourselves in difficulty where somebody is going to come along and say, well you know what, the PNM made a bad decision and that is why those vessels in a very short space of time cannot function and have to be disposed of. I hope that that is a matter which the Minister is going to treat with as a matter of urgency. You know, one gets the very, very distinct impression, because they have purchased—there is a crane that was purchased at the cost of \$1.2 million, that easily allows those vessels to be taken out of sea and dry-docked and to be properly maintained. That is not happening and I am very concerned about it. And if it is that those fast rescue vessels are to assist the police and army in terms of dealing with people in the drug trade, we are in trouble. I do not want it to be said—Madam Vice-President, how many minutes do I have—two?

Madam Vice-President: Four minutes.

Sen. P. Beckles: I do not want it to be said—or as a matter fact it is being said, that some things are taking place so that the last Government's decision in terms of the purchase of some of these vessels and so, to be able to help in the fight against the drug trade were bad decisions, as it is, the OPVs; as it is, the helicopters; as it is, the fast patrol vessels.

Madam Vice-President, you know that same crane which was going to help in terms of the maintenance of these vessels, was also going to help in terms of the maintenance of the water taxis that have been purchased, the four water taxis. Therefore, the coast guard was given the responsibility to assist in that way.

Well, Madam Vice-President, I am hoping that the Minister of Transport will clear up the fact that those water taxis are presently not insured. I am advised that those water taxis that are running up and down from San Fernando to Port of Spain are not insured. The company that has the licence has left Trinidad and Tobago—[*Interruption*]

Sen. Hinds: What!

Sen. P. Beckles:—and all the people who are using those water taxis are at risk—

Sen. Hinds: What!

Sen. P. Beckles: —and I am hoping that matter is going to be settled.

Sen. Hinds: What!

Sen. P. Beckles: Madam Vice-President, as I close—*[Interruption]*

Sen. Hinds: Is that so?

Sen. P. Beckles:—one million persons used those water taxis up to last week.

Sen. Hinds: “Oh my gawd!”

Sen. P. Beckles: So I am hoping that the Minister of Transport will address this issue. I have indicated that a lot of the issues that have been raised by the Minister are very valid, a lot of the solutions that he has recommended are very valid, and I hope that in supporting a lot of the concerns that he has raised and the solutions that he has suggested that that will be put in place, so we can see a better police service in Trinidad and Tobago. And again, I congratulate Sen. Hinds on his Motion. *[Desk thumping]*

Dr. Lennox Bernard: Thank you very much, Madam Vice-President. I am indeed honoured to be here in the Chamber once again in the absence of Prof. Ramkissoon, and my area of concern will be in the area of training, and I am sorry I could not have heard the contribution of the hon. Minister Brig. Sandy, so that I may be at variance in some areas that he may have discussed.

It is a truism that a well-trained, efficient and effective police service is necessary to treat with the current crime problem in Trinidad and Tobago and in the region and elsewhere. Everyone is putting great emphasis on training as it relates to their police services. We are, as you are well aware, faced with a positioning of our country, where transshipment location of drugs—illicit drugs—is in fact an area of concern. We have miles of coast line that can be hardly serviced in terms of protection. We have vast territorial waters, and of course we have limited resources. We are also faced with an upsurge in violent crimes—linked some of them to a large extent, to drug trafficking. There is also an increase in youth related crimes, extortion and there is a strong argument that human trafficking has reached us.

Only last night looking at one of the news channels, we saw in Brooklyn, New York, where 13-year-old girls were being held in a form of slavery as a form of human trafficking, in the heart of New York. And all around us there is also the talk of corruption. All of these social problems are well propounded in Prof.

Deosaran's work; it is an interesting work that I am sure the hon. Minister has read, *Crime Delinquency and Justice: A Caribbean Reader*. Not to be discounted would be some of the things that Sen. Beckles raised, the question of police, policing and to some extent police brutality.

So training is needed and vital at all levels. It is needed at the upper echelon; it is needed at the middle rank and of course at the recruiting aspect of it. Much of the literature that I read, and I could only read, I wish I could have been able to make the rounds, go to our Police Academy and do all of this, but I got short notice that I am called for a little "one day", so that I could only gather as much as I can. But the research is showing that our training can go to waste, and not only in crime, but in education and elsewhere, in that people do not always practise what they learn. It is an area that we have had to deal with in education, and those of us who have been in education know that what we have to do is maintain a level of monitoring and facilitation that will ensure that people do some of the things that they are taught. So that facilitators, researchers are well needed.

Some argue that in our present situation we may need to increase the entry requirements for people in the police service. That is debatable. In fact, in doing that, we need to do incisive research on whether or not the same should be true for other career offerings. An area of concern, and as I said, I wish I could have observed it on the ground, was, how do we train our police officers. Is there an interactive mood to learning or is it still the same old adage as we do in many of our institutions, didactic where as one great scholar Freire said, that we use the banking concept of learning where we simply apply the information and they are expected to regurgitate it at exam time? Or are we doing as Freire again said, which is a type of student-teacher dualism, where the teacher learns and the students learns and in fact, a teacher who learns and a learner who teaches?

Suffice it to say, that with the establishment of a provost in the person of Mr. Steve Watt in September 2009, and hon. Minister with what has been told as a form of curriculum engineering with a twenty-four week enhanced induction programme followed by what is a commendable introduction, and I hope it is happening, an eight-week training programme which follows, so that it allows for a smooth transition from the graduating officer into the world of work.

In my research, most jurisdictions do that, and they have to do it if only to sensitize the individuals to the world of work in a much more meaningful way. I was happy to see, and I think it is a plus to our training programme that our programmes represent in a large respect, a valid amount of contact hours and

learning time. Hours vary from 881 contact hours and I think it has been increased a bit, and when you look at jurisdictions, some far off as Los Angeles to some places in Africa, you see that in fact, they are relatively similar. So there is some credit in there. However, there is a need to look at further curriculum engineering which was promised by the Minister and his Commissioner of Police all the way back in 2010.

Now, in examining some of the curricula from the region and the USA there are some favourable comparisons that I would want to make reference to. And those are in the areas of firearms and self-defence tactics. Those are in fact in keeping with standards elsewhere. But much more time and content are given in our jurisdiction to law and driving—that is why it surprises me what Sen. Beckles said, about the driving aspect to it, because we spend more time on this, but we spend less time on a type of academic foothold and less time on physical training. In fact, when I look at the general breakdown in some of the regions and the USA, generally there must be about 142 to 150 contact hours for physical training, where in our situation we give no more than 112. And this level of training, Sen. Brig. Sandy, is ongoing. So it means that at certain points along the way you are asked to come for retraining. And we simply have to sometimes look at our police officers' girth to realize that they do need the training in terms of running to capture, being able to hold, to be able to do some of those other things that are necessary.

So we may have to look at how much we are doing by the way of training. More directly there is a need to transact more learning in perceptions of human behaviour and cultural diversity. There is a course entitled "Introduction to Sociology" which is nothing more than what you would get at an institution that tries to immerse you into the social sciences. More than that is needed. How do we, especially at this time, deal with cultural diversity in our very police stations, where we have an admixture of ethnic groups and how do we deal within understanding people from without? That is why I was one of those who really felt that we needed our local Commissioner of Police and Deputy Commissioner of Police, if only for these reasons, the steeping in the blood, the understanding of self; inability to understand the nuances of our behaviour to make things happen.

However, it may come up the next time around when this present group of people leaves us.

2.45 p.m.

There is more work to be done in crisis management. We should expend more effort on themes such as, dealing with suicide, dealing with barricading, and dealing with hostage situations. Those of us who are following the Commission of Enquiry into the 1990 Coup, would learn that we had to literally import people to tell us how we were to engage in our negotiations skills as it related to the hostages. It may have improved a bit, but at the lower levels we need to look at how much training is done time wise.

Handling arrested persons offer scope for deeper interactive approaches to learning. And one expects in a training institution, that they would use the elements of role play and interactive media in an attempt to do that. I am hopeful that custody of the mentally ill and our vagrants, that we have to pick up at some point, as human beings, should have some form of prominence.

All these social dimensions, Sen. Hon. Brig. J. Sandy, are currently played out in our country, and should affect the way we teach our police officers. The one that I think stares us in the face even more, is the time spent on police science and technology. It is much too limited; forty contact hours to teach a basic course in computer literacy which, from my experience at a university would tell me, starts at 25 contact hours. And then you add to that cyber and computer crimes, and law enforcement technologies, that in no way can an officer, after leaving that institution, have a sense as it relates to those extremely important areas.

So that somehow the engineering could ensure that even as you stay within the band of 1,000 contact hours, that you use it much more skilfully to deal with current situations in a very post-modern world. The same is true for ethics introduction, that should have a component of moral and values education—and I plead with you, Sen. Hon. Brig. J. Sandy, on this count. You know very well that it was the University of the West Indies (UWI) Open Campus, first the University of the West Indies (UWI) School of Continuing Studies that made early representation to train junior officers of the Trinidad and Tobago Regiment—and I was privileged to teach the programme in moral and values education.

What emerged from that was that there were many, many people who wielded and continued to wield a certain amount of power, who never understood the nature of their bag of values, who never reconciled the fact that they needed to keep clarifying these values, in situations where they could be doing it on their own. So when Sen. Beckles spoke of that police officer who had to make a decision, whether to let a naked woman into the police station, and to reconcile his

bag of values in a clarification mode, and then take a decisively informed opinion to give a raincoat to cover that woman, it meant that he had never been exposed to that. And we found army officers who had for years never clarified simple values as to how they felt about certain people. There were people who came with a kind of religious position to things. For example, how did they feel about homosexuality and gay people? Therefore, in so doing, how do you deal with a gay person who comes to your station—as was the case in San Fernando, where a gentleman got money after he was so badly ridiculed by people who had not worked out a values set that said to them, let us look at it with these other features, related to the values of humanity.

I remember talking to Colonel. Maundy, at that time, and saying this has serious implications for people who hold a gun, and who hold a bayonet. There were officers who were saying at times, “Hey I have been sticking these things in sand bags for so long, is it not time for me to start sticking it elsewhere?” And dealing with these officers sometimes, you literally had to do it in the form of psychodrama; you literally had to tell them, Sen. Hon. Brig. J. Sandy, “Go into character and out of character. When you leave the army office or the unit, see it from a standpoint of going into character and becoming that other human being.” That is why, I sometimes—and I am coming to it lower down—worry, when we have to use our armed forces alongside our police, [*Desk thumping*] because we may not have worked out these multiple identities well.

I spoke to a police officer on the beat—and I do that all the time, I get “buff” sometimes, but I still do it. And one army officer who was working alongside said, “How do you tame a killer machine? How do you tame a killer machine to become like unto somebody else?” So in that instance, we are asking this officer sometimes, to take on a new persona, to move from what he perceives to be himself—a killer machine—to one that has a much different type of persona to act out, and then there is a difficult one for them to act it out at home. And, that is why, Sen. Hon. Brig. J. Sandy, it is important that we sometimes from within, examine family life among our police officers, family life among our other protective service officers, and how are they able to make that mental switch from being what some of them believe to be killer machines, to one that would make them that nurturant within a home setting. So all these things are not cut and dried even as we talk about training.

I want to lead you to work done by Prof. Marlyn Jones, I do not know if you were aware of her work, it was a little before your time. Madam Vice-President, she was a visiting senior lecturer at the Institute for Criminal Justice and Security at the University of the West Indies (UWI), Mona Campus and her substantive post is an Associate Professor, Division of Criminal Justice, California State University,

Trinidad and Tobago Police Service
[SEN. DR. BERNARD]

Tuesday November 22, 2011

Sacramento. She visited the Caribbean to do this type of work. Her work was called “Data Gathering on Police Officers and Civil Service Training Officers in the Caribbean” She is Prof. Marlyn Jones. It was part of an Organization for American States (OAS) project of 2008. The work can be found on the Internet. Prof. Jones noted, inter alia, that: “despite the prevalence of training, there is an insufficient transference of training into practice.” The point I made earlier. How do we actually get people to change, to do something different? In the literature, we are calling it now presentism. That is, there is something, it seems, within us that sometimes forces us to do as we did before. A lot of work is going on into presentism now, and to see how we can work against the grain.

She went on to say that: “Specifically, training is not being manifested on the ground in terms of the interaction with citizens.” Sen. Beckles’ point: how do we bring police officers, that hallowed body of individuals, that seemingly powerful body—to recognize themselves as part of a general citizenry? This is not unusual in many other fields of learning. Prof. Jones found—and she examined Trinidad, Barbados, Jamaica specifically, and then the rest of the region. In fact, I have all the various course contact hours for all the islands: we are similar to Anguilla, Barbados, British Virgin Islands, Jamaica, Montserrat, St. Kitts/Nevis, St. Vincent, Turks and Caicos.

St. Lucia spends a little more time than we do in their training— eight months. And the Royal Bahamas Police Force has an interesting one, where they spend two years with six months in residence. And Grenada is a bit shorter at 18 weeks. So the lady did a very incisive work. What she said, there were gaps in training in the region. There were gaps in our general advanced training in human resources, administrative and strategic management. She felt that we were not training people to become commissioners of police. She made that point very clear. She said it was almost as if there was a conspiracy for us not to get those posts, because the training seemed to be very, very lukewarm in those upper echelons.

Now, UWI, I know, went on to launch its Bachelor of Science for the regiment, launch the masters and so on. But in a similar vein, we are not seeing a track that allows us, except for law, to have policing as a career path that people can use. In fact, at the lower end, what they do is they get into security and security management and those other areas.

She suggested that there were gaps in specific training as they related to human resources, administrative and strategic management. She said there was an absolute need for training in cybercrimes, as well as computer forensic crimes—and this was in 2008. She thought there was more work to be done in the

management of crime scenes. She felt that senior leadership training was necessary. She felt that immigration and migration practices, and border security, hardly treated well. And of course, the big, big, big one was critical, analytical thinking and writing. And, this is one of Dr. Tewarie's concerns, which of course, he has left us something at the university for us to work with—which is his critical thinking centre, which, I want to tell him, is very much underutilized in the way that he has thought it out.

And we know too well, our police and their ability to spell. We know the joke; there is an old one about the person being held on Abercromby Street and the policeman could not spell it, so he took the person to New Street, in order to be able to charge the person at New Street. One that I have experienced is somebody being charged somewhere around the St. Joseph Mosque, and the individual spelt the word "mosk" and was convinced that he had done it correctly.

3.00 p.m.

Madam Vice-President, so that is a general problem that we have in the system, yes, but it does not look good when our police officers—and then the ability to think on the ground, to think on the spot, to be able to decisively do all those other things, Brigadier, we have work in that area.

She noted that leaders in the police service lack sufficient strategic visioning and thinking, that is, they are not looking ahead. I remember asking our junior officers in the regiment, "Where do you hope to be in the next ten years?" Then take it from themselves on to, "What do you see this institution looking like or being ten years from now?" They were not able to make that kind of frog leaping because they had not developed the art and science of thinking ahead—thinking ahead. They possessed inappropriate leadership skills and styles, and she said quite clearly that they are not adequately prepared to meet the challenges of a new global environment. And, of course, she also mentioned that physical infrastructure for training will need to be modernized.

Now, I looked at the Minister's report and I noticed that on pages 19 and 67 of the report, that in 2010, the cost for training to the taxpayers for police officers was \$13,701,758.46 for 1,852 officers which averaged at \$7,398.75 per trainee—now I am a little provocative here by comparing it with the army—as against \$43,197,817.76 for 1,638 members at an average of \$26,372.29 per trainee. One is grossly inadequate, that is, I think we have to spend more money in training per police officer than we currently do, and of course, we have to get more value for money for the training of our army officers at the rate of \$26,372.29 per officers. One is very modest as I said, and the other, we have to justify.

Trinidad and Tobago Police Service
[SEN. DR. BERNARD]

Tuesday November 22, 2011

But, even as we seek to do that, I recall and I would hope you can tell us a little more, Brigadier, that on April 09, 2010, we were told that Cabinet approved 28 new staffing positions for the academy: an Executive Assistant to the Provost; an Advanced Programme and Services Administrator; Field Training Programme Administrator; Police Leadership and Career Development Manager and Assistant Programme Manager; Research and Curriculum Development Administrator—all very needed. Research Specialists that we spoke about—people who will visit the various police stations; people who will have a sense of research as it relates to, not only quantitatively in terms of figures of detection and what have you, but who will do the kinds of qualitative work that we are looking for in community policing. Curriculum Development Specialist IV—very much needed—Facilities Manager for the same upgrade of the institution and maintenance, and 15 clerical assistants. Now, that was agreed to by Cabinet, and I would like to know how, in fact, have these posts been filled or, if not, how many of them may have been filled.

In the face of that, I think we need to then ask, “How much of the training we have done relate to the objectives as you had outlined on page 9?” I would just simply take, in winding up, the objectives, one by one, and let us all reflect on them, void of any kind of partisan relationship. Just to see, if in essence, we are getting some value for money even though it is small at this time—\$7,200-something dollars per trainee—which is, as I said, very small. Even if we took all our courses to be that 881 contact hour programme, it would mean that that course in itself was being charged at a rate much, much lower than in the present day market.

So the first objective: are our police officers preserving the peace? Yes, there is a decrease in violent offences for 2010 and this is commendable, but will we be able to sustain it after the state of emergency is something we need to reflect on.

What is our crime detection rate? Our overall detection rate as you listed for 2010 was 16.7 per cent, which is woefully low—woefully low—and which, no doubt, does little justice to the expenditure from that standpoint. Are they apprehending and bringing before justice, persons found committing crimes? Yes, to some extent. Are they repressing internal disturbances? Yes. What about their community policing initiatives—are they providing counselling, guidance and advice? These are not too visible—again, the only person I can draw on is Sen. Beckles who spoke before me and mentioned the need to bring the windows down and to meet the people. What is the status of surveillance and intelligence gathering? How good is the provision of E99 Emergency Response and Advice?

Is traffic management effective? I wrote a big “No, no, no.” Because I cannot, for the life of me, understand, with traffic wardens and with police officers, why can we not have at peak times these officers somewhere on the roadside moving people along when they would make for a greater flow of that traffic? *[Interruption]* You are saying, but can even a police officer who is travelling privately not come out of his vehicle and help us? Yesterday, I spent about 45 to 50 minutes between the Croisee—not just the Croisee but by that post office in San Juan—trying to cross the road in a situation that you needed a policeman there. You need a policeman by the Tunapuna market where we have struggled for years, and we are saying, “Where are our traffic wardens?” Why can one person not leave the station and take care of us in a situation where you can at least see the traffic flowing and get that sense that somebody out there is taking care of you? So I did not score you very high on that. Of course, they prepare certificates of good character and they grant permission to various things like cremations, bingos and raffles and so on.

So, to summarize, there is a need to revisit, reengineer and reform our curriculum at the level of our training institution. I could not do any work on the K9 Academy because, as I said, I had little time at my disposal to do that, but I am sure that more work in this area will make for a better police officer. I want to stress, Brigadier, if you do not remember anything else that I said, the question of values and the valuing process as it relates to this essential industry where people literally have our lives in their hands. Thank you very much. *[Desk thumping]*

Sen. Rabindra Moonan: Madam Vice-President, thank very much for this opportunity to contribute on this Motion moved by my very good friend, Sen. Fitzgerald Hinds.

Hon. Senator: “He running; he running.”

Sen. R. Moonan: I see, Madam Vice-President, as is his wont, he has started to leave the Chamber anytime I begin to speak. But, I promise him that this evening, I will not be particularly harsh on him—

Sen. Beckles: Not particularly.

Sen. R. Moonan: Not particularly harsh on him.

Sen. Beckles: A little bit.

Sen. R. Moonan: Madam Vice-President, when I looked at the Motion moved by Sen. Hinds, “Be it resolved that the Honourable Senate take note of the strengths and deficiencies of the Trinidad and Tobago Police Service and its

Trinidad and Tobago Police Service
[SEN. MOONAN]

Tuesday November 22, 2011

impact and potential in the fight against crime”, it bothered me, first of all, Madam Vice-President, because I wanted to know what motivated Sen. Hinds to bring a Motion like that.

As he went along and he spoke, I got the impression that he used the opportunity to speak of the crime-fighting plans of the previous administration from 2001 until 2010. I found it passing strange that you would use that type of information and data on this Motion, because if ever there was an indictment against the previous Government, it is what Sen. Hinds said that they achieved, and I said probably he has a different motive. I will come to that later on.

I just want to refer to some of the things that he said about the police service, and he said:

“It is also self-evident, Mr. President, that many of the problems that exist in relation to the police organization cannot be reasonably expected to be resolved with any quick fix. The last administration clearly recognized these positions, and recognizing that it was a very serious problem and a serious situation, the police service being the premier organization that has the responsibility for the management and the prevention of crime in our society, took the task very seriously and began to put in place systems that would yield transformation of what has clearly become an antiquated perhaps, organization, at least in relation to its meeting the needs of a modern, growing society.”

Madam Vice-President, I listened to him and then he spoke of the achievements of the previous Minister of National Security, Martin Joseph—I think it was—and he said he had very great respect for Martin Joseph. I said, Sen. Hinds must have a different motive for bringing this Motion because nobody really had a high regard for the work of Martin Joseph—I do not speak of Martin Joseph as a person, I speak of Martin Joseph as a Minister of National Security.

I want to read from this book, *Medium-Term Policy Framework 2011-2014, Innovation for Lasting Prosperity* and Chapter III speaks of crime, law and order; and with your permission, I may quote extensively.

“Crime continues to be one of our country’s formidable challenges. In recent opinion surveys of the population, crime, law and order and vandalism have been ranked consistently as the number one issue facing the country.”

3.15 p.m.

“It is a problem that affects individuals psychologically; communities are shattered and debilitated by it and as a national problem it undermines the ability of the State to provide safety and security for citizens.”

But yet, Sen. Hinds, in his presentation, spoke of all the grand achievements of that 2001—2010 administration. I put it to you that that Government, their crime policy and their dealing with the police was an abysmal failure.

I want to read to you an article from *Caribbean360* and it says:

“Clean up the Crime”

This is from the Trinidad Chamber of Commerce.

“STOP making excuses. And do what you can to stop crime. That’s the call from the Trinidad and Tobago Chamber of Commerce to the authorities. In a press release the organisation said ‘the Government and those responsible for our nation’s security (need) to stop making excuses and to take whatever action they deem necessary, draconian or otherwise, to apprehend the perpetrators and restore normalcy.’

The Chamber also said that there should be zero tolerance of all crimes, big and small, removal of illegal guns and ammunition off the streets, continual sourcing of external assistance, which was alluded to three months ago in the 2005/2006 National Budget, must all be aggressively pursued without further delay.”

Madam Vice-President, it tells you in 2005/2006, the Chamber of Commerce in this country was very distraught because the then Government was not taking a handle on crime. They were not providing the necessary tools and equipment for the police service to protect the citizens. This very article goes to say:

“Responding to the Chamber’s call, Trinidad and Tobago’s junior National Security Minister Fitzgerald Hinds said targets for reducing crime in 2006 are dependent on the passage of the police service reform bills.

Hinds said the bills and finding ways to weed out corrupt police were two key elements in the discussions between the Government and the Opposition on the high crime rate.”

What had happened? Absolutely nothing.

Trinidad and Tobago Police Service
[SEN. MOONAN]

Tuesday November 22, 2011

I want to go back to the response of Sen. The Hon. Brig. John Sandy to Sen. Hinds' Motion. I think his *Hansard* report is required reading for everybody in this country, because in one fell swoop, Sen. The Hon. Brig. Sandy demolished all the arguments that Sen. Hinds was brought to this honourable Senate. But, why did he bring the Motion? I would come to that.

Madam Vice-President, Sen. Hinds spoke about the police, how they had treated them and the wage negotiations and Sen. The Hon. Brig. Sandy reminded him of the \$1,000 tax-free allowance given by this Government to members of the police service and further extended later on to other members of the protective services. And to show that he is a caring man, he asked: "What about the SRPs?" When they were in power, they did nothing to empower the police service, but today they jump on the side of the SRPs. Sen. The Hon. Brig. Sandy dealt with him very well. What was their track record? The PNM's track record, really, could be labelled or titled a joke. First of all, there was a Minister of National Security who was a night club owner, located somewhere on the north-western peninsula of this country, and at that time, rumours abounded about a particular black boat that used to carry certain substances off the coast of Trinidad. But, this was their Minister of National Security and this is what Sen. Hinds said that they had done so well.

Madam Vice-President, Sen. Hinds spoke of the state of emergency. He said it was a waste of time and that this Government does not know what it is doing. In 2006, the then Chamber of Commerce admonished the then Government and asked them to take drastic measures to reduce the crime rate. In 2011, the Chamber of Commerce congratulated the People's Partnership for taking strong measures to combat the crime rate and that is the difference between that Government and this Government. [*Desk thumping*]

Madam Vice-President, when we speak of the police service, and the improvements thereof, a government really has to provide the infrastructure and the framework for the proper operation of a police service and, in fact, the protective services—in fact the entire country. That is the role of the government of the day.

I want to put on record and to continue from where I started, because I see Sen. Hinds has returned. I kept back this, so he will be here to hear it. [*Interruption*]

Sen. Deyalsingh: At least you are not calling my name.

Sen. R. Moonan: I am coming to you and your Cortina. The successes of the past administration—and I continue quoting from this book:

“Although the number of murders declined from a historic high of 547 in 2008, to 473 last year, the situation remains unacceptable. A very high number of serious crimes was also recorded annually during the period 2008-2010. Serious crimes increased from 20,566 in 2008 to 21,933 in 2009 before declining to 19,918 in 2010. The majority of the murders and other serious crimes were committed in the Northern, Eastern and Western areas of Trinidad and Tobago. The average detection rate for serious crimes and murders was 16.2 per cent and 19.8 per cent, respectively.”

That means nearly one in five persons getting away.

“The current situation adversely affects the safety of citizens, their families, and communities. Foreign investments, investor confidence and consequently economic growth are also negatively affected.”

What does this Government plan to do? “Crime and Law-Medium-term Objectives”, because we do not only speak of what the last Government did. We get the situation where it is, we analyze it and we give prescriptions. And these are medium-term objectives, because, Sen. Hinds in his presentation spoke about crime not being a quick fix. “But yuh know what?”—I do not know how long they want to take and say that it is not a quick fix. They had close to 10 years. If we had waited on them, where their definition is not quick fix, all of us might not be here today, if they had lasted their term, 2014, 2015 or something like that. But the point about it is that the population in this country is not impressed by waiting, they want a government which is proactive. The People’s Partnership, by our medium-term objective, shows that we are in fact a progressive Government, Madam Vice-President.

As I said, the Crime and Law and Order Medium-term Objectives are to

- “● Reduce and prevent crime and ensure that people feel safe in their homes and communities (Target: 25% reduction in Serious Crimes annually)
- Increase confidence in the justice system through the appropriate punishment, sentencing and rehabilitation of offenders...
- Reduce the number of gangs in operation
- Increase the crime solvency rate (Targets: 15% in 2011-2012 20% in 2012/13 25% 2013/14)
- Increase homicide detection rate...

Trinidad and Tobago Police Service
[SEN. MOONAN]

Tuesday November 22, 2011

- Improve coordination among the various social sector agencies and create stronger partnerships with communities...to reduce the desire and opportunity for crime and the odds of becoming a victim”

I do not know how many Senators have read this: *Innovation for Lasting Prosperity*, but it goes on to give all the strategic approaches—[*Interruption*]

Sen. Deyalsingh: Look. [*Sen. Deyalsingh holds up document*]

Sen. R. Moonan: “Ah did not ask you if you colour” it, I asked you if you read it. [*Interruption*]

Sen. Beckles: That was not nice at all. “Ah demote him.”

Sen. R. Moonan: Madam Vice-President, you mean you demote him? He is in the last seat already. After that is over. The strategic approach:

- “● Strengthen Law Enforcement and Law Enforcement Agencies;
- Strengthen the Legal Framework;
- Construct 21st Century Facilities for Law Enforcement;
- Improve Solvency Rates through Technology;

I am sure that Sen. Dr. Bernard would be happy to hear that there are some training aspects to use modern technology. It continues:

- “● Strengthen Surveillance and Control of Borders;
- Reduce Recidivism through the Rehabilitation and Reintegration of Offenders;
- Improve the Criminal Justice System;
- Improve the Efficiency and Effectiveness of the Judicial System;
- Implement Social Interventions and Support Individuals, Families and Communities with the Tools and Resources to avoid Truancy, Delinquency, Gang involvement and Criminality;
- Provide Opportunities for Meaningful Economic Participation.”

It tells you that this Government has clearly thought out where we are and where we must go.

Madam Vice-President, what is happening to this Government here now, is because we are cognizant of what we must do and we look at things in a very holistic manner, and the police and crime fighting is just one aspect of how we

move forward, we must get the community correct, we must get the economy correct, we must get the politics correct. That is what we have been speaking about; a holistic approach and not a piecemeal approach.

When Sen. The Hon. Brig. Sandy spoke—I think it was two weeks ago, just before Divali—about initiatives and he spoke about the mentoring programme, it means that, as a Minister of National Security, he was putting the framework in place, where the communities would have been closer to the police. There would have been an interaction.

It reminds me of when I was growing up in Rio Claro, there were nights when we would have forgotten to close our front doors and the police would come and open the door. They would come up the stairs and say: “Listen, your door is not closed.” Those days may not return, but what we want to do is to create this sort of environment where there is trust between the society and the police.

3.30 p.m.

As I say that and mentoring, it reminds me of a situation a couple years ago when there was this dance hall artiste, I think his name was Akon, and he gave a performance I think it was in Port of Spain, and he had a young girl with him, and apparently it was a rather lewd dance; the girl was 14 years of age. The then junior Minister of National Security who you would have thought would have been understanding that a young girl got carried away and he should have offered some mentoring to her, said, and it is on record here, he said: “The girl is stupid and ‘dotish’ and all sorts of things. How do you help young people with an attitude like that? Sen. The Hon. Brig. Sandy has shown that he is totally different, he walks the talk. [*Desk thumping*] He goes up to the hills of Laventille; he has the Father-Son Mentorship Programme. Sen. Hinds, when he had the opportunity, said “the girl is stupid”, 14 years old. If Sen. The Hon. Brig. Sandy had been the then Minister of National Security he would have embraced her, and put her in some sort of programme where she would have been rehabilitated. That is the difference between them and this Government.

But Sen. Hinds, you know, came to try to make some points and spoke of what they did for the police service. And Sen. The Hon. Brig. Sandy mentioned when he spoke the last time about Sen. Hinds going to a funeral of a slain policeman, I think Oma Maharaj was his name. And here it is, when people are in grief, members of the police service were in grief that one of their loved ones had been shot down in the line of duty, Sen. Hinds callously and coldly said “It happens; it is the line of duty”.

Whilst we recognize that once you are in the protective services, you are in the army, these things happen, but you know what, people want a sense of compassion, they want to see that they are governed by persons who care, and who could empathize with family, but instead he said: “It is in the line of duty;” and then he comes and says that they treated the police well, and they were doing certain things for the well-being of the police service, and by extension the country.

I want to repeat that they failed miserably and it is we, this People’s Partnership Government, who have to take up the pieces once more. As I said during my budget contribution, we have to turn straw into gold.

Sen. Hinds in his Motion spoke about police stations. During their tenure, if I am correct, I believe they built a sum total of two police stations out of a total of 19 which were supposed to be built.

Hon. Senator: How much?

Sen. R. Moonan: Two out of 19. He said that they were putting things in place for the police service; they could not put police stations. This Government has now put in position financing arrangements through UdeCott to build 19 police stations in this country. [*Desk thumping*] We have gone further to assist the police and by extension the national community with the introduction of the surveillance bays.

This morning as I was driving from San Fernando along the Solomon Hochoy Highway, I noted that all the surveillance bays are now properly constructed, and it is my information that in the next couple of weeks the equipment would be here and probably by late December/January, the solar powered surveillance bays which is an innovation of this Government would come into being. These surveillance bays will have police vehicles outfitted that along the highway 24 hours a day you will have surveillance; it will bring calm, it will bring security to the nation. So we walk the talk. We deliver. That is what we have done.

Madam Vice-President, in addition to the surveillance bays, in the budget presentation we spoke about 2,500 motor cycle patrols to go through every community in this country, to bring safety back to the citizens. My information is that the requests for proposals are being done right now, and in the next couple of weeks we shall move on to have these things actualized—2,500 motor cycles. And not to put strain on the police service, we will incorporate private security so as to allow the police service enough time to go and detect crime, to apprehend crime; that is what we are doing to extend the police service by using the private security.

In 1995, I think it was, or 1996, when the UNC came into power, I remember the introduction of the Cherokee jeeps which used to go around every community. At that time I had a security system from Securicor; I used to pay for these patrols four or five times a day. Then I found out really that the Government was providing this, so I stopped my contract with Securicor and four or five times a day we had these Cherokee jeeps with police. As soon as that Government went out of power, the Cherokee jeeps went out. We are now reintroducing into this country 2,500, initially, motor cycle patrols to bring safety once more to this country. [*Desk thumping*]

Madam Vice-President, I heard a number—I heard Sen. Beckles lament and probably rightfully so about certain actions of policemen at stations and we readily admit that no system is totally safe, none. We know of the attitude of some policemen, but the Government does not control the day-to-day activities of a policeman. There are institutions which deal with that, we have the Police Service Commission and within recent times we have had a reenergized Police Complaints Authority, and that is to give persons a sense of comfort. So as valid as Sen. Beckles' concerns are, there are organizations where persons could have redress, and I make no pun on the naked girl and redress, none at all.

Madam Vice-President, it is a proactive approach and as we spoke earlier of the mentorship and the partnership—because I said to have a stable society, we must partner with the society, a government must partner with the society. We have recognized that there was a breakdown in the last couple of years, and there are a number of communities which fell through the cracks and those communities were not looked after by the previous administration. This Government has come up again with innovative ideas, the latest being “Colour Me Orange”—it was a PNM initiative from which they seem to want to distance themselves, because with them it had failed. This Government has—as I said, we spin straw into gold. We assessed the “Colour Me Orange”, and we are now bringing persons who were abandoned by their previous Government, they were abandoned; and this Government who represents every single person, every creed and race, every economic strata, this Government brought in the “Colour Me Orange” to give persons a sense of hope.

The work programmes which we have now set out, are only one part of an initiative, an intervention, it is an intervention which we have done because it is short term, but the short term leads to medium term. In the budget, Prime Minister Kamla Persad-Bissessar mentioned that Dr. Selwyn Ryan would head a committee to look at a policy framework to make this “Colour Me Orange”, and

Trinidad and Tobago Police Service
[SEN. MOONAN]

Tuesday November 22, 2011

by whatever appellation we may call it later on, a sustainable type of programme. I was informed earlier this afternoon that the terms of reference have been completed by the Attorney General, and within the next couple of days Prof. Selwyn Ryan and his team will come on board, because this is the holistic approach which this Government takes. [*Desk thumping*]

That is why the past administration would quarrel and say this is piecemeal, this is make-work programme, this is short term, but that is how they thought everything was short, and somehow they thought when we do this they would lose some of their supporters. It became so obscene that a Member from the other place referred to one of their former supporters—because it has to be a former supporter—by saying: “hustlers do not have loyalty”, but they abandoned those persons. Madam Vice-President, this Government has now taken them out of that.

Madam Vice-President, there is a point which Sen. Beckles mentioned this afternoon about the insurance on the water taxis. I have information which I just got that the water taxis are fully insured in respect of both hull and machinery, as well as protection and indemnity insurance and this information comes from the project director of the water taxi service—[*Desk thumping*] What does this tell you? What does it tell you? It tells you of a certain hysteria on the other side. [*Crosstalk*] [*Inaudible*]—Or, the *Su*? All right, good! And you know, they frightened Sen. Deyalsingh who travelled on the water taxi last week. [*Desk thumping and laughter*] He thought that if something happened—[*Desk thumping and laughter*] They frightened their own. [*Crosstalk and laughter*] [*Interruption*] This is a man who gave up the comfort of his yellow Cortina to travel on the water taxi, and they put fear—[*Desk thumping and laughter*] [*Crosstalk*] Senator, I want to tell you that the next time you come down to San Fernando on the water taxi, you will be fully insured and I will meet you at the depot to carry you anywhere. [*Desk thumping*]

3.45 p.m.

You see, this is why we get “frighten”, you know. The other side comes there and gives the impression that the sky is falling.

Sen. Deyalsingh: Chicken Little.

Sen. R. Moonan: Yes. “Yuh colour that too, eh?” [*Laughter*] But we bring sanity. I told you about the 19 police stations. We are now going to build—

Sen. Beckles: Before you go ahead, can I ask a question?

Sen. R. Moonan: Please do.

Sen. Beckles: Could you tell me the name of the company with which the vessel is insured?

Sen. R. Moonan: I am sorry, that information is not available to me.

It is there? Okay, yes. I have it here, yes. This insurance, I think it is Comprehensive Insurance Brokers, a local insurance broker.

Sen. Deyalsingh: It is making sense now.

Sen. R. Moonan: Fully insured, hull and machinery, by Marsh and Company, a London underwriter represented by local brokers.

Sen. Deyalsingh: By Neil Gosine—[*Desk thumping*]

Sen. R. Moonan: So it is insured by a British insurance company.

Sen. Deyalsingh: By Neil Gosine, the Chairman of National Petroleum.

Sen. Beckles: Could you just give way once more?

Sen. R. Moonan: Please do.

Sen. Beckles: Are you aware that the company that was responsible for the building and construction and that actually has the licence—because if you do not have the licence you do not have the insurance—is Hornblower, and they left the country last month?

[SEN. DR. VICTOR WHEELER *in the Chair*]

Sen. R. Moonan: I am sorry, Senator, I have little information on that “Horn.” But I gave you the information that the water taxies are, in fact, insured, and you all could go on with whatever hysteria you all would want to put in the eyes of the public.

Mr. Presiding Officer, as I said, it is a short intervention here. I wanted to put on record, that apart from the police stations which we are building there are a number of fire stations, because fire stations are part of national security, and in this very book it is detailed where the fire stations are going to be built. And every single document which was presented, Sen. Deyalsingh—I have all here—if you read it—they have no pictures, “eh”—you will see all the plans of this Government for improving national security, improving the police service and improving the economy.

As I come to the end, I just want to remark on a couple of things. Sen. Beckles spoke about the law enforcement agencies finding drugs. I say, thank the Lord

Trinidad and Tobago Police Service
[SEN. MOONAN]

Tuesday November 22, 2011

that at least they are finding the drugs. During the last administration they found none, [*Desk thumping*] and it tells you, development once more. [*Desk thumping*]

This Government is providing the infrastructure for the development of a 21st Century police service, and that, really, is the crux of the matter; it is what we are doing, putting framework and policy in place. But for all these things to operate you must have a stable and sound political organization which runs the country, because you must have credibility, and the People's Partnership provides that credibility. [*Desk thumping*] I say this because those who want to come into government—and it is their legitimate right, because that is why they are a political party; you want to come into government, but you must get your act correct. You see, this infighting in the PNM is affecting the credibility of the party. I read on Sunday's newspaper where a former Minister—

Sen. Al Rawi: Mr. Presiding Officer, Standing Order 35(1), please.

Sen. R. Moonan: “De man now reach there, boy.”

Sen. Deyalsingh: Relevance.

Mr. Presiding Officer: Senator, please proceed. [*Desk thumping and laughter*]

Sen. R. Moonan: Mr. Presiding Officer, let me take this opportunity to welcome you to the Chair, [*Desk thumping*] and for your welcome ruling. [*Desk thumping*] Because I was making the point of political stability—

Sen. Beckles: I feel you coming back in the PNM, you know. [*Laughter*]

Sen. R. Moonan: “Ah telling yuh how.” The political stability which this partnership provides is not there on the other side. On Sunday, a former Minister, a “Mustapha-come lately” attacked a founding member of the PNM, and there is need that this political party be policed. [*Laughter and desk thumping*] [*Crosstalk*] In the cut-and-thrust of it, you do not mind them attacking a founding member, but when they cast aspersions on my dear friend, the most honourable, respectable, Dr. Lester Henry, I said, no, this should not be so. [*Desk thumping*] I ask you, Members of the Senate, to come to the defence of your colleague, Dr. Lester Henry. [*Desk thumping*] Do not allow what is taking place. Because, you see, the way things are going, the PNM may be up for a penny.

So I just want to commend the Minister of National Security, Sen. Brig, Sandy, on his response to Sen. Hinds, and, as I started, and I want to end, I ask: what was the motive of Sen. Hinds? Because when he came here the last time, he

said—that was the eve of Divali, and he spoke about the light of Divali and enlightenment, and he even spoke about the Yam Diya. I am sure Sen. Deyalsingh would have told him about that.

When he spoke he enlightened no one, and I found out that his motive may have been to seek revenge. It may have been to seek revenge on the man who removed him in 2007, by not being a candidate, and he took the opportunity to lay bare on the Table all the failures of the PNM in dealing with the police service. [*Desk thumping*] It was not to promote them; it was to lay bare.

Again, I want to thank this honourable Senate for giving me the opportunity to contribute to this particular Motion. I do not know how long it would go on. If it goes on, I may not be here. But what frightens me if it goes on longer, Sen. Hinds, too, may not be here.

I thank you. [*Desk thumping*]

Sen. Terrence Deyalsingh: Thank you, Mr. Presiding Officer, for allowing me the opportunity to join this debate on a Motion about the Senate taking note of the strengths and weaknesses of the police.

[MADAM VICE-PRESIDENT *in the Chair*]

Madam Vice-President, before I start, there is a story which is now legend from the House of Commons in England some years ago. I cannot remember the names of the characters, but the gist of the story is correct. There was a particular debate and one member was speaking for hours on end, and literally put the House to sleep. When he finally sat down, the opposition member got up and said, in his very proper British accent: “Mr. Speaker, Sir, like the member before me, I have nothing useful to add to this debate.” I am tempted to say those words after hearing Sen. Moonan, [*Desk thumping*] because he really added nothing useful to the debate.

But before I go on, on behalf of the six Senators of the People’s National Movement, I would just like to send a message to all those residents in the north-west peninsula who have been flooded, that we feel for them and that we hope their lives are returned to some state of normalcy within a relatively short space of time and that the agencies charged with bringing relief are working, and we really hope that they get some relief in a short space of time.

Let me quickly respond to a couple of statements of Sen. Moonan. He spoke about two police stations that we built and they are going to build police stations. What have they built so far? They have built a \$50 million jail which is leaking—

Trinidad and Tobago Police Service
[SEN. DEYALSINGH]

Tuesday November 22, 2011

one jail, leaking. And do you know what the excuse is for the leaking in the roof? The need for running water. Do you know what the other excuse is for the leaking in the roof? The leak was so bad, they said that is to make it OSHA compliant, to have an escape route. That is what you built.

You built a \$3 million wall outside Country Club, a decorative wall with no columns, no reinforcement, that cost the taxpayers \$3 million. One flood, one afternoon of rain, one hour of rain, that wall that your Government built cannot last.

Sen. Al Rawi: Like the walls of Jericho.

Sen. T. Deyalsingh: Sen. Dr. Bernard spoke about the traffic wardens. When the traffic wardens were first launched I was a beneficiary of the traffic wardens on the corner of Independence Square north and Abercromby Street. They did a wonderful job. It was launched with much fanfare and PR, as usual; leadership by PR. Where are those traffic wardens today? Then Sen. Moonan spoke about former supporters. Well, he is the biggest former supporter of the PNM. He loves the PNM. He was PNM; he was UNC; he was COP.

Madam Vice-President, this Motion has its genesis in our Constitution, because section 4(b) talks about the right of the individual to equality before the law and protection of the law. The Police Service Commission is also mentioned in section 122 of the Constitution and section 123 talks about the appointments of police officers. So our police are rooted in our Constitution. That is the first theme I want to put on the Table this afternoon.

The second theme I want to put on the Table this afternoon—and I want to make sure I put this theme in the correct context because, like Sen. Dr. Tewarie, I do not want to run into the same trouble that he ran into when he was Principal of the University of the West Indies. He floated an idea at that time, where he said, Trinidad and Tobago may have some characteristics of a failed State. Those comments at that time were misinterpreted to mean that Trinidad and Tobago was a failed State. Sen. Dr. Tewarie, then Principal Tewarie, said nothing of the sort. Am I correct?

4.00 p.m.

However, for cheap political points, Sen. The Hon. Bharath, in a debate, referred to Sen. The Hon. Dr. Tewarie's statement as Trinidad and Tobago was a failed State. I was waiting for Sen. The Hon. Dr. Tewarie at that time to jump to his feet to clarify his statement. I stood up and said, "No, that is not what the then Principal Tewarie said."

Madam Vice-President, I am going to float an idea in the same vein that the then Principal Tewartie floated his. Those two ideas I want to float have to do with the rule of law and the development of a police state.

What is the rule of law, Madam Vice-President? It is a concept which people think is just people following laws, but the rule of law goes much further than just following rules and following laws. The rule of law means limiting government to certain legitimate powers that they have and holding government accountable to the same norms that you expect your citizens to adhere to.

The rule of law opposes the arbitrariness of the use of executive power. It abhors the capricious use of law by men. That is what the rule of law means. Allow me to read what some of these powers are. They are called “Just Powers”. What are some of these “Just Powers” that we allow a government to use?

“This philosophy asserts that self-governing people allow any government they may organize to possess, by grant from them,”—that is by grant from the people—“only the limited and few powers with which the people think the particular government may sensibly be entrusted in order to serve their purposes without endangering their rights—their liberties and their freedoms. These powers constitute the ‘just powers’ of government...”

So “just powers” and the rule of law place limitations on executive action. It is not just following laws without endangering the rights of a people who put a government into office, without taking away their liberties or freedoms. That is what the rule of law means.

I now float the third idea. Unlike Sen. The Hon. Dr. Tewartie, then Principal Tewartie, I am not saying that we live in a police state. I am floating the idea of what a police state is and I leave it up to hon. Senators and members of the public to see if what I am saying bears any relevance to the society we have created in 2011. What is a police state?

“The term police state describes a state in which the government exercises rigid and repressive controls over the social...”

That means our ability to move about, have a good time, party, form groups, be a member of a group, whether it is a union or a political group.

“economic and political life of the population.”

Trinidad and Tobago Police Service
[SEN. DEYALSINGH]

Tuesday November 22, 2011

They determine the economic future and political life of the population.

“The inhabitants of a police state experience restrictions on their mobility...”

Does that sound familiar to the public? I am not saying we live in a police state. I do not want my words to be misinterpreted.

Hon. Senator: Madam Vice-President, Standing Order 35(1), please.

Madam Vice-President: Standing Order 35(1) calls for relevance, but I will allow because it concerns the police matter. [*Desk thumping*]

Sen. T. Deyalsingh: Thank you, Madam Vice-President.

“The inhabitants of a police state experience restrictions on their mobility, and on their freedom to express or communicate political or other views, which are subject to police monitoring or enforcement.”

Madam Vice-President, as we discuss policing, the context in which this debate is taking place has changed after August 21, 2011, and the theme of my argument this afternoon has to do with what has become of the image of the police; what has become of the relationship between the police and the communities after August 21, 2011 because the conditions that exist now did not exist prior to August 21, 2011.

Madam Vice-President, I turn to Legal Supplement Part B—Vol. 50, No. 108 of August 21, 2011, which gives the police certain powers. We cannot hold meetings, and:

“‘meeting’ means any assembly or gathering of persons called together or held for the purpose of the transaction of matters of public interest or for the discussion of such matters or for the purpose of the expression of views on such matters;”

Under these regulations, we cannot do that. Juxtapose that on what I have just read on what are some of the characteristics of a police state, and these are enforced by the police.

What is a public march?

“‘public march’ means any march or procession in a public place comprising...pedestrians, vehicles..., or bicycles..., except, subject to regulation 7(3), a march or procession—”

So if a union wants to march, if a political organization wants to march, if a church group wants to march, it cannot march because the police, under these regulations, can stop them.

Those same regulations, Regulation 3(2):

“Orders made under sub-regulation (1) may make provision with respect to all or any of the following matters, that is to say—

(a) censorship and the control and suppression of publications...”

Madam Vice-President, may I refer to what I read out about what are some of the characteristics of a police state.

“The inhabitants of a police state experience restrictions on their mobility,”—which I spoke about just now—“and on their freedom to express or communicate political or other views...”

Here it is, Regulation 3(2);

“(a) censorship and the control and suppression of publications, writings, maps, plans, photographs, communications and means of communication;”

When I juxtapose this on an idea floated by this Government, which spoke about the licensing of journalists, I begin to worry about Trinidad and Tobago today. I begin to worry and I go to Regulation 13.

“No person shall have in his possession”—because the police can take away this—“or under his control any document of such a nature that the dissemination of copies thereof is likely to lead to breach of the peace or to cause disaffection or discontent among persons.”

So I cannot possess a political document critical of the Government because the police can take it away. I can be detained under these orders.

Regulation 14:

“(1) No person shall—

(a) endeavour, whether orally or otherwise, to influence public opinion in a manner likely to be prejudicial to public safety and order;”

Madam Vice-President, 14(1)(a) means that under these regulations a police officer can detain someone without a warrant if that person is endeavouring, whether orally or otherwise, to influence public opinion in a manner likely to be prejudicial to public safety and order.

Trinidad and Tobago Police Service
[SEN. DEYALSINGH]

Tuesday November 22, 2011

I go back, if you permit me, very briefly, to refer to Sen. Dr. Tewarie's contribution last week on the DNA Bill. He said that Trinidad and Tobago is a lawless society, and he is true to some extent. What has been happening with the police under this Government is that the police have been caught up; their image has been tarnished because you go down and you want to tackle crime. It is a lawless society and you can blame anybody for it. I will come to whom I want to blame soon.

You "rounds" up people on Nelson Street and so on. There may be some criminals in there, fine, but I have a question for the hon. Minister of National Security and the Commissioner of Police. Under these orders which are in force now, which give the police wide-sweeping rights, you have a leader, a religious leader, who is a mentor to many politicians in this country, who is a supporter of a particular political party, saying that he knows of violence that may take place, in a school of all places. Why is that person not detained? Does that not contravene 14(1)(a)?

He is a political mentor, a supporter of political parties. He has every right to use his vast resources to support any government, but the police are being brought into disrespect and disregard because of the easy targets they go after, but when this gentleman makes these claims about violence, nothing is done. We want to know why the police are not trusted and why we live in a lawless society. However, if a religious leader knows about violence, instead of saying he cannot control what parents may do, does he not have a right to go to the police and say: look, I think X, Y and Z parents are going to do something on Monday morning? Why was that approach not taken? Why this person is allowed to peddle his wares openly under these detention orders is beyond me. [*Desk thumping*] That is what leads to inequality in our society. That is a religious leader; and people want to know why religion has failed Trinidad and Tobago. That is why.

Madam Vice-President, Sen. Moonan mentioned the strong measures needed in the state of emergency to deal with crime. Under the state of emergency, which Sen. Moonan raised, I want to show how the utterances of many people in and out of government have put the police in a bad light.

First of all, we had a Government Minister saying, "You will be shot on sight." Now, where in the regulations does it give any police the authority to shoot me on sight? People are wondering: are we living in a police state where the police can shoot you on sight?

Another comment. I saw this on TV6 myself. A TV6 reporter is in his car on Charlotte Street, outside the headquarters of TV6. He is in his car. He has a curfew pass and two police officers berate this man and insist that his pass should have the vehicle number. Sen. The Hon. Brig. Sandy, you might remember that particular incident. I saw that.

4.15 p.m.

There was so much confusion amongst the ranks of the police as to how to manage the issues arising out of August 21, 2011. Then we had the unfortunate police action going after a man called Mr. John Gill, a radio station announcer. His only offence was to have a parking ticket, but under this Government, it is appropriate for carloads of policemen to go to the home of John Gill at 12.30 in the morning, one o'clock in the morning to see about a parking ticket. Do I need to "reread" the definition of a police state? But that is what our police is being encouraged to do, post August 21, 2011.

Madam Vice-President, I had the honour of being invited by former Sen. Patrick Watson to be part of a panel discussion at SALISES, Sir Arthur Lewis Institute of Social and Economic Studies. At that panel you had Prof. Watson, himself, Dr. Merle Hodge, Dr. Surujrattan Rambachan and myself. And during the debate Minister Rambachan made a statement saying—because Sen. Moonan said it, we need the state of emergency. Sen. Rambachan's rationale for a state of emergency was that we needed it to deploy police. That was his rationale. I rebutted by saying: "Deployment of police is a simple logistical matter, you do not need a state of emergency to put police on the road". But at the time I also said, "If you were serious about deploying police from Sunday August 21, what you needed was not a state of emergency to deploy police, what you needed was a commissioner of police in Trinidad, not incarcerated in Brazil; what you needed was your deputy commissioner in Trinidad, not vacationing in Canada; and what you needed was all your police in Trinidad, not a planeload of them going to play games in New York, police games". [*Crosstalk*] Where is the sense?

Sen. Al-Rawi: They won the march past.

Sen. T. Deyalsingh: They won the march past. [*Desk thumping*] We want policing, but when you put the fact that you Commissioner of Police is in Brazil—and what he went for? You know what he went for, Madam Vice-President? Somebody is saying he went to come back. That is true. But he went to witness the signing of agreement between South American police forces and European police forces. We had nothing to do with that agreement.

Trinidad and Tobago Police Service
[SEN. DEYALSINGH]

Tuesday November 22, 2011

[*Crosstalk*] He went to witness it. He did not know that he needed a visa to go into Brazil; promptly detained. But you see the more critical question coming out of that is, where was the Commissioner of Police in the deliberations leading up to the events of Sunday, August 21? He sought and got permission to leave the country on the eve of an event which called for him to deploy police officers. Amazing!

Madam Vice-President, Sen. Moonan spoke about PNM did not get any drugs under their administration. Patently false; it is good politics. [*Crosstalk*] But let me tell you how this Government and the police under this Government deal with containers of drugs. Container (A) is allegedly assigned to a chairman of a state board appointed by this Government, nothing happens. Container (B) is found in Point Lisas. Madam Vice-President, police work 101: If you suspect a container has drugs, and you want to catch the man, do you burst the seal on the port and give him a get-out-of jail free card? “Is not mine!” Or do you follow the container, letting him clear the container, follow the container, put a police car on it, let him take it to his warehouse, offload the container, take possession of the drugs, and the chicken, and then arrest him?

Why was this container prematurely opened on the port to give the person a valid excuse, a reason, a get-out-of jail free card? That is what your Government does with drugs. That is what your Government does with drugs. Two containers of drugs. [*Desk thumping*] That is what your Government does with drugs. It looks the other way because it may or may not be assigned to people friendly to a political party. [*Crosstalk*]

Sen. Hinds: “Which one? Call names nah!”

Sen. T. Deyalsingh: Not the PNM.

Sen. Hinds: Call again.

Sen. Moonan: Nobody associated with us.

Sen. T. Deyalsingh: Madam Vice-President, continuing with policing under these detention orders; we are now operating with these detention orders under which the police have very wide-ranging powers from August 21, to now, 10 weeks. What is happening is that the police trot out statistics to justify the state of emergency. I will just read from the *Newsday*, Monday, November 21:

“The senior officers gave the following breakdown of their successes in the South Western Division, since the declaration of the state of emergency was declared on August 21.

Traffic offences, 2,495.”

Madam Vice-President, you do not need a state of emergency for traffic offences. Why are the Government and the police continuously linking traffic offences with the state of emergency to justify it?

“Arrests on warrants, 427,

Arrests for drunk driving...”

You do not need a state of emergency to arrest somebody for drunk driving. [*Desk thumping*] It is only this Government that needs it, because I made the point that I do not know why my political leader thinks that running a government is difficult. It is not. [*Crosstalk*]

Hon. Senator: Which leader?

Sen. T. Deyalsingh: Every time you have a problem, take away people’s rights. It is easy to run a government. [*Desk thumping*] You want to arrest people for drunk driving, declare a state of emergency and trot out those figures as some big accomplishment.

Madam Vice-President, many people have sought to justify police action under the state of emergency. I have seen letter writers saying; “We like the state of emergency and we like the fact that the police are on the road because now our children have to be home.” People are actually justifying that police action to keep their children at home. Madam Vice-President, that is a parenting issue. You do not need a state of emergency and policing. If you cannot control your children, that is your issue. But your right to have your children home cannot trump my right to freedom of movement, freedom of expression.

I have heard some letter writers and supporters say; “We like it because our husbands are home.” That is a marital issue. If you are going to stand to justify this, because your husband is home, then something is wrong with your marriage. Your right to have your husband home or wife home cannot trump the right of the hot-dog vendor to earn a living. [*Crosstalk*] And you want to use police to send husbands home.

Madam Vice-President, how many people have the police detained under the anti-gang legislation? Thousands! And the Government trots out those figures to justify the policing under a state of emergency. But I will produce some evidence, and I dare any Member on the Government side to contradict me, and to say I am wrong. Under the anti-gang legislation thousands of people have been arrested, and all have been freed. That does not justify the policing under a state of emergency.

Madam Vice-President, under a state of emergency, section 11 of the Constitution says that the Chief Justice will set up a tribunal to deal with persons whom the police have detained under these same emergency powers. But you know what figure gets lost in this whole debate—and I throw it out to anybody to contradict me—can you tell me, can anybody on the Government side tell me, under the tribunal which consists of, Mr. Gilbert Peterson SC, Miss Deborah Peake SC, and Mr. Rajmanlall Joseph—how many persons have been detained under these detention orders under the state of emergency? Can anybody? And the public loses sight of this because the only figures trotted out are the people who are arrested for drunk driving, child maintenance, traffic warrants. What is the figure of people brought before this tribunal? How many people have been detained under these emergency powers? Madam Vice-President, the answer is—none! [*Desk thumping*]

Sen. Hinds: Waste of time!

Sen. T. Deyalsingh: Zero! You have detained nobody under these emergency powers. What are the police doing? You are paying these three people—

Sen. Hinds: Town and San Fernando.

Sen. Deyalsingh:—to have two offices. [*Crosstalk*] Police are supposed to detain people under these detention orders and bring them before a tribunal. To date, up to today when I checked, absolutely no one has been detained under these emergency powers. What are the police doing? [*Crosstalk*] But I went to pains earlier in my contribution to read out 14. (1) a, that under these powers:

“no person shall—

(a) endeavour, whether orally or otherwise, to influence public opinion in a manner likely to be prejudicial to public safety and order;”

I have given them an example of a man who was flouting this. [*Desk thumping*] We can increase the number from zero to one. Let him appear before this tribunal. Why is this person being treated with such kid gloves? That is my question. Nobody has been detained under this Emergency Powers Act, none, nobody; but we still have a state of emergency for police to detain you under these powers. Ten weeks, not one person. [*Crosstalk*]

But the police, as I said, are being placed in a very difficult situation. I will tell you why. When we were discussing this whole issue of policing, post August 21, we always said, and the political leader has always said; “increase policing.” Use the laws of the country as Parliament intended, not capriciously, not arbitrarily; do not put the police in a bad position.

Madam Vice-President, I go back to the cries of people in Nelson Street when they were being herded onto the back of a pick-up truck. You know what one of them was saying? The inspector in charge was a big burly “fella” called Mr. Singh or Inspector Singh. He was in the back of the pick-up truck, he was saying: “Mr. Singh, Mr. Singh, you know me, I was painting a wall”. The man still had on his painting clothes. “Mr. Singh yuh know meh. Weh yuh arresting meh for Mr. Singh?”

Sen. Hinds: “Wah is da one boy?”

Sen. T. Deyalsingh: Mr. Singh—police—now has to go back in that same community and police. How is he going to do that? [*Desk thumping*]

Madam Vice-President: Hon. Senators, it is 4.30. We will take the tea break and resume at 5.00. The sitting is now suspended until 5.00 p.m.

4:30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Madam Vice-President: Hon. Senators, as we resume at 5.00 p.m., Sen. Deyalsingh, you were on your legs and you have 10 minutes for the completion of your first 45 minutes, please continue. [*Desk thumping*]

Sen. T. Deyalsingh: I thank you, Madam Vice-President, and welcome back to the listening and viewing audience who are listening to this debate.

Madam Vice-President, before we broke, I was making the point—I was speaking to someone during the tea break—actually, I got a call from someone—and the person told me that they did not realize that no one had been detained under these detention orders. That is to tell you the level of non-information that is out there, and it is taking a contribution today in the Senate to alert the population that under these Emergency Powers Regulations, 2011, not one person had been detained by the police under these regulations. I just wanted to re-emphasize that.

Madam Vice-President, before we broke, I was on about the experience of seeing people on Nelson Street in the backs of pick-up trucks, telling Mr. Singh the police officer and begging Mr. Singh—“Mr. Singh, yuh know meh. Mr. Singh ah was painting ah wall, Mr. Singh”, and then these persons were subsequently released under the anti-gang legislation, because there was no evidence, and Mr. Singh now has to go back into these communities and police, and this is the gist of my argument. Since May 25, 2010 the police service has been placed in a very

Trinidad and Tobago Police Service
[SEN. DEYALSINGH]

Tuesday November 22, 2011

unenviable position, where the very people they are supposed to form bonds with, they have been forced to carry out activities that are contrary to good community policing, and that has negative repercussions for the image of the police service.

Madam Vice-President, I was making the point earlier. that people were happy that the police were out on the roads and that they could send people home before 11 o'clock, and I said that is a parenting issue or that is a marital issue. A couple of weeks ago, Sen. Beckles and I were having an informal discussion about the DNA legislation—I am not going to refer to the legislation—but the point that Sen. Beckles was making to me was that people do not understand the impact of a law until they personally are affected. I think Sen. Beckles would remember that.

This is a problem we have in Trinidad, where each pocket of society; each sector of society thinks from its own narrow perspective. I am saying that in order for the police to do their work, we must stop that. I made the point, the fact that the police can send your child home before 11.00 p.m. should not trump or outweigh my right to be out on the road or to sell “meh” hot dogs on Independence Square or Library Corner in San Fernando; or sell “meh doubles” and saheena in Debe. My right to earn a living should not be secondary to your right to have your children home.

The point I want to make this afternoon, if you would allow me some latitude—I think it is an important point for the national community to understand—it is the very people—Sen. Rabindra Moonan said it. He said the business community was very happy for the state of emergency and the curfew, and they were then, but when the curfew was lifted, the business community was happy again, because now they could engage in business activity. It takes me back to the comment I just made and, that is, we have to stop thinking in silos, because a curfew is lifted, the business community, in celebrating, should not celebrate because unions and political parties cannot engage in lawful activities, and that is the point I made when we think in silos, because the police still have powers under the Emergency Powers Regulations. What is good for business must also be good for unions; what is good for business must also be good for political parties. People in a democracy should be able to air their dissent, within legal parameters, of course. Let us get police permission.

If we want to hold a political meeting, we cannot hold it outdoors; we could not get police permission to have our post-budget meeting at Piggott's Corner as it is a 25 year-old tradition. The police just would not grant you that. We could only have small meetings indoors. This is the point I am making, and I am not

attacking the business community. I am simply saying to the business community, your rejoicing at the lifting of the curfew is correct, but that rejoicing should be tempered by the fact that other sectors of the society are still adversely affected [*Desk thumping*] and we have to stop thinking in silos, and this is the lesson Sen. Beckles taught me recently. We do not understand the legislation we are passing until we are personally affected. So, I urge us all to stop looking at this thing from our own narrow perspectives.

Madam Vice-President, on the first day of this Motion, Sen. Dr. Balgobin, in his contribution, in offering solutions to crime, spoke about national service. I remember when the PNM administration—not the last one, the one before—tried to set up some form of national service, it was roundly criticized by the then UNC. We tried to set up the Civilian Conservation Corps, and the disparaging remarks that came from the then UNC, it was demonized, the same way CEPEP was demonized; the same way URP was demonized; and now they have embraced it. When we were setting up something akin to what Sen. Dr. Balgobin is talking about in 2011, when the then PNM administration had the vision to talk about this over 10 years ago, it was met with stony silence, total opposition and ridicule from the UNC, at that time.

Madam Vice-President, as I move into prescriptive gear, talking about crime and policing, I want to refer briefly—Sen. Moonan had good fun on my head about whether I read this document, and I said yes. He said, “Ah doh mean that yuh colour it,” because he had all these things in it. Yes, Senator. I read the document and I coloured it. I coloured a particular page. [*Desk thumping*]

Sen. Beckles: What colour, orange or—?

Sen. T. Deyalsingh: It is lime green. Let me tell you the page I coloured. This is the *Medium Term Policy Framework 2011—2014—Innovation for Lasting Prosperity*. I turned to page 33, because I read it. I did not only colour it, I coloured and read, and I coloured it red and green. So I read it and I coloured it red. On page 33, “Strategy: Strengthen Surveillance and Control of Borders”—because you asked what we did about crime. Enough has been said about the OPVs. When this Government came into power, we heard initially, they do not want the OPVs, because they were not up to spec, and then we heard the excuse, the machine guns were misfiring, which could have been fixed, and then the hon. Prime Minister said, “We do not want it, we will spend the money on houses instead.” Do hon. Senators remember those statements? The contract for the OPVs was cancelled for one of several—

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

Motion made: That the hon. Senator's speaking time be extended by 15 minutes. [*Sen. S. Cudjoe*]

Question put and agreed to.

Sen. T. Deyalsingh: Thank you for the enthusiastic response this time, Madam Vice-President. [*Desk thumping*] Madam Vice-President, on page 33 of that document it says.

“This will include the application of international best practice to increase container inspections at foreign ports...”

Remember I spoke about a container of drugs which came in recently. Sen. Moonan was asking, what did we do about drugs, and I said this is how you deal with drugs, UNC style, you let it go, but this is the kicker.

“Key initiatives include the strengthening of the Coast Guard fleet by the acquisition of 12 interceptors, the sourcing of two 2 long range patrol vessels and the addition of two (2) helicopters to the fleet of the Air Guard.”

Does that not sound suspiciously like OPVs? The same OPVs, which the hon. Prime Minister said: “We do not need it and we will put the money in housing.” Does this not sound suspiciously like OPVs? It could not be! They got the two helicopters, one is done, but that is it. That is what this document says.

Madam Vice-President, in my remaining few minutes, I would like to talk about crime control, and I would like to introduce to the population something called “the broken window syndrome.” I do not know if Senators have heard about “the broken window syndrome.” For those of us who have not heard about it, it goes like this. If you have a nice neighbourhood with well-manicured lawns, sidewalks and trees and all the houses are freshly painted, but one house in that neighbourhood, in that street, is unoccupied, people will start to pass in front of that house and look at it. If a child throws a rock through a window in that house, and the window is broken, hence the name “the broken window syndrome”, what tends to happen is that people would go into the house and start to peep through the window. A week will pass and somebody will throw an empty fast-food container. Do you see what is beginning to happen?

5.15 p.m.

We start a cascade of illegal activity. Because the window is broken we go from trespassing to throwing things inside it. Then the drug pushers would say: “You know what, look this window broken, let us look inside it, we will open the door”—and then the drug dealers take over the house. The broken window syndrome simply tells us, if you want to stop crime you have to address it at the root when it is small and it is manageable. And I am sure hon. Sen. Verna St Rose Greaves will agree with me.

I would like to see a day in Trinidad and Tobago when the police service starts to take a strong hand with small crimes, whether it is littering, whether it is urinating in public, whether it is cussing in Woodford Square—I would like to see that day. In casual discussion with Sen. The Hon. Brig. Sandy before the start of the sitting, I said: “If ever I have the opportunity to be a Minister, I would like to be the Minister of Road Offences, where I could corral all those people who breaking traffic lights; passing on the left”—because that is a sign of lawlessness, and if we adhere to the broken window syndrome and tackle these things when they are small—and it is not too late. It is not too late. [*Crosstalk*] I omitted that part.

Madam Vice-President, as I come to the end of my contribution, because I have about 10 minutes again, I would like to see a day in Trinidad and Tobago, if we are serious about crime—and I have made this point in this Senate over and over; you cannot legislate good parenting. But I would like to see a day when children and parents of children are held accountable for what their children do in schools. [*Desk thumping*] You mash up the toilet seat in school, be held accountable; you mash up a door in school, graffiti in school; hold that child accountable and hold the parents accountable. I am sure none of our children here will engage in those types of activities. You know why? Because all of us here are good parents.

Hon. Senator: Really?

Sen. T. Deyalsingh: I would like to think so, that every one of us sitting in this Chamber are good parents. I have never heard about Sen. Vasant Bharath’s children giving any trouble, or Sen. Dr. Tewarie—right. You see, the issue is parenting is becoming a more and more difficult task with each passing year, and if we could tackle the issue of crime at parenting, it is a good thing. I will tell you why.

Madam Vice-President, you could build how many jails you want, you could import two million motorcycles, those resources that you need like that are finite. But you know what is a renewable resource that does not run out? Parenting.

Sen. Brig. Sandy: So you will attend my “father’s day” for next year?

Sen. T. Deyalsingh: If you invite me. Because if we go down this path of importing more motorcycles, building more police stations, what you are in fact doing is going to have a ratio of police to civilians of one to one. Does that make sense? So unless society wakes up and unless parents take responsibility for the actions of their children, we are wasting time. All these measures they are talking about crime are short term.

So, Madam Vice-President, I would like to go back to the start of my contribution, end where I started.

“The inhabitants of a police state experience restrictions on their mobility, and on their freedom to express or communicate political or other views, which are subject to police monitoring or enforcement.”

I do not think we live in a police state, I am not that alarmist, but what I see developing is a tendency by this Government to always introduce measures which limit my freedom, which limit my ability to speak out on issues in public whether it is at Piggott’s Corner or wherever. What I see is police telling me when I should be home, whether I could have a party in my yard—because you see, very recently a gentleman was arrested for taking his wife’s car from the street into the garage after 11.00 p.m. Can that be right? In the application of the law are you so literal? Well, that is the state of affairs we live under now: where a man can be arrested for taking his wife’s car from the road into the driveway.

You have a situation where a government official, no less, says, you will be shot on sight. Can that be right? Can that be right, Madam Vice-President? I ask. Is this what people voted for? Is this the change? Is this the new politics that the Congress of the People were supposed to bring to this partnership—this coalition? Is that the new government style where one of the Congress of People members will say, you will be shot on sight? Where in these regulations does it give the police the right to shoot anybody on sight? And as I end, I remind the national community that to date, no one has been detained under these Emergency Powers Regulations, 2011, and I call for their immediate removal. Madam Vice-President, I thank you. [*Desk thumping*]

Sen. Dr. James Armstrong: Thank you, Madam Vice-President. I am very pleased to contribute to this Motion brought by Sen. Hinds. I think that it is very timely and something that we should be considering seriously. Like Sen. Moonan, I also wondered why Sen. Hinds brought this Motion, and I think it is because of the recognition that we are really plagued with a significant level of crime in the country, which is having serious effects on our economy and our well-being.

The Motion suggests that we need to look at the strengths and deficiencies of the Trinidad and Tobago Police Service, and that we should also consider the impact and potential in the fight against crime. And that is where I want to start; the strengths and weaknesses. It seems to me that we have serious technical deficiencies in the police service. In order to address that, we sought to engage external expertise, and that is the first thing I want to address my attention to.

Very often we have been talking about the Commissioner of Police and Deputy Commissioner of Police both being foreign, and I imagine that we are supposed to be affected by this in some way because the commissioner is foreign. That really does not disturb me. In fact, from analyzing the problems, I am wondering whether we in fact do not need more foreign assistance. And I say this because I have been involved in the provision of technical assistance to governments for a very, very long time.

I know that we have referred to the gentleman as being “the million-dollar-man”. You are not going to get any serious technical assistance in Trinidad and Tobago for under a million dollars, so let us dispense with that; that is the going rate, all right. The question really is: what are the problems to be resolved? And do we have the expertise here to do it? In order to determine that, I tried to locate the terms of reference for the commissioner and I could not find it anywhere, in fact, I would still like to have a look at it because that would assist me greatly. It would assist me tremendously in determining whether we are on the right track in terms of the expertise that we are seeking to engage to assist us with the types of problems that we have.

There are two approaches really to technical assistance. One is technical assistance where you engage expertise in an advisory position, and that is something we may very well want to look at; instead of having someone on your line position, you have someone in an advisory position. And the terms of reference for that advisory position should be very specific within a given time horizon, and we should have the achievement of specific outputs but, again, I could not determine that because I have not really seen the terms of reference.

Trinidad and Tobago Police Service
[SEN. DR. ARMSTRONG]

Tuesday November 22, 2011

One may want to put someone on a line position if the experience has been that you have had a series of persons in such positions and the results that you were expecting were not achieved. So that I think we need to dispense with this business of whether it is a foreigner or local, or a million dollars or \$50,000. That, to me, is not the issue. The issue is: what are we faced with and who can really address those problems?

When I turn to the problems—and I had to search all over for the problems—it is very interesting that there is in fact a strategic plan for the police service: Strategic Plan 2011-2013: Agenda for Change, and I was very pleased to see that.

Madam Vice-President, through you, I would like to perhaps indicate to Minister Sandy, that in reviewing it, I think it is a good start, but there is need for some improvement, and I will make some suggestions as to where I think could be improved. I found some problems there.

The other place that I found some problems, and that was very interesting, was at a very recent International Conference on Gangs, Violence and Governance—very recent—Thursday 03, November; I think the Minister actually was there. And again they identified some problems in there. The problems that I noticed cited were problems of white-collar crime, drugs, guns, cybercrime.

5.30 p.m.

Madam Vice-President, in the conference held at the University of the West Indies, it was also mentioned that we had problems with money laundering—I think I mentioned that—trading in firearms, and also detection, conviction and rehabilitation. That suggests to me the situation analysis, the problems that we need to address; quite apart from going right back to what we need to see happening with respect to our people.

I am not convinced, in fact, I have not seen anywhere, that we have the level of technical expertise, because that is the problem that keeps coming up. We keep hearing it all the time, you are holding people—detection, conviction, rehabilitation. So you have a range of problems there that would suggest to me, from the intransigence of the problems over the years, that we cannot deal with them by ourselves, locally, and we need therefore to engage specialized expertise.
[*Interruption*]

ADJOURNMENT

The Minister of Public Utilities (Sen. The Hon. Emmanuel George): Madam Vice-President, I beg to move that this Senate do now adjourn to Tuesday, November 29, at 10.00 a.m.

Madam Vice-President: Hon. Senators, before I put the question to the House, leave has been granted to Sen. Hinds to raise the following Motion for the Adjournment, which reads:

The necessity on the part of the Government to retain the police/army outposts in the so-called crime hot spots at Charford, Charlotte Street, Port of Spain, Fort Picton and Lady Young Road, Morvant, in order to more effectively manage crime in these areas.

Sen. Hinds will have 15 minutes to move his Motion, and the response will be given by Sen. The Hon. Brig. John Sandy, the Minister of National Security, for an additional 15 minutes.

**Hot Spot Areas
(Retention of Police/Army Posts in)**

Sen. Fitzgerald Hinds: Thank you very warmly, Madam Vice-President. This Motion is presented to this House seeking a clear response from the Government in circumstances where, after the imposition and the existence of a failed state of emergency, the ugly face of crime has begun to impose itself yet again on Trinidad and Tobago, rendering the boast of the Government that the crime statistics, though apparently and on the face of it true, having fallen, having been reduced during the course of this unnecessary state of emergency, is really great evidence of the value of that falsely and improperly imposed state of emergency. I again must yield or cleave to the suggestion of a very learned citizen who described all of that as someone claiming falsely that they had lost a tremendous amount of weight, boastfully even, during the course of a very terrible famine.

This Motion is presented in the context of a more full and thorough debate on the question of the police service, its strengths, its deficiencies and its impact on the business of dealing with the crime situation in Trinidad and Tobago.

We would have heard the term “hot spots”. The hot spots loosely defined are areas which reflect a proliferation of crime, more so than the national average. They bear characteristics of higher levels of murder, robberies, snatching of telephones and handbags and jewelry from unwitting citizens, shootings—many of them never lead to death, not fatal as it were, drug dealing and gangland activity.

Hot Spot Areas
[SEN. HINDS]

Tuesday November 22, 2011

The common man in this society understands that these are so-called street crimes, and they are the ones that incense the public a little more; they are the blood crimes in some instances. But the public is acutely aware, particularly those whose communities have been deemed hot spots, that there are other areas where crime is more insidious, where crime is a little more low-key, where crime is not as red as the street crime, but blue and white, but it is germane to the whole crime problem in Trinidad and Tobago. So I express that in recognition of that street wisdom.

Madam Vice-President, various strategies have been adopted in the past to deal with this question of crime, all designed to respond, if you like, more swiftly to these crimes as they emerged. If one is walking along Frederick Street and the police station is on St. Vincent Street, and a person is relieved of her handbag, by the time you call the police, if they had to come from Central Police Station or Besson Street Police Station or Police Headquarters, by the time they come, obviously the bandit would be gone. So part of the strategy was to bring the police in the community, as much as was possible, so they could respond to the issue, recognizing that different types of crime require different kinds of policing.

The kind of policing that is required to deal with the pickpocket is far different from that for those who would rob a bank or rob a store in Port of Spain, or a snatcher for that matter. A snatcher would grab and run away. The pickpocket would take your wallet, pass it to someone and smile in your face. He would empathize with you, while your wallet gets further and further from the scene of that crime. Different types of policing. We would have to teach them how to deal with gangland activity, because they attempted to deal with it over the last two months, and palpably failed. The strategy involved bringing the police, so they could respond to these activities in the so-called hot spots.

I lived in England for years, and I have seen when they were having big football games, the police knowing in advance that football hooligans assemble at these games and used the terrain, the circumstances, for their conflicts, whether they supported one side or the next, would come out in large numbers. If the game is supposed to start at 4.00, you could be sure that by 11.30, hundreds of British Bobbies lined the route to each of the main stations that these hooligans were expected at. They targeted certain of those hooligans; they knew their faces, they had their profiles. Once they were seen in the vicinity, they were taken out, arrested and kept for a period until the end of the game. A kind of strategy—proactive policing.

The strategy of the joint army/police patrol we saw recently is not new. It existed for a long time, the so-called “jap patrols”, joint army/police. The idea as I said was to bring the police in your face, and they were there. We saw that by imposing, implementing if you like, the joint army/police patrols in the city of Port of Spain, the question of bank and store robberies became a thing of the past, because the bandits quickly understood that if you robbed a bank or store, you were very likely to run into a police/army patrol around the corner, and you would get caught. As I said, different kinds of crime require different kinds of responses.

In those circumstances, the last administration put some joint army/police posts, standing patrols as they call them in the military—my friend, Sen. The Hon. Brig. Sandy, would be familiar with that—in Mango Rose, in the heart of Port of Spain, in Morvant, the Jusamco facility, where bandits had virtually run the contractor and his workers, his operatives, off the scene, because, we are told, they wanted money for football jerseys. It was not forthcoming when they expected it, and they used their arms to terrorize the firms, ran them off. The police had to respond to it, and that gave rise to the standing patrol at the Jusamco facility at the Lady Young Road in Morvant. They did not only deal with that issue, but they were able to respond to issues right around, because that was a time when crime was getting on top of us in those so-called hot spot communities, when this Government was busy saying that we did nothing.

One of the things that must be explored in this country is the fact that nobody has attempted to measure the preventative aspect of policing, and nobody possibly could. While you may say there were 200 or 300 murders, you just have to wonder, had we or this country not put some things in place, it might have been more like 3,000 or 5,000 murders, but that is something we must look at—while they were busy “bumping gums” saying that nothing was done. Let me continue, Madam Vice-President.

Nelson Street—personally I received complaints from citizens in that area about some of these activities. I spoke to the police leadership, they agreed, they put a joint army/police patrol right on Nelson Street, in the heart of the thing—Charford Court. Part of the plan was for a public relations effort. The public seeing the troops in their presence felt a little more comfortable, and as we have come to learn, many people have never been a victim of crime, but they fear crime. The psychology of crime is more burdensome than the actual experience of crime itself, in some cases. Public confidence was the target. Taking the fight directly to the criminals was part of the thing.

Hot Spot Areas
[SEN. HINDS]

Tuesday November 22, 2011

I remember Inspector Walcott—I hope he does not mind that I call his name—and his men from the Inter-Agency Task Force, actually spending nights on the hills in Laventille, going through the little gullies where cars would never pass, disguising themselves, staying there, so that when the “fellas commit crimes and dey coming through de track,” they were there to get them. At the same time, a public relations effort was taking place, so we saw the value of this. Things were happening on the ground. The police leadership directed that.

The ROP Unit, the Repeat Offenders Unit, was also on the ground, in your face if you like, giving the public confidence, dealing with the criminals. The Inter-Agency Task Force played a major role. They were the ones who worked generally, a combination of police, soldiers, prison officers and coast guard, working together out of the Vehicle Maintenance Corporation of Trinidad and Tobago (VMCOTT). Again, this Government dismantled all of that, and things began to get out of hand.

We understand that they have virtually removed the post at Jusamco; the one at Siparia Hill—I was telling you some of the locations of these posts—Mango Rose, I understand they removed it, and the criminals are there watching on. They say, “Well, de target get soft again; time to roll again.” So this Government, as part of its strategy to dismantle the protective veneer that others have put in place, or attempted to put in place, to protect the citizens and property in this country, they have begun to remove these police posts. As a result of that, the crime problem started to proliferate again. It resulted in some 11 murders in one weekend in Arima. The Government panicked, trembled more than the criminals, knee-jerked, and landed us with an unnecessary state of emergency. That must be recorded as an undisputed and incontrovertible truth for all time.

Dislocation—when we dealt with the criminals in one part of the terrain, they ran to another. They went to Siparia, they went to Chaguanas, and wherever they went they did not sit still. They continued their behaviour wherever they went. So the Repeat Offenders Unit was used to find them wherever they were, and they were very mobile. The minute they heard a “fella” was in Toco, or a “fella” was in Siparia, they went and found him and dealt with him too, put strategies in place, Madam Vice-President. That was part of this whole programme to deal with it.

Now we see crime imposing itself on us again, even during their state of emergency, weak, feeble and unnecessary as that obviously is. After the brutalization of the people for the last two months, after the tremendous wrongful arrests, after breaking the public’s spirit, who when they saw you pick up 466

gang members, thinking that the place would have been sanitized, at least for some substantial period, saw 250-plus released without charge in 48 hours, and the other 200-plus released by the Director of Public Prosecutions and the courts of Trinidad and Tobago, in accordance with the law. Like a dose of salts, as my friend Sen. Al-Rawi so eloquently reminded me. May I thank you. [*Laughter*]

The scrap iron dealers suffered at the hands of that Government. They used the state of emergency to brutalize them, destroy their trade; no answer for that.

5.45 p.m.

They built a jail in Santa Rosa, Madam Vice-President, no bail; licks and no bail; now no roof. Madam Vice-President, and rather than the joint army/police patrols and the standing patrols as we have described it, you know what their resolution is, according to one old lady, may God bless her, “colour me oranges”; colour me oranges, and put the people in a vicious prison colour. All over the United States, orange is colour for jail, but the people do not understand. Madam Vice-President, they made the women in those communities suffer. They took away their menfolk and jailed them for two months, no income in their house. They know that they brutalized the people, they know they did them harm, so they now come with colour me oranges, to rub their back and to mamaguy them. And yesterday I saw, Madam Vice-President, one little idiot dreadlocked boy.

Somewhere in Trinidad and Tobago, the Prime Minister two or three hours into a tour of the flooding, maybe held about six shovels and two pickaxes, looking for photograph opportunity as usual, no doubt must have shook if you like, about 2,000 dirty, muddy hands, and I saw an idiot little rasta boy kissing the Prime Minister’s palm. It made me sick. And if I had my way I would cut every dreadlock off him head! [*Laughter*] Every one! Madam Vice-President, an idiot boy; yes, a rude little dreadlock.

Sen. Bharath: Your chance will come. [*Laughter*]

Sen. F. Hinds: Madam Vice-President, my chance will come? When I saw that on yesterday’s *Express* I felt sick. And they know how the effect is you know. I heard one woman from, I think, Nelson Street, telling this country two days ago, that she has forgiven this Government because now her son, one of those who was wrongly arrested is getting “a little thing on colour me oranges.” It made me sick; it made me feel cheap.

Madam Vice-President: Sen. Hinds, your 15 minutes are up.

Sen. F. Hinds: Let me just wind up if you will permit me, just to wrap, last sentence, Madam Vice-President.

Madam Vice President: You have a few seconds.

Sen. F. Hinds: Yes. So, Madam Vice-President, the joint army/police standing patrols were critical in the prevention of crime. I close by quoting Anthony B.:

“You don’t have to say you are sorry
For all the wrongs that you have done.
We don’t wanna hear no sad story
Because the damage has already been done.”

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

The Minister of National Security (Sen. The Hon. Brig. John Sandy): Thank you, Madam Vice-President. I was most disappointed to hear Sen. Hinds speak. It was strange to hear him say or speak in the context of which this Motion was moved alluding to the state of emergency, having regard to the fact that this Motion was brought long before the state of emergency was ever considered.

Let me say, Madam Vice-President, I do not know where Sen. Hinds got this grand idea that the police/army post at Charford, Fort Picton and Lady Young Road are being removed.

Sen. Hinds: I never said which—

Sen. The Hon. Brig. J. Sandy: And I do not know which police post he is speaking about when he spoke about Arima, and he spoke about illusions. He is misleading the Senate, and it is strange, Madam Vice-President, that he is speaking about the colour me orange when it was conceptualized by his administration. [*Desk thumping*] What hurts even more—

Sen. George: Pontius Pilate.

Sen. The Hon. Brig. J. Sandy: I usually embrace him with his locks, and he wants to—I would not even bother what he want to do with that youngster with the locks.

Sen. George: Yes, indeed! “Yes, indeed!”

Sen. The Hon. Brig. J. Sandy: Anyway. Madam Vice-President, the People’s Partnership Government, since assuming office in May 2010, has sought to ensure the most efficient and effective use of resources in the fight against crime. We are

of the view that only through synergized efforts among the law enforcement machinery and their intelligence-gathering cohorts, can there be a sustained reduction in serious crime in Trinidad and Tobago.

One such example of a collaborative effort that has borne some measure of success is the Inter. Agency Task Force, the (IATF). The IATF was established as a unit within the operational structure of the Trinidad and Tobago Police Service with effect from March 01, 2004.

This unit was established to treat with an upsurge in serious crime in particular and the occurrence of gang activities in Port of Spain, north/eastern and western divisions. These divisions were identified as being plagued by gang violence resulting in unlawful killings, offences against persons, casualties of turf wars and the proliferation of narcotics and firearms.

The IATF was mandated to work as a joint operational team comprising members of the Trinidad and Tobago Police Service and the Trinidad and Tobago Defence Force to address issues of serious crime, particularly in areas identified as “hot spots” at the time in East Port of Spain, Morvant and Diego Martin districts.

In order to ensure a timely response to incidents that may have arisen and maintain a strong operational presence in the areas identified, bases were established at Charford Court, Charlotte Street; Fort Picton; Jusamco Morvant; Fort Chacon Laventille; and VMCOFF compound on March 15, 2005.

The effect of the IATF’s continued presence at Charford Court, Fort Picton and Jusamco, Morvant and other crime hot spots has helped in reducing the incidence of serious crimes and improving community relationships.

Some achievements of the IATF include: gang suppression. The establishment of the IATF outpost in those communities facilitates a faster and more effective response to disrupt gang activity. The operational undertakings of the IATF have been able to suppress the gang situation as a number of gangs have been and are currently being dismantled. A number of key players have been arrested significantly weakening the gang structure.

Homicide reduction: the continued presence of the IATF policing the area, via foot and mobile patrols, and stop and search operations, have resulted in the arrest of persons wanted in connection with homicides and other serious crimes.

Madam Vice-President, despite the recent surge in gang-related homicides in East Port of Spain, records indicate there has been a constant and consistent decline in the number of homicides in areas patrolled by the IATF for the period 2008—2011.

*Hot Spot Areas**Tuesday November 22, 2011*

[SEN. THE HON. BRIG. J. SANDY]

Reduction in property-related crimes: the presence of the IATF has resulted in the reduction of property related crimes. This has been demonstrated with the decline in offences such as larceny of motor vehicles, robberies, burglaries and break-ins, and minor larceny, particularly in the Port of Spain district.

Arms, ammunition and narcotics seizures: there has been a correlation between the activities of the IATF and the removal of illegal arms, ammunition and narcotics from individuals involved in gang and other related activities. Through the 24-hour presence and consistent vigilance of the IATF significant numbers of illegal firearms and ammunition and quantities of narcotics have been seized.

The IATF also supports other units of the TTPS in the conduct of raids and operations aimed at reducing the presence of illegal arms and narcotics throughout the country.

Community Outreach: Madam Vice-President, during the period of my tenure, I have associated with the IATF and we have gone into the areas. As the hon. Senator knows, we have dealt with the community and they are the people who are coordinating to attempt to ensure that criminal activity diminishes in the area. So that there is no way we would remove them.

The IATF has served the communities in question solely in an operational capacity—not only in an operational capacity but has demonstrated the softer side of law enforcement. The unit has participated in many community-based activities in East Port of Spain.

Madam Vice-President, one such initiative is the “Hearts and Minds” project in which members of the IATF work alongside community members to host Christmas events. Health care seminars and faith-based activities are also conducted. These social outreach programmes have assisted in improving relations and restoring some measure of confidence in law enforcement personnel, and by extension, assisted the intelligence-gathering capabilities within these districts.

The establishment of the IATF as an integral part of the crime intervention strategy in crime hot spots is well known. While the presence of the IATF has not completely rid the communities of criminal elements, undoubtedly one must acknowledge the substantial contribution of the unit in managing the rate of serious crimes. These outposts serve as deterrents and have strengthened relations between law enforcement and members of the community.

Madam Vice-President, the homicide rate in East Port of Spain continues to be unacceptable. We are of the view that this situation would have been much more volatile if the IATF was not deployed there in—and I agree with my dear friend in that respect. Therefore, these outposts are a necessity until a sustained reduction in gang violence and serious crime can be made a reality.

Impact of the state of emergency declaration: Madam Vice-President, since the declaration of the state of emergency in August of this year, members of the IATF have been engaged in heightened patrols and operations in the Port of Spain and Laventille districts. As a result of these activities there has been a significant decrease in the number of homicides and other crimes in the Port of Spain division, helping residents in those areas to enjoy a greater sense of peace and a reduced fear of crime.

Madam Vice-President, in addition to those efforts a series of community meetings continue in areas like the Beetham, Laventille and neighbouring districts in order to foster stronger community spirit and empowerment. I know that Sen. Hinds knows that I have been attending a lot of these meetings and I interact with the people and I know what their needs and wants are.

Annual Christmas functions, as we did last year, are also being planned by the youths and elderly in those areas, as was done last year as indicated.

Madam Vice-President, the war against crime in East Port of Spain and environs is not over. It would be premature of the Government to simply withdraw the services of the IATF, especially given the circumstances in the districts under review. Like him, I know what that area is all about; it is my area.

Madam Vice-President, the presence of the IATF provides a degree of comfort for the law-abiding citizens in the Charford Court, Fort Picton and Jusamco areas. I wish to reiterate the importance of visibility and responsiveness as key elements in addressing the issues of serious crime, and also providing safety and security for the citizens of Trinidad and Tobago. Discussions are, therefore, ongoing with all social partners to create a structure that would improve the unit's overall capabilities without compromising the effectiveness of the police service in its delivery of quality service.

Madam Vice-President, we are looking so much more on the softer side of things to ensure that we win the hearts and minds of the communities, something that my colleague on the other side did not do. I thank you. [*Desk thumping*]

Tribute to Mr. Neil Jaggassar

Madam Vice-President: Hon. Senators, before I put the question of the Adjournment of the Senate, at the start of the sitting I indicated that today, November 22, is the last official sitting of our Clerk of the Senate, Mr. Neil Jaggassar, and so I invite Senators, leading off with the Leader of Government Business, to indicate some tribute to Mr. Jaggassar.

The Minister of Public Utilities (Sen. The Hon. Emmanuel George): Thank you very much. Madam Vice-President, I would try my very best to pay tribute to Mr. Neil Jaggassar on his retirement but I am certain that whatever words I or any one of us would use, could never really fittingly pay tribute to a gentleman who has spent, from my information, over 40 years in the public service and has served extremely well.

I want to say first of all to Mr. Jaggassar, congratulations on your retirement. I want to say also to Mr. Jaggassar on behalf of all of us on this side, on behalf of the Government of Trinidad and Tobago, congratulations on your retirement.

Public service—and I was once a public servant, and in a sort of way I still am because I am still in the service of the public as a Minister. Public servants often serve long and work hard and retire uncelebrated and unsung. I hope that for Mr. Jaggassar this is not so, and that the staff whom he has supervised for all this time, in particular I think he has been in the Senate for about seven years, will pay fitting tribute to him by having an event that does justice to the fact that he has been a long-serving servant of this Parliament.

Let me say one thing about what has impressed me about Mr. Jaggassar in the short time that I have come to know him as a Senator of this Parliament. There is a quiet efficiency about Mr. Jaggassar. There is no fussing and fretting but the job always gets done, and I tend to see that coming too out the staff that he supervises, and that mentoring role that I am certain that he played in having them too now be quietly efficient, is the most important function that I think he has performed. [*Desk thumping*]

Because the litmus test of one's legacy really is the extent to which the business of the agency can continue when you have left. I want to say to Mr. Jaggassar that I am certain that under his tutelage, the staff that he leaves behind to do this work have been excellently trained and I want to congratulate him. [*Desk thumping*]

6.00 p.m.

As I said, congratulations on your retirement, I was once retired so I can speak both of retirement and of a life of hard and long service—and I want to say this very genuinely that there is nothing in the world as enjoyable as retirement. There is nothing like being able to get up in the morning with nothing to do, but with a full day that leaves you tired at night.

So, I want to say to Mr. Jaggassar that he can get up in the morning with nothing to do, but fill his day with many enjoyable activities, having nothing to do with environments like these and in the night he falls asleep on the way down to the bed, [*Laughter*] because that is what I found about retirement. So, I am saying to Mr. Jaggassar, enjoy your retirement, there is nothing like it in the world as you would discover.

The second thing I want to say to Mr. Jaggassar is, having been a public servant for 40 years he would have recognized that public servants are not financially compensated enough and that work that you have done for all of these years, I am certain the pay packet or the pay cheque at the end of the month has never really been sufficient to compensate you fully. So, I want to say to you that now that you are no longer working make sure that you live very, very long, maybe until about 95, at least, so that you can tax the Government for the next 35 years, at least. [*Laughter*] Make sure that you live that long and collect that pension, because what you did not gain on the roundabout you would now be able to gain on the swings. Make sure that you live a very, very long life and I wish that God will bless you with good health and long life—[*Interruption*]—and that you will, perhaps, come back to visit us sometimes, but enjoy the retirement away from the hurly-burly and the requirements and demands that your working life had on you. You have really been a good servant of the people and I am certain that that recognition or the recognition of that will come to you in due course.

I thank you very much. [*Desk thumping*]

Sen. Penelope Beckles: Thank you kindly, Madam Vice-President, for the opportunity to join in paying tribute to, probably, one of the few persons, I think, in present times who can talk about serving any institution for 40 years. That is now becoming a thing of the past for a number of reasons.

Mr. Jaggassar was born in Longdenville, he attended the Longdenville Primary School, he then went to the Monkey Town Primary School and then went to Presentation College—

Hon. Senator: Hey, hey!

Sen. P. Beckles:—Chaguanas. [*Laughter*] [*Crosstalk*]

I know the others from Fatima College and QRC would have liked to take credit—

Hon. Senator: And Belmont.

Sen. P. Beckles:—and Belmont too. [*Laughter*] [*Crosstalk*] Madam Vice-President, I think what is interesting about Mr. Jaggassar is his years of service before he came to work in the Parliament clearly prepared him for this job. Now, I do not know whether, like many other persons, if he was asked, maybe at age five or age six, as we would ask our children, grandchildren, nieces and nephews, what would you like to be when you grow up?—if Mr. Jaggassar would have said a Clerk of the Senate. [*Laughter*] It does not appear so, but the fact of the matter is that, clearly, his experience prepared him for the Senate.

Mr. Jaggassar worked as a Clerk I in the Magistrates' Court, he worked as a Cashier II, he worked as a Clerk III in the Ministry of Legal Affairs, formerly the Ministry of the Attorney General, he had the opportunity to serve in the Chief State Solicitor's office as a Clerk III and he worked as well in the DPP's office as an Indictment Clerk, and probably one of the most important areas that he worked in was in the office of the Chief Parliamentary Counsel, where he worked as a Clerk IV.

Sen. Hinds: Industrious! Industrious! [*Desk thumping*]

Sen. P. Beckles: Madam Vice-President, I think that having given an indication as to Mr. Jaggassar's years of service, and of course he did all of this before he came to the Senate, so I guess some of us might be wondering how Mr. Jaggassar acquired this efficiency in terms of his knowledge of the Standing Orders, virtually of any piece of legislation. Clearly, he would have guided not just probably the President and, maybe, Madam Vice-President, you may have sought his guidance, and from time to time even though he is not the Clerk of the House, I had the opportunity when I was the Deputy Speaker and I sought Mr. Jaggassar's guidance on more than one occasion and he was always willing. The interesting thing is that he was always able to very quickly point you to the Standing Orders or the relevant piece of legislation.

As the Clerk of the Senate, he, of course, would sit in to many committees and he would be able to, on very short notice, guide the Chair of the committees and any other Members of the committee. As a matter of fact, even the attorneys who attended those meetings, who may not always have been aware of some of the

legislation or the Standing Orders, Mr. Jaggassar was always there to guide us. Now, some of us, because of the hours that the staff of the Parliament has to work, may not be aware of some of the other things that Mr. Jaggassar did. I do not know where he found the time, but Mr. Jaggassar is a qualified regional-national football referee; [*Desk thumping*] Mr. Jaggassar is also a qualified regional and national cricket umpire. [*Desk thumping*]

Sen. Hinds: He is a good footballer too.

Sen. P. Beckles: Mr. Jaggassar also played football and he had the distinction of being coached by a coach called Michael Lang who coached our national football team which played against Haiti. [*Desk thumping*] I know that Brig. Sandy was a footballer.

Sen. Brig. Sandy: As among other things. [*Laughter*]

Sen. P. Beckles: No, you know it is a very dangerous thing to say that you are a footballer among other things because you know—

Sen. Hinds: Netball too.

Sen. P. Beckles:—but anyway we would give that—

Sen. Hinds: [*Inaudible*]

Sen. Brig. Sandy: That too! That too! [*Laughter*]

Sen. P. Beckles: I would ask my colleague, Sen. Hinds to please not belittle netball. [*Laughter*]

Sen. Hinds: No, he was a good netballer.

Sen. P. Beckles: If he played netball I think that he would have been an excellent netballer. [*Laughter*] Anyway, the point is that—[*Interruption*]

Yes, I was saying that he had the distinction of being coached by Mr. Lang and I am sure that we would remember that when Trinidad and Tobago went to Haiti, every time we scored a goal they disallowed that goal and that is how we did not qualify in 1973 for advancing to the finals in the World Cup. Mr. Jaggassar had the distinction of serving in Palm's Spring Club as the assistant treasurer/secretary under the Minister of Works, hon. Jack Warner.

Sen. Hinds: That is the only bad news.

Sen. P. Beckles: Why you all are not thumping the table?

Sen. Hinds: No! No! No, That is rather unfortunate, I think. That is the only blemish on his character. [*Laughter*] [*Crosstalk*]

Sen. P. Beckles: Madam Vice-President, I would like to think that Mr. Jaggassar learned a lot of positive things during his period with Mr. Warner whilst he was—[*Desk thumping*] I would prefer to put it that way. The fact that he has advanced to do other things, I would prefer to interpret it that way.

Having said that, I had the good fortune of attending more than one seminar abroad with Mr. Jaggassar and I have very fond memories of our parliamentary seminars. My recent memory was January 2010 actually. Is it 2010 or 2009?

Mr. Jaggassar: 2009.

Sen. P. Beckles: 2009, when we went to Tanzania in Africa, and the other Members of the delegation were Mr. Basdeo Panday and Miss Donna Cox and Mr. Jaggassar would have had the responsibility, of course, of looking after us.

Sen. Karim: [*Inaudible*]

Sen. P. Beckles: What you said?

Sen. Karim: [*Inaudible*] [*Laughter*]

Sen. P. Beckles: Sen. Karim, I am not going to—[*Laughter*]—and I think one of the special memories of that visit would be the visit to a school, a Masai school in Tanzania. Most of the children were bare feet and the entire compound was mud, fortunately we went on a dry day, but when Mr. Jaggassar, the others and I attended and realized that it was really bare necessities, the first thing Mr. Jaggassar asked the principal was whether the school had any computers. He offered, when we looked at the circumstances which I would not get into, to send a computer or two to Tanzania. [*Desk thumping*]

I have very fond memories, he has been in the Parliament, I think, about 15 years—

Hon. Senator: Eighteen.

Sen. P. Beckles:—18 years and I have had the opportunity of working with him, because I started in the Parliament as a Senator in 1995, so I had the opportunity to work with him for a very long time. Unlike Sen. The Hon. Emmanuel George, I do not see that Mr. Jaggassar is going to be on any retirement, if only because the years of experience that he has gathered, I think that he is going to—he is telling him go on his retirement, go on his retirement, but when one is an expert and a resource person, you would never be on retirement.

Sen. Hinds: Absolutely! [*Desk thumping*]

6.15 p.m.

The fact that someone calls you for assistance or for the benefit of the experience does not mean to say you are on retirement, but what it means is, that people have recognized the value of your work and they, in essence, want to make sure they continue to go down the right road. I take the point of the mentorship and I think that we have already seen that a number of his staff clearly have been learning from him, and he has shared with them a lot of his experiences, because one would observe from time to time that he leaves the Chamber and allows them the freedom to be able to do the work certainly by themselves, and I am sure he is just a phone call away. [*Desk thumping*]

So I would like to close by saying that there is a quotation, “Emulation is the highest praise”, and I am sure that a lot of the staff would emulate Mr. Jaggassar. I know from, again, attending these conferences that Mr. Jaggassar’s experience, resources and knowledge is sought after, not just locally but regionally and internationally. I want to wish him the best. I want to wish him whatever he wishes himself as he retires, and I am hoping that his years of experience in the Senate, he would really consider documenting some of them if only because it is very important to the development of the Red House and, by extension, the Parliament.

So many of us pass through very special times in the development in the history of Trinidad and Tobago and it is not really documented anywhere. And I do hope that if there is anything that the Parliament will do, it is to give serious consideration to Mr. Jaggassar documenting the time that he served here. And a lot of what you call the conventions and the practices which are not written anywhere, those are the most important things that make the difference for a successfully run institution.

Madam Vice-President, I am sure you know of what I speak, because you would have had, from time to time, to rule on very controversial—and sometimes you may have been challenged by certain issues. I know that in doing so you have to seek the guidance and it is not written anywhere. It is only the persons who have developed, and who have been part of that experience who can guide us.

So, Mr. Jaggassar, I say well done, good and faithful public servant, and I wish you all the best. [*Desk thumping*]

Sen. Subhas Ramkhelawan: Madam Vice-President, I rise to pay tribute to a public servant, par excellence, Mr. Neil Jaggassar. It is the first and probably the only time that, through you, I will be able to address a Clerk of the Senate directly in the Senate, so I want to take advantage of that moment, but when I think of Mr. Jaggassar, I think of four words: cool, calm, intelligent and effective. [*Desk thumping*]

Cool, because I have never seen Mr. Jaggassar flustered. Probably his staff may have seen him flustered, but when I interact with Mr. Jaggassar there is coolness in terms of reaction. There is calmness about Neil, if I am permitted to call him Neil. There is calmness in his style. You get the sense that we are going to get this thing done without too much of a furore and uproar. [*Desk thumping*]

Intelligent, in that there have been very few questions—and I have asked many. There have been very few questions that I have asked of Neil that he has not been able to come back to me with an answer within a day or two, and that speaks to effectiveness.

Madam Vice-President, you would recall that around the same time we would have joined this Parliament; for me it was December 2007, and I can attest that it was also the same time for my colleague, Sen. Baptiste-McKnight and for Sen. Helen Drayton who has survived more than one term. And one of the things that I remember very clearly is the session where we were trained how to behave in the Parliament. I do not know if everyone received that training session, when I look around now—[*Laughter*] but I do know that we were trained. We were trained not to walk—by Neil—behind a speaker when he is speaking, so we have to walk all the way around. We were trained not to hide and speak on the telephone. We were trained not to use a computer. And we had certain behavioural traits that were engrained in us, and for that I want to thank Neil. [*Desk thumping*]—Some of us who chose to learn how to behave have learned very well from Neil; that is because he is a coach.

He is an accredited coach by the West Indies Cricket Board. So that while he is an umpire and while he is a referee, I think the value that we have had from him, is his coaching experience. [*Desk thumping*] So I want to wish Neil well on his retirement. But I want to say as well, I know he is not going to retire, because coaches do not retire. Coaches never retire. [*Desk thumping*] Players retire and players are sometimes forced to retire, but coaches never retire. And I see that qualification in him. He has shown a degree of brilliance throughout his career in terms of some of the accolades that he has won, in terms of prizes and so on for public administration. And so we know that there are great qualities in Neil. It is

bittersweet for us because we will miss Neil. We will miss Neil because of his quiet and calm effectiveness. But we are happy that Neil now has some time to go and pursue his other ventures and other adventures without having the weight of the responsibility that comes with this Parliament. [*Desk thumping*]

Sen. George: That is what I am saying.

Sen. S. Ramkhelawan: And the extremely long hours, because the Clerk of the Senate must be here while the proceedings are taking place. So you might not see him here in the Chamber, but you know that he is around so you can call on him. [*Desk thumping*]

So Neil, as you go on your retirement, thank you for being a long and dedicated servant to the people of Trinidad and Tobago. [*Desk thumping*] Thank you for being a worthwhile servant and a valuable servant to the Parliament of this country, the Senate in particular. [*Desk thumping*] Thank you for the ideas that you have been able to impart to us, certainly those on the Independent Bench who can claim that we have learned at your feet many things that we did not know when we came into this Parliament. And in that sense, I want to wish you all the best and God's choicest blessings as you take this next step away from the Parliament to other and maybe even better things as you go along.

I wish you on behalf of the Independent Bench all the very best in your chosen career from here on. Thank you. [*Desk thumping*]

Madam Vice-President: Hon. Senators before we close, I would like to welcome, which is quite unique in the sitting of the Senate where most of our visitors come at the start, but we are fortunate and very privileged to have with us several members and departments of the Parliament, including the Clerk of the House who is here to sit in while this Senate pays tribute to Mr. Neil Jaggassar. Welcome, members of staff. [*Desk thumping*]

On a more personal note more than the official persona of the Clerk, I would like to say that there is a sense of a warm, kind and very decent human being in the person of Neil Jaggassar. I hope, Mr. Jaggassar that you embrace this next phase in your life with vigour and vitality. As a gardener by some means, but definitely by heart, make quiet communion with your God and this humbling land that is under your care. Enjoy the time with your family and set new goals as you enjoy the next phase of your life. And I do concur with Sen. Beckles, in fact I had written a small note; my suggestion is that you put your institutional experience in writing so that future parliamentary staff would be able to benefit from your experience and your expertise in parliamentary procedures and practice. I wish you all the best in your future endeavours. [*Desk thumping*]

Tribute to Mr. Neil Jaggassar
[MADAM VICE-PRESIDENT]

Tuesday November 22, 2011

Hon. Senators, the question is that this Senate do now adjourn to Tuesday November 29, at 10.00 a.m.

I actually wanted to ask Mr. Jaggassar, if he wanted time just to say a few words to this honourable Chamber.

Hon. Senators: Yeah! Yeah! [*Desk thumping*]

[*Mr. Jaggassar indicates no.*]

Sen. George: He will cry. [*Laughter*]

Madam Vice-President: All right, we concur with the wishes of the Clerk.

Question put.

[*Calls for a division*]

Sen. Beckles: Madam Vice-President, can I say something?

Madam Vice-President: Sure.

Sen. Beckles: Madam Vice-President, can I say something? I just want to say that we just completed tributes to Mr. Jaggassar, and maybe one of the things he needs to write about, is the Leader of Government Business having the courtesy to consult with the Leader of the Opposition in the Senate when he wants to change the time. [*Desk thumping*] This is not the first time he is going to 10.00 a.m. It is simply courtesy to come and say, if we are willing to—or even they have the number of votes so they can proceed. But there are three of us who are attorneys and the least you could do is to come and say we would like to go to 10.00 a.m. We have something special to do. I am sure many of his colleagues will tell him that that is the right thing to do.

Hon. Senator: We are officers of the court. [*Desk thumping*]

Sen. Beckles: We are not objecting to going to next week. Our problem is, why 10.00 a.m.? You have not said anything to us.

Sen. Al-Rawi: And what is being debated?

Sen. George: Madam Vice-President, any offence felt by the Leader of the Opposition in the Senate, Sen. Penelope Beckles, I apologize.

Sen. Beckles: Madam Vice-President, could we have a compromise? Could we say 11.00 a.m.? I am asking kindly for the Leader of Government Business to give consideration to one hour. Thank you.

Sen. George: I concur, Madam Vice-President.

Madam Vice-President: Thank you for that compromise. This Senate will now adjourn to Tuesday November 29, 2011 at 11.00 a.m.

Sen. Beckles: What will we be discussing?

Sen. Hinds: You did not learn from Mr. Jaggassar.

Sen. Beckles: Mr. Jaggassar could you please write—

Sen. Hinds: I miss Subhas Panday. Bring back Subhas Panday, mischievous as he was. [*Crosstalk*]

Sen. George: Madam Vice-President, we have three Bills on the Order Paper: the Legal Aid and Advice (Amendment) Bill; an Act to repeal and replace the Deoxyribonucleic Acid (DNA) Bill; and An Act to repeal and replace the Indictable Offences (Preliminary Enquiry) Bill. Our intention is to debate the Act to repeal and replace the Indictable Offences (Preliminary Enquiry) Bill.

Hon. Senators: Thank you. That is all.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 6.30 p.m.