

Leave of Absence

Tuesday, November 20, 2012

SENATE

Tuesday, November 20, 2012

The Senate met at 1.30 p.m.

PRAYERS

[MR. PRESIDENT *in the Chair*]

LEAVE OF ABSENCE

Mr. President: Hon. Senators, I have given leave of absence to Sen. The Hon. Kevin Ramnarine and Sen. Lyndira Oudit who are both out of the country.

SENATORS' APPOINTMENT

Mr. President: Hon. Senators, I have received the following correspondence from His Excellency the President, Prof. George Maxwell Richards.

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

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

/s/ G. Richards
President

TO: ARCHBISHOP BARBARA BURKE

WHEREAS Senator the Honourable Lyndira Oudit is incapable of performing her duties as a Senator by reason of her absence from Trinidad and Tobago:

NOW, THEREFORE, I, GEORGE MAXWELL RICHARDS, President as aforesaid, in exercise of the power vested in me by section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, BARBARA BURKE, to be temporarily a member of the Senate, with effect from 20th November, 2012 and continuing during the absence from Trinidad and Tobago of the said Senator Lyndira Oudit.

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 16th day of November, 2012.”

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

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

/s/ G. Richards

President

TO: MR. WAYNE ANTHONY MUNRO

WHEREAS Senator Kevin Christian Ramnarine 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 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, WAYNE ANTHONY MUNRO, to be temporarily a member of the Senate, with effect from 20th November, 2012 and continuing during the absence from Trinidad and Tobago of the said Senator Kevin Christian Ramnarine.

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 16th day of November, 2012.”

OATH OF ALLEGIANCE

Senator Archbishop Barbara Burke took and subscribed the Oath of Allegiance as required by law.

AFFIRMATION OF ALLEGIANCE

Senator Wayne Anthony Munro took and subscribed the Affirmation of Allegiance as required by law.

**PUBLIC ACCOUNTS COMMITTEE
(APPOINTMENT TO)**

Mr. President: Hon. Senators I have also received correspondence from the Speaker regarding a change of membership of the Public Accounts Committee.

“The Honourable Wade Mark, MP

Speaker of the House

Senator Lyndira Oudit

Vice-President of the Senate...

“I wish to advise that at a sitting held on Friday October 19, 2012, the House of Representatives agreed to the undermentioned motion:

‘BE IT RESOLVED that Mr. Collin Partap be appointed to serve as a Member of the Public Accounts Committee in place of Dr. Rupert Griffith.’”

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

Respectfully

Hon. Wade Mark, MP

Speaker of the House”

**JOINT SELECT COMMITTEE
(SECURITIES BILL, 2012)**

Mr. President: Another letter from the Speaker dated November 19, 2012 to the President of the Senate:

“I wish to advise that a sitting held on Friday November 16, 2012, the House of Representatives agreed to the following:

‘that a Bill entitled, ‘An Act to provide protection to investors from unfair, improper or fraudulent practices; foster fair and efficient securities markets and confidence in the securities industry in Trinidad and Tobago; to reduce systemic risk, to repeal and replace the Securities Industry Act, Chap. 83:02 and for other related matters’ be referred to a Joint Select Committee comprising an equal number of Members of the House of Representatives and the Senate;

that this Committee be empowered to discuss the general merits and principles of the Bill along with its details and be mandated to report by December 9, 2012; and

that provided the Senate concurs with the House on the establishment of this”—committee—“the following Members from the House of Representatives be appointed to serve on the Committee:

Dr. Roodal Moonilal;

Mr. Rudranath Indarsingh;

Mr. Stephen Cadiz;

Ms. Marlene McDonald; and

Mr. Colm Imbert.’

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

Respectfully,

Wade Mark, MP

Speaker of the House”

**STATEMENTS BY MR. REGINALD ARMOUR SC, MISS ELENA ARAUJO AND
MR. IAN BENJAMIN**

Mr. President: Hon. Senators, leave was granted for the opportunity to respond to Mr. Reginald Armour SC, Miss Elena Araujo and Mr. Ian Benjamin. The Clerk will read the related letters.

Parliamentary Clerk: This letter was received from Reginald Armour SC:

“19th October, 2012

The Honourable Lyndira Oudit

Vice President of the Senate,

Parliament of Trinidad and Tobago

Tower D Levels G-7

International Waterfront Centre

1A Wrightson Road

Port of Spain

Dear Madam Vice President,

I wish to request a correction to the records of the Honourable Senate with respect to statements made by the Attorney General, Senator the Honourable Anand Ramlogan, SC. On Wednesday 17 October 2012, of the Appropriation (Financial Year 2013) Bill, 2012, Senator Ramlogan stated to the Senate in his capacity as Attorney General the following amongst other things:

“We then go to legal fees. Madam Vice-President, legal fees: total legal fees paid to local and foreign counsel by the Central Bank during the five-year period October 2007 to July 2012, five years, \$113 million.

When people talking and people jumping up, and people say they standing up on principle, the principle is what you must focus on, I want to tell you today about the money behind the principle.

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Mr. Reginald Armour for the period October 2007—July 2012, a grand total of \$17.7 million from the Central Bank.’

I write to request a correction to the records of the Honourable Senate with respect to this damaging statement. I wish to confirm that I did not work for the Central Bank prior to 2008 and did not receive legal fees in the sum of \$17.7 million. The figure stated by the Honourable Attorney General is overstated by a multiple of more than 4. I also wish to confirm that the fees I charged are in line with the tariff of Legal Fees entitled “Practice Guide to the Assessments of Costs” issued by the then Acting Chief Justice Roger Hamel-Smith on 20th December 2007. My fees charged in respect of work done for Central Bank have not only been capped but, in every case, at the request of the Central Bank I have applied a discount.

This inaccurate statement in the Senate’s record has caused me to be held in public contempt and it also has the tendency to mislead as it suggests that I received unreasonable and excessive fees. The statements also misrepresent thirty years of a hard earned reputation as an independent Attorney, since I have received expressions of concern that my representation of clients might now be viewed as having a particular political agenda.

For all the above reasons therefore I ask the Honourable House to correct the record in terms that you might direct.

Reginald T.A Armour S.C.”

1.45 p.m.

The second letter was received from Elena Araujo, dated October 22, 2012.

“The Honourable Senator Ms. Lyndira Oudit

Vice-President of the Senate

Parliament of Trinidad and Tobago

Tower D, Levels G-7

Port of Spain International Waterfront Centre

1A Wrightson Road

Port of Spain

Dear Madam

RE: Statements made by the Honourable Attorney General in the Senate on Wednesday 17 October, 2012

It has been brought to our attention via the print media that during debate in the Senate on Wednesday 17 October, 2012, of the Appropriation (Financial Year 2013) Bill, 2012, the Honourable Attorney General stated as follows:

‘Madam Vice-President, I saw recently—you know there is a lot of—a matter of a rather delicate and sensitive constitution and it has to do with the distribution of legal work. And I see people commenting about the monopoly and going outside of the traditional boundaries and so on, but permit me to quote. When people talking and people jumping up, and people say they standing up on principle, the principle is what you must focus on, I want to tell you today about the money behind the principle.

Mr. Reginald Armour for the period October 2007—July 2012, a grand total of \$17.7 million from the Central Bank. Elena Araujo, Araujo Law, \$11.5 million; Mr. Ian Benjamin, \$9.3 million; Lydia Mendonca Co., \$4.2 million; Pollonais, Blanc, de la Bastide & Jacelon, \$3.4 million; Sherry-Ann Bachew-Rudd, \$2.4 million; May and Company, \$1 million, and the list goes on; a total of \$54.4 million.’

We write to advise that the statements made by the Honourable Attorney General concerning our firm and its principal Ms. Elena Araujo are inaccurate and we write to request that the record be corrected.

In particular, we write to inform the Senate that the firm of Araujo Law did not work for the Central Bank before January 2009, and has not received legal fees in the sum of \$11.5 million. The figure stated by the Honourable Attorney General is overstated by approximately 300%. We also wish to state that the fees charged by our firm are in line with the “*Practice Guide to the Assessments of Costs*” issued by the then Chief Justice Hamel-Smith on 20th December 2007, to which a discount was applied.

This statement made by the Honourable Attorney General concerning our firm has caused the firm and Ms Araujo to be held in public contempt as it creates a false impression that the fees charged by our firm are unreasonable and excessive. Further, the statement has placed the principal attorney and staff of the firm and their families at considerable personal risk of danger from the criminal elements of our society.

In the circumstances we should be grateful if the record would be corrected to remove the reference to the firm of Araujo Law and Elena Araujo having earned fees from the Central Bank in the sum of \$11.5 million.

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Yours faithfully,

Elena Araujo

Attorney at Law

ARAUJO LAW” [*Desk thumping*]

The third letter was received from Mr. Ian Benjamin, Advocate Attorney at Law, dated 23 October 2012.

“The Honourable Senator Ms. Lyndira Oudit

Vice-President of the Senate...

Dear Madam

RE: Statements made by the Honourable Attorney General in the Senate on Wednesday 17 October, 2012

It has been brought to my attention, by each of the three daily newspapers published on Thursday 18 October 2012, that during debate in the Senate on Wednesday 17 October, 2012, of the Appropriation (Financial Year 2013) Bill, 2012, the Honourable Attorney General Senator Anand Ramlogan SC stated as follows:”—I quote:

““Madam Vice-President, I saw recently—you know there is a lot of—a matter of a rather delicate and rather sensitive constitution and it has to do with the distribution of legal work. And I see people commenting about the monopoly and going outside of the traditional boundaries and so on, but permit me to quote. When people talking and people jumping up, and people say they standing up on principle, the principle is what you must focus on, I want to tell you today about the money behind the principle.

Mr. Reginald Armour for the period October 2007—July 2012, a grand total of \$17.7 million from the Central Bank. Elena Araujo, Araujo Law, \$11.5 million; Mr. Ian Benjamin, \$9.3 million; Lydia Mendonca Co., \$4.2 million; Pollonais, Blanc, de la Bastide & Jacelon, \$3.4 million; Sherry-Ann Bachew-Rudd, \$2.4 million; May and Company, \$1 million, and the list goes on; a total of \$54.4 million.’

I write to request that the record be corrected as the statements made by the Honourable Attorney General concerning my professional fees are inaccurate. I wish to confirm to you, Madam, that I did not receive legal fees in the sum of \$9.3 million over the period 2007 to 2012 or any time.

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The figure stated by the Honourable Attorney General is overstated by approximately 184%. I also wish to affirm that the fees I charged are in line with “*Practice Guide to the Assessments of Costs*” issued by then Chief Justice Hamel-Smith on 20th December 2007, to which a discount was applied and from which fees I paid my junior.

The inaccurate statement in the Senate’s record has caused me to be held in public contempt as well it has a tendency to mislead as it suggests that I received unreasonable and excessive fees. In the circumstances I should be grateful if the record of the Senate would be corrected to remove the reference to me having earned fees from the Central Bank in the sum of \$9.3 million.

Yours faithfully,

Ian L. Benjamin”

PAPERS LAID

1. Provisional Collection of Taxes (Amendment) Order, 2012. [*The Minister of Finance and the Economy (Sen. The Hon. Larry Howai)*]
2. Value Added Tax (Amendment to Schedule 2) Order, 2012. [*Sen. The Hon. L. Howai*]
3. The Value Added Tax (Amendment to Schedule 2) (No. 2) Order, 2012. [*Sen. The Hon. L. Howai*]
4. Annual audited financial statements of the National Gas Company of Trinidad and Tobago Limited for the year ended December 31, 2011. [*Sen. The Hon. L. Howai*]
5. Annual audited financial statements of the Seafood Industry Development Company Limited for the year ended September 30, 2011. [*Sen. The Hon. L. Howai*]
6. Annual report of First Citizens Asset Management Limited 2011. [*Sen. The Hon. L. Howai*]
7. Annual report of the First Citizens Investment Services Limited and its Subsidiaries for the year 2011. [*Sen. The Hon. L. Howai*]
8. Annual report of First Citizens Brokerage and Advisory Services Limited 2011. [*Sen. The Hon. L. Howai*]
9. Annual report of the National Insurance Board of Trinidad and Tobago for the year ended June 30, 2010. [*Sen. The Hon. L. Howai*]

10. Annual audited financial statements of the National Broadcasting Network Limited for the financial year ended December 31, 2011. [*Sen. The Hon. L. Howai*]
11. Annual audited financial statements of National Flour Mills Limited for the financial year ended December 31, 2008. [*Sen. The Hon. L. Howai*]
12. Annual audited financial statements of the National Flour Mills Limited for the financial year ended December 31, 2009. [*Sen. The Hon. L. Howai*]
13. Annual audited financial statements of the National Flour Mills Limited for the financial year ended December 31, 2010. [*Sen. The Hon. L. Howai*]
14. Annual audited financial statements of the National Flour Mills Limited for the financial year ended December 31, 2011. [*Sen. The Hon. L. Howai*]
15. Annual audited financial statements of the Sports Company of Trinidad and Tobago Limited (SPORTT) for the financial year ended September 30, 2007. [*Sen. The Hon. L. Howai*]
16. Annual audited financial statements of the Sports Company of Trinidad and Tobago Limited (SPORTT) for the financial year ended September 30, 2008. [*Sen. The Hon. L. Howai*]
17. Annual audited financial statements of the Sports Company of Trinidad and Tobago Limited (SPORTT) for the financial year ended September 30, 2009. [*Sen. The Hon. L. Howai*]
18. Annual audited financial statements of the Sports Company of Trinidad and Tobago Limited (SPORTT) for the financial year ended September 30, 2010. [*Sen. The Hon. L. Howai*]
19. Annual audited financial statements of the Sports Company of Trinidad and Tobago Limited (SPORTT) for the financial year ended September 30, 2011. [*Sen. The Hon. L. Howai*]
20. Annual audited financial statements of the CEPEP Company Limited for the financial year ended September 30, 2011. [*Sen. The Hon. L. Howai*]
21. Annual audited financial statements of the Trinidad and Tobago Solid Waste Management Company Limited for the financial year ended September 30, 2011. [*Sen. The Hon. L. Howai*]
22. Annual administrative report of the Trinidad and Tobago Free Zones Company Limited (TTFZ) for the year ended December 31, 2011. [*The Minister of Trade, Industry and Investment (Sen. The Hon. Vasant Bharath)*]

23. Annual administrative report of the Siparia Regional Corporation for the period October 2010 to September 2011. [*The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh)*]
24. Annual administrative report of the Diego Martin Regional Corporation for the period October 01, 2009 to September 30, 2010. [*Sen. The Hon. G. Singh*]
25. Annual report of the Police Service Commission for the period January to December 2011. [*Sen. The Hon. G. Singh*]
26. Annual report of the Public Service Commission for the year 2011. [*Sen. The Hon. G. Singh*]
27. Sessional Review of the Second Session (2011/2012) of the Tenth Parliament of the Republic of Trinidad and Tobago. [*Sen. The Hon. G. Singh*]
28. Annual report of the Green Fund for the financial year ending September 30, 2010. [*Sen. The Hon. G. Singh*]
29. Report on the Exercise of the Functions and Powers of the Ministry of Health for the period October 2009 to 2010. [*Sen. The Hon. G. Singh*]

ORAL ANSWERS TO QUESTIONS

The Minister of Environment and Water Resources (Sen. The Hon. Ganga Singh): Mr. President, we are in a position to answer all the oral questions today.

International Tobago Pro Am Golf Tournament (Tourism Development Company Limited to Financial Commitment)

1. Sen. Dr. Victor Wheeler asked hon. Minister of Tourism:

Could the Minister state whether or not the Tourism Development Company Limited made a financial commitment to the International Tobago Pro Am Golf Tournament held from January 03 to 07, 2012?

If the answer is in the affirmative, could the Minister state:

- a. the amount of the financial commitment; and
- b. the total financial contribution paid to the tournament.

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Mr. President, the Tourism Development Corporation was established in 2005 is mandated to develop and market Trinidad and Tobago tourism product. The company is also committed to establishing and implementing standards for the development and maintenance of tourism infrastructure and amenities, as well as standards for specific tourism sites and attractions.

The TDC made a financial commitment of \$20,000 to the international Tobago Pro Am Golf Tournament held from January 03 to 07, 2012. The total financial contribution paid to the tournament was \$20,000, and was paid by cheque issued on February 07, 2012.

Mr. President: Leader of Government Business, I notice a couple Ministers here, is it that you want to have the questions done in a different order from the other House?

Sen. The Hon. G. Singh: I think that we are fortunate to have them gracing our presence. Let them see the operations of this honourable Senate. [*Laughter*]

Police Complaints Authority (Details of)

2. Sen. Penelope Beckles asked the hon. Minister of Justice:

With respect to the Police Complaints Authority, could the Minister of Justice state:

- (i) how many reports have been made against police officers for the period January 2009 to July 2012;
- (ii) how many matters have been resolved; and
- (iii) how many officers have been warned, disciplined, fired or terminated arising from reports made to the authority?

The Minister of Justice (Sen. The Hon. Christlyn Moore): Mr. President, with regard to the first question, the number of reports made against police officers for the period January 2009 to July 2012: as there was no duly constituted Police Complaints Authority during the period January 01, 2009 to December 28, 2010, under the arrangements made by the Minister of National Security and later the Minister of Justice, all complaints against police officers were forwarded to the Trinidad and Tobago Police Service for investigation.

For the period January 2009 to December 28, 2010, 361 complaints were made against police officers, which were forwarded to the Trinidad and Tobago Police Service for investigation. It was only on the appointment to the offices of the director and the deputy director on December 29, 2010 that the PCA was duly constituted, and all complaints falling within the remit of the PCA since that time have been investigated by the PCA itself.

For the period December 29, 2010 to July 31, 2012, 887 complaints were made to the PCA.

With regard to item two, the number of resolved matters: for the period December 29, 2010 to July 31, 2012, of the 887 complaints made to the PCA, 318 were sent to the Commissioner of Police for his action, 527 were kept within the PCA for its action, 42 were deemed non-actionable.

Item three, the number of officers that have been warned, disciplined or fired based on reports made to the authority: it is to be noted that the PCA does not have any jurisdiction in law to discipline police officers. However, the Office of the Commissioner of Police has advised that of the 679 complaints forwarded to the Trinidad and Tobago Police Service, 352 police officers have been warned, disciplined or fired. This number is broken down as follows:

- In 2009, two officers were reprimanded and four were fined; one was fired and 12 matters were dismissed.

2.00 p.m.

- In 2010, six officers were reprimanded, 18 were fined. None were fired and 27 matters were dismissed.
- In 2011, six officers were reprimanded, 13 officers were fined and 25 matters were dismissed.
- In 2012, four officers were reprimanded, five were fined and 15 matters were dismissed.

These numbers give us the grand total of 352. Remaining complaints are either still being investigated or have been determined to be non-actionable. Thank you. [*Desk thumping*]

**Multilateral Funding Organizations
(Funding)**

- 3. Sen. Penelope Beckles** asked the hon. Minister of Finance and the Economy:

Could the hon. Minister inform the Senate whether:

- A. Negotiations are currently being undertaken or have been completed by the Government with any of the following multilateral funding organizations during the period June 2010 to August 2012:
- (i) World Bank;
 - (ii) Inter-American Development Bank;
 - (iii) European Investment Bank;
 - (iv) Caribbean Development Bank?

B. If the answers are in the affirmative, could the Minister state the quantum, purpose and status of the proposed loans?

The Minister of Finance and the Economy (Sen. The Hon. Larry Howai): Mr. President, the Government has not undertaken any negotiations with the Caribbean Development Bank, the World Bank or the European Investment Bank for loan funding during the period June 2010 to August 2012. However, during that period, Government did complete negotiations for loan funding from the Inter-American Development Bank.

Mr. President, the Government is currently not undertaking any negotiations with the World Bank or the European Investment Bank for loan funding. However, Government is currently in discussions with the IDB and the Caribbean Development Bank with a view to eventually engaging in formal negotiations for loan funding.

Mr. President, the quantum and purpose of loans from the IDB are as follows:

1. Social Safety Net Reform Programme; phase 1; US \$50 million. This loan was negotiated to support the Government's reform efforts to improve the effectiveness of the Social Safety Net Programmes delivered by the Ministry of the People and Social Development. Phase 2 of this programme is US \$20 million and is currently under consideration for possible funding.
2. The Neighbourhood Upgrading Programme of US \$40 million is a further tranche out of the IDB loan. This is to assist in improving the housing conditions of middle and low income groups.
3. WASA Modernization and Wastewater Infrastructure Rehabilitation Programme, US \$50 million; out of the same IDB facility. This loan was negotiated to improve environmental conditions by increasing the amount of wastewater treated, and to improve WASA's efficiency by supporting the reorganization of its personnel structure and reducing personnel costs.

Negotiations with the IDB on a wastewater rehabilitation programme in the amount of US \$240 million are scheduled to commence in the last quarter of this year. This loan will finance the first phase of a programme aimed at rehabilitating and expanding large treatment plants in the country; improving the operational and maintenance practices of WASA; and building institutional capacity at WASA.

4. Public Expenditure Management Programme, phase 1; US \$100 million. This loan was negotiated to support the reform efforts to enhance and modernize public capital expenditure management. Phase 2 of this programme is US \$18 million and is currently under consideration for possible funding.

5. Programme to support the Climate Change Agenda; phase 1, US \$80 million. This loan was negotiated to focus on strengthening and modernizing the regulatory, institutional and policy framework to integrate climate change and its impacts on international economic development. Phase 2 of this programme is US \$30 million and is currently under consideration for possible funding.
6. Sustainable energy for Trinidad and Tobago, US \$60 million; to support the transition of Trinidad and Tobago to a more efficient, sustainable and clean energy system.
7. Strengthening of the financial sector supervisory and regulatory framework, US \$50 million, to reduce the vulnerabilities of the financial sector, and to reduce the probability of a systemic crisis occurring.

Mr. President, there are also a number of other operations under consideration for possible funding by the IDB. These loans are as follows:

1. Solid waste programme, US \$25 million, to assist in improving the quality and efficiency of solid waste management in the country.
2. Drainage programme, US \$80 million. This proposed operation will finance the upgrading of drainage infrastructure in east Port of Spain.
3. Enhancement of the civil registry, US \$20 million. This proposed operation comprises two components:
 - (a) Vault management for the Ministry of Legal Affairs;
 - (b) Change management support for the Central Statistical Office.
4. Global services industry, US \$15 million. This proposed loan will be utilized to promote the global services industry in the country by better matching the demand and supply of qualified human capital in the global services sector supporting the internationalization of local, small and medium enterprises, and by promoting foreign direct investment, particularly from the diaspora forum.

Thank you, Mr. President. [*Desk thumping*]

Sen. Deyalsingh: Supplemental, Mr. President. Could the hon. Minister state whether the IDB, Inter-American Development Bank, was ever invited to fund what we might call the Point Fortin Highway, which at the time, the Government was saying would be creating something like 22,000 jobs?

Sen. Singh: That is a different question altogether; file a different question.

Hon. Senator: New question!

Mr. President: I understand that the Government has said it is not a question that is fit for answer at this point. You may ask another question.

Sen. The Hon. L. Howai: You could ask it as a supplemental. I will arrange to get the answer at another time.

**Waterfront Project
(San Fernando)**

7. Sen. Penelope Beckles asked the hon. Minister of Planning and Sustainable Development:

Could the hon. Minister indicate:

- (i) whether the Government has approved a waterfront project for San Fernando;
- (ii) whether Cabinet has appointed a committee to develop a waterfront project for San Fernando; and
- (iii) if the answer to (ii) is in the affirmative, the date the committee was appointed, the names of the members of the committee, the terms of reference of the committee and the remuneration package for the members of the committee?

The Minister of Planning and Sustainable Development (Sen. The Hon. Dr. Bhoendradatt Tewarie): Thank you very much, Mr. President, Senators. At this time, the Government of Trinidad and Tobago has not formally approved a waterfront project for San Fernando although initiatives and discussions continue.

For instance, the Ministry of Local Government through the San Fernando Corporation will embark on construction of a boardwalk in the current fiscal year and town meetings have been held in San Fernando in 2012 to discuss ideas related to a possible waterfront project involving a range of stakeholders.

Cabinet has not appointed a committee to develop a waterfront project for San Fernando at this time. However, it is the intention of the Minister of Planning and Sustainable Development to prepare a Note for the approval of Cabinet to establish an oversight committee to chart the way forward for what can be a meaningful development project for San Fernando.

In view of the responses at (i) and (ii), the final question does not apply.

Sen. Al-Rawi: Supplemental question, Mr. President. Hon. Minister, through you, Mr. President, is there any expected time frame for the carriage of the Note to Cabinet for the proposed establishment, just in mind yet?

Sen. The Hon. Dr. B. Tewarie: Well, I would say soon but, I mean, I could not give you in weeks and days, okay; but I mean relatively soon.

Sen. Al-Rawi: Within this year, hon. Minister, perhaps?

Sen. The Hon. Dr. B. Tewarie: Yes, I would think so.

Sen. Al-Rawi: Much obliged. Thank you.

**Dr. Dwayne Gibbs and Mr. Jack Ewatski
(Details of)**

14. Sen. Fitzgerald Hinds asked the hon. Minister of National Security:

With regard to the cessation of the contracts in respect of Dr. Dwayne Gibbs and Mr. Jack Ewatski, the former Commissioner of Police (COP) and Deputy Commissioner of Police (DCOP), could the hon. Minister indicate:

- (a) the specific details of any and all payments and other costs incurred as at 7th August, 2012;
- (b) when the matter of cessation was first raised and by whom;
- (c) what were the reasons given by these former officers for the cessation of their contracts;
- (d) whether oral or written requests were made for the alteration of the terms and conditions given that there was a fourteen month period before the expiration of these contracts;
- (e) if the response to (d) is in the affirmative, what were the requested alterations to the terms and conditions in each case; and
- (f) whether at the time of the cessation of the contracts the Government was in receipt of any evaluation on the performance of these officers, from the Police Service Commission to aid in properly assessing their positions and requests?

The Minister of National Security (Hon. Jack Warner): Thank you, Mr. President. Over the duration of his contract, Dr. Dwayne Gibbs was paid a total, comprising of salary and allowances, amounting to \$2,505,214.66 and on the cessation of his contract, he received an ex gratia award of \$1,277,420. Mr. Jack Ewatski received a total payment—again, salary and allowances—during his time here, of \$2,358,668.15 and when he ended his contract, he received an ex gratia payment of \$1,210,307. That is for question (a).

Question (b): The matter of cessation was first raised by Dr. Gibbs and Mr. Ewatski in their respective letters of resignation dated July 26, 2012 to the Chairman of the Police Service Commission. Resignations took effect from August 07, 2012.

Question (c): In their letters of resignation to the Chairman of the Police Service Commission, neither Dr. Gibbs nor Mr. Ewatski gave any reasons for their resignations.

Question (d): According to the information provided by the Police Service Commission, no oral or written request were made for the alternation of the terms and conditions of these two officers given that there was a 14-month period before the expiration of their contracts.

Question (e), Mr. President, is not applicable.

Question (f): According to the information given by the Police Service Commission prior to their resignations, one performance evaluation was conducted in 2011 on both Dr. Gibbs and Mr. Ewatski. No evaluation was conducted in 2012 as it would have become due following the effective date of their resignations.

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

Mr. President: Supplemental, Sen. Hinds?

Sen. Hinds: Thank you very much. Would the hon. Minister tell this Senate in light of the fact that the question of cessation came from Dr. Gibbs and Mr. Jack Ewatski—they were effectively coming out, opting out—breaching if you like—the continuance of the agreement.

Would the Minister, in those circumstances, tell us whether the Government, through the—or the Police Service Commission, would have found it necessary to make ex gratia payments to these individuals seeing that they were coming out of the contracts with 14 months to go?

Hon. J. Warner: Thank you, Mr. President. I can only be guided by the advice of the Police Service Commission; nothing more, nothing less.

Mr. President: Supplemental, Sen. Hinds?

Sen. Hinds: Yes, indeed. Therefore, from the Government's perspective, is the Minister saying that the Government was satisfied and happy with this development?

Hon. J. Warner: The Minister has said and is saying that the Police Service Commission, which is the legitimate body to adjudicate on this matter, they made a judgment and the Government accepted it. [*Desk thumping*]

Sen. Hinds: But were these contracts not entered into—I will leave that for the time being, Mr. President.

Sen. Al-Rawi: Further supplemental, Mr. President. Would the hon. Minister be able to assist us, through you, Mr. President? Is it that the Government of Trinidad and Tobago pays upon a direction of the PSC or a recommendation of the PSC? And, if it is a recommendation of the PSC, is it that the Government has a discretion to pay or not pay in those circumstances?

Hon. J. Warner: I do not know if the Government, in this particular case, has a discretion or not. What I do know is that on the advice of the Police Service Commission, the Government acted.

Sen. Al-Rawi: Further supplemental. Would the hon. Minister be able to tell us which Minister was the line Minister responsible for receiving and presenting to Cabinet the recommendation of the PSC for such ex gratia payment?

Sen. Singh: I will tell you what happens in the Cabinet.

Sen. Al-Rawi: No, I did not ask that.

Hon. J. Warner: I do not follow the question, Mr. President, to be honest.

Sen. Al-Rawi: Perhaps I could assist by clarifying. I am asking if the hon. Minister could identify the line Minister who would have had carriage of the Note to Cabinet recommending the payment as proposed by the PSC for Dr. Gibbs and Mr. Ewatski?

2.15 p.m.

Hon. J. Warner: That is easy, very easy. The line Minister was me.

Sen. Al-Rawi: In both circumstances, would the hon. Minister be able to tell us, in the carriage of that Note to Cabinet, whether a consideration was made and, therefore, presented to Cabinet identifying the reasons why the PSC's recommendation should have been enacted.

Hon. J. Warner: To the best of my memory, the Note conveyed the recommendation of the Police Service Commission, nothing more, nothing less.

Sen. Hinds: Further supplemental, Mr. President. Would the Minister say whether the situation as exists with Dr. Gibbs and Mr. Ewatski, where they opted out of contracts with time to perform ahead of them, whether it is a precedent adopted by the Government for persons doing that to receive ex gratia payments notwithstanding that they are effectively breaching contracts?

Hon. J. Warner: Of course, you will agree that question is nothing I can answer. I do not know what the policy has been in the past, or what the precedent is and, therefore, to expect me to tell you what that is, I do not think, of course, I can do that at this stage.

Sen. Hinds: I asked specifically, hon. Minister, whether that was the policy of the Cabinet of which you are a part, the current Cabinet.

Hon. J. Warner: I am only talking on the specific case of which I am aware and that concerns Dr. Gibbs and Mr. Ewatski. I cannot tell you that is the Government's policy. I am talking about the specific case. That was the policy that was adopted. [*Desk thumping*]

Mr. President: Leader of Government Business, it is now 2.16 p.m. I do not know if it is the wish of this Senate to continue with the remaining questions on the Order Paper, or we should proceed.

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Mr. President, we are in a position to answer all questions for oral answers on the Order Paper.

Mr. President: Is it the wish of this Senate that we should continue with the remaining questions?

Hon. Senator: Yes.

Mr. President: It appears there were none against, so I would therefore call upon Sen. Fitzgerald Hinds.

Vacation Repair Programme (Details of)

17. Sen. Fitzgerald Hinds asked the hon. Minister of Education:

With regard to the Vacation Repair Programme (VRP), could the Minister indicate:

- (a) what was the nature and the rationale for the programme and which agency has the responsibility for carrying out this programme;
- (b) whether his Ministry had a target/goal for works under the said VRP before the "August Vacation" period 2012 began;
- (c) if the answer to (b) is in the affirmative, what was the target/goal and how many schools were to benefit and the total anticipated cost;
- (d) whether this target/goal was achieved, including how many schools actually benefited;

- (e) if this target was not achieved, what was the precise extent of the failure and outline the reason(s) for such failure;
- (f) the number of contracts issued and the number of contractors who participated in the programme and the total actual cost of the Vacation Repair Programme (VRP); and
- (g) when does the Ministry propose to start and complete the work that it failed to accomplish under the VRP, 2012?

The Minister of Education (Hon. Dr. Tim Gopeesingh): [*Desk thumping*] Mr. President, I am sure all Senators would remember in their lifetime that vacation repair programmes have been conducted in this country by the Ministry of Education for a number of years, and, as far as I can remember myself, more than over 20 years from since the 1990s. The reason for vacation repair programmes, the rationale for it, is because this country has a long list of almost 900 schools; about 476 primary schools that are government and government owned—government and government assisted—about 380 of these are government assisted, which are owned by the denominational boards; and about 90 are owned by the Government, managed by the Government.

We have 76 primary schools which we work with from time to time, private; and 152 secondary schools—134 are government and government assisted and 18 private. We have close to 43 of these secondary schools owned by the boards; and there are 18 private secondary schools, making a total of close to 152. We have close to 200 early childhood education centres; about 73 are run by Servol and the rest are by government and the 18 denominational boards. From time to time, Mr. President, the schools have undergone serious decay and I brought a file just to show to the distinguished Senate the ages of these schools in the country.

Sen. Hinds: I prefer that in writing.

Hon. Dr. T. Gopeesingh: You want it in writing?

Sen. Hinds: Yes.

Hon. Dr. T. Gopeesingh: Okay. But I was answering your question. You asked a question, what was the rationale, and the rationale is—I am giving him the rationale. These schools' ages range from 176 years of age to 153, 149, 146, 142, 130, 112, 110, and there are close to about 100 schools that are more than 100 years of age, and close to 300 schools that are more than 50 years of age. Mr. President, colleagues and Senators, we have the full listing of all these schools.

So obviously, there would be decay over a period of time and if a school is deteriorating to any extent you have to determine, either you want to reconstruct or rebuild these schools or you repair them. To reconstruct or to repair in eight weeks during a summer vacation period is short, although this Government has rebuilt three schools during an eight-week period, the previous year. So the summer vacation repair programme is meant to repair schools that could be done within an eight-week period.

Then you have December where you have three weeks and you have Easter, two weeks. Now, you have to measure the time that you might be able to do any repairs to any school. During the 2011 summer programme, we were able to repair 340-plus schools—do repair programmes to over 340, [*Desk thumping*] and in December we were able to do another 30. In answer to the question from the Senator, the agency that did this work was the Education Facilities Company Limited.

The answer to section (b), whether the Ministry had a target/goal for works under the August repair programme, we had targeted 77 schools for the repair programme. We thought about doing another 70, but when we looked at the eight-week period we would not have been able to complete the 70. So we had a targeted goal of 70 which were all completed. We completed all the repairs during this—[*Desk thumping*]

But during the period of the repair, during the vacation period, another 70 emerged as emergencies which we had to deal with, either electricity problems or plumbing problems or sewer problems or water problems or termite-ridden schools, because of the age of these schools. So these 70 arose during the time we were repairing 77. Mr. President, we were able to repair these 70 other schools that came on during the summer repair programme. So, in fact, what we had targeted was 77. We ended up doing close to 150 schools during the summer vacation period. [*Desk thumping*]

The cost of that was approximately \$24 million and the money that was allocated to it was given under the Public Sector Investment Programme, which is a development programme allocated in the budgetary allocation. So we were able to spend approximately \$24 million on that programme. Seventy-seven contracts were awarded for the first 77 schools and 67 contractors participated in that programme for the 77 schools. The other 70 schools which had emergency work to do, we had close to about another 60 contractors; that other 70 which we spoke about, the cost of that was about \$11.8 million.

Part (g) is not applicable because we did complete all the work that we set about to do during that period of time.

Thank you, Mr. President. [*Desk thumping*]

Sen. Hinds: Would the hon. Minister, by way of supplemental, confirm that it is the entity, the Education Facilities Company Limited, that would oversee the repair work of which he has just spoken?

Hon. Dr. T. Gopeesingh: I did answer that, Senator. I did say that the Education Facilities Company Limited is the company.

Sen. Hinds: Would the hon. Minister indicate to this Senate whether it is a policy, whether he is aware that the EFCL has a policy of one contract per contractor in a particular work programme as you have described.

Hon. Dr. T. Gopeesingh: Yes. Where it is plausible, one contractor is selected for one job.

Sen. Hinds: How then does the Minister explain there were 77 contracts but 67 contractors in one case, and 70 contracts and 60 or so contractors in the other?

Hon. Dr. T. Gopeesingh: When work is to be done conjointly in close areas, it is more feasible for one contractor to do the work with two or three schools that are close by at the time, and it depends on whether that one contractor was able to be at a lower bid than most of the others. So it is not unusual to have one contractor doing two projects at times, but you had 77 schools with about 60-plus contractors. So there was the issue of one contractor probably getting two contracts in certain situations where they would have bid low for the both contracts. That is it.

Sen. Hinds: One other supplemental to the hon. Minister. Would the Minister give this Senate and the country the assurance that in his opinion—in the Government's opinion—the taxpayer of this country is enjoying the benefit of value for money with the work done through the Education Facilities Company Limited which oversees these contracts and repair programmes.

Hon. Dr. T. Gopeesingh: Mr. President, when this People's Partnership Government took over the mantle of governing this country, we met a sorry state of infrastructure development or infrastructure decay within in the school sector. When I asked myself what had happened between 2002 to 2010, and how many schools were constructed during that period of time, I had to search for them on Mars because we could not have found any of the schools constructed during that period of time.

During this period of time that we have been governing, the last two and a half years, we have built 29 early childhood education centres. [*Desk thumping*] We are in the process of completing another 24, [*Desk thumping*] and we are about to start 26 more early childhood education centres. So in two half years—completed 29, almost to complete 24 and starting 26, that is early childhood education centres. [*Desk thumping*] In your time in 2002 to 2008 during the previous administration in eight years they did only 17 early childhood education centres.

Sen. Singh: One seven?

Hon. Dr. T. Gopeesingh: One seven. So when the Senator asked about value for money and taxpayers' dollars, this is just one example. When we asked about primary schools constructed under their period of time, I think there were four.

Sen. Singh: How much?

Hon. Dr. T. Gopeesingh: Four. In two and half years we have completed 15 primary schools, Mr. President, [*Desk thumping*] and some of these schools cost less than \$7 million that can last 50 years. You know what was the cost under their time? Between \$40 to \$45 million for a primary school.

Hon. Senator: “Who was de contractor?”

Hon. Dr. T. Gopeesingh: So we are doing it with one-sixth of the cost with the same period of time that they did for the last four.

Hon. Senator: And better quality.

Hon. Dr. T. Gopeesingh: So we could build six to seven schools when they could have built one, and that is value for money—[*Desk thumping and interruption*] Mr. President, I am answering the question, I am still continuing. [*Laughter and desk thumping*]

Hon. Senator: Correct.

Hon. Dr. T. Gopeesingh: So we have built 15 primary schools and we did three in less than eight weeks at a cost of less than \$8 million for each one of these primary schools. [*Desk thumping*] The secondary schools, we inherited secondary schools' construction under their regime at close to \$180 million for one, and going to close to \$200 million—they were building hotels for schools. We inherited close to \$400 million in debt—[*Interruption*]

Hon. Senator: Correct.

Hon. Dr. Gopeesingh:—from the construction of these secondary schools by them which they started in the 2007, and they were not able to complete one out of the nine schools which they started. In fact, about five of the contractors stopped work because their administration was not paying money to the contractors. [*Desk thumping*]

2.30 p.m.

We had to pay—it saved taxpayers—dollars; almost \$400 million of what you were supposed to pay in your administration, which you did not pay to the contractors. Nevertheless, we went ahead and completed four of those schools and, may I say, Mr. President, the Biche High School which they had shut down for 10 years and did not want to open it, we opened the Biche High School at a minimal cost of another 25 million. They allowed that to decay, a school that had cost about \$43 million. We had to spend another \$25 million and we paid close to \$8 million in security during this period of time to keep that school alive and we opened it. [*Desk thumping*] That is value for money.

They promised for 10 years to build a Spiritual Shouter Baptist School—for 10 years. When the hon. Prime Minister was Minister of Education in 2000, she promised that she would have built the school. PNM never bothered with that in their administration. It took a People's Partnership Government to build the Spiritual Shouter Baptist School in a record time. [*Desk thumping*]

So when you ask about value for money, Mr. President, that is the value for money that the People's Partnership Government is able to utilize in a manner that is transparent; that is accountable; and that can withstand probity at any time.

Sen. Hinds: Since you were talking about value for money, is that Spiritual Baptist School the same school that they are having difficulty with next to some plant that is causing the children to be nauseated?

Before that, Mr. President, I wanted to know from the Minister—you had announced, in respect of the EFCL, an internal audit, an investigation—I am asking a simple question, is the Minister prepared to make the results of that audit known to the Parliament and the people of Trinidad and Tobago? Has it been completed?

Hon. Dr. T. Gopeesingh: Mr. President, the hon. Senator has enough years of experience in the Senate, in the Upper House and the Lower House as well, and for him to ask me a question like that, he knows it is a new question and, therefore, it deserves a question to be set; but out of courtesy to this distinguished Senate and to yourself, Mr. President, the answer is yes. We will make the report of the audit that is being done into the EFCL public and it will be brought to this Senate because we have nothing to hide and nothing to fear.

Sen. Hinds: Thank you very much. One final question: what was the reason for the audit, hon. Minister?

Hon. Dr. T. Gopeesingh: Mr. President, I am sure you will agree with me that this calls for another question to be asked by the—and I would be willing to come back and answer your questions.

Mr. President: Sen. Hinds, proceed with the next question.

Sen. Hinds: The short answer he did not want to give, but the long ones he enjoyed. We will find out. Let me direct now, the final question, No. 19, to the said Minister of Education.

**Late Re-opening of Schools
(Malick Secondary School)**

19. Sen. Fitzgerald Hinds asked theh. Minister of Education:

- A. Would the Minister indicate the number of schools that were unable to open in time for the new term which began on September 03, 2012?
- B. If the answer at (A) includes the Malick Secondary School, would the Minister further indicate the nature of the problem(s) with this particular school?
- C. Would the Minister indicate how does the Ministry of Education propose to assist and support the students of the Malick Secondary School who are to write the Caribbean Examinations Council (CXC) examinations in May/June, 2013 and who are being adversely affected by the circumstances as outlined at (B) above?
- D. Would the Minister provide a status report on the problems and their resolutions at the said school?

The Minister of Education (Hon. Dr. Tim Gopeesingh): Mr. President, out of the 147 projects approximately, we were able to open more than 95 per cent of these schools when schools commenced. My understanding—and I have been advised by the technocrats at the Ministry of Education that at the beginning of the week, when school reopened, there were 15 schools that were not opened on that particular day, the first day, and by the end of the week, only five schools remained unopened during that period of time. It included the Malick Secondary School.

Hon. Senators may remember that the Malick Secondary School, on August 07, suffered electrical burns at block H due to a faulty electrical outlet in the school. That school is 38 years old as a secondary school. The fire occurred in the geography room and it ignited and caused damage to the cafeteria and to the adjacent male students' toilets. The Ministry intervened because it was August 07.

We went in immediately, but there were some problems that we encountered. The Trinidad and Tobago Electrical Inspectorate was required to inspect the area and provide a defects list in order for repair works to commence. In addition, clearance to enter the building had to be obtained from both the police service and the fire service upon completion of their investigations. Thirdly, the transformer was disconnected by T&TEC until repair works were completed. In addition, upgrading of the electrical system in the entire school and extensive work, including the replacement of the roof on several blocks, were required due to deterioration of the school plant over the 38 years.

In response to part C of the question, students of forms 1, 4 and 5 of the Malick Secondary School have been relocated to the original school building at the Aranguez North Secondary, which we had to refurbish to accommodate the students because now there was no place close by for us to put the students.

Transportation has also been provided for all the students who were affected by the temporary relocation of the school. I made it my business to visit the school on about three occasions, Mr. President—at the beginning, when the work had not started, during the work, and up to last week I went back for about half an hour to see what work has been done.

The Ministry of Education has made it a priority to assist and support the students at Malick Secondary who are to write the Caribbean Examinations Council (CXC), examinations in May/June 2013. Since classes resumed on Wednesday, October 17, 2012, coverage of the syllabus has been taking place at a pace which will ensure completion. Additional support is being provided by the Division of Curriculum Planning and Development and these actions include:

- monitoring of pedagogical practice, both lesson planning and assessment and strategies to optimize classroom contact time, including continuation of instruction to the end of the term with the deferral of end-of-term examinations in term 1;
- providing access to the Commonwealth of Learning students' self-study material for the Caribbean Secondary Education Certificate (CSEC) examinations, prepared in conjunction with the Curriculum Planning Division to enable students to move forward at their own pace and to address individual deficiencies;
- training of teachers in ICT integration to assist in the teaching and learning of Spanish and access by students to continuation classes on Saturdays, with the resumption of classes at the Malick Secondary School.

A status report on the problems and resolution are as follows:

- There are about six blocks that needed work to be done for repairs to the roofs and the ceiling. When the fire took place, the fire took place in one corner of the building, but subsequent to that, we discovered that the whole Malick school needed to have major refurbishment. So we went about and we tendered for electrical contractors. We had three electrical contractors working on the site to do over the entire electrical system of the school. It has been completed and is waiting for the electrical inspectorate to give permission for it now.
- Also, three contractors have been doing work for the building repairs and, to date, the rewiring, installation and upgrading of electricity and electrical fixtures throughout the entire school are completed, awaiting the electrical inspectorate.
- Roof/ceiling repairs to block E and the administration areas have been completed. Works to the roof, ceiling and electrical in the geography room, cafeteria, boys' toilets and beauty and culture rooms have been completed and now the only outstanding work is the auditorium that is, to the front of the building and two front blocks and staff room. This is expected to be completed, my understanding is, within another week or two but, for the latest by the end of December, so that the students will be able to re-enter the school in the second term—that is, in January, when school reopens, all the students will be able to re-enter their school in January. Thank you.

**UNIVERSITY OF THE SOUTHERN
CARIBBEAN (INC'N) BILL, 2012**

Question put and agreed to: That a Bill for the incorporation of the University of the Southern Caribbean and matters incidental thereto, be now read the first time.

BEVERAGE CONTAINERS BILL, 2012

Bill to provide for the establishment of the beverage containers advisory board and of a deposit and refund system for beverage containers and for related matters [*The Minister of the Environment and Water Resources*]; read the first time.

Motion made: That the next stage be taken at the next sitting of the Senate on Tuesday, November 27, 2012.

Question put and agreed to.

SECURITIES BILL, 2012

Appointment of Joint Select Committee

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Mr. President, I beg to move that the Senate concur with the request of the House of Representatives to appoint a joint select committee to consider and report on a Bill to provide protection to investors from unfair improper or fraudulent practices, foster fair and efficient securities markets and confidence in the securities industry in Trinidad and Tobago; to reduce systemic risk, to repeal and replace the Securities Industry Act, Chap. 83:02 and for related matters and that this committee be empowered to discuss the general merits and principles of the Bill along with its details and be mandated to report by December 09, 2012; and further that the following persons from the Senate be appointed to serve on this committee:

Mr. Larry Howai

Mr. Vasant Bharath

Dr. Bhoendradatt Tewarie

Dr. Lester Henry

Mr. Elton Prescott SC

PUBLIC ACCOUNTS (ENTERPRISES) COMMITTEE

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): I beg to move the following Motion:

Be it resolved that this Senate agree to the appointment on the Public Accounts (Enterprises) Committee of Mrs. Marlene Coudray in lieu of Dr. Bhoendradatt Tewarie.

Question put and agreed to.

2.45 p.m.

GOVERNMENT'S COMMITMENT TO THE CONSTITUTION

Sen. Fitzgerald Hinds: Mr. President, I beg to move the following Motion standing in my name:

Whereas the Constitution of the Republic of Trinidad and Tobago in its preamble, its terms and spirit, recognizes and promotes the observance and practice of democratic principles;

Be it resolved that the government re-affirm its commitment to these principles and the practice of democracy in Trinidad and Tobago.

Mr. President, we became an independent nation state in 1962; today we are 50 years old. We came together, Trinidad and Tobago, as one colony in 1889. In 1962, by the Trinidad and Tobago Independence Act, we acquired full-responsibility status within the Commonwealth. Her Majesty's Government of the UK should have no further responsibility for the Government of Trinidad and Tobago, and no Act of Parliament of the United Kingdom should, thereafter, extend or be deemed to extend to Trinidad and Tobago, as part of the law, thereof.

By the Trinidad and Tobago (Constitution) Order in Council 1962; this allowed the Governor General to make appointments and order or do anything that was, in his opinion, necessary and expedient, to enable the Constitution established by the Order to function as from August 31, 1962. The Constitution was schedule two; it existed as schedule two in that Order in Council. The Constitution, as we all know, is a very, very important document. It establishes very important state institutions and most of all it regulates the relationship between the three arms of the State: the Executive, the Legislature and the Judiciary.

Mr. President, I would like to first say that we saw the Parliament and democracy at work today when three honest, hard-working, decent citizens, two personal and one corporate, had letters read in this Senate defending their honourable names against another attack by this Government through the mouth of the Attorney General, who stood here, to much applause from our colleagues a few weeks ago and told us—what we now know to be, untruthfully—of fees received by these two natural persons and the other, a corporate person.

Mr. President: Senator, I do not think that—will you have your seat—I do not think that you are permitted to say at this point that there were untruths told. There were certain persons who disagreed with a statement and were allowed to put forward their position. It does not follow that untruths were told to this Senate. I will have to ask you to desist from making such a statement.

Sen. F. Hinds: Much obliged. I thank you, I should correctly have said, the three persons claimed that they were untrue.

Mr. President: The three persons did not claim untruth. They claimed that it was inaccurate and insofar as they were concerned, different amounts in their estimation were received by them.

Sen. F. Hinds: I thank you, Mr. President. But, Mr. President, it would not have been the first time that the hon. Attorney General took lofty positions here and spoke about fees. You will recall, Mr. President, at the beginning of the life of his Government, the very Attorney General stood here and, untruthfully, told this country that Sen. Faris Al-Rawi and I, as lawyers, received part of \$84 million in briefs from the Government, and that was absolutely untrue. [*Desk thumping*]

Hon. Senator: Not one brief.

Sen. F. Hinds: So we saw today democracy at work and we really feel a sense of relief that these persons had at least an opportunity to clear their good names, and not one of my colleagues on the other side, in the practice or in the spirit of democracy, the matter I raised here today, said a single word. Nobody protested—not a word. Nobody called for the Attorney General to be sent to a privileges committee—not one.

But, Mr. President, let me quote from the preamble of the Constitution which is, to a large extent, at the heart of the Motion I offer to this Senate today. I am quoting from the preamble in the Constitution:

“Whereas the People of Trinidad and Tobago—

- (a) have affirmed that the Nation of Trinidad and Tobago is founded upon principles that acknowledge the supremacy of God, faith in fundamental human rights and freedoms, the position of the family in a society of free men and free institutions, the dignity of the human person and the equal and inalienable rights with which all members of the human family are endowed by their Creator;
- (b) respect the principles of social justice and therefore believe that the operation of the economic system should result in the material resources of the community being so distributed as to subserve the common good, that there should be adequate means of livelihood for all, that labour should not be exploited or forced by economic necessity to operate in inhumane conditions by that there should be opportunity for advancement on the basis of recognition of merit, ability and integrity;
- (c) have asserted their belief in a democratic society in which all persons may, to the extent of their capacity, play some part in the institutions of the national life and thus develop and maintain due respect for lawfully constituted authority;
- (d) recognise that men and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law;”

Let me pause here to say and to pay respectful tribute to a former President of this Republic, Mr. *Arthur Napoleon Raymond Robinson*, who brought these words, forcefully, to national consciousness sometime in 2001, when he sought comfort, when he sought direction from the Constitution in the words I have just quoted in this preamble.

Mr. President, under the rubric Preliminary, section 1(1) says, and I quote:

“The Republic of Trinidad and Tobago shall be a sovereign democratic State.”

Those are the words of the preamble, not strictly speaking a part of the Constitution, but the kind of underpinning that gives it life. Actually, it is almost like the oil that lubricates the wheels of the Constitution.

Mr. President, our history would show that this democracy has functioned pretty smoothly over the years of our becoming a nation state in 1962. We have had free and fair elections. We have had, proudly so, a strong and independent Judiciary. We have had, largely speaking, equal opportunities for the advancement of persons on the basis of merit in the society. We have had reasonably good economic opportunities and experiences and, I dare say, prospects. We have had and demonstrated, as a people through our institutions, respect for the rule of law, largely. We have seen harmony among the races, notwithstanding that there are those in this society, close to the Government, who appear hell-bent on interfering with that attribute of this society. We have seen harmony among the different races, notwithstanding the “Mr. Dividers” among us in the society. We have had respect for the fundamental rights and freedoms, in particular, freedom of religion.

It was only this morning, following on a story that came to my consciousness about three months ago, where a Muslim cleric in Pakistan, for one sad reason or the other, concocted a story against a young Christian woman—I think she was about age 40, but they say she has the—*[Interruption]*

Sen. Deyalsingh: Fourteen.

Sen. F. Hinds:—fourteen—but they say she has the intelligence of a person far younger in age, and I had read when she was arrested for burning pages of the Holy Qur’an. It transpired that Pakistan’s authorities would discover that this sick Muslim cleric—he had put those burnt pages in the young lady’s school bag in order to get at her. Eventually, she has been released. There was outcry around the world, coming largely from the United Kingdom, and he has now been arrested and he is charged and, I suspect, he too will now be challenged for the question of bringing disrespect to the Qur’an, because it may be that he was the one who burnt its pages.

Government's Commitment to the Constitution *Tuesday, November 20, 2012*
[SEN. HINDS]

We have not had that kind of thing in Trinidad and Tobago. People of all religions have been free to practise and to express themselves here. Altogether at age 50, I submit, Mr. President, we have done quite well. We have done reasonably well. For, if you wish, Mr. President, fuller and better particulars about how well we have done, you can access, or my colleagues can access, a document, the first address to the nation by Dr. Keith Rowley, the political leader of the People's National Movement, on the occasion of the country's 50th independence anniversary.

In this document, citizens of this country would find a very wonderful historiography of the circumstances of Trinidad and Tobago, and it should make very enlightening reading. It is a speech—[*Desk thumping*—]and a document in which I am particularly proud. And I might say, while he is in fact the Leader of the Opposition, for my own part, I thought it rather prime-ministerial in its dispensation. [*Desk thumping*]

Hon. Senator: Well said.

Sen. Ramlogan SC: “Image makeover, boy.”

Sen. F. Hinds: Mr. President, we have had to deal in Trinidad and Tobago with the infamous clause 34, and this is seen—the whole saga, the whole issue around clause 34, I just spoke about the rule of law and the rule of law, generally, it is a twin principle. It says, one, that no man is above the law, and, two, everyone is equal under law. Clause 34 and all that surrounds it—note I did not say, surrounded—[*Interruption*]

Mr. President: Question of an order being considered. One of the Senators raised the question of whether you were in breach of a Standing Order 35(2). I am now considering it.

Sen. F. Hinds: Most obliged, Mr. President.

Mr. President: I do not think that the Senator has yet referred to any matter that is before the court. He is referring to an issue. I am sure that he will stay clear of matters before the court that might run us afoul of any sub judice issues. You may proceed.

Sen. F. Hinds: I thank you very warmly, Mr. President. I was merely making the point as I proceed, that the citizens of this democracy, they see clause 34 as undermining the rule of law, a threat to the democracy of this country. [*Desk thumping*]

People are dissatisfied, they are uncomfortable and they are grossly angry at what has gone down. But we have encountered some challenges, notwithstanding all of the attributes that I have just take timeout to demonstrate, Mr. President, Trinidad and Tobago like any other nation state, we have encountered some challenges along the way. Let me just highlight a few:

3.00p.m.

In 1970, eight years after our becoming independent, there was some popular uprising, the so-called “black power” uprising, and alongside that there was a mutiny of the Trinidad and Tobago Regiment as it then was. That was a major challenge to the democracy and the authorities at the time, and history would show how the then Prime Minister and his Government managed that, understanding the earnest, and understanding the conscientiousness, and the merit in some of the positions. While they managed the national security platform, they allowed the young people—21-year-old Geddes Granger as he then was, Kafra Kambon, Dave D’Abreau as he then was, Aiyegoro Ome and others—allowed them an opportunity to express their youthful selves, their idealistic selves with the benefit of the education that they were acquiring at the university.

Mr. President, we have had other challenges to our democracy. I say economic challenges, particularly between 1981 and 1994, because as I read the preamble it made mention of the fact that the wealth of the nation ought to be distributed in such a way that all citizens had access to same. Mr. President, therefore, if there is no wealth or you are undergoing or experiencing economic challenges, therefore, that in some way is in my view a serious threat to the democratic principles as espoused therein.

In 1990, we had a very terrible, horrible attack, unwarranted in my view, on the Parliament of Trinidad and Tobago and on the then Government. That matter is now being resolved in a commission of enquiry, and hopefully it should bring some benefit. I personally have my doubts about that, but we must wait to see. We had another serious challenge to our democracy along the way. As recently as August 2011, out of the blue this Government announced and kept this country locked down for many months in a state of emergency, interfering with the rights, suspending the rights and freedoms as established under the Constitution of this Republic. [*Desk thumping*] For no good reason on this occasion—

Sen. Singh: For no good reason.

Sen. F. Hinds:—for no good reason, and it did no end of harm. Let me tell you, Mr. President, just going forward. This Government during that state of emergency hired four senior counsels, among other lawyers no doubt, to provide

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advice to the Trinidad and Tobago Police Service, which acted on the basis of executive instruction and direction, went out there and arrested about 8,000 people—about 450 of them I recall on the basis of the anti-gang legislation which we had passed only very shortly before that—and, Mr. President, paid four senior counsels \$2 million to advise the police, in terms of gathering, preparing and advancing evidence to the court to convict these persons who were arrested.

It took the Director of Public Prosecutions to intervene on all but one occasion, and release or cause to be released these persons. Many were released without charge, and those who were charged, absolutely no evidence, all because of the exuberance of the Attorney General. I could see him in front of the cameras now, urging the police on to lock people up.

I have in my hand here a document dated October 14, 2011, addressed to the Commissioner of Police, written by a certain senior counsel. PNM knows some dignity, so I would not reveal the name of that senior counsel. One of them who were employed and paid \$2 million by this Government to find evidence or to analyze evidence that the police did not and could not apparently find, and this is what the senior counsel wrote very briefly in passing, and I am quoting from the second page of that letter, as I said, dated October 14, signed by senior counsel:

There is however no evidence from admissions or eyewitnesses that the men were engaged in criminal activity.

B. that they were so engaged as a unit.

C. statements from present/former members of the alleged gang.

In short there might be information, but this does translate into evidence to substantiate the charge.

Advice: the charges against the defendants cannot be supported by available evidence.

It goes on to say interestingly enough:

It possible that the information given to Corporal X may justify the issue of detention orders if this could be amplified.

The Government was obviously so desperate. And you remember in the last days of this improper and undemocratic infringements of the rights of the people of this country, they went and picked up a few people on detention orders, only because we stood here in this Parliament, and predicted that by the end of that state of emergency they would not have arrested one person with detention powers. One day after, they went and picked up 13 people.

But this, Mr. President, and I could go on quoting other senior counsels and other matters. I have it here, and the Attorney General is in the Senate today. The last time I got up here and spoke about certain things that happened with the Siparia market, and I alleged corruption on the part of that entity, on the part of the Government, and their colleagues in governance, the Attorney General shouted across the floor to me, “gih meh the documents”. He has shown no interest today, “he eh ask meh fuh nothing”, not interested. And I am sure now that he knows that I have these documents he is not interested either because this is an embarrassment to the Government, and it demonstrates how undemocratic the whole activity was to the discomfort of the people of Trinidad and Tobago. [*Desk thumping*] Two million dollars.

The latest threat, as far as I see it—I told you 1970, economic challenges, particularly between '81 and '94, 1990 an attack from outside the Parliament, the state of emergency—I think the greatest threat to the democracy of this country is the Government of Trinidad and Tobago. [*Desk thumping*]. I think the events surrounding clause 34 bears testimony to the statement I have just made. It has become so trite. In law we say when something is trite, you state it, there is no need for authority to support it. So nobody has to argue that anymore, that this Government is the biggest threat to the democracy of this country.

Mr. President, some say that—without going into anything too much—clause 34 was an attack that came from inside rather than outside like 1990. Some say it was a well-thought-out conspiracy. Citizens democratically are expressing their views because it involved the Parliament, the Judiciary, the Cabinet or Executive. It involved all three arms of the State, very elaborate. The consequences, Mr. President, are grave and permanent, just like 1990, and perhaps one day we may see a commission of enquiry into those events that led to this infamous clause 34. I will be the first to call for it, but the consequences are grave and permanent.

There are people outside of Trinidad and Tobago now who are looking at Trinidad and Tobago the way they look at some states. I do not want to call any, but there are countries in the world where people believe that the Government of those countries are—well, in fact, Libya was at one time such a country. There are international operator countries that saw the Government of Libya as supporting international terrorism and treated it in a certain way. There are people who, in this world, are now watching Trinidad and Tobago and thinking that the Government of Trinidad and Tobago is and was up for sale. [*Desk thumping*]

The Parliament is an important institution in the democracy that we proposed in 1962, the democratic sovereign State. It is at the heart of the Motion that is before us, but this Government does not like the Parliament. You know why?

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Because the Parliament is a forum to account to the people. This is the third time I suspect—I might be wrong, might be the fourth—in the last two months we have been here. Am I correct? We came here for the FIU, when there was an emergency during the vacation period.

Hon. Senator: We were last here five weeks ago.

Sen. F. Hinds: Yeah. We came here in emergency meeting to avoid us from being blacklisted with the FIU amendments. Remember that? We came back here in emergency to deal with the repeal of clause 34 during the vacation. We came back here to deal with the budget, and we have not been here now for the last five weeks. They do not like Parliament. They like Government, but they do not like to account to the people of Trinidad and Tobago. [*Desk thumping*]

So, we are here today, we are here today. But we are a resilient people. We will continue to survive. We will survive this Government, I am sure about that.

Mr. President, as is well known to many of us, section 4 of the Constitution is where one would find the enshrined rights and freedoms. Chapter 1, The Recognition and Protection of Fundamental Human Rights and Freedoms. Some of those freedoms include:

The right of the individual to respect for his private and family life.

The right to join political parties and express political views.

Freedom of thought and expression.

Freedom of the press.

Let me—as I mention that treat with the question of freedom of the press. It is trite again to suggest that vigilance, eternal vigilance, is a critical element in the maintenance of a healthy democracy—vigilance. It is also trite that the media is an important institution—they call it the fifth estate—in terms of ensuring the democratic process works, works smoothly.

Hon. Senator: It is the fourth estate.

Sen. F. Hinds: The fourth estate, I am sorry. [*Laughter*] Yes, the fourth estate. Thank you very much for reminding me.

Vigilance is critical. This Government, in the short two and a half years it has been around has demonstrated that it is a threat to freedom of the press. In fact, I am told that Barbados is probably the only other English-speaking island in the Caribbean that has, like Trinidad and Tobago, written into its Constitution

freedom of the press, and there are many other countries around the world that does not have that. Trinidad and Tobago saw the wisdom in causing freedom of the press to enjoy constitutional underpinning, guarantee and protection.

You remember Fazeer Mohammed—he interviewed a Minister of Government. He spoke, unkindly, in the Minister's view, about the Prime Minister and by the following day or so he was gone from a state media house. But he has gone on, continued to do well in his profession, and still brings joy and enlightenment to people across Trinidad and Tobago from another radio station. All because of the hostility to the press—[*Interruption*]

Hon. Senator: TV station.

Sen. F. Hinds: —TV station—on the part of that Government. The first thing this Government did when it came to office is that it sought out, and no doubt offered, had to reject, had to refuse contracts to some of the stalwart journalists in the country. They went after them. The likes of Andy Johnson and Francis Joseph, Clewon Raphael, Sasha Mohammed, they all fell for the Government—well, I would not say “fell”.

Sen. Ramlogan SC: “Awwh, yuh calling names and yuh forgetting yuh own people boy.” [*Crosstalk*]

Sen. F. Hinds: I would say—[*Crosstalk*—they were enticed by the Government's blandishments, and they took—well, I heard the Attorney General shouting loudly. One fellow called Clewon Raphael, he did not last very long. The Attorney General came here with his first speech, and when he was wrongly criticized for it, he took action; he took action. So, some columnists, we are not unaware, are getting big contracts from the Government—[*Interruption*]

Sen. Ramlogan SC: Call them. Call names!

Sen. F. Hinds:—and no insult—[*Interruption*]

Sen. Ramlogan SC: “Yuh attacking the press, call dey names.”

Sen. F. Hinds: Let me say this.

Hon. Senator: Call the name.

Sen. Ramlogan SC: Name them.

Sen. F. Hinds: Mr. President, let me say, let me make it pellucidly clear—[*Interruption*]

Sen. Ramlogan SC: Yes, name them.

Sen. F. Hinds:—That what I will say now is not to take away from the quality of journalism practised—[*Interruption*]

Sen. Ramlogan SC: “Awwwah.”

Sen. F. Hinds: —by the persons of whom I now speak. [*Crosstalk*]

Hon. Senator: What a nice—[*Interruption*] [*Desk thumping*]

Sen. F. Hinds: And, Mr. President, it is not to undermine or to “demunitize” their standing in any way. Never! Never! Never! But I will say to you, this Government has made national awards to many of the folks in the media, and I suspect, hard-working journalists in these cases, but the Government has another agenda when they do it, and I will demonstrate that a little later. I remember the raid on *Newsday*; the raid on *Newsday*.

3.15p.m.

Sen. Ramlogan SC: “Buh wha da ha to do with the Government, da is the police?”

Sen. F. Hinds: In 2011, in the state of emergency, you encouraged, Mr. Attorney General, the police to act without evidence. So, “doh tell me bout de police”.

Sen. Maharaj: Mr. President, 35(5).

Sen. Ramlogan SC: Yeah, imputing improper motives. That is foolishness.

Mr. President: Senator, I believe you will have to withdraw the last remark.

Sen. F. Hinds: I will withdraw that, Mr. President.

Sen. Ramlogan SC: Thank you very much. [*Desk thumping*]

Sen. F. Hinds: Again, you know—[*Desk thumping*]—well the police act on instructions—[*Interruption*]

Sen. Singh: From the commissioner—

Sen. Ramlogan SC: From the Commissioner of Police.

Sen. F. Hinds:—raid on the Express House, I remember that only recently. I remember a Minister of Government, if I am not mistaken, the Minister of National Security, telling this country only recently that he knows where a certain journalist lives. The woman felt intimidated. She complained to the media association—[*Desk thumping*]. It is as if he was using state resources to spy on the journalist—a 23-or 24-year-old young lady—intimidated her no end.

Mr. President, when you get any intimidation or threat from the Minister of National Security you have to take it seriously. This is a man—[*Interruption*]

Sen. Maharaj: Mr. President, 35(5) again.

Sen. F. Hinds: Nothing wrong with what I just said, I am sure about that.

Mr. President: In this Senate, Senator, you are not permitted to—[*Interruption*]

Sen. F. Hinds: I did not say threaten, I said intimidated.

Mr. President: Well that is just as bad. That is not what you said, so you just have to keep within the bounds of the Standing Order, Senator.

Sen. F. Hinds: I am much obliged. Let me restate my position. [*Desk thumping*] Whenever the Government acts and you feel intimidated you have to take your feeling of intimidation seriously. [*Desk thumping*] Yes, you have to take it seriously. Because the Minister of National Security told this country—there was some flood in Diego Martin and that he got journalists, he got a cameraman to stay outside the office of the Leader of the Opposition, the Member for Diego Martin West, whole night to monitor what was happening there.

We saw recently the PNM put—along with other concerned citizens at the bad behaviour of this Government—we put 30-35 thousand people on the streets recently. [*Laughter and desk thumping*] And we saw an aerial photograph in an advertisement with a few people gathered maybe at Rienzi Complex, you could not see faces so you were not sure, a handful of people using—I do not know the UNC has any helicopter you know, so they somehow or the other—we suspect they used national resources in order to do that. [*Desk thumping*] And it was circling the march. I was not here. I was out of Trinidad and Tobago on good family business.

Sen. Ramlogan SC: “Awwh.”

Sen. F. Hinds: I went to witness the graduation of my son, a pleasant day. It was the only thing that would have kept me away from that march, I so yearned to be a part of it.

Mr. President, this Government is a threat to the media and freedom of the press. They attempted to boycott 95.5, withdrew advertisements, attempted to shut it down. They removed NLCB advertisements from around a programme that was carried on in the morning by Holly Betaudier. It was after some pleading that I think they reinstated it. The *Mirror* newspaper, under a man called Maxie Cuffie,

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he was praising God recently, up to last week, thanking God that he, having written to the Integrity Commission, the Integrity Commission has now sent the file to the Director of Public Prosecutions, because he was persecuted by this Government. They removed all the ads because he is not saying the things that this Government wants him to say. [*Desk thumping and crosstalk*]

Mr. President, you must know, without involving you in this, we read the budget figures recently and we have seen where the Parliament Channel's budget has been cut by this Government, by that Minister of Finance and the Economy.

Hon. Senator: Five hundred thousand dollars.

Sen. F. Hinds: The last man to cut anybody's salary or budget, the last. A man who in the spirit of democracy—[*Laughter*] received a \$10-million welcome to this Senate and the Ministry of Finance and Economy. [*Desk thumping*] That is a fact. [*Desk thumping*] After all his years of salary and gratuity—and I have to ask again whether that is a precedent when people are leaving their jobs in the state sector—[*Interruption*]

Sen. Maharaj: Mr. President, 35(1).

Sen. F. Hinds: Nothing improper about that. That is a fact.

Sen. Ramlogan SC: It is shocking, “you so low”, that is what happened after the years of service, the man—[*Interruption*]

Sen. F. Hinds: You should not talk.

Sen. Ramlogan SC: I could talk as much as I want, you stay quiet.

Sen. F. Hinds: You should not talk, stating that Benjamin had a right to “sought” you out and the senior counsel.

Mr. President: The Senator suggested that you are becoming irrelevant to your own Bill. [*Laughter and desk thumping*] I do not necessarily agree with him—[*Laughter and desk thumping*] but I would advise that you keep within—you make the connections between your remarks.

Sen. F. Hinds: If he said Bill, he is misguided. This is a Motion. [*Desk thumping*] And I am not surprised that he would find so. I am not surprised that that Senator, the hon. Senator would find so, I am not surprised at all. What I am surprised about is that he is in a Cabinet of the Government of Trinidad and Tobago—[*Desk thumping*] that is what surprises me. The Senate is a place where you bring certain levels of expertise. One has to ask what kind of expertise he brings.

Sen. Ramlogan SC: Oh God, oh God.

Mr. President: Sen. Hinds, you will have to withdraw that remark.

Sen. F. Hinds: But I ask. All right, okay, I withdraw that. I withdraw that, I withdraw that. [*Crosstalk*] I withdraw that, no problem, we are democratic, I am proceeding. I should put it differently: what is he best known in Trinidad and Tobago for? That is how I should put it.

Sen. Ramlogan SC: Well if you want, you could call him an apprentice.

Sen. F. Hinds: You should applaud me for that. Mr. President, might I continue? So, we have enshrined freedom of the press and this Government has, by virtue of all the—let me use old English, let me use old archaic English language—this Government on the basis of the “proofs” and “evidences” that I have put before you, they are guilty of attacking the media and are a threat to the democracy in Trinidad and Tobago.

They have tried to even shut us down. Every time we speak it would not be long before the very Senator who rose a while ago or the Attorney General or some one of our colleagues on the other side would want to suggest to you that we go to the Privileges Committee. Even the Leader of the Opposition in the other place, recently the Speaker had to rule that it was not fit for the Privileges Committee in a matter where he spoke outside of the Parliament giving an interpretation, honest, dignified, clean and I dare say reasonable interpretation on a certain matter—[*Desk thumping*] and only because he mentioned the President, they tried to shut him down—undemocratic in the extreme. And I suspect it is because of a modicum of good sense, they did not have their way.

Mr. President, another right enshrined in the Constitution is that, as I mentioned a while ago, of the individual to respect for his privacy and family life. Citizens of this country, and I do not know about you, but every time I speak on my cell phone I hear all kinds of strange sounds—

Sen. Cudjoe: Me too.

Sen. F. Hinds:—sounds that I did not hear before May 2010.

Sen. Cudjoe: Correct is right. [*Desk thumping*] True.

Sen. F. Hinds: We passed legislation in this Senate—Interception of Communications Act 2010—in which it is an offence to unlawfully and improperly intercept telecommunications among persons or citizens or entities. In that Act, there are very serious penalties if you are found guilty of that. In that Act, it is only the Commissioner of Police, the Chief of Defence Staff and a couple of other persons who can authorize—[*Interruption*]

Sen. Ramlogan SC: Not couple, just one.

Sen. F. Hinds: That is it, one more—head of the SSA—who can authorize that. The trouble is, if your phone is being tapped, as many citizens are complaining to us that they believe that—[*Laughter*]

Sen. Ramlogan SC: “Who want to listen to what you have to say boy?”

Sen. F. Hinds: If it is—[*Interruption*]

Sen. Maharaj: Mr. President, 37(2) there is a Motion subsequent to the Telecommunications Act.

Sen. Cudjoe: Is he serious?

Sen. Ramlogan SC: The question is relevance. You have a Motion here man so you cannot go all over the place.

Mr. President: I do not think the Senator was anticipating another Bill, which is what was called on. [*Desk thumping*]

Sen. F. Hinds: Again the hon. Senator is misguided, and I am not surprised at that either. So, Mr. President, while there are serious penalties in the legislation, because of the circumstances and technology and how the thing works, there is no way for a citizen to know for a fact or to prove that he is being tapped much less to be able to find someone guilty. But, Mr. President, I am not surprised that Sen. Devant Maharaj jumped up when I was talking about cellular phones, he knows a lot about them. [*Desk thumping*] Recently a journalist reported that he had three and that taxpayers were paying for it.

Hon. Senator: Mr. President, is that a question before us?

Sen. F. Hinds: And I have filed a question.

Mr. President: There is a question before the House on it. You will have refrain from it.

Sen. Ramlogan SC: Yeah I find you are attacking Devant too much. Take a rest, take a rest.

Sen. F. Hinds: So we suspect that there is a lot of lawbreaking in respect of this and I call on the Commissioner of Police to be strong and forthright. Notwithstanding his imperfection, one gets the impression that Dr. Dwayne Gibbs was a man of some mettle and independence.

Sen. Ramlogan SC: Boy you still have a colonial—

Sen. F. Hinds: And, Mr. President, I am calling on the Commissioner of Police to do not allow himself or his office to be abused or misused, and uphold the law steadfastly in relation to the Telecommunications Act—[*Interruption*]

Sen. Ramlogan SC: The PNM tapped everybody without letting them know. They have the audacity you know.

Sen. F. Hinds:—and the Chief of Defence Staff, and this is why when both these two office holders are seen traipsing around the country behind the Minister of National Security, photographs singing, photographs “with glass” and laughing, people become afraid because these are two office holders who we expect will act independently and remain strong in a serious state of affairs and my fear is not misplaced. Recently, a chairman of a certain Integrity Commission was called to task by the Government only because he was in a photograph.

Hon. Senator: Not all.

Sen. F. Hinds: So I am saying the Commissioner of Police and the Chief of Defence Staff they have to be careful with the photographs they are taking. I remember recently when the police intervened in a botched robbery somewhere in central, it is alleged, they, in an encounter with alleged bandits—[*Interruption*]

Sen. Ramlogan SC: He “ent” ask if Ian Alleyne—

Sen. F. Hinds: They were—Mr. President, can I get some protection please? I find myself having to shout. [*Laughter*]

Mr. President: I think you can carry on at this stage.

Sen. F. Hinds: Thank you very warmly, Mr. President. When the police encountered these alleged bandits, two bandits died in the contact with the police. The very evening the Minister of National Security was seen in the company of these police officers congratulating them before any independent enquiry ensued—[*Desk thumping*] and inviting them to dinner the following Tuesday at a restaurant in Chaguanas. I understand he invited the Commissioner of Police as well, but thankfully I was watching very keenly—[*Interruption*]

Sen. Ramlogan SC: So “wait nah, you camp out with surveillance too”.

Sen. F. Hinds:—because I am a former member of the Trinidad and Tobago police service. I am a former proud member, an instructor in the Trinidad and Tobago Police Service, and I was watching keenly at my colleagues—as I would call them—to see whether they would have made that very near fatal mistake. But thank God I understand they did not because I wondering if they had accepted lunch, what else might they have accepted as the years and the months went by. [*Desk thumping*]

Sen. Ramlogan SC: Oooh Lord.

Sen. F. Hinds: It is one thing. So I am calling on them to be very, very careful.

Mr. President, Government Ministers, I told you about the three arms of the State: the Executive, the Parliament and the Judiciary. In terms of the Government—I am just reporting what the citizens of the country are saying—that Ministers of Government are leaving the country and nobody knows where they are going, when they are going, for how long, what is their purpose. No information.

Usually I know the Government would say Minister X has gone abroad for so and so. They have a healthy media arrangement in place, a network of propagandist—Government propaganda; and, Mr. President, no information is forthcoming. People are wondering now what is happening, Ministers are leaving the jurisdiction, you have no idea. One Minister left during the World Cup, nobody knows where he went, what he went for, how long he stayed and so on. Some people are saying all manners of things, but I would not repeat it here. But things are being said.

3.30p.m.

We have a Minister with five line items, a new Ministry created in the last dispensation. I think it is called the Ministry of “Diversification and Social Integration”, or something like that—five line items. When you look at it in the *Gazette*, five line items, but there are two Ministers in that Ministry.

We have a situation where a former Cabinet Minister was accused by the national community—it was reported in the media—of mismanaging certain bank cards and so on, and spending money that was unauthorized. The Prime Minister dismissed her from the Cabinet, but rather than dismiss her altogether, she was retained as a junior Minister in another Ministry, just to keep her job—that is what the public is saying—just to keep her happy on the payroll, at taxpayers’ expense when, in fact, she should have been fired altogether. That is what the public is saying.

We had a colleague here in the Senate, Sen. Baynes, a young, bright and beautiful Christian man, I am told; sings sweetly, I am told as well.

Sen. Cudjoe: And dances too.

Sen. F. Hinds: And dances as well, I am being told by someone who might know, from Tobago. When the saga of clause 34 unfolded and the Prime Minister and the Government wanted to bring another person to replace the erstwhile

Cabinet Minister Volney, they cleared the way with Sen. Baynes. He was removed and replaced by another Senator. But he did not disappear, you know. He is now the advisor to the new Senator and Minister in her Ministry, and the people in the country are saying, this is another manifestation of the “eat ah food”. Keep everybody happy at taxpayers’ expense; disregard efficiency and proper management. [*Interruption*]

Mr. President, when we talk about “eat ah food”, it is a very serious thing. Look, we have a Minister of Government saying that he gained 30 pounds in two-and-a-half years in office. That, according to my calculation, is one pound a month. [*Interruption*]

Mr. President: Sen.Hinds—[*Crosstalk*]—if I may, Senators. Thank you. I just wish to draw you back to the Motion on democracy. I found difficulty making the connection. [*Crosstalk*]

Sen. Cudjoe: You know your place! Stay within your boundaries. Know your place!

Sen. F. Hinds: Mr. President, let me make the link. I was making the point that the people in this democracy are saying that this is a “eat ah food” Government. I was making the point that it was literal, perhaps, because here is a Cabinet Minister saying that he put on one pound a month for 30 months. Let me tell you what he said, democratically. I am quoting. This is an article, Sunday, November 11, 2012, second paragraph. And this is the *Newsday*, their favourite paper. He said:

“And he has vowed, as part of his New Year’s resolution, to lose some weight by combining proper eating habits...”

You see why I talk about “eat ah food”?

“Ramadhar, however, admitted that he had gained considerable weight since becoming a minister two and a half years ago, noting his regime now included late night meetings and poor eating habits.”

Now, members of the public reading this, who discuss the concept of “eating ah food”, when they hear, poor eating habits, they think it is poor eating habits. You follow me, Mr. President? And I am talking about the Executive.

Sen. Ramlogan SC: Explain that. Explain that. “Look Shamfa watching yuh there.”

Sen. F. Hinds: I could, I could, “doh worry”.

Sen. Cudjoe: Anand. Anand. Anand.

Sen. F. Hinds: Mr. President, I want to demonstrate—because I did say that economic challenges pose a threat to a democracy—a hungry man is an angry man. That is an old colloquialism, as Dr. Kublalsingh demonstrated only yesterday.

Sen. Ramlogan SC: “Ooh, I was wondering when we go get there.”

Sen. F. Hinds: The Prime Minister sent a Minister of Government to placate Dr. Kublalsingh, a man who I have grown to admire and respect. I have spoken to him personally—

Hon. Senator: Tell us when? When? When? When? [*Laughter*]

Sen. F. Hinds: Mr. President, might I?

Hon. Senator: Yes.

Mr. President: What I could do, I could tell you at this point, you have 10 minutes more.

Sen. F. Hinds: I see Dr. Kublalsingh in almost Gandhi-like fashion, and they brought the poor man to obscenity yesterday.

Sen. Ramlogan SC: Gandhi never “cuss so much, boy”.

Sen. F. Hinds: They brought him to obscenity. This Government provoked him to obscenity. [*Laughter*] Mr. President, I regret it; it was a spectacle, but the provocation from this Government pushed the man.

Sen. Ramlogan SC: “You lying”—

Sen. F. Hinds: Mr. President, I want to point out to the national community on the question of economics, and I am quoting from page 5 of the Report of the Auditor General, 2010 October 01 to 2011 September 30. This is the report of the Auditor General, and on page 5, under the heading “Exchequer Account”:

“The Exchequer Account is the bank account for the Consolidated Fund. The Exchequer Account was overdrawn by (\$20.128...)”—billion—“which was an increase of (\$6,9...)”—billion—“or 52.56 % when compared to the previous year's figure of (\$13,194...)”—billion.

I am saying this, Mr. President, because I anticipate we will have some serious economic challenges ahead with this Government.

“Treasury Cash Card balance as at 2011 September 30 \$20.128...”—billion.

And that is deficit “eh”; overdrawn “eh”.

“Central Bank balance as at 2011 September 30 \$13.255...”—billion. Again in deficit—negative figures.

I am now on page 15:

“Summary Total of Public Debt as at 2011 September 30

(a) Local Loans \$18.9...”—billion

“(b) External Loans \$9.462...”—billion, totaling “\$28.404...”—billion.

“Loans Serviced under Head 18...” which is a special head—contingencies and so on and letters of comfort and those things:

“(c) Loans Serviced under Head 18 \$3.65...”—billion

A total public debt at September 30, of \$32 billion.

In a time of depleting resources and failing and falling revenues, in a time when this Government has not collected property tax—it abolished the old Act; did nothing to replace it; people are not paying that—in a time when the Government has decided to forego further revenues by giving up VAT on food items—brings joy to the people—but to those who have to look on the national affairs, we have to wonder where the revenue is going to come from.

In a time of wild and corrupt expenditure, the people of Laventille were invited to something on Sunday—\$4.5 million, and they are boasting that they spent that on the people of Laventille. They went home, perhaps with their bellies filled, but they did not provide the tents; they did not provide the sound systems; they did not provide the chairs; they did not do the catering; they did not provide the bouncy castles. That \$4.5 million did not go to Laventille, and the people of Laventille are saying, “You should have spent it in the community on us”. This one-day fete—and it is all because, Mr. President, as I go to my conclusion, that the elements of the Government believe—the people of Laventille know they “doh have no care” or love for them in this democracy. They know that.

Sen. Ramlogan SC: And you all did.

Sen. F. Hinds: They know, Mr. President, all of this is a ruse to get their attention, and they also know, because they are telling me that they understand the Government believes that the people of Laventille have something that they want—that is, enhanced and improved crime statistics.

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[SEN. HINDS]

They wrongly believe that the whole of Laventille is responsible for all of the crime, so they go in there and they try to provide blandishments and inducements, and a one-day \$4 million fete where the people of Laventille benefit little, other than a few hours of gaiety and joy, and then walk away. All they are trying to do is to win favourable statistics as at December 30.

They believe that the people of Laventille have the key to murders in their hands, not realizing that 99 per cent of Laventille are decent, law-abiding people like all of—like some of them, and that the 1 per cent or less who may be engaged in that kind of murderous activity would not have even gone to the Queen's Park Savannah Sunday. And while they were there celebrating, there were killings in Laventille as usual, and unfortunately. So it is obvious to the people of Laventille that the solutions to their problems must go far deeper than that.

I want to say to Minister Karim who is sitting here, I had the benefit of naming and being part of the establishment of the Laventille Technology and Continuing Education Centre on the Eastern Main Road. I have not heard him say one word about that institution since he came to Government—not one. He never looked back at it. He is busy fixing things all over his constituency and otherwise, all in south, Penal, law school, everything, but he has done nothing about the Laventille technology centre—never!

Hon. Senator: You still have the contract for that centre?

Sen. F. Hinds: I never had any contract, my friend.

Sen. Ramlogan SC: “Good!” Who had it? Who had it? “Tell we.” Who had it?

Sen. F. Hinds: Mr. President, you see how ignorant my colleagues could be? You see how ignorant? My friend—let me state just passing—[*Interruption*—let me just say to you, I have never had any government contract, my friend.

Sen. Ramlogan SC: Not you. Who was fronting for “yuh”.

Sen. F. Hinds: I am a professional. I do my thing. [*Desk thumping*]

So, Mr. President, as we bring an end to this, I am calling on the Government in this Motion to reaffirm its commitment to democracy. As I said earlier in my presentation, clause 34 is the—some people say it is unimaginable that the Government would have done that. Some people say they expected the worst from them. The only effect of clause 34, as everybody now understands, was to cause certain persons to escape or possibly avoid certain processes.

Sen. Ramlogan SC: “Doh go there.”

Sen. F. Hinds: “I ain’t going there.”

And it is not the courts that has brought about that; it is the Cabinet of Trinidad and Tobago. Some people even believe that in this democracy, clause 34 was a direct attempt on the part of the Government to subvert section 90 of the Constitution of this Republic which established the office of the DPP and gives him a certain power for prosecutions. But they wanted to remove that power from the DPP’s hands, hence clause 34—a matter that we will have to return to going forward.

I understand that a certain president recommended a solution to that, that we should have professional help, where people can advise us, because we do not have the time—and advise us about certain aspects of legislation and so on. I only want to say cricket is a very professional outfit and they still have match-fixing. So, at the end of the day it really comes down to the integrity as outlined in the preamble that I had read earlier. .

Mr. President, the Government stands accused of attacking the media; the Government stands accused of overseeing massive corruption in many state enterprises. I am the Chairman of the Public Accounts (Enterprises) Committee, an important watchdog committee, and we are struggling with the little resources and time we have to get ahold of the frenzy that is taking place across the country, whether it is PTSC, CDA, EFCL—as you heard me question a Minister about today—Namdevco, the Agricultural Development Bank. I spoke about it during my budget contribution. The Attorney General has shown no interest in my allegations of corruption at the Agricultural Development Bank, where the Agricultural Development Bank now owns—

Mr. President: You have one more minute.

Sen. F. Hinds: Yes. They own a building on Henry Street. For the last six or seven months they have rented another building from a company called 21st Century Insurance Brokers—one of their friends—in Chaguanas, No. 2, Mulchan Seuchan Road. The building remains unoccupied up to now as we speak. They rented it since May. They spent \$100,000 putting independence decorations on the building—unoccupied—and the Government of Trinidad and Tobago contracted that building for four years, paying \$200,000 a month. They made a deposit payment of 600,000 to the owner of that building. I have the contract here. It is not in use.

3.45 p.m.

Sen. Ramlogan SC: You lucky. “We cyar get the one from”—[*Interruption*]

Sen. F. Hinds: The Attorney General here; he is shouting; he has no interest in these matters because it affects his colleagues.

Mr. President: Sen. Hinds, you will have to wrap up now.

Sen. F. Hinds: So as I wrap up, Mr. President, I call—as the Motion states—for the Government, in light of all of the challenges that they pose to the democracy and democratic practices in this society, in contravention of the spirit of the preamble and the Constitution of this Republic, to stand in this Senate and give assurances to the people in this democracy that it respects the rule of law. It has yet, in order to achieve that, to explain why did they singled out clause 34. Stand up in this Senate, today, and demonstrate to the people that this democracy is in safe hands while they are in Government.

Mr. President, I beg to move. [*Desk thumping*]

Sen. Terrence Deyalsingh: Mr. President, with some pleasure, I rise to second this Motion as laid by Sen. Fitzgerald Hinds, and I reserve the right to speak at a future date.

Question proposed.

Mr. President: Members wishing to participate may do so now.

The Minister of Justice (Sen. The Hon. Christlyn Moore): Mr. President, I found this Motion a curious one, and that curiosity was not quenched by my friend’s contribution. [*Desk thumping*] So that perhaps it really falls to me, today, to underscore, explain and advance what is really meant by democracy and to illustrate where the threats to democracy have traditionally come from with regard to how democracy functions in Trinidad and Tobago in general, and, in particular, how the democracy has been systematically undermined over the years in the Tobago House of Assembly. [*Desk thumping*]

Mr. President, democracy is a form of government in which all eligible citizens have an equal opportunity to affect the decisions that touch and concern their lives. It allows eligible citizens to participate equally, whether directly or through their elected representatives in the proposal, development and creation of laws. It encompasses social, economic, cultural conditions that enable the free and equal practice of political self-determination. It is, as my friend said, protected by the Constitution.

Now, Mr. President, it is more than trite to quote the Constitution to us in a debate about democracy. It is more than trite. One really needs to go beyond the words of the Constitution which really constitutes the framework of a working democracy. We have to now ask: how is democracy operationalized? It is operationalized by the participation of eligible individuals in the election process; by the peaceful transition of Governments; by moving one party from Government as occurred in May 2010, [*Desk thumping*] a matter that my friend would have experienced first-hand.

In fact, they know how democracies work. They have experienced it. Now, it is also operationalized by the fair distribution of services to the entire population regardless of political leanings. Democracy, therefore, is more than elections. It is the participation of the people in development creating a social landscape that promotes freedom, facilitating an economic landscape that is equitable, and supporting a cultural space for all.

In this context, it is truly ironic that the Opposition would move a Motion such as the one we have just seen—a Motion seeking to have this Government reaffirm commitments to principles, principles that the Opposition scarcely have taken note of while they were in Government, [*Desk thumping*] principles to which they are totally alien, particularly in the context of Tobago and the now PNM THA.

Mr. President, the Opposition has consistently shut the people of Tobago out of developmental participation from as far back as 1976, when Tobagonians exercised their democratic right to vote and voted for the DAC. The response of the PNM was to shut down the Ministry of Tobago Affairs. [*Desk thumping*]

Sen. Ramlogan SC: Tell them!

Sen. The Hon. C. Moore: That is democracy? So what you say to me is if I do not vote for you, you have no care for me? If I do not vote for you, I am not entitled to services? If I do not vote for you, I do not exist? You are denying me a Ministry; you are denying me a voice; you are denying me a vote; you exclude me from participation in the national patrimony? Because that is what happened to Tobagonians. [*Desk thumping*]

Sen. Ramlogan SC: Under the PNM.

Hon. Senator: “Tell them man.”

Sen. Ramlogan SC: Under the PNM. That is the PNM’s legacy.

Sen. The Hon. C. Moore: So the PNM’s legacy was to deny Tobagonians the opportunity to participate in, have access to, or benefit from the fruit of democracy, but they are here today talking about democracy.

Sen. Ramlogan SC: Crocodile tears.

Sen. The Hon. C. Moore: What is their history? Tobago knows!

In my view, 1976 was when they should have moved this Motion. [*Desk thumping*] How committed were they to democracy then?

The 1977 Motion of ANR Robinson for Tobago to be accorded internal self-government was also not supported by the PNM.

Hon. Senators: Ooooooh!

Hon. Senator: Lessons in PNM history.

Sen. The Hon. C. Moore: The question of the ability of any people to self-determination is a cornerstone of a democracy, yet when ANR

Robinson came to the Parliament, moved a Motion for internal self-government, it was shut down. So a cornerstone principle was denied, ignored, eradicated. [*Desk thumping*]

Sen. Ramlogan SC: PNM legacy. PNM legacy for Tobago.

Sen. The Hon. C. Moore: So, again, one wonders if my friend appreciates how the PNM democracy works against Tobagonians because we do not get the lauded democracy that he pays lip service to. We get a different brand of democracy.

In fact, what we get in Tobago is really smallpox blanket democracy—PNM style. [*Desk thumping*]

Sen. Karim: “Gangnam style.” [*Laughter*]

Sen. The Hon. C. Moore: Where was this Motion, Mr. President, when the PNM denied Tobagonians the right to be in charge and to control the democratic management of the island’s socio-economic and cultural development? How committed were they to the democracy then? Because, you see, we cannot get away from the fact that it is more than water that separates Trinidad and Tobago. It is a different cultural space. It is a different socio-economic space. It is a different familial space. So, in that context, certainly the importance of preserving the elements I just described, ought to have found themselves berthed in a Motion such as this, that my friends would have then supported, but is too late. It is too late, please, Mr. President, for them to come here and accuse the Government of matters that they have not been alive to for over 30 years. [*Desk thumping*]

Sen. Ramlogan SC: Tell them, man! Tell them! Tell them!

Hon. Karim: We will change that just now, man, for THA.

Sen. The Hon. C. Moore: A touchstone of democracy, of course, is the principle of accountability. You see, it is all good to come and talk about rule of law and Constitution and you pull these phrases out of the air, but democracy is really more fundamental than these throwaway phrases. Democracy comprises esoteric elements that really build out into a complete framework that supports an entire population.

One of these principles is the principle of accountability. So any commitment to democracy necessitates a commitment to accountability. Having said that, let us consider the commitment that the PNM has demonstrated to this tenet as they have led the Tobago House of Assembly. For the 12-year period, 2001 to 2012, the PNM THA malmanaged \$20 billion. [*Desk thumping*]

Sen. Ramlogan SC: “Good Lord! Good Lord! Yuh could ah build a Tobago for that.”

Sen. The Hon. C. Moore: And you see, I do not say mismanaged you know, Mr. President, because mismanaged suggests that it was an accident. It suggests that it may have been a bit of negligence, but this is not mismanagement, this is malmanagement. [*Desk thumping*]

Sen. Ramlogan SC: Mal! Maladministration and—[*Interruption*]

Hon. Senator: Deliberate!

Sen. The Hon. C. Moore: This was deliberate, it was concerted, it was born out of malice, it was designed to destroy, to denigrate a people, a cultural space, and it was done consistently. [*Desk thumping and crosstalk*] I will demonstrate the malmanagement.

According to the Auditor General’s report for 2003, the PNM administration of the THA failed to account for \$300 million.

Sen. Ramlogan SC: “Good Lord! Ooh papa.”

Sen. The Hon. C. Moore: Now, again—[*Interruption*]

Sen. Ramlogan SC: “What Orville do with all dat money”?

Sen. The Hon. C. Moore:—remember, Mr. President, we are twinning accountability with democracy.

Hon. Senator: Correct!

Sen. The Hon. C. Moore: Our friend brought us here to talk about our commitment to democracy. So we have to talk about our commitment to accountability, and since they now lead the THA, they are in Government, as it were, in the THA—[*Interruption*]

Sen. Karim: Temporarily.

Sen. The Hon. C. Moore:—their stewardship ought to illustrate that they adhere to this tenet of democracy which is accountability, but the Auditor General's reports do not demonstrate that. So, clearly this Motion is farcical in the context of what they are doing now. [*Desk thumping*]

Sen. Ramlogan SC: “Well putted, man.” “Well put.” “Well putted.”

Sen. The Hon. C. Moore: So in 2003, \$300 million unaccounted for. We can safely say that they had no concern about accountability then, so they had no concern for democracy then. [*Desk thumping*]

We go now to the Auditor General's report for 2004. The Auditor General reports that hundreds of millions were not accounted for by the PNM THA in the year 2004.

Sen. Ramlogan SC: Again?

Sen. The Hon. C. Moore: Again!

Sen. Ramlogan SC: Good Lord!

Sen. The Hon. C. Moore: You see it is a pattern. Because, of course, if you are not committed to the democratic ideal of accountability—you see it is a habit. Democracy is a pattern, maladministration is a pattern, malspending is a pattern. So it is not mismanagement, it is malmanagement. [*Desk thumping*]

Sen. Ramlogan SC: “Mala frides.”

Hon. Senator: Lessons in democracy.

Sen. The Hon. C. Moore: So in 2004, what does the Auditor General report about the stewardship of the THA PNM with regard to democracy? The Auditor General says to us that there was a transfer of \$4.6 million from the fund account to a contingency account in violation of financial rules. The Auditor General tells us that the PNM THA settled a loan for a private company—[*Interruption*]

Sen. Ramlogan SC: What?

Sen. The Hon. C. Moore:—for \$.8 million.

Hon. Senator: “Who friend is that company?”

Sen. The Hon. C. Moore: I have no idea, but again, my friends on the other side ought to know.

Sen. Ramlogan SC: They must tell us.

Sen. The Hon. C. Moore: They must tell us. They must tell us what friend, relative or financier—*[Interruption]*

Sen. Maharaj: Of the PNM.

Sen. Ramlogan SC: That is why they are so quiet.

Sen. The Hon. C. Moore:—of the PNM needed their \$.8 million loan repaid from public funds. *[Desk thumping and crosstalk]*

Sen. Ramlogan SC: That is the Auditor General talking.

4.00 p.m.

Sen. Coudray: “Allyuh brave, leh dey answer it.” *[Continuous crosstalk]*

Sen. Cudjoe: I would have my time—*[Inaudible]*

Sen. The Hon. C. Moore: The Auditor General reports that \$88.9 million was withdrawn from the fund account without warrants. No indication of where the money went and what was the purpose.

Hon. Senator: PNM purpose!

Sen. The Hon. C. Moore: Now, \$88million at \$7 million a school—how many schools were lost? *[Desk thumping]*

Now, when you do PNM-brand maths, it is only two schools. *[Laughter]*

Hon. Senator: “Dat bad!”

Sen. Singh: PNM economics!

Hon. Senator: “That real bad! “Look he leaving, he cyah take de pressure.”

Sen. The Hon. C. Moore: The Auditor General reports tens of millions of dollars were spent on items not approved by estimates. Again, it is no accident that my friend who has moved the Motion on supporting democracy has left the Senate. *[Desk thumping]*

Sen. George: “Cyar take de heat.”

Hon. Senator: “Doh run, doh run.”

Sen. George: “Cyar take de heat in de kitchen.”

Sen. The Hon. C. Moore: Because you see, when a mirror is held up to your actions, it is very difficult—*[Interruption]*

Hon. Senator: To stand up.

Sen. The Hon. C. Moore:—to stand up and face your own maladministration. *[Desk thumping]*

Sen. George: “Hold up de mirror to yuh, man. Hold up de mirror.”

Sen. The Hon. C. Moore: We are still in 2004. Mr. President, \$51.4 million over-reported on expenditure in the development programme. Now, what does that mean? When you over-report expenditure, where is the gap of money? So you spend \$5 but you say to us you have spent 10. Where is the gap of five? Where has that money been siphoned, sidelined, parked? Where has it been parked?

Hon. Senator: PNM party group.

Sen. The Hon. C. Moore: So we have this anomaly with regard to \$51 million.

Hon. Senators: Oh goood! [*Desk thumping*]

Sen. The Hon. C. Moore: That is one school; one PNM school.

Sen. Ramlogan SC: Fifty-one million dollars?

Sen. The Hon. C. Moore: Fifty-one million dollars!

Sen. Ramlogan SC: “Jeezanages.”

Sen. The Hon. C. Moore: Again, remember it is not \$51 million alone that is missing, this is one line item of hundreds of millions of dollars of missing money in one year. So that—how committed was the PNM to democracy then? How committed were they to accountability then? Where was this Motion then? [*Desk thumping*]

Hon. Senator: Motionless!

Sen. Ramlogan SC: “Yeah”, they were motionless!” [*Laughter*]

Sen. The Hon. C. Moore: Again, I confess, you know, that this forum is a new forum so I am here as a patient learner, but it really was quite difficult to conceptualize my friend’s framing of the Motion, and my friend’s argument of his own Motion. [*Desk thumping*] Because, surely, if you move a Motion asking for certain things to be done, one of the first things you would want to establish is that you, yourself, are committed to what you are asking the other person to do. [*Desk thumping*]

Sen. George: “When yuh point ah finger, it does point back at yuh sometimes, yuh know.”

Sen. The Hon. C. Moore: It was no accident that through the 45 minutes of my erstwhile friend’s speech at no stage he averred, suggested, confirmed, that these are the ideals that he and his colleagues adhere to. [*Desk thumping*] That could not have been an accident.

Hon. Senators: Noooo!

Sen. The Hon. C. Moore: You see, my friend is an honest man. [*Laughter and desk thumping*] My friend would not stand in this honourable Senate and tell a deliberate falsehood. I know him well! I have known him for close to 20 years so it is no accident that he said nothing about the PNM's commitment to democracy. [*Continuous crosstalk*]

In 2005, the Auditor General comes back to us. So in 2003 omnishambles; 2004 (omnishambles)²; 2005 (omnishambles)³. [*Desk thumping and laughter*]

Sen. Ramlogan SC: A brilliant speaker, man!

Sen. The Hon. C. Moore: We have to look forward, Mr. President, because, you know, we await the Auditor General. We have to look forward to '06, '07, '08, '09, '10, '11 or '12 so there are a lot more shambolic disasters [*Desk thumping*] to emerge out of the PNM THA. It is regrettable, it is unfortunate, that the Auditor General remains behind the PNM THA's curve of financial irregularity, but, by virtue of the precedent they have set, we can reasonably be certain as to how this will unfold. [*Desk thumping*]

In 2005, the Auditor General, in this failed THA PNM administration, the Auditor General noted again no accountability for moneys allocated to Tobago. Mr. President, \$29 million not accounted for; we cannot find it. Where is it?

Sen. Maharaj: PNM coffers!

Sen. The Hon. C. Moore: Cannot be found.

Sen. Ramlogan SC: "Where de money gone?"

Hon. Senators: PNM!

Sen. The Hon. C. Moore: You know, again, the pattern is a consistent pattern. Mr. President, \$10.8 million over-reporting with regard to expenditure, so again, we either under-report or we over-report; one of the strategies in order to perhaps squirrel away funding.

You see what pains me, Mr. President, as a Tobagonian, is that every year under a non-PNM Government, every year the Chief Secretary comes to the Parliament, he listens to the budget debate, he goes outside the Chamber and he says in a most doleful and mournful voice that he did not get enough money.

Sen. Ramlogan SC: That is true.

Sen. The Hon. C. Moore: Every year! So if someone consistently gets insufficient funds, you would expect that if they get this money in October/November, it would finish in July/August and they will be back asking for more, because they did not get enough so it is going to run out before the

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financial year, but consistently that does not happen in the THA. What happens is something quite peculiar. The moneys are allocated and received in or about November, and almost immediately, several million dollars are taken out and put aside, and that is referred to as unspent balances.

Now, for those of you who are unfamiliar, Mr. President, an unspent balance is exactly what it says it is. It is a sum of money that you do not spend. Having exhausted your entire budget on matters that you deemed worthy of spending, you have extra money. Unspent balances is extra money. So clearly you cannot have unspent balances at the beginning of a financial year. It is illogical, but, of course, the THA PNM are experts in illogical accounting. [*Desk thumping*]

So, in 2005, and again, I am dealing with my friend's Motion on democracy, and I am reminding the Senate that a pillar of democracy is accountability. I am reminding the Senate that the PNM is alien to accountability and as such alien to democracy. [*Desk thumping*] From the Auditor General's reports, documents have not been produced to support the receipt and deposits of certain sums of money to the extent that \$29.2 million could not be traced. This is 2005.

Hon. Senator: "Wha happen in 2012, boy?"

Sen. The Hon. C. Moore: An amount of \$8.03 million transferred from the fund account to the contingency bank account in anticipation of it being an unspent balance. So this is the money they squirrel away in the beginning of the year while "dey talking out ah de other side of dey mouth" telling Tobagonians, "central Government did not give you enough money". Every year!

Sen. Ramlogan SC: And asking for more.

Sen. The Hon. C. Moore: You see, it sets up a horrible paradigm and the paradigm is this: by consistency of repetition, it leads the reasonable Tobagonian to conclude that central Government does not give two hoots about Tobagonians. That is what it is designed to do. It is an alienating mechanism. So, you come, you say in your doleful, mournful voice, "not enough money"; you go home and then you squirrel away \$8 million, \$10 million, \$29 million from the top, from the start. You cannot be wet and dry, Mr. President. [*Desk thumping*]

Another central pillar of democracy is responsibility to the electorate. Not only the electorate, you know, Mr. President, to the entire community that the elected body is asked to serve and service. So you do not centre democracy by providing services for the people who you feel support you politically. That is inconsistent. If that were the position of this Government then we may not have seen the Laventille family day, but this Government, of course, is a responsible Government and it understands that you are the Government of all the people; not some of the people. [*Desk thumping*]

So that this broader community is entitled to services by virtue of being the community that the Government is charged to take care of. Responsibility to the body politic is a democratic underpinning. But, how do you measure it? How do you see it? How do you evidence it? How is it built out? Well, you can easily see it when you look at infrastructure development. So what you ought to see is infrastructure development that benefits your political supporters, your political opponents, strangers, visitors, aliens—everybody. Infrastructure development is one of the measures of Government responsibility; responsibility is a pillar of democracy, so let us measure it.

When you look at Tobago, led by or governed by the PNM THA, what do you see? An incomplete library, eight years' delay.

Sen. Ramlogan SC: Oh my God, eight years for a library?

Sen. The Hon. C. Moore: Now, it is even worse than an eight-year delay when you consider—where am I for time?

Sen. Singh: Seventeen minutes for the first 45.

Sen. Ramlogan SC: Seventeen minutes.

Sen. The Hon. C. Moore: When you consider that you are dealing with an island, Mr. President, we cannot jump in a maxi and come to the Port of Spain library; we cannot jump in a maxi and go to the Sangre Grande library. We are surrounded by a body of water. So when you have an eight-year delay in something as pivotal to development as a library, it tells an enormous story.

Sen. Ramlogan SC: True!

4.15 p.m.

Sen. The Hon. C. Moore: It tells an enormous story. What you are saying is that you are relegated, as my friend suggests, to a school library, now the contempt—[*Interruption*]

Sen. Ramlogan SC: Contempt man, the contempt.

Sen. The Hon. C. Moore:—the contempt of such a suggestion, because all of us have observed, participated in, been to school libraries and one cannot hope to compare a school library to a regional library or to a national library.

But again, you see—

Sen. Munro: How PNM thinks.

Sen. The Hon. C. Moore:—it frightens me that a person as young as my friend would have internalized that disgusting element which tells you I should accept less.

Hon. Senators: Yes, yes. [*Desk thumping*]

Sen. The Hon. C. Moore: Can you imagine—

Sen. George: Tell them, tell them.

Sen. The Hon. C. Moore:—in 2012, a vibrant, lovely, attractive, intelligent young woman suggests that, in lieu of a regional library, Tobago's children should accept a school library.

Sen. Ramlogan SC: A small school library.

Sen. The Hon. C. Moore: Nonsense. [*Desk thumping*] Nonsense. Eight years' delay.

Sen. George: Forgive her, forgive her. Do not come down so hard on her.

Sen. The Hon. C. Moore: But again, we have to be so careful because, you know, it is often easy, when you have achieved your education, your first degree, your second degree, paid for by the hard work of your parents or paid for at the hands of your own hard work, you forget that other people are also deserving because it is no longer your problem. We have to guard against that in democracies. We cannot, in order to grow, say: I study by "bou'eille d'feu"—Tobagonians know what is a "bou'eille d'feu"—so you could study by "bou'eille d'feu" too, 20 years later. When entire communities are lit, you must study by "bou'eille d'feu", because I did it and I succeeded, so you do it too. Nonsense. Nonsense. [*Desk thumping*] But that is the legacy. The legacy of the PNM is the legacy of lack, the legacy of suffering. That is the legacy and it is unfortunate. Incomplete library, eight years' delay.

Incomplete cultural complex, another "bou'eille d'feu" story, to be sure. I stressed earlier, Mr. President, that Tobago is a unique cultural space. It is different. You only have to observe the Tobago Heritage Festival to know that it is different. It is only vaguely parallel to what you see in Best Village. It is completely different. So, of course, you need a proper cultural space to foster the development of the space, of this expression, yet, cultural complex, four years' delay.

Sen. Karim: A next "bou'eille d'feu".

Sen. The Hon. C. Moore: But not only that you know, when and if they ever open it, what part of it will be usable? When and if they ever open it, where will people park? When and if they ever open it, will they be able to stop it from sinking?

Sen. Munro: Poor PNM planning.

Sen. The Hon. C. Moore: Poor PNM planning. Hospital—remember we, again, are talking about the expressions of democracy. We are saying that one way that democracy is expressed is in the provision of infrastructure for all, not just your supporters. So you are looking for public infrastructure to evidence democracy. We come to the disaster of the Scarborough Hospital. I do not know that a health facility anywhere in the world has been mired in more controversy, more delays, more cost overruns, only to produce, at the end of the day, when it eventually opens, probably about 100 beds. Now, I mean, it is so, so painful.

Tobagonians are literally dying for this hospital to open, dying for a hospital in 2012, in an economy that has excellent international ratings, in an economy that is populated by goods, by services, by health professionals and here you have 50,000 people dying for a hospital under the PNM THA. [*Desk thumping*] Six years' delay.

We were promised, it was supposed to open last year and the year before that and the year before that. My heart bleeds for the Minister of Health. My heart bleeds, because as he rightly said, in a recent report covered in the media, there has to be some subversive reason why this project is consistently incomplete. There has to be.

Sen. Munro: The THA keeping them back.

Sen. The Hon. C. Moore: Financial complex, more shambles. This financial complex, which I think, really, out of sheer shame, the PNM THA opened, notwithstanding, it being bereft of toilet facilities. So you opened a multistorey building—[*Desk thumping*]

Sen. Munro: Below international standards.

Sen. The Hon. C. Moore:—substandard workmanship, no bathroom facilities, you inject staff into that complex and when nature calls, you direct them to KFC? I mean, really, really? You know, really?

Sen. Ramlogan SC: Really. It is terrible.

Sen. The Hon. C. Moore: It is so embarrassing. No water in this building. So that, again, really, how are the PNM and the PNM THA committed to democracy when they can provide no infrastructure on a timely basis, on a fiscally timely basis?. It just cannot happen.

More than that, let us come to Scarborough.

Hon. Senator: Yes, Scarborough.

Sen. The Hon. C. Moore: I do not know if you have driven through Scarborough recently, and one can only describe Scarborough as potential energy, not kinetic energy because there has been no concerted plan to revolutionize the energy of Scarborough. Scarborough is the victim now of an ad hoc beautification project. So that, no one really knows what the aim is.

You know, when you go to cities under development, towns under development, as soon as you enter there is a wonderful billboard saying: "Town X, City of Light and Love" and there is a picture of what the developer is aiming for. Do not look for that in Scarborough. It does not exist because the developers are ad hoc, the development is ad hoc and there is no goal, so we would never know when we get to the end because we do not know what the end looks like. Again, how does this line up with the principles of democracy and in particular, the principle which says you must provide infrastructure that benefits all. Where is the infrastructure? Where is the modern city that is supposed to be Scarborough \$20 billion and 12 years later, where is it?

Sen. Ramlogan SC: After 50 years of PNM.

Sen. The Hon. C. Moore: One cannot be committed to democracy without speaking about transparency. In the context of public bodies and elected officials, the idea of transparency is a central tenet. Governments have fallen over issues of transparency and my friends on the other side are well aware of this. They have been victims of that. So, in order to decide whether they have been committed to principles of democracy, we must consider whether they are committed to the principle of transparency. So, we look again, in the context of the PNM THA for evidence of a commitment to transparency.

Again, regrettably, we do not have to look far to realize that this is yet another alien concept to the PNM THA. Where was the commitment to transparency and the commitment to democracy in the BOLT arrangement made by the PNM THA?—where, in this arrangement, the PNM THA firstly purchased land for \$12 million from a PNM financier, gave it back to the said financier, or a version of the financier, four days later, and then leases it for \$10 a year for a 199 years. Now, Mr. President, you do not have to be a legal mind to be concerned about a transaction like this. Any man on the street hearing this, would be concerned. I buy land from my friend for \$12 million, four days later I leased the same land back to my same friend for 199 years for \$10 a year; incredible, incredulous—
[Interruption]

Sen. Ramlogan SC: Yes. Illogical, incredible.

Sen. The Hon. C. Moore:—illogical and not in accordance with principles of transparency. [*Desk thumping*] It gets curiouser and curiouser.

Sen. George: Alice in Wonderland.

Sen. Munro: That is a novel.

Sen. The Hon. C. Moore: Then you have the same financier offering to build what is essentially a mall, on the same lands and then the PNM THA agrees to rent the mall from the same financier in whatever cloak he now clothes himself, for \$1.4 million a month for 20 years. Now, how could you be comfortable with that? Is that transparent?

Sen. Munro: It is not transparent at all.

Sen. The Hon. C. Moore: It cannot be. And it gets curiouser.

Sen. Ramlogan SC: “Yeah, leh we hear yuh.”

Sen. The Hon. C. Moore: Then the PNM THA Executive Council has \$21.5 million in an escrow account as security for the loan that the same financier is taking to build the same mall. “Ah mean”—

Sen. Munro: What kind of transaction is that boy?

Sen. The Hon. C. Moore: It is does not withstand scrutiny.

Sen. Ramlogan SC: It defies logic.

Sen. George: It defies transparency.

Sen. The Hon. C. Moore: Now, I want to be fair.

Sen. Munro: That is PNM transparency.

Sen. The Hon. C. Moore: Ultimately, there may be a logical explanation for the transaction that I just described—[*Interruption*]

Sen. George: Indeed.

Sen. Munro: That is a story book.

Sen. The Hon. C. Moore:—there may well be but that is not the issue. The issue is if the transaction is suspicious on its face, then there is an obligation by people in private life, when confronted, to immediately disclose all relevant documents and to demonstrate at the earliest opportunity that the transaction squares with all international good practices—[*Desk thumping*] that the transaction is regular, that any question that can be asked of the transaction will withstand scrutiny. It is the obligation of the public body to do this swiftly, to quiet public anxiety. [*Desk thumping*]

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I remind the President and this honourable Senate that when first called upon to produce these documents, the response of the PNM THA was less than forthcoming, less than cooperative. To date, although the tone changed—because I want to be fair—the gentleman's tone has changed, it is much calmer and he has sung a different song, but the Minister of Finance and the Economy is not in receipt of these documents. [*Desk thumping*]

Sen. Ramlogan SC: “No, dey doh want tuh give it. Dey hiding those documents. What Orville have tuh hide so?”

Sen. The Hon. C. Moore: Again, we call upon the hon. Chief Secretary to do the honourable thing in a timely fashion: quiet public anxiety, and produce, with haste, the relevant documents for the perusal of the Minister of Finance and the Economy. The people of Tobago deserve no less. [*Desk thumping*]

Sen. Munro: Use the “bou'eille d'feu” to find it.

Sen. The Hon. C. Moore: He might need a “bou'eille d'feu” to find it. [*Laughter*] How can my friend sit there and move a Motion on democracy with its attendant features, when this particular project was characterized by no competitive tendering? This was an adventure. In fact, it was a maladventure. No competitive tenders for the project, as recommended by the consultant who evaluated the project. How committed was the PNM THA to democracy then? Where was this Motion then?

Sen. Karim: Who did that?

Sen. The Hon. C. Moore: Where was the PNM THA's commitment to transparency and commitment to democracy, when the PNM Chief Secretary ignored advice to terminate the project because of the many public sector procurement rules that were breached? Where was this Motion then? Where is the transparency and commitment to democracy in the PNM management of the THA? Mr. President, it has been 12 years and \$20 billion later. So, I should not have to find a “bou'eille d'feu” to extract democracy out of the Tobago PNM THA. [*Desk thumping*]

Sen. Ramlogan SC: Yes, well said.

Sen. The Hon. C. Moore: It bears repetition that a commitment to democracy encompasses a commitment to the creation and maintenance of social, economic and cultural conditions that enable the free and equal practice of political self-determination.

So, let us now look at the PNM THA to see where they have demonstrated this commitment. How have they created social conditions in Tobago that enable the free and equal practice of political self-determination? How could they have created these conditions, when 300,000 Tobagonians reside in Trinidad? The population of Tobago is consistent at 50,000. It is not because the island could only hold 50,000, it is because the PNM THA has created no opportunities for Tobagonians to stay at home and prosper. So, where do we end up? In this honourable Senate. [*Desk thumping*] There are 300,000 Tobagonians in Trinidad. No wonder the PNM Trinidad decided that they could hold a family day— [*Interruption*]

Mr. 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. [*Hon. G. Singh*]

Question put and agreed to.

Thank you, Mr. President. It is because 300,000 Tobagonians reside in Trinidad that the Trinidad PNM decided that they could hold a Tobago family day in Trinidad—the height of contempt. For years, we had to come here to get a birth certificate, we had to come here to register a deed, we had to come here to go to school. Now we have to come here to get cold food and hot beers. [*Desk thumping*] The height of contempt. You want Tobagonians to come to a PNM family day but you hold it in Port of Spain? So high do you hold us in your regard—and Tobago people are not blind. They are not blind. Not all of them have been embraced by the small pox blanket, not all of them have taken the small pox blanket home. We are alive to these ruses and that is why the hot beers and cold food fiesta “buss”, because Tobagonians are not of that. They are not of that. Contemptuous.

Mr. President, how have they created social conditions? How has the PNM THA created social conditions in Tobago that enable the free and equal practice of political self-determination? When the PNM THA insisted that Tobago was too small to support a university campus, too small, our people say we too small to support a university campus?

Sen. Ramlogan SC: “If yuh see how much bright people it have in Tobago.”

Sen. The Hon. C. Moore: What was the build-out of that? That ensured that Tobago will always have a pattern of educational migration. It will remain a part of our landscape, breaking up families. I know of which I speak. I am in Trinidad,

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my parents are in Tobago, one brother is in the United Kingdom, one sister is in San Fernando because of the necessity for educational migration. The Tobago family is a steady, stable unit, but because of this matter that clearly was part of a larger PNM THA plan, the family is now split, destroying families, simultaneously denying Tobago the opportunity to grow by virtue of educational tourism. How could you be so short-sighted? How could you be so short-sighted? There are towns that are smaller than Tobago that support campuses. In fact, the campuses support the towns. [*Desk thumping*]

Sen. Ramlogan SC: Look at the University of the Southern Caribbean.

Sen. The Hon. C. Moore: So, again, I remind this honourable Senate that we were brought here to talk about democracy and the mover of the Motion has fled.

Sen. George: And left his colleagues to take the heat. Poor Penny.

Sen. The Hon. C. Moore: Has the PNM THA created or enabled cultural conditions in Tobago that support democratic principles that are consistent with nation-building; that are consistent with the aspirations found in our National Anthem which decrees that every creed and race find an equal place? Have the Tobago PNM committed to those ideals? Well, I would suggest that the evidence demonstrates to the contrary.

It was the PNM THA, of course, that refused to release funding to particular cultural and religious groups, a matter that was only revealed by various applications under the Freedom of Information Act. It is the PNM THA that have been insulting Tobagonians by averring that if you vote for the Tobago Organization of the People, Indians will take “yuh” land. Shocking and shameful.

Hon. Senator: Shame on them.

Sen. The Hon. C. Moore: Mr. President, I want to say that this assertion is degrading to the person who utters it and it is degrading to the person to whom it is uttered. It speaks to the marriage of the THA PNM, to the continuation of a racial divide at all costs. It is repulsive, it is repugnant to the democratic principles espoused in a global village, and the success of that message—that odious, infamous message—is premised on the assumed idiocy of the listener.

Sen. Ramlogan SC: Do not insult the intelligence of Tobagonians, man.

Sen. Karim: Reprehensible.

Sen. The Hon. C. Moore: “We brighter than that.”

Sen. Ramlogan SC: Yes, of course. They are smarter than that.

Sen. The Hon. C. Moore: A most recent matter pointing to the PNM THA's polarity from a comprehension of democracy occurred as recently as a few days ago, when the Chief Secretary of the PNM THA told a disappointed audience of the persons that the PNM THA has systematically oppressed, that he would not forgive any person who did not vote for the PNM.

Sen. Ramlogan SC: Terrible.

Sen. The Hon. C. Moore: Now, the magnitude of this statement ought not to be lost on us. The first matter I want to discuss in that statement is that it would appear that the authority for forgiveness resides in the Chief Secretary. The Chief Secretary is God in Tobago. That is what he is saying. [*Desk thumping*]

The second matter is that here you have a public official telling citizenry, implying quite clearly, that there would be consequences if their vote is not in a particular direction.

Sen. Ramlogan SC: Quite so.

Sen. The Hon. C. Moore: That, more than anything, is a public undermining of democracy. [*Desk thumping*] Can you imagine the Premier, the President, the Prime Minister of any First World nation getting up on a political platform and telling supporters if they did not vote for his party he would not forgive them? That would be the last public speech he ever makes. The last one.

Sen. Ramlogan SC: Absolutely.

Sen. The Hon. C. Moore: And that should have been the last public speech that the Chief Secretary—

Sen. Karim: It was.

Sen. The Hon. C. Moore:—made. We ought to make sure he never speaks in public again. [*Desk thumping*]

Sen. Ramlogan SC: That is contempt.

Sen. The Hon. C. Moore: It shows a lack of understanding of the principles of democracy. [*Desk thumping*]

As a matter of law the THA has exclusive powers and responsibilities under the THA Act, relative to certain matters in Schedule 5, so that a commitment to democracy would mean that these responsibilities were faithfully undertaken with at least reasonable diligence. So that, if we examine these responsibilities they ought to be, by virtue of a discharge of the responsibilities, a clear demonstration that the PNM THA are committed to democracy. I would only deal with a few of them.

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Tourism is a Schedule 5 matter. The tourism product remains severely underdeveloped as the PNM THA cannot implement or support even simple matters like signage, so the tourists would not get lost; road barriers, so that the tourists “doh” die; sensible craft fairs, or sustainable markets towards driving the tourism product. So, a fail on tourism.

Education—another matter, Schedule 5. Having publicly not supported the construction of a university campus on the island, judging by the plethora of teachers on contract in Tobago, the PNM THA has failed to even reasonably discharge responsibilities in this area. But more poignant and more painful is the PNM THA’s refusal to allow for the construction of a school for special needs children. Who does that? A measure of a society is how we treat our helpless.

Sen. Munro: Nobody does that.

Sen. The Hon. C. Moore: Health services, another matter under Schedule 5. If this matter were not so serious it really would be hilarious. With a mortality rate well above international and regional norms, an entire island is waiting and literally dying for a hospital. The PNM THA has failed to even reasonably discharge this responsibility.

Before I conclude, I want us to talk a little bit about housing. Housing in Tobago and the provision of housing operates a little differently and the PNM THA ought to know that Tobago has a rich culture of house building. Tobago does not need a house built. Tobago needs access to financing and land. We could build our own houses. Why then is the PNM THA in absolute apparent ignorance to our culture of house building, providing small boxes for Tobagonians to live in and why are those boxes defective? Steps not properly adhered to the building, so “the step one way, the building one way”.

Sen. Ramlogan SC: Like the THA then?

Sen. The Hon. C. Moore: Ridiculous—giving out these boxes to people of the same family, so in one particular development, I am reliably informed, one family, five members, five houses.

Hon. Senators: Ooooooo?

Sen. The Hon. C. Moore: What is that?

Hon. Senator: Five boxes.

Sen. The Hon. C. Moore: No delivery on a sustainable basis, no production of a product that is fit for purpose, that is fit for community, that is fit for the society in which it is provided. Another fail, another fail.

4.45 p.m.

Now, I am reminded that it is my friend who brought us here. So, I want to say that we must not forget that it was the PNM who imprisoned one woman using emergency powers. No commitment to democracy then. [*Desk thumping*]

Sen. Ramlogan SC: Yes.

Sen. The Hon. C. Moore: We must remember that it was the former leader of the PNM who, while he was having a haircut, decided that a radio station DJ had offended him. [*Desk thumping*] He stormed the station. No commitment to democracy then.

Sen. Ramlogan SC: “That is press freedom then.”

Sen. The Hon. C. Moore: It was the PNM that used illegal wiretaps, that was the norm under that administration, when it was discovered that they were wiretapping, from Ministers to comedians, everybody. [*Crosstalk*]

It was the PNM that used SAUTT against a series of persons in public and private life. Where was the commitment to democracy then? It was the PNM that refused to hold a commission of enquiry into what my friend now says was a violent attack on the Parliament. Where was their commitment to democracy then? [*Desk thumping*] It is the same PNM whose founding father referred to a national newspaper using disparaging remarks—[*Interruption*]

Hon. Senators: Yes! Yes!

Sen. The Hon. C. Moore:—burn it in the square. Where was their defence of press freedom then? [*Desk thumping and crosstalk*]

Sen. Ramlogan SC: Press freedom. Ohhhhhh!

Sen. The Hon. C. Moore: Where was my friend when his current leader was being called a raging bull and a “wajang” by his then leader? [*Desk thumping*]

Sen. Ramlogan SC: Yes. Yes.

Sen. The Hon. C. Moore: Where was his commitment to democracy then?

Hon. Senator: Correct. Correct.

Hon. Senator: “Yuh cyar take no offence to dat, ah remember.”

Sen. Ramlogan SC: We took no offence to that. [*Laughter*]

Sen. The Hon. C. Moore: Where was his commitment when state funds were used to construct a private church on agricultural land for one obeah woman? Where was the commitment then? [*Desk thumping*]

Mr. President: You will have to wrap up.

Hon. Senator: Just wrap up.

Sen. The Hon. C. Moore: In conclusion, please, Mr. President, I want to say that the Motion presumes matters and issues not established as facts, that the Motion is misplaced, that the Motion ought to be tabled at an internal meeting of the PNM, and in particular—[*Laughter and desk thumping*]

Hon. Senator: Well done. Well done. Well done.

Sen. The Hon. C. Moore:—the THA PNM. I want to say that the PNM THA has violated and continues to violate all principles of democracy, a matter that they will no doubt ponder as they suffer a resounding defeat at the THA elections on January 21, 2013. [*Desk thumping*]

Hon. Senator: Well done. Well done. Well done. [*Desk thumping*]

Sen. Subhas Ramkhelawan: Thank you, Mr. President, for the opportunity to contribute—[*Interruption*]

Hon. Senator: “Yuh could wrap up now.” [*Laughter*]

Sen. S. Ramkhelawan:—to this Motion. [*Crosstalk*] Let me begin by congratulating my colleague on the other side on a wonderful, entertaining, rather informative contribution. [*Desk thumping*] I did not make the full connection or rather I am sure that you did, because she did intersperse the discussion with the word “democracy” quite a few times. I thought, however, that it was rather a referendum on the performance of the Tobago House of Assembly—[*Interruption*]

Hon. Senators: On democracy.

Sen. S. Ramkhelawan:—in terms of transparency, in terms of accountability and in terms of responsibility. Be that as it may, let me attempt to join the debate on this Motion and to craft if you will, the discussion in the context in which the Motion was raised. I refer to the Motion, where the resolution is:

“...that the government re-affirm its commitment to these principles and the practice of democracy in Trinidad and Tobago.”

The mover of the Motion, Sen. Hinds, referred to the Constitution of the Republic of Trinidad and Tobago in its preamble, its terms and spirit.

Now, I was a young man when we as a nation got our independence, and probably the definition of democracy for Trinidad and Tobago really lies in a speech by one of the finest and iconic sons of this mother Trinidad and Tobago; this was given on August 31, 1962. Whenever I have to think in terms of democracy, I do not go to Wikipedia. I do not go to any lofty journal, but I go back to this particular speech, a speech by Dr. Eric Williams, where he outlined and detailed for us as a nation the fundamental principles of democracy. [*Desk thumping*] I would like to quote generously as I go along and join in this particular debate. He said, and I quote:

“The first responsibility that devolves upon you is the protection and promotion of your democracy. Democracy means more, much more, than the right to vote and one vote for every man and every woman of the prescribed age. Democracy means recognition of the rights of others.”

When we look at—and I will go on and quote further from this, but I wanted to go back to tenets which were called upon by Sen. Hinds, which is in the preamble of the Constitution, one of which is that the people of Trinidad and Tobago:

“have asserted their belief in a democratic society in which all persons may, to the extent of their capacity,...”—and I repeat—“...to the extent of their capacity play some part in the institutions of the national life and thus develop and maintain due respect for lawfully constituted authority;”

So, this question of democracy is deeply rooted in the hearts of every Trinidadian and Tobagonian, because we would have received a very far-reaching lesson at the—what some call “the birth of our nation” in 1962. One of the tenets that I want to speak of, and I quote again:

“Democracy means equality of opportunity for all in education, in the public service, and in private employment...”

Now, Mr. President, I want to look at our nation and I want to look at this matter of democracy not insofar as a referendum or any particular issue, but on the areas that frame and shape our land. When we look in particular at education, what we have found is that both the main parties or coalition of parties in Trinidad and Tobago have really stood steadfastly to the development of education in our nation. If that is one of the criteria which we are going to judge whether a particular party or a particular grouping affirms the notion of democracy, that must be one of the pillars.

In education, over the years, we have been able as a nation to move from very, very selective education at the secondary level to full education at the secondary level. We have been able to move across administrations from limited opportunities for tertiary education to what some may say is already a universal opportunity for

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tertiary education. And we have done that in a way that many nations when you look outside, and you listen outside, many nations admire that we have been able to build out the education infrastructure, at least in its hardware, to a very significant—and one would say a universal level.

Even working back now to what is commonly called the kindergarten or the preschool, what we are seeing is, we have seen successive administrations commit themselves to the fleshing-out of that preschool education. I am sure that Sen. Karim will bear me out on that. So, when we speak about this matter about the affirmation or the reaffirmation to the principles and practices of democracy and we take some tangible areas—in particular, education—I think that we have done reasonably well.

It is easy to congratulate both the main administrations that they have kept on the path. I do not see anything within the current administration that speaks to deviation from this particular path. So, that question of opportunity for all in terms of education is there with us, and the question of reaffirmation is one that, depending on which side of the divide you sit in terms of political parties, you would have toing and froing. But as you know, Mr. President, our Independent Benches come from—its roots are really embedded in a notion called that of a cross-bencher in the English or British parliamentary system, where we stand on the issues rather than standing on any particular side.

So, while there are those who have argued very vociferously for and against this particular Motion, I want to say if we use certain standards and in particular the standard of education, we have done reasonably well in the hardware and work has to be done as far as the software of education is concerned—the content of education and the effectiveness of delivery of schooling that goes through our various schools and so on. But at a starting level, one could argue that education has met its remit.

Further on, it talks about—and I quote again:

“Democracy means the obligation of the minority to recognise the right of the majority...

Democracy means the protection of the weak against the strong...”

I look at education and I see across the Chamber, Sen. Archbishop Barbara Burke, and I recall the matter of education which came up and I recall the matter of a public holiday for the Shouter Baptists. In both cases, there are claims and counterclaims as to who really got the job done. But I can say that both administrations would have contributed even though one may have breasted the

tape at a particular point in time. So, it is under one administration there were schools. It was under one administration, that same administration, there was a public holiday granted to the community and, therefore, I think that speaks for itself.

5.00 p.m.

Mr. President, I really want to turn my attention—before I go back to this—and express my concern. Lately, it was probably two or three sessions ago in this Parliament that the use of the word “racism” and the connotation that employment or lack thereof in certain of our institutions was rooted in this matter of racism. I totally reject the notion and I totally reject the idea that we can call up division of racism in this Chamber, in this country of Trinidad and Tobago, when it has to do with employment or lack thereof, or a particular lean in employment in an institution.

Maybe we really need to go back and understand what this notion of racism is about. Surely, it is not that. Surely it is not that some have gotten employment. It might be over-exuberant patronage—it could be that—but we, as a nation, have benefited from a camaraderie of the various ethnic groupings in this country, the likes of which very few other countries have seen, yet still we pull this word up and it is an admonition for all of us in this Senate to be very careful; very, very careful in pulling out this particular card and in raising that flag, because if at any time, God forbid, you let that particular genie out of the bottle in this our blessed nation, we are going to find ourselves in very deep trouble.

So I appeal to all our leaders, stay away from those particular words which cannot be substantiated and let us work together to build this nation with the kind of true leadership that is required and demanded for us in this Parliament and in every other arm or leg of the State as it might be.

I go back to some of the other tenets of democracy and quote again, rather generously, that:

“Democracy means responsibility of the Government to its citizens, the protection of the citizens from the exercise of arbitrary power and the violation of human rights and individual rights.”

Now, we in Trinidad and Tobago have enjoyed certain levels of freedom that many countries cannot even dream of. We have enjoyed these freedoms and sometimes it is the case that we enjoy freedoms without considering that freedom brings responsibility; and with greater freedom, there is the need for greater responsibility. But one cannot argue, in this particular nation, that we have been deprived for any extensive period of time of those very freedoms.

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In our history we have had, if my count is correct, maybe three, maybe four states of emergency and one limited state of emergency. It is only at those times—and this is in accordance with our Constitution—that we have been, in a sense, deprived of freedoms, but even so, that deprivation is in accordance with the rules of engagement of our Constitution. Our citizens will not allow and do not tolerate any administration that will go past that line in the sand that is well-defined in our Constitution and that enshrines our freedom. Then, the question of—

“Democracy means freedom of worship for all and the subordination of the right of any race to the overriding right of the human race.”

That is the definition of “democracy” given by our finest iconic son. And who can say that at any time in this country the right of worship has ever been compromised? Who can say that? In fact, the right of worship has been expanded and made available to every section of this nation, no matter which administration holds the reins of executive power.

So, this question about democracy and the need for the reaffirmation—well I think the Government will have to state their case with whether they need to reaffirm their commitment to democracy; but sitting here on the Independent Bench, what I can say is that I do not see the right to worship being trammelled, not only by that administration, but also the administration of the Opposition when in executive power.

So in my brief contribution, although it is not a referendum on the performance of any particular political party, I want to argue that we are going along the right road as regards democracy and as regards the defence of democracy by the various administrations that we have had since our independence in 1962.

“Democracy means the freedom of expression and assemble of organization.”

Again, I have not seen any oppressive denial on an extended basis of this right, this freedom to assemble and to express oneself fully.

So, as I said, I cannot speak to the question of the commitment of this particular administration to the principles, but I can speak to the adherence of the principles by the various administrations; and if perhaps every now and then you get a blip on the radar screen, it is certainly the clarion call of our citizens to come back on to the road; and that blip is usually very short. I do not see a tendency to remove those freedoms and rights enshrined in the democracy.

In conclusion, I will stay away from the matter of reaffirmation by any particular group, but I will join in confirming that our principles, our fundamental freedoms, remain intact and long may it last. I thank you, Mr. President.

ADJOURNMENT

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Mr. President, I beg to move the adjournment of this House, but before I do so, I know you want to extend certain condolences.

Condolences (Angela Cropper)

Mr. President: Hon. Senators, before I put the question regarding the adjournment, I would like now to invite Senators, who may want to contribute, to pay tribute to Sen. Angela Cropper on her untimely passing.

The Minister of Planning and Sustainable Development (Sen. The Hon. Dr. Bhoendradatt Tewarie): Thank you very much, Mr. President, hon. Senators. I say a few words about Angela Cropper, who has departed this world.

I first met Angela Cropper in 1974 as a member of a movement called Tapia. We got to know each other slowly. “Hello, how are you?”—pleasant greetings and small conversations defined the nature of our relationship. I got to know John Cropper, too, her husband, during that period in the mid-1970s when our country and the region at large had known some turbulence.

It was a heady time when the mood of change was in the air; when fresh thinking about new possibilities in Trinidad and Tobago and the Caribbean region reared its head and some of us aligned ourselves with Lloyd Best to create a political movement of ideas that we all hoped then would bring radical change and make a fundamental difference to economic strategy, political culture and social relations.

John Cropper was shy, quiet and deep. Angela showed leadership strength and was not afraid to assume responsibility in various situations. They were, each to the other, a source of mutual support.

The period of the mid-1970s, which I am recalling now, was not only a period of political foment and intellectual engagement; it was also a period of cultural explosion. The words of the Guyanese poet, Martin Carter, would have an influence on some of us.

Adjournment

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You sleep to dream, Carter wrote in one of his poems, but I dream to change the world.

In 1976, Angela and I, along with several other independent-spirited men and women, were candidates in the general election under the Tapia banner. We had become friends by then and I got to know that her middle name was Sarojini. Those names Angela Sarojini, Angel and Lotus Flower, seem perfectly suited to her.

She behaved towards me as a big sister and she walked the streets of St. Augustine constituency with me, asking people to vote for me and, of course, Tapia, in the 1976 election in which we were involved; but every Tapia candidate lost the election. Except for Lloyd Best and Allan Harris, we all lost our deposits.

Over the years, Angela Sarojini Cropper and I did not interact much on a personal basis, but we kept in touch as she carved out a path for herself as a contributor, as a nation builder, a creator and supporter of institutions dedicated to progressive causes and she built, over time, a network of international contacts to support initiatives that she believed in across the Caribbean region.

Her work demonstrates clearly that Trinidad and Tobago was her home; that the Caribbean region was her place and she, the beautiful, personable, gentle, sophisticated, formidable and strong, Angela Sarojini Cropper, daughter and sister of the Persad family of Penal, was an enlightened citizen of the world. She leveraged her influence in the world to do things for her country and to make things happen in her region.

In Trinidad and Tobago, she and her husband built the Cropper Foundation. Her foundation invited me, on several occasions, to play a role in various projects having to do with culture, the arts and education. In Guyana, she played a major role in the Iwokrama project and she also invited me there on two occasions to events held, but unfortunately other commitments did not allow me to attend.

At the London School of Economics, she established a scholarship in memory of her son Devanand after his untimely death.

5.15 p.m.

During my tenure as Principal of the St. Augustine Campus of the University of the West Indies, we signed a memorandum of understanding between UWI, St. Augustine, and the Cropper Foundation that facilitated two very, very important projects: a study of the Northern Range in Trinidad and a study of the Caribbean Sea, funded by the United Nations.

Professor John Agard, who had always been a close friend of Angela, played a key role in both of these projects. When I became Minister of Planning, again working with the Ministry and the Department of Life Sciences at UWI, St. Augustine, she facilitated through the United Nations Environmental Programme (UNEP), a study that will put a value to the various elements of the ecosystem of the Northern Range, and this is ongoing.

Angela Cropper had always been strong on environmental issues and, over time, her knowledge of and sensitivity to the rich biodiversity and unique ecology of Trinidad and Tobago grew; her concern for people and her inclusive vision of humanity, the value she placed on community and the self-determination of communities, her recognition of the significance of individual talent and the virtue of artistic endeavour, her belief in science and in economic progress—all these things made her a strong advocate for sustainable development and the principles of sustainable development.

Angela Sarojini Persad-Cropper was a highly gifted and generous human being. She played many roles and served in several capacities, including as an Independent Senator in this honourable Senate. She always distinguished herself, made a difference and added value. It would be true to say that she took so little, she asked for so little and she gave so much. She had an attitude of gratitude and a disposition of “can do”.

She lived through some terrible personal tragedies, cumulatively disturbing even to contemplate, undergoing and experiencing loss that is more than most of us can personally bear. Yet, in the face of it, all these experiences revealed that she was a woman of immense strength, of courage, of compassion and depth. Yes, Angela Cropper was a highly evolved soul, she lived to do good; she practised forgiveness; she understood love with a big “L”; she was ever a warm and generous spirit; she made friends; she worked with collaborators; she built networks; she worked hard with self-confidence and with a vision to do good.

I never knew Angela to be religious, but she carried herself with a calmness of spirit at all times, and the courage and composure she exuded in the face of adversity could only come from a person of immense faith, solidly rooted in the kind of values that make acceptance of the flawed world, such as it is, possible. A wise acceptance you might say of the reality that some things you can control and other things you just cannot. Angela: she was indeed an angel and a lotus flower in life. I wish her the peace beyond all human understanding in death. I am certain that for her, as the poet Dylan Thomas wrote:

“...death shall have no dominion.”

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My sincere condolences to her family and friends, whom I know will forever carry her in their memories and in their hearts. Thank you very much, Mr. President.

Sen. Pannelope Beckles: Thank you very much, Mr. President. I too would like to join Minister Tewarie in expressing condolences to the family of Angela Cropper. Angela Cropper was actually born in Aranguez and she spent most of her life in Princes Town and in Penal. She was the first of 12 children.

Just to give a bit about her work, she was a Senior Advisor on the Environment and Development to the United Nations Development Programme; she was an Executive Secretary at the UN Convention on Biological Diversity, Head of Governance at the World Conservation Union, co-chair of the UN Millennium Assessment Panel and leader of the Caribbean Sea Ecosystem Assessment, and she also held visiting fellowships at the Woods Hole *Research Center* in *Massachusetts* and Yale University, and, of course, we all know that most recently she served as the UN Assistant Secretary General and Deputy Director of the United Nations Environmental Programme.

The *Starbroek* newspaper referred to her as a woman who was universally acclaimed for her intellect and integrity, her passion and compassion and her humility and humanity. When one looks at some of the tributes that were posted, one in particular I would like to refer to; they paint her up as a portrait of a remarkable human being who impressed and inspired all whom she met, by her generosity of spirit, her limitless ideas and her grounded ideals, her commitment to applying her intelligence, and her energy to improving the world and her courage in the face of almost unspeakable personal tragedy.

And we talk about the tragedy because we know that she lost her son at age 20 when he died from heart failure, and that her husband and other members of her family were brutally murdered in probably the worst of circumstances, and notwithstanding that, Angela remained a very, very strong person.

In giving a lecture called “Create leadership, look beyond yourselves” to students who were graduating from the faculty of Sciences and Agriculture and Medical Sciences, she spoke about herself—and I know that Minister Tewarie talked about his relationship with her when they were both members of Tapia—and she actually gave Lloyd Best credit and she said that, she had the privilege of being tutored by Lloyd Best and she paid tribute to him for expanding her horizon from that of a rural village girl to a sense of identity as a Caribbean citizen and a perception of a Caribbean replete with possibility. This certainly laid the foundation, she said, for her evolution as a global citizen.

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Mr. President, what I found interesting is some of the advice she gave to some of the students. She said to the medical graduands that they had the opportunity through their own practice to contribute to leadership, and to be an example for our Caribbean leaders in their role to orchestrate the economic foundation, the cultural and social conditions, in which we might realize that the sea of Caribbean possibility of which Lloyd Best used to speak, and which has been a template in her mind.

She went on to say that:

“...our economies and societies are sick and are in need of intensive, creative, compassionate and holistic care. Because patients are to you what the body politic is—or should be—to the leaders. Because your vocation exists to serve and sustain your patients, health and well-being...and it is on your shoulders”.

As it relates to the public service, she indicated that:

“I expect your training would lead you to take the extra efforts to address the underlying cause of an ailment, not just the patients, symptoms—that you would focus on prevention and counsel your patients toward routine cultivation of well-being, in order to avoid the need for emergency treatment or life support systems.”

To the agricultural students she said that:

“Your patient is the planet. It is a living organism; it comes to you already in bad shape. It needs a kind of intensive, creative, compassionate and holistic care, but there is no life support system outside of itself that you can offer it. It also warrants attention to the root causes of its problems, not just to its symptoms. So it needs diagnosis and prescription and practice based on an understanding of the whole organism and not the entire pathology.”

In choosing her career path, she was a graduate of UWI, she held a BSc in Economics and a Bachelor of Laws. She stated that:

“I elected to do Economics when I had the opportunity to go to UWI because I wanted to contribute to changing the world, especially to removing poverty and inequity.”

And she said that:

“...among all the purposes for which one might work, I feel that sustaining our planetary home and in ways that contribute to human dignity and equity among groups and peoples transcend everything else. It is for me a noble mission.”

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She said that:

“Every employment option I have chosen over my life since university has been seen as an opportunity to continue to change the world. In that work I do draw heavily on the work of academics, but I try to put it to use for the larger public interest.”

Now, Mr. President, when you read the accolades of Angela Cropper, what is consistent with all the people who have worked with her, is her commitment to the Caribbean, her commitment to the environment, her commitment to eradicating poverty and, basically, to making a better life for people. She said over and over, she wanted to ensure that when she ended her time on earth that she would have done all within her power to leave a place better than when she met it.

I had the opportunity to serve—well, to interact with her for a number of years, particularly when I was the Minister of the Environment. I would close by saying that Angela spoke about, you know, coming from a rural village—and she talked a lot about her mother and the influence her mother had on her, and the fact that her mother made tremendous sacrifice to ensure that all 12 siblings had a good education.

At the end of the day, for me, I think she was really quite a role model for women, and for the Caribbean region and the world, we have really lost somebody that was committed to the environment and committed to a better place.

So, I close again by saying that on behalf of the People’s National Movement, we express condolences to her family and all her loved ones and, certainly, those in the environmental fraternity and the sustainability fraternity. Thank you. [*Desk thumping*]

Sen. Dr. James Armstrong: Thank you, Mr. President. Mr. President, I would also like to join my colleagues who went before me, on behalf of the Independent Bench, in paying tribute to Angela Cropper. As you know, she served as an Independent Senator, 2005 to 2007.

I first met Angela Cropper—I do not know whether we would have described ourselves as mid-level professionals, but she was working at Caricom at the time and I was at the UN and I was asked to come to the Caribbean to establish a Caribbean Human Settlements Programme, and this was to cover 14 countries and in order to do that, we had to go through Caricom and she was responsible for the functional development desk at Caricom—and is the person that we actually had to interface with, in terms of a proposal that would seek to work in 14 countries and also to have individual projects in each country.

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We therefore needed to have someone who, one, understood the region, someone who understood the language that we were speaking, because in fact we were trying to change a number of concepts to look not only at shelter or human settlements, but to put that in the context of environment. What I found was a professional who clearly understood the work that she was engaged in with respect to environment, poverty and sustainable development. We found a common language, so to speak.

She was also able to provide significant advice to me in the process of trying to develop that programme. We continued to work on that for a number of years, and what was important or what was interesting is that Angela also participated in, as far as I can tell, every international conference—whether it was by the World Bank, whether it was at IDB or any other specialized UN agencies—she was present and made a very, very significant contribution at the time.

We were also trying to get small Caribbean states on the map—SIDS—and she also was very, very instrumental in that whole process in trying to get the UN to focus more significantly on the peculiarities of Small Island Developing States. That work also resulted in a major conference that was actually held in Barbados. I think that must have been eventually around '96, but the preparatory work for that took quite some time, and she was very, very significant in emphasizing the need for us to look at the peculiarities of the Caribbean developing states, and assisted us in that respect.

She was trained in law and economics, and that was also quite beneficial to us, in that Angela brought to the table some of the economic problems, political problems, that we were not really quite familiar with in the region. She indicated to me that she was very much interested in the work of the international community, and particularly UNEP which was the sister agency that I worked for in Nairobi, where I spent some 15 years at that particular agency, and very often we would talk about the work of that particular agency.

As was indicated, she formed the Cropper Foundation, introduced me to her husband who was also very much interested in the environment, and in the Northern Range in particular, and we actually started to exchange documentation, research work and so on, so that I got to know the family to some extent.

Angela worked as well as a Senator and I was looking at some of the contributions that she made in the Senate, and clearly there continued throughout to be a passion really for poverty, and some of the things that she focused on had

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to do with the poor who were living in Trinidad and Tobago in shacks. It was very interesting as I was reading this and I said, yes, we were going to be paying tribute Angela, to recall that we have been talking about some of the very same things in recent times.

She talked about the need for the children's authority. She talked about the DNA Act while she was here as a Senator. She talked about the need for providing food, clothing, shelter for the poor, and these are some of the things in fact in her contribution on the Appropriation Bill of 2006, and throughout the contribution the emphasis was again on sustainable development, trying to provide for generations that were not yet here, and to warn us as we proceeded in our development work, that it had to be of a sustainable nature.

I ran into her again when she was about leave for Kenya to take up what is a very senior position at UNEP, and I do not know how many of us are familiar with how that system works, but when she indicated to me that she was going to take up the position of deputy executive director at the level of assistant secretary general, I realized that Angela was recognized internationally as a serious professional, because I know very well how that system works, and I know very well the politics of the system and that if you are going to be appointed at the level of assistant secretary general, just under the level of an undersecretary general, from a Small Island Developing State, that clearly you are well respected by your peers internationally, otherwise that would not have been possible.

It was a clear indication to me that her work was well-recognized internationally. A number of the professionals, the experts that we spoke to would have told you or mentioned the work of Angela Cropper and the commitment of Angela Cropper.

I am very happy that for the short time that she was at UNEP, that she left a very sound reputation, and even after she left UNEP, was also retained as an advisor to the organization. She had left in place a significant body of work that we can look back to.

As has been mentioned, she had to encounter a number of tragedies in her life, and I would like to simply end by citing the commitments that she had to a cause. So that in spite of the fact that she went through a number of tragedies in which members of her family were actually the subject of violent acts in which they died and so on, I remembered her arguing that in spite of that, we should not support the death penalty, and I found that was very, very noble because something like that happening to anyone, the first thing that you think of is revenge, but she did not.

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She was a lady of principles, a lady of commitments, and she carried that all through, and it is most unfortunate that very often that we have people in our midst that we do not recognize until recognition is given elsewhere, and until we stand here paying tribute to them. I hope that the work that she done and the legacy that she left, that we would always remember it. May she rest in peace. Thank you very much. [*Desk thumping*]

Mr. President: Before I put the question, I would like to join with Senators who went before me in paying tribute to the former Sen. Angela Cropper.

Gentle, quiet and unassuming yet courageous and passionate, acting without fanfare, out of her deeply held convictions, Angela Cropper was an authentic human being. She is an individual whose life should be held up as a role model, not only for women, but for all young people in our country today. It is said that each of us has a mission to accomplish in the building up of the universe, but many pass through life without fulfilling this destiny. The late Sen. Angela Cropper stands out among us as one of those few people in the world who fulfilled her mission and destiny.

The quintessential Senator, her contributions in the Senate stood out as did her work in the Cropper Foundation. The world and Trinidad and Tobago are richer for having been blessed with a soul like Angela Cropper. Her life did not consist of mere words, but she lived out her convictions as a truly authentic woman.

Mrs. Cropper obtained a degree in Developmental Economics and International Law. She was an administration officer and co-founder of the Cropper Foundation. In 2005, she was awarded the Zayed International Prize for Environmental Action for effecting positive change in society. Up until her death on November 12, 2012 she served as the Assistant Secretary General and Deputy Executive Director of the United Nations Environment Programme. May she rest in peace.

I will now ask Senators to stand for one minute of silence.

The Senate stood.

Mr. President: Thank you.

Question put and agreed to.

Senate adjourned accordingly,

Adjourned at 5.42 p.m.