

Leave of Absence

Tuesday, June 25, 2013

SENATE

Tuesday, June 25, 2013

The Senate met at 1.30 p.m.

PRAYERS

[MR. PRESIDENT *in the Chair*]

LEAVE OF ABSENCE

Mr. President: Hon. Senators, I have granted leave of absence to Sen. The Hon. Vasant Bharath and Sen. Dr. Lester Henry who are both out of the country.

SENATORS' APPOINTMENT

Mr. President: Hon. Senators, I have received the following correspondence from His Excellency the President, Anthony Thomas Aquinas Carmona SC:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS
 CARMONA, S.C., President and Commander-
 in-Chief of the Armed Forces of the Republic
 of Trinidad and Tobago.

/s/ Anthony Thomas Aquinas Carmona SC
 President.

TO: MR. WAYNE DANIEL STURGE

WHEREAS Senator the Honourable Vasant Vivekanand Bharath is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(a) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, WAYNE DANIEL STURGE, to be temporarily a member of the Senate, with effect from 25th June, 2013 and continuing during the absence from Trinidad and Tobago of the said Senator Vasant Vivekanand Bharath.

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 24th day of June, 2013.”

Senators' Appointment

Tuesday, June 25, 2013

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS
CARMONA, S.C., President and Commander-
in-Chief of the Armed Forces of the Republic
of Trinidad and Tobago.

/s/ Anthony Thomas Aquinas Carmona SC
President.

TO: MRS. CAMILLE ROBINSON-REGIS

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

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(b) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, CAMILLE ROBINSON-REGIS, to be temporarily a member of the Senate, with effect from 25th June, 2013 and continuing during the absence from Trinidad and Tobago of the said Senator Dr. Henry.

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 25th day of June, 2013.”

OATH OF ALLEGIANCE

Senators Wayne Daniel Sturge and Camille Robinson-Regis took and subscribed the Oath of Allegiance as required by law.

**JOINT SELECT COMMITTEE
(APPOINTMENT OF)**

Mr. President: Senators, I have received the following correspondence from the hon. Wade Mark MP, Speaker of the House, on the matter of the establishment of a joint select committee to consider and report on an Insurance Bill, 2013.

“Your letter dated June 18, 2013 on the subject at caption refers. Please be informed that at a sitting held on Friday June 21, 2013, the House of Representatives agreed to the following resolution:

BE IT RESOLVED that this House appoint the following six (6) Members to serve with an equal number from the Senate on the Joint Select Committee established to consider and report on the Insurance Bill, 2013.

JSC (Appointment of)

Tuesday, June 25, 2013

1. Mr. Stephen Cadiz, MP
2. Mrs. Carolyn Seepersad-Bachan, MP
3. Mr. Jairam Seemungal, MP
4. Dr. Delmon Baker, MP
5. Mr. Colm Imbert, MP
6. Miss Marlene McDonald, MP

Respectfully,

Hon. Wade Mark, MP

Speaker of the House”

Sen. Deyalsingh: Mr. President, may I ask a question on that, please?

Mr. President: Certainly.

Sen. Deyalsingh: Just to the hon. Minister of Finance and the Economy. Given the complexity and size of that piece of legislation, is the original date of July 09 to report back to Parliament realistic?

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Mr. President, it is just a matter of saving the work prior to the 9th and, then subsequently, it will be relayed and then you will be given every opportunity for the joint select committee to work and then it will report to the Parliament.

Sen. Deyalsingh: Just wanted to—[*Interruption*]

Sen. The Hon. G. Singh: It is a saving mechanism.

Sen. Deyalsingh: Thank you.

**CARIFORUM (CARIBBEAN COMMUNITY AND DOMINICAN REPUBLIC) EUROPEAN
COMMUNITY ECONOMIC PARTNERSHIP AGREEMENT BILL, 2013**

Bill to give effect to the Economic Partnership Agreement between CARIFORUM States (Caribbean Community and Dominican Republic) and the European Community; to effect consequential amendments to the Customs Act, Chap. 78:01 and for related matters, brought from the House of Representatives [*The Minister of Trade, Industry and Investment*]; read the first time.

Motion made: That the next stage of this Bill be taken at the next sitting of the Senate. [*Sen. The Hon. G. Singh*]

Question put and agreed to.

PAPERS LAID

1. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the National Housing Authority for the year ended September 30, 2000. [*The Minister of Finance and the Economy (Sen. The Hon. Larry Howai)*]
2. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the National Housing Authority for the year ended September 30, 2001. [*Sen. The Hon. L. Howai*]
3. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the National Housing Authority for the year ended September 30, 2002. [*Sen. The Hon. L. Howai*]
4. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the National Housing Authority for the year ended September 30, 2003. [*Sen. The Hon. L. Howai*]

ORAL ANSWERS TO QUESTIONS

Mr. President: Leader of Government Business.

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Mr. Speaker, we are in a position to answer questions No. 52 and No. 53 this afternoon, and we seek one week deferral for question No. 51.

Sen. Beckles: Thank you kindly. In relation to No. 52, hon. Leader of Government Business, since Sen. Henry is not here, can I ask kindly for that to be answered next week? So it is Nos. 52 and 53 you are able to answer?

Sen. The Hon. G. Singh: [*Inaudible*]

Sen. Beckles: Okay. I know that No. 57, you were ready last week.

Sen. The Hon. G. Singh: Yes, I know.

Sen. Beckles: You are not ready this week?

Sen. Hinds: He was ready last week?

Sen. The Hon. G. Singh: No.

Sen. Beckles: Okay.

The following questions stood on the order Paper:

**Clico/CLF
(Update on Outstanding Matters)**

- 51.** Would the hon. Minister of Finance and the Economy provide an update with respect to all outstanding matters required to achieve a final resolution of the Clico/CLF matter? [*Sen. Dr. L. Henry*]

**Heritage Stabilisation Fund
(Update on Performance)**

- 52.** Would the hon. Minister of Finance and the Economy provide an update on the performance of the Heritage and Stabilisation Fund (HSF), and state when the review of the provisions of the HSF, as required by section 22 of the HSF Act, will be laid before the Parliament? [*Sen. Dr. L. Henry*]

**Constitution (Amdt.) (Tobago) Bill, 2013
(Status of)**

- 57.** Would the Prime Minister inform the Senate on the status of the Constitution (Amendment) (Tobago) Bill, 2013? [*Sen. S. Cudjoe*]

Questions, by leave, deferred.

Mr. President: Sen. Hinds.

**Children's Hospital
(Details of)**

- 53. Sen. Hinds** asked the hon. Minister of Health:

Regarding the proposed construction of a new children's hospital, would the Minister indicate to the Senate:

- (a) how many other sites were considered for the location of the hospital;
- (b) was the chosen site the first site chosen;
- (c) whether design plans have already been prepared in respect of the hospital, and what is the projected cost of this project;
- (d) were any design plans for this hospital drawn up for any site other than the one identified at (b) and discarded in favour of the current site;
- (e) if the answer to part (d) is in the affirmative, whether there has been any variation in the projected costs having regard to the changed location;

- (f) what are the financing arrangements for this project, including the repayment schedule;
- (g) when is the money to build the said hospital to become available to the Government;
- (h) what is the anticipated completion date of the hospital; and
- (i) the amount of money expended on the negotiation, planning, ground-preparation (including infrastructural work) and other such activities in respect of this hospital to date?

The Minister of Health (Hon. Dr. Fuad Khan): Thank you, Mr. President. The answer to question No. 53:

Part (a): how many other sites were considered for the location concerning the new children's hospital?

The answer to that is: four other sites were considered—[*Interruption*]

Sen. Hinds: How many?

Hon. Dr. F. Khan: Four. One in Chaguanas and three sites in Couva.

Part (b) of the question: was the chosen site the first site chosen?

The answer is no.

Part (c): whether design plans have already been prepared in respect of the hospital, and what is the projected cost of the project?

The answer to that question: the design plans have been prepared.

The projected cost is broken down as follows:

- (i) pre-construction works, \$53,191,981.93, VAT inclusive, for access roads, bridges, works, placement of electricity—

Sen. Beckles: Hon. Minister? Thank you. Could you just repeat that, please.

Hon. Dr. F. Khan: Yes.

\$53,191,981.93, VAT inclusive, for access roads, bridges, works, placement of electricity and water lines and natural gas lines.

- (ii) construction and fit-out works at TT \$1.003 billion, VAT exclusive, for design, construction, fit-out external works, landscaping and handover.

- (iii) works to completion at \$464,732,910.05, VAT inclusive, for project development, consultancy, duties and taxes, site development, project management fees and miscellaneous expenses inclusive of security, insurance and utilities. The total cost of the project estimated at \$1,520,924,891.98.

In this connection Cabinet has approved the budgeted sum of \$1.521 billion.

1.45 p.m.

Part (d): were any design plans for this hospital drawn up for any other site than the one identified or discarded in favour of the current site?

The answer is: no design plans for this hospital were drawn up for any other site than the current one.

Part (e) does not hold because it is not applicable.

Part (f): what are the financing arrangements for this project including the repayment schedule?

Financing arrangements, as approved by Cabinet, are as follows:

1. The sum of \$1,003,000,000 VAT exclusive by a government-to-government loan arrangement with the People's Republic of China.
2. The sum of \$53,191,981.93, VAT inclusive, from funds held by the ANSA Merchant Bank Limited and redeployed to UDeCoTT to be utilized, inter alia, as start-up funding and working capital for the projects within the construction portfolio of the Ministry of Health.
3. The sum of \$464,732,910.05, VAT inclusive, to be provided in the 2013 Draft Estimates of Development Programme of the Ministry of Housing, Land and Marine Affairs.

The financing is via a government-to-government arrangement for this project. The borrower is listed as the Ministry of Finance and the Economy and the lender is the Export/Import Bank of China on behalf of the People's Republic of China. The facility amounts for renminbi yuan 990 million, which is TT \$1,003,000,000 with an interest rate of 2 per cent per annum with a five-year moratorium on interest payments. The loan matures in 20 years or 240 months.

Part (g): when is the money to build the said hospital to become available?

The government-to-government concessional loan agreement was executed on March 15, 2013. There has been no disbursement to date.

Part (h): what is the anticipated completion date of the hospital?

The anticipated completion date is June 2015.

And part (i): the amount of money expended in negotiating, planning, ground preparation, including infrastructural work and other activities in respect of this hospital to date?

The amount of money spent to date on this project in those items: \$32,719,643.80 VAT inclusive.

Sen. Hinds: Would the hon. Minister further indicate that since three or four other sites were considered, what led the Government—and of course, the Minister further said that the current site was not the first site that was chosen, would the hon. Minister then say what led the Government to moving from those choices to the one that now subsists?

Hon. Dr. F. Khan: Hon. Senator, if one is in the process of looking at development, one looks at access, entry, okay, for patients and ambulances et cetera, for rapid movement in and out. If you are going to put a facility for care, for trauma, for burns, for children, you have to look at a site that encompasses all those emergency measures as well as chronic measures.

The site chosen in Chaguanas due to the traffic nature of the area, access, entry and exit, was a problem. The site chosen in the Couva area, as it is now, lends itself well to proper access, proper entry, proper emergency techniques, is also located very well and very efficiently near to the Point Lisas Industrial Estate where we are going to—because in this hospital, it is not only a children's hospital, it is going to be a burn centre and a trauma centre. [*Desk thumping*]

So when you look at the whole aspect of it, common sense will prevail that you look at sites that you look at to determine exactly where you put an efficient hospital, and this site that was chosen proved to be the best part of all the efficiencies.

Sen. Hinds: Is the hon. Minister suggesting that the other sites did not meet at least those basic expectations as you described should exist in relation to the current site?

Hon. Dr. F. Khan: Look, the hon. Senator is obviously not a person who has built a facility such as this. When—have you—[*Interruption*]

Sen. Hinds: Have you built one?

Hon. Dr. F. Khan: I said—I have built more than you have. [*Desk thumping and laughter*] However—[*Interruption*]

Sen. Hinds: Does that include [*Inaudible*] [*Continuous crosstalk and interruption*]

Sen. Ramlogan SC: Listen, your neighbour will deal with you in court, relax! [*Laughter*]

Mr. President: [*Inaudible*]

Hon. Dr. F. Khan: Mr. President, when one gets a question such as that, one has to ask oneself, but try to answer it in the simplest manner that one could find for the Member to understand, if you are choosing a site, a site is chosen based on the efficiencies that I said. Now, if somebody just goes, let us suppose into Maraval and builds a house without looking at the sites, you may find that the house that you build there may wash down with the flood that comes down in those areas. This site where it is located is efficient and it is the best site when you look at every single site that we looked at.

Sen. Hinds: Hon. Minister, we expect when you come to the Senate as a Minister that you would be serious. I have a supplemental. [*Continuous crosstalk and interruption*]

Mr. President: Have a seat. Sen. Hinds, you made a remark just now that I think was out of place before and now you are embarking on a debate. You may ask a question if you wish as a supplemental question to the Minister.

Sen. Hinds: “But, Mr. President, he is talking about what he build more than me.”

Mr. President: Senator, you have to accept the response—

Sen. Hinds: Steps out of place!

Sen. Ramlogan SC: Senator, you are out of place! “Behave yuhself!”

Mr. President: Senator, do you have any supplemental question for the Minister of Health?

Sen. Hinds: Yes, indeed! Is the Minister able to tell Parliament sensibly and seriously what were the locations of the other sites that were considered but rejected?

Sen. Ramlogan SC: “Dai ah new question!”

Sen. Hinds: “Dats not a new question, AG!”

Hon. Dr. F. Khan: Mr. President, I would recommend that the hon. Senator—Fitzgerald Hinds, I could organize an appointment at DRETCHI for you.

Sen. Hinds: I do not want that!

Hon. Dr. F. Khan: You see, you did not hear what I said so maybe you need some assistance in the hearing department. What I am saying, I said four sites

were chosen: one in Chaguanas and three in Couva. The exact addresses, if you want, you could file another question and I will give it to you.

Sen. Deyalsingh: Further supplemental, Mr. President.

Mr. President: Sen. Deyalsingh.

Sen. Deyalsingh: Could the hon. Minister say please, how many beds will be dedicated to the children's hospital and how many beds dedicated to the burns unit?

Hon. Dr. F. Khan: We have 80 beds for the children's hospital, the children's part of the hospital, and the other 120 beds would be split between burns, trauma and also adult medicine and adult surgery.

Sen. Deyalsingh: Burns, trauma and—sorry?

Hon. Dr. F. Khan: Adult medicine, adult surgery and adult-type medical aspects.

Mr. President: Sen. Dr. Armstrong.

Sen. Dr. Armstrong: Thank you, Mr. President. Supplemental question. Could the Minister kindly indicate—I believe he said that \$32 million has already been spent on design and so on. Could you indicate how much of that might have been used to procure local technical services, as well as whether there is any arrangement within the contract to procure local labour and other technical services?

Hon. Dr. F. Khan: Hon. Senator, if I answer that question of the amount, it will be purely speculation, but I can offer these answers to you. The \$32 million that was spent was spent on site preparation, et cetera, and I cannot tell you exactly how much was spent as an aspect but I could give you the answer if you file that question.

The other part of it will be the contract was signed—now, from what I remember, between 40 to 50 per cent of that contract will be going towards local labour, local input, local everything.

Sen. Hinds: Supplemental. Oh sorry, go ahead.

Mr. President: Sen. Dr. Bernard.

Sen. Dr. Bernard: Supplemental question. Can the hon. Minister tell us in light of the Ryan Report, whether some consideration will be given to the establishment of a wing at that hospital for diagnostic and prescriptive work on children 0—5 who will in fact benefit from this, so that our children with special needs will not get into the primary schools without some form of early diagnosis?

Hon. Dr. F. Khan: May I answer the hon. Senator like that; that children's hospital would be a teaching facility as well as a hospital. [*Desk thumping*] May I answer also that what you have indicated there has been on the front burner of the Prime Minister for special needs children. I may share with you on behalf of, hopefully, the hon. Minister of Education who has embarked upon that plan together with the Minister of Health. We are looking at diagnosis of those special needs children, and also for special areas too for them to be trained, as well as specialists in speech therapy, occupational therapy, physiotherapy; all those therapies that we have geared towards children would be developed in that area.

It is also being developed as a trauma centre. I hate to use the word "psychiatric" trauma centre, but for victims of abuse which are children, we are going to have a dedicated area there for that system, separate and apart from St. Ann's, wherever it may be, because those children centres need to be looked at. I am working together with the Minister of Gender, Youth and Child Development to put a system down that is specifically designed for children with those illnesses.

Sen. Dr. Bernard: Thank you.

Sen. Deyalsingh: Further supplemental, Mr. President.

Mr. President: Sen. Deyalsingh.

Sen. Deyalsingh: Could the hon. Minister say whether this new children's hospital will complement the existing children's facility at Eric Williams or is it meant to take over?

Hon. Dr. F. Khan: Hon. Senator, the system will be a teaching hospital together with the teaching hospital in Eric Williams because we have a dire need for care for our children throughout the system. May I also add, I am also opening a children's ward and system in Port of Spain and also one in Arima when the new Arima hospital is built.

Sen. Hinds: Further supplemental.

Mr. President: Sen. Hinds.

Sen. Hinds: Is the hon. Minister in a position to say whether any moneys were expended for proprietary works at the site in Chaguanas before its rejection?

Hon. Dr. F. Khan: That I cannot answer. I will—if you file a question on that, I will most gratefully give it to you.

Sen. Hinds: I will!

Hon. Senator: Please do!

Sen. Hinds: Further supplemental. I certainly will. Further supplemental. The Minister has indicated here today that it is anticipated that this project would cost, altogether, approximately \$1.5 billion—1.3?—\$1.3 billion. Is the Minister able to say whether this was the expressed anticipated cost originally or whether the figure that was now stated, \$1.3 billion, according to you, Minister, is an increase in the figure that was expressed as an anticipated total expenditure earlier?

Sen. Ramlogan SC: “Dais ah new question, man.”

Sen. Hinds: No!

Hon. Dr. F. Khan: That is a new question, but what I am saying to you—

Sen. Hinds: “Dats ah new question?”

Hon. Dr. F. Khan:—is one billion, three million has been put aside. However, the Cabinet has anticipated other things in it, so we have put aside 1.5 so far, but that is not what is going—[*Crosstalk*] No, no, no, that is what is there as approved. But what I am saying to you the cost so far is one billion according to the—

Sen. Singh: Estimates.

Hon. Dr. F. Khan:—estimates. What I have—“will you sit down? Leh me answer?” Okay. What I am saying to you, I do not have the figures that you have asked for, but I could suppose that if you are going to put down a teaching hospital together with a burn centre, a trauma centre and those other specialties that the hon. Senator has said, obviously it is going to cost more. So what I am saying to you, what you have budgeted for 10 years ago, if you ever did, what it will cost now is going to be a lot more. However, the services that you are going to get will be much more. So, at the end of the day, the people of Trinidad and Tobago will be well served with a proper hospital that encompasses all the disciplines.

Sen. Hinds: One final supplemental from me.

Mr. President: Sen. Hinds.

Sen. Hinds: Hon. Minister, I was not speaking about 10 years ago, I was asking in relation to this project, whether this particular project which came during your time as a Government in office—this project—I am asking whether the anticipated expenditure of \$1.5 billion, which is what you said, is greater than the earlier anticipated outside or total cost?

2.00 p.m.

Hon. Dr. F. Khan: Hon. Senator, I think for me to be accurate, and you seem to like accuracy up to the cent, file the question, I will bring it for you.

Sen. Ramlogan SC: Yeah, yeah. [*Desk thumping*]

Mr. President: Sen. Deyalsingh.

Sen. Deyalsingh: Could the hon. Minister state whether this government-to-government model with China, whether a similar mirror model was used to give the contracts for the hospital in the Penal/Siparia area in the Prime Minister's constituency?

Hon. Dr. F. Khan: All the government-to-government contracts go along the same manner. It has a special procedural manner and all the hospitals take that movement.

Sen. Deyalsingh: Further supplemental, Mr. President. Is it that you are saying that the company chosen under this government-to-government arrangement with China, and the company chosen to construct the hospital in Siparia are of equal reputation?

Sen. Ramlogan SC: No, no, no, come on man!

Hon. Dr. F. Khan: Hon. Senator, through you, Mr. President, how does one judge reputation? If you can answer me how you define reputation, I could answer your question.

Sen. Deyalsingh: Thank you.

Sen. Hinds: Thank you very much.

Sen. Singh: "Thought you said this was a final?"

Sen. Hinds: No, this is the final one. This is the final one.

Sen. Ramlogan SC: "Why yuh doh sit down with yuh UNC tie and stay quiet nah man?" [*Laughter*]

Sen. Hinds: I could take it off just for that. Mr. President, would I be permitted to ask my supplemental without the raging of the Attorney General?

Mr. President: Ask your question, Senator.

Sen. Hinds: Thank you very much. Is the Minister aware that the Prime Minister of Trinidad and Tobago, when she turned the sod for this project, told this country that it was anticipated to cost US \$150 million or approximately TT \$975 million?

Hon. Dr. F. Khan: One has estimates and after one puts in the system, other things that have been put in, such as the other aspects of it, you will, obviously,

get a different price. That sod was turned quite a long time ago and many more things have been added to that hospital.

Sen. Hinds: Finally.

Mr. President: Sen. Hinds.

Sen. Hinds: Thank you very much. Is the Minister aware that when the Prime Minister of Trinidad and Tobago issued the statement to which I just made reference, that no mention was made of sourcing funds from any place else other than the government-to-government loan arrangement with China?

Hon. Dr. F. Khan: I think, hon. Senator, that is the option of a government, to choose wherever they go for finance. [*Desk thumping*]

Mr. President: Sen. Wheeler.

Sen. Dr. Wheeler: Thank you, Minister. You had mentioned that the children's hospital would also have other services, will there be consideration for neonatal beds, seeing that is a dire need in Trinidad and Tobago?

Hon. Dr. F. Khan: I would like to answer the hon. Senator by saying that we have found that there is a paucity of neonatal beds, especially now that we have quite a lot of babies being born prematurely from different aspects of things and I am increasing the amount of neonatal beds throughout all the hospitals because there is a need for them. In fact, it would also be a training centre. So if it is going to be a training centre it will have to have everything that is necessary for training.

STATEMENTS BY MINISTERS

Agricultural Sector

(Increasing Growth and Decreasing Food Inflation Rate)

The Minister of Food Production (Sen. The Hon. Devant Maharaj): Mr. President, I thank you for the opportunity to make a statement to this honourable Senate on the increasing growth in the agricultural sector and the decreasing food inflation rate.

In 2010, when the People's Partnership organization came into office, we met a food price inflation rate of 29.5 per cent, according to the Central Bank statistics. The vision for agriculture that the People's Partnership Government presented to the nation in 2010, via our manifesto document entitled Prosperity for All, was to create a food secure nation by, and I quote directly: "decreasing our food import bill and lower the food price, while, at the same time, increasing prosperity for our farmers and providing sustainable livelihoods for more workers."

Mr. President, to achieve this goal, the People's Partnership Government, led by the hon. Kamla Persad-Bissessar SC, developed a Medium-Term Policy Framework 2011—2014 document, entitled: Innovation for Lasting Prosperity. This document positions food security as a major priority goal of this Government and outlines nine key strategic initiatives for ensuring the success of the sector.

Mr. President, it is accepted that food inflation is one of the main drivers of headline inflation and the Central Bank of Trinidad and Tobago *Monetary Policy Report April 2013* data shows that for the first time, since October 2011, food price inflation slowed to a single digit, reaching 9.4 per cent in April 2013. [*Desk thumping*]

An analysis of the Central Bank data for the period 2010—2013 showed that the food price inflation rate came from an all-time high of 29.5 per cent in 2010, to a food price inflation rate of 26.2 per cent in April 2012, 15 per cent in April 2011 and the historical low figure of 9.4 per cent in April 2013. [*Desk thumping*]

Mr. President, when year-on-year comparisons of production data were made for some of the key commodities selected for development of my Ministry's National Food Production Action Plan 2013—2015, several commodities recorded increased output. This increased domestic supply of food items helped to dampen the impact of food prices as well as a favourable weather condition pattern, which impacted positively on plant growth and yield.

There was significant growth in various subsectors over the period January to September 2012, compared to the similar period in 2011. For example, the root crops subsector showed for eddoes, an increase of 62 per cent and dasheen 12.6 per cent and for the vegetable subsector, cucumber, for example, 27.4 per cent.

This improved performance has continued from 2012 into the first quarter of 2013. Supplementary data provided by NAMDEVCO, the National Agricultural Marketing Development Corporation, from the Norris Deonarine Wholesale Market showed an increase in volume in sweet potato, for example, 78 per cent; cassava, 36.6 per cent; and cucumber, 27.2 per cent when compared with the same period in 2012.

Sen. Ramnarine: Very good.

Sen. The Hon. D. Maharaj: The resilience of the agricultural sector cannot be overstated. The fact is that the agricultural sector has been steadily progressing, during this administration, in spite of the challenges of climate change, increasing cost of agricultural inputs, inadequate infrastructure due to neglect of the past and a shortage of labour for agriculture.

Statements by Ministers
[SEN. THE HON. D. MAHARAJ]

Tuesday, June 25, 2013

In fact, Mr. President, the CSO, the Central Statistical Office has recorded an increase in the contribution of agriculture to the national GDP from .4 per cent in 2009 to .6 per cent in 2012. Also, the Central Bank of Trinidad and Tobago's annual economic survey showed that, in terms of growth, the sector moved from negative 32.4 per cent in 2009 to positive growth of 2.6 per cent in 2013. [*Desk thumping*]

The Ministry's efforts, through its Accelerated Land Distribution Programme, the "Agriculture Now" initiative, and the provision of low interest rates on agricultural loans through the ADB, the Agricultural Development Bank, the Caroni Green Initiative, among other initiatives, have provided an enhanced enabling environment for the development of the agricultural sector. This impetus is further propelled by improvements to the policy, legislative and regulatory framework by the Ministry, for the sector.

Mr. President, sustained positive growth in domestic agriculture, coupled with lower food prices, will positively impact on headline inflation and will result in the achievement of a food-secure nation. The Ministry remains committed to contributing to the improvement of the quality of life of the people of Trinidad and Tobago. I thank you. [*Desk thumping*]

**Securities Act 2012 and
Draft Securities (General) By-laws
(Amendments of)**

The Minister of Finance and the Economy (Sen. The Hon. Larry Howai):
Mr. President, if you would recall, the Securities Bill 2012, was submitted to the IOSCO with this country's application for membership after it was passed by this honourable Senate on December 31, 2012.

Mr. President, I wish to advise that Trinidad and Tobago became a full signatory to the International Organization of Securities Commission's Multilateral Memorandum of Understanding on Wednesday, June 19, 2013. The decision was made at a meeting of the Board of IOSCO in Montreal, Canada. Trinidad and Tobago now joins a group of 95 countries that are full signatories to the MMOU.

Trinidad and Tobago's admission to the group of full signatory members is an indication of this Government's commitment towards building and maintaining investor confidence and transparency within the local capital market.

Mr. President, most notably, Trinidad and Tobago is the first island nation within the Caribbean to become a full signatory to the IOSCO MMOU. [*Desk thumping*]

Sen. Ramlogan SC: Well done. Excellent!

Sen. The Hon. L. Howai: Mr. President, this honourable Senate would recall that at the time the Bill was passed, it was agreed that certain aspects of the Bill would be reviewed within the six-month period to June 2013.

I would now like to provide this honourable Senate with an update on the amendments to the Securities Act, 2012 and the Draft Securities By-Laws. Senators would recall that at the last update on March 26, 2013, the Draft Securities By-Laws were published on the Trinidad and Tobago Securities and Exchange Commission website for public comments. At this time, the Draft Amendments to the Securities Act, 2012, and Draft Securities By-Laws are before the Chief Parliamentary Counsel and will be tabled for the pre-Legislative Review Committee stage at the start of July 2013. It is anticipated that these pieces of draft legislation would be tabled in Parliament for debate at the start of the next parliamentary session.

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

GOVERNMENT'S COMMITMENT TO THE CONSTITUTION

[Sixth Day]

Order read for resuming adjourned debate on question [November 20, 2012]:

Be it resolved that the government re-affirm its commitment to these principles and the practice of democracy in Trinidad and Tobago. [*Sen. F. Hinds*]

Question again proposed.

Mr. President: Those who spoke on prior occasions on Tuesday, November 20, 2012: Sen. Fitzgerald Hinds, the mover of the Motion; Sen. The Hon. Christlyn Moore, Minister of Justice; Sen. Subhas Ramkhelawan.

On Tuesday, February 26, 2013: Sen. Shamfa Cudjoe; Sen. Helen Drayton; Sen. The Hon. Kevin Ramnarine, Minister of Energy and Energy Affairs; Sen. Penelope Beckles.

On Tuesday, March 26, 2013, the speakers were: Sen. The Hon. Embau Moheni, Minister in the Ministry of National Security and Social Integration; Sen. Terrence Deyalsingh; Sen. Elton Prescott SC; Sen. Dr. Lennox Bernard.

Govt's Commitment to Constitution
[MR. PRESIDENT]

Tuesday, June 25, 2013

On Tuesday, April 30, 2013: Sen. Prof. Harold Ramkissoon; Sen. Dr. James Armstrong; Sen. The Hon. Devant Maharaj, Minister of Food Production; Sen. Dr. Lester Henry.

On Tuesday, May 28, 2013: Sen. Corinne Baptiste-Mc Knight; Sen. The Hon. Dr. Bhoendradatt Tewarie, Minister of Planning and Sustainable Development; and Sen. Faris Al-Rawi, who had 25 minutes of original time remaining but he is not here today. So, Senators wishing to enter in this debate may do so now.

2.15 p.m.

The Attorney General (Sen. The Hon. Anand Ramlogan SC): Thank you very much, Mr. President. Mr. President, this is a very interesting Motion brought by my colleague, Sen. Hinds, that seeks to reaffirm the Government's commitment to democracy. It draws on the preamble and the various tenets in the Constitution and it comes at a time when the Government itself has embarked on a journey for constitutional reform and perhaps that might be a useful starting point.

This Motion, there is a certain amount of a political irony about it. That a party that has governed this country for close to half a century, and that a party that has demonstrated the most flagrant disregard for the rule of law and democratic institutions in this country, could have the political temerity and gall to bring a Motion like this to question an administration's commitment to democracy when it is in its third year, is nothing short of shameful.

Mr. President, I want to remind this country because we have a tendency to forget a lot—I want to remind this country that while the People's Partnership has embarked on Constitution reform in public consultations, I want to remind this country what the Opposition, the PNM, when they were in office, what their version and idea of Constitution reform was.

Permit me to quote from the speech given by the honourable Chief Justice of this country, Mr. Ivor Archie, at the opening of the law term on September 16, 2009. Mr. President, Mr. Chief Justice Archie said:

“It is against that background and understanding that I must confess to some concern when I read some of the provisions of the draft constitution that refer to the judiciary. They do not meet the objectives...otherwise publicly articulated and, in fact...if passed, take us in the opposite direction. In my respectful view they stem from a fundamental misunderstanding of our role and function and have”—the most—“disturbing implications for judicial independence”—in Trinidad and Tobago. “I refer in particular to clauses 121

to 125, 136 and 142. The misunderstanding lies in the assumption of a false dichotomy between the judiciary's judicial and administrative functions and the assumption that one can be independently exercised without the other. The danger"—says Chief Justice Archie—"The danger lies in the potential to gradually and systematically strip the judiciary of its independence and the citizens of their protection through ordinary or subordinate legislation requiring no special majority."

Let me repeat that sentence, Mr. President.

Hon. Senator: "Who say dat?"

Sen. The Hon. A. Ramlogan SC: The Chief Justice says:

"The danger"—in the PNM's draft Constitution—"The danger lies in the potential to gradually and systematically strip the judiciary of its independence and the citizens of their protection through ordinary"—and—"subordinate legislation requiring no special majority."

That was the draft Constitution that the PNM had for this country.

The honourable Chief Justice continues. He says:

"How, pray tell, can a constitution meaningfully provide for the judiciary to be independent...in the exercise of its judicial functions? And what is one"—then—"to make of clause 136 which provides that the Chief Justice"—of the country—"shall be responsible for the general administration and business of the...Court...and yet"—still—"provide in a later subsection that the Minister of Justice shall have control of administrative matters relating to the judiciary..."

What the PNM wanted to do was to create a ministry of justice, take the administrative functions away from the Judiciary and thereby attach a puppet string to the Judiciary so that the ministry of justice would be able to control the Judiciary. That is what they wanted to do. [*Desk thumping*] And the Chief Justice smelled the rat and the Chief Justice was raising a red flag—not a red flag from the PNM, but a red flag to signal that the country was facing a crisis—[*Interruption*]

Sen. Singh: A danger to democracy.

Sen. The Hon. A. Ramlogan SC:—a danger to democracy; a dangerous threat to democracy in the form of the PNM. [*Desk thumping*]

He continues:

“How is the Chief Justice to be responsible, and therefore accountable, for that which he does not control? The matter is not helped by...reference to consultation. Anyone who understands”—the—“constitutional language knows that he who merely has to be consulted can be safely ignored. The Permanent Secretary for the Judiciary...”

Imagine that! They wanted to appoint a Permanent Secretary for the Judiciary and the Chief Justice says:

“The Permanent Secretary for the Judiciary who will be appointed by the executive President and”—be—“responsible for the day to day administration of the judiciary will report to the Minister of Justice and not”—myself as—“Chief Justice.”

So they wanted to superimpose an intermediate public functionary in the person of a Permanent Secretary for the Judiciary and that person will report to the Executive arm of the State. Mr. President, this would have led to a total erosion of the well-established doctrine of constitutional separation of powers. [*Desk thumping*] They were going to erode it completely.

The Chief Justice continues:

“But it does not end there.”—he says—“Perhaps the most worrisome clause is clause 125, which gives Parliament the power to confer on any court any part of the jurisdiction and powers conferred on the High Court by the Constitution or any other law. It requires no special majority...”

What the PNM was trying to do to this country was to rip out the heart and lungs of the Judiciary. They were going to prepare a Constitution for this country that would have allowed for a devolution of jurisdiction from the Supreme Court of Justice to any court that they deemed fit. And the danger was they were prepared to do it by simple and not special majority, meaning that they would have controlled it—they would have done it and they did not care what they would have done to the country and the Judiciary. That is what their draft Constitution was about, and the Chief Justice says:

“It requires no special majority, nor does it require that the new court or courts enjoy the constitutional protections designed to ensure the independence of the Supreme Court.”

All of the legal mechanisms that are designed to underpin the independence of a court were not there. In other words, the PNM could have selected the judges. The PNM could have dealt with security of tenure. The PNM could have dealt with promotion of the judges in the alternative structure. So, the Chief Justice says:

“It requires no special majority, nor does it require that the new court or courts enjoy the constitutional protections designed to ensure the independence of the Supreme Court. Arguably, the most important power of the Supreme Court inherent in the separation of powers and recognised both at common law and...statute, is the power of judicial review of executive”—or Government—“action.”

This—“is the only protection that citizens have against arbitrary”—and—“unlawful state action. In some instances, it is the backstop to the Service Commissions and will assume even more significance if the independence of the Service Commissions is weakened. If”—this—“draft constitution is adopted in its current form, that power can be simply and unceremoniously be stripped away”, the Chief Justice said.

It is not just the court they were going at. They were going at the service commissions as well, seeking to undermine and strip the service commissions of their independence and powers. They wanted total control. It was going to be an authoritarian regime.

Sen. Singh: Ceauşescu.

Sen. The Hon. A. Ramlogan SC: You see, this is the Chief Justice of the country speaking, warning the country that if the Constitution of the PNM was going to be adopted, the power will be simply and unceremoniously stripped away.

“Under the draft”—the Chief Justice says—“Under the draft”—myself as—“Chief Justice and... members of the Judicial and Legal Service Commission”—will—“all be appointed by the”—one—“Executive President.”

The one Executive President. In fact, they were so “boldface” in their confrontational stance with the Judiciary that they were actually proposing in that Constitution that the Chief Justice of the country will no longer be a member of the Judicial and Legal Service Commission.

How outrageous! How outlandish! And how preposterous! That was their vision for this country—to take the Chief Justice out of the Judicial and Legal Service Commission and let the PNM do all the appointments through its Executive President. That is what they proposed.

The Chief Justice continues. He says:

“Service Commissions were originally created for the express purpose of insulating certain public offices from political interference. Their composition and...process for the appointment of members are critical in...the fulfillment of that purpose. The nation has to decide whether we still want that...I am afraid that the explanatory notes to the draft Constitution fall far short of”—this.

Mr. President, what the honourable Chief Justice was doing was stepping very close to what they call “out of his crease”. He was forced to signal an alarm in this country because the PNM was going after the very foundation of the one institution that could keep them in check, and that was the Judiciary of the country, and they were targeting the Judiciary.

I will show, during the course of my contribution here, they were not just targeting the Judiciary, the PNM targeted every single institution that had a watchdog role. Every single institution that had to do with the independent administration of justice, the PNM targeted it; they attacked it; they damaged it and they went after it with full force.

I have started with the Chief Justice’s speech on September 16, 2009, to show that the Constitution formed a political template. It personified their political ideology and their political philosophy, which was to have a maximum dictatorship of this country—maximum dictatorship.

Mr. President, 2007, no Solicitor General for over a year. The office of the Solicitor General was held by Miss Lynette Stephenson SC. She was appointed the country’s Ombudsman on February 26, 2006. A year later, no one appointed to fill that position; and to make matters worse, the person who was there and nominated by the Judicial and Legal Service Commission to fill the position, Prime Minister Manning vetoed her. Not a peep; not a word from anyone. That was the office of the Solicitor General.

In 2008, the PNM had a secret meeting—and I am quoting here from an article on July 05, 2008.

Sen. Singh: “Dey love secret meeting.”

Sen. The Hon. A. Ramlogan SC: “Dey love secret meetings.” You see, this is part of their political modus operandi—to have secret meetings—and it leaked; it leaked because the secret meeting was with the person who was nominated by the independent Police Service Commission to be the country’s next Commissioner of Police, and this is what happened:

“Prime Minister Manning held a secret meeting with Senior Superintendent Stephen Williams telling him to back down from the post of Police Commissioner saying, ‘Government has a plan that does not include you.’”

Hon. Senators: Wow!

Sen. The Hon. A. Ramlogan SC: So the Prime Minister of the country goes to meet the person who the independent Police Service Commission says is the most suitable candidate for the job, after they have gone through a rigorous process of interview and all sorts of things and the top man for the job, the Prime Minister goes to see him and says, “Listen, we want you to back down from this. Say you ain’t want the promotion. Say you ain’t want the wuk because we have somebody else in line for it. Our plans do not include you.” You know why? Their plans were rooted in that draft constitution to effect a maximum dictatorship. This was the front page headline story on the *Newsday* of July 05, 2008 and there was no—

Sen. Hinds: Which paper? Which paper?

Sen. The Hon. A. Ramlogan SC:—no refutation, no contradiction of it.

Sen. Singh: That was an acceptance.

Sen. The Hon. A. Ramlogan SC: This again was consistent with what they were trying to do to gain maximum control. When they realized they could not control the police service because Mr. Williams stood up and said, “I respect you, Prime Minister, but I am not going to back down and say I am not interested in the promotion”, when he said that, you know what they did after that? They realized they could not control the police service and dominate it, so they created a parallel police service and that was the Special Anti-Crime Unit—[*Interruption*]

Sen. Hinds: Oh my God.

Sen. The Hon. A. Ramlogan SC:—and they handpicked people and they put them there.

Sen. Hinds: That coming from the Attorney General in this country, boy.

2.30 p.m.

Mr. President, in 2008, after a rigorous process that was brought about by an amendment through the PNM, and Mr. Williams’ name came up, they then did a flip-flop in the Parliament and said that the process was flawed. This is the process they introduced in law, and when the process coughed up a candidate that they did not like because they could not control the man, they then said, “Well,

look, something is wrong with the process, we are not going to confirm him.” That is the PNM style of operation. That is an attack on democracy. It is an attack on the independence of the Police Service Commission [*Desk thumping*] to turn around and say that, you do not want the candidate proposed by the service commission after a process that lasted over a year; one year, and they said to Mr. Stephen Williams, “We don’t want you, our plans do not include you.” The plans were to run this country like a maximum dictatorship and, instead, they turned around and they rejected Mr. Stephen Williams and they appointed Mr. James Philbert to act as police commissioner.

Hon. Member: Yeah!

Sen. Singh: Handpicked him!

Sen. The Hon. A. Ramlogan SC: Handpicked him to act! And to make matters worse, that is perhaps why he is now seen frequenting some PNM political meetings. You see, Mr. President—

Sen. Singh: He is a voter-padding man!

Sen. The Hon. A. Ramlogan SC: You see, Mr. President, not just were they content to go after the Judiciary and the police service, they went after the police service from many different directions. But then they realized that if they were to have a free hand, to have a free reign of terror, political terror, they needed to ensure that any avenue for complaint that could give rise to the possibility of redress must be shut down. “So, yuh know what they did?” They realized that if they created mongoose gangs in the police service or through SAUTT or anybody else, they must shut down the Police Complaints Authority.

That is why for two years in this country, under the PNM, there was no functioning Police Complaints Authority. Citizens were deprived of a fundamental protection in law to make any complaint about grievous wrongdoing or misconduct on the part of the police in relation to them to the Police Complaints Authority because the PNM for two years did not appoint it. That is their track record on democracy; that is their track record on the Constitution and respect for the rule of law.

Mr. President, the next office they attacked—they attacked the Judiciary, they attacked the police service, the next institution they went after was the office of the DPP.

Hon. Member: “Yep!”

Sen. The Hon. A. Ramlogan SC: I am going to show you systematically how they went after every single institution that had independent power in this country in an effort to rout them, and hound them out of office in the most undemocratic fashion so that they can have their political way and political sway.

Sen. Singh: Mock sincerity of the Motion!

Sen. The Hon. A. Ramlogan SC: That is why this Motion is politically ironic. Mr. President, February 25, 2010, the headline read: “JLSC again nominates Gaspard as the next DPP” and the word “again” there is because this was the second time they were nominating Mr. Roger Gaspard to be the DPP of the country, and this after extensive rigorous interviews and so on by an independent service commission. Mr. President, do you know what happened? For the second time, the Prime Minister of the country exercised a veto; exercised a veto. These are the same people who seek to make a big hoo-ha about some story about the DPP’s office being bugged and so on, and they seek to insinuate all sorts of stupid things when there is no basis for it, but these are the same people who twice vetoed Mr. Roger Gaspard without giving him any explanation.

Then, Mr. President, in 2011, one year later, the headline read: “PM says no to Brown-Antoine”. Not only did the PNM veto Mr. Roger Gaspard, the PNM also vetoed Carla Brown-Antoine. Anyone the JLSC—sorry [*Interruption*]. I said the article is February 07, 2011—but they vetoed Mr. Gaspard and then the PNM vetoed Mrs. Carla Brown-Antoine. The Independent Judicial and Legal Service Commission put up another candidate for consideration and the PNM vetoed that candidate as well. This is what the article said:

“The DPP post was left vacant early last month after its immediate predecessor, Geoffrey Henderson, was appointed a High Court judge on January 5.

Since then, Brown-Antoine has been acting in the”—position without any complaint or blemish—“Chief Justice Ivor Archie heads the JLSC, and members include...Selby Wooding, retired justice Jean Permanand,” et cetera.

Carla Brown-Antoine was a distinguished public servant. Mr. Roger Gaspard was a distinguished lawyer in the DPP’s office. What was it that the PNM had in their bosom against Mr. Gaspard and Mrs. Carla Brown-Antoine to justify that veto against them? Up to today it is a mystery.

So, today, I want to call upon the mover of this Motion, Sen. Hinds, to tell the country what the PNM had against [*Desk thumping*] Roger Gaspard, Carla Brown-Antoine. [*Desk thumping*] Why was the veto exercised? The country has never been given any explanation by the PNM as to why they vetoed those candidates put up by the Judicial and Legal Service Commission. Tell the country why! The time has come. Everyone calls in this country for transparent Government, but nobody calls and holds the PNM to account for their actions and those actions damaged us. [*Desk thumping*]

And you know what is significant, Mr. President, is that Mr. Gaspard and Mrs. Carla Bown-Antoine's vetoes took place because the incumbent, the holder of the office of DPP, Mr. Geoffrey Henderson was, himself, hounded out of that office by virtue of the PNM's then Attorney General, raging a public war with him.

Permit me—I was amazed when I took office and I opened some of the files and saw the exchange of correspondence, copies of which I have here today, to see the tone, the attitude, the mannerism in which the PNM conducted itself to any public official who simply tried to stand firm and do their work. We have testimony today in this Senate: Sen. Coudray, Sen. Devant Maharaj, also victims. We will come to that.

Let me read for you—and imagine this is an Attorney General writing a DPP. Letter dated January 25, 2007:

Dear Director,

I sincerely trust that you have pressing matters to attend to which will occupy you such that you are fully engaged with the work of the state.

The Attorney General is implying that the DPP, perhaps, acting as though “he eh ha nutten to do.” He says:

I find it disturbing that you can quote newspaper articles to me on the nature of the relationship between our two offices, particularly at a time when the nation faces a crisis in criminal justice which is without precedent.

My public utterances on the matter are not in any way to be construed as expressing a view one way or another on the constitutional question and quite frankly they are none of your business.

Sen. Singh: “Aie-yaie-yaie!”

Sen. The Hon. A. Ramlogan SC: PNM telling the DPP that the views they are expressing on the office of the DPP and the powers of the DPP are quite frankly, “none ah yuh business”.

Sen. Singh: Arrogance!

Sen. The Hon. A. Ramlogan SC: “Not a damn dog bark!” That is the philosophy of the PNM. That is democracy at work.

Hon. Senator: That is Jeremie?

Sen. The Hon. A. Ramlogan SC: That is John Jeremie, PNM Attorney General. I then quote a letter dated December 20, 2006. Mr. Jeremie writes again, and this letter he says:

Dear Director,

As our respective roles seem to be attracting a great deal of public debate—they are attracting a great deal of public debate because the Attorney General trying to encroach on the DPP’s office—I think a measure of clarity is now essential.

He, the Attorney General, is going to clarify the law for the DPP of the country.
[*Laughter*]

I have noted with concern your unfortunate public expression of a victory in the face of defeat in the Narinesingh matter in the Court of Appeal. Effective immediately, any and all dealings or proposed dealings which you have with the Anti-Corruption Investigation Bureau should be channelled through the Office of the Attorney General.

Mr. President, that is a most frightful and alarming thing for an Attorney General to tell a DPP.

Hon. Senator: You need to repeat that! You need to repeat that.

Sen. The Hon. A. Ramlogan SC: Effective immediately—“he is talking down to the DPP as if this is some lil schoolboy he talking to”—any and all dealings or proposed dealings which you have with the Anti-Corruption Investigations Bureau should be channelled through the Office of the Attorney General.

Mr. President, the Anti-Corruption Bureau is part of the police service of Trinidad and Tobago. It falls under the operational chain of command and jurisdiction of the Commissioner of Police. What business is it and what right is it

of the Attorney General under the PNM to be telling the DPP that if he has any matter relating to a police investigation through the Anti-Corruption Bureau that he must address it to the Attorney General so he could see what it is about, at a time when they were investigating their own political opponents? You see what they were doing? They were trying to influence and control and undermine the police investigations they instituted [*Desk thumping*] against their own political opponents. [*Desk thumping*] They were trying to misuse and abuse the legal system, and the arm of the law to twist and squeeze their political opponents, Mr. President. That is the worst form of democracy [*Desk thumping*] and that is why I am happy to contribute in this Motion. [*Desk thumping*]

Sen. Maharaj: Dictators!

Sen. The Hon. A. Ramlogan SC: Mr. President, the alarming nature of the correspondence continued even further. December 18, 2006, the Attorney General writes an unprecedented letter to the DPP. It has never before happened since independence in this country, that an Attorney General could write a DPP a letter of this kind. The PNM writes to the DPP and says:

I have appointed Mr. Khan SC to prosecute on behalf of the State in the Monos Island drug bust. Please desist from pointing out to me matters which with respect are not only wrong in law but, quite frankly, out of your place.
[*Laughter*]

Let me repeat that! This is the PNM talking to the DPP of the country and the same PNM brings a Motion to question this Government's commitment to democracy. This is what the PNM says to the DPP:

Please desist from pointing out to me matters which with respect are not only wrong in law but, quite frankly, out of your place.

The two things wrong with this letter are: one, the Attorney General of the country had no right to be appointing anybody to prosecute a case. [*Desk thumping*] That is the function of the DPP. [*Desk thumping*]

Sen. Singh: Fact!

Sen. The Hon. A. Ramlogan SC: It is the DPP who selects counsel to prosecute any criminal matter. "Yuh understand!" So we could have been faced with the ghastly prospect of Sen. Hinds prosecuting people in court on behalf of the State. [*Laughter*] You see, Mr. President, this is where they were going. And then when the DPP stands up, the PNM Attorney General, tells the DPP, "desist from pointing out matters to me which, with respect, are not only wrong in

law”—he is the adjudicator, the Attorney General is now the Chief Justice under PNM. The PNM arrogates unto itself, the right of the Chief Justice to say, it is wrong in law and, quite frankly, out of your place. The second time he tells the DPP that you are out of place.

You see, Mr. President, I can go on, but what was causing this anxiety and strain and stress in the relationship between the DPP and the PNM? Do you know what it was, Mr. President? It was this, May 31, 2009, “Jeremie tried to force DPP to charge Panday and Duprey”. Let me quote from the article. The article shed light on the sudden flight of former Attorney General Bridgid Annisette-George who left under a cloud of suspicion and mystery from that office, and up to today we do not have an explanation for it. I see she resurfaced recently in the newspapers to comment on whether or not the monitoring facilities for security in the Office of the Attorney General should be A, B or C; resurfaced from political hibernation it would appear. But let me quote from the article.

“Annisette-George has...said that she quit for personal matter but Prime Minister Patrick Manning”—contradicted her and said—“last week that she left because of a perceived conflict of interest in her dealings with the CL Financial matter.”

Today I want to ask Sen. Hinds, could you come clean and tell the country why did former Attorney General Bridgid Annisette-George suddenly flee the Office of Attorney General in the most mysterious and recondite circumstances ever, because it remains a political mystery that has not been answered? What was the conflict of interest she had with Clico? Did Mr. Manning misinform the nation? Did she mislead the nation? What was the nature of the conflict of interest?

2.45 p.m.

Furthermore:

“Opposition Leader Basdeo Panday...accused Manning of kicking out Annisette-George because she might have refused to do some of his”—political—“bidding.”

Now, all of this comes and ties back in to the controversy between the PNM and the DPP. Why? Mr. Henderson says in his letter of November 09, 2006; this is what Mr. Henderson says:

The “advice recommended that criminal charges...”

This is an advice that the Attorney General gratuitously sends to the DPP, and say, “Look, ah get ah legal advice saying yuh could charge Panday. Charge him quick.” So the DPP say, Ooooooh! Hold up! Hold up!—The advice you have sent to me “recommended that criminal charges be laid against Mr. Basdeo Panday...At that time I was not satisfied that charges could properly be laid. This view was also held by Sir Timothy Cassel, QC who led the prosecution in the Panday trial.”

The DPP is saying, “Look, you are trying to pressure me to charge Panday and I telling you listen, I am not of that view because I am not satisfied that charges could be properly laid”. Mr. Jeremie responds on November 27, 2006, and he says:

“I should remind you...that you have been at the helm of your department for over four years. It does not lie within your mouth in my view to lay criticism against the criminal justice system...”

This is the Attorney General telling the DPP, it does not lie in your mouth to say anything about the criminal justice system, when the DPP is the man with responsibility under the Constitution for criminal proceedings in the courts. This is PNM-style democracy at work.

Sen. Lambert: So, Sen. Hinds was not aware of that?

Sen. The Hon. A. Ramlogan SC: Sen. Hinds was perhaps a junior Minister in the Ministry of National Security at the time, he must be aware. [*Desk thumping*] Because the political history will record that although Mr. Manning said he was a political apprentice, and he was unfit to be a Minister, there were some who begged and, eventually, he was appointed a junior Minister, so he has to recall this.

Sen. George: Give us the history.

Sen. The Hon. A. Ramlogan SC: Then the DPP says on December 11; the DPP writes again because there was a constant flurry and exchange of correspondence. And the DPP is trying to “dig his heels in” for Trinidad and Tobago to fight for what is right. And he says, December 11, 2006:

“In deciding to initiate charges against any citizen of this country,”—Mr. PNM—“I shall be guided by the law and the facts which persuade me that there is a proper basis...to prosecute...”

I am not subject to your directions.”

The DPP says to the PNM:

“I am not subject to your directions. Your continued efforts to have me initiate charges against certain persons are highly improper and should they continue, can imperil the successful prosecution of any charge initiated in the matters under investigation.”

The DPP goes further, and he warns. He says:

You are referring to “persons who are associated in one way or another with a political party”—that is—“in opposition to the...government. It is therefore even more imperative that any decision to prosecute is not only independent but must seem to be.”

The DPP is saying to the same PNM that bring this Motion to question our commitment to democracy that the people “all yuh” want me to charge and prosecute are people from the UNC who are in opposition to the PNM, and you want me to charge them and prosecute them—[*Interruption*]

Sen. Singh: As a political weapon.

Sen. The Hon. A. Ramlogan SC:—when there is insufficient evidence for me to do so, and you are trying to pressure me and be rude, “fass and out ah place” to tell me that I must not talk back to you.

Sen. Singh: The State is being used as a political weapon.

Sen. The Hon. A. Ramlogan SC: Mr. President, the DPP deemed their actions to be imprudent and improper, and he reaffirmed that any discussion to prosecute will be his and his alone. Three cheers for the DPP—[*Desk thumping*]*—*and now you see why.

But now you see why Mr. Henderson took up—left DPP’s office, “take” up a judicial appointment. “Dey recommend Carla Brown-Antoine, block she”; they recommend Roger Gaspard—when I say “they”, I mean the Judicial and Legal Service Commission, chaired by the Chief Justice of the country—they recommend Carla Brown-Antoine, “block she”; Roger Gaspard, “block him”. What is it they were trying to do? And any time you put somebody to—and they want to have somebody to act who they could control, you see.

You see, the Law Association put out a press release on February 07, 2011. The Law Association said it was unacceptable that the posts of the three top critical law officers in the State are all vacant. They lamented that the DPP, who is head of the Criminal Law Department, the Solicitor General, who is head of the

Civil Law Department, and the Chief Parliamentary Counsel, who is head of the Legislative Drafting Department, were all vacant. Why was the PNM trying to keep these offices vacant when they all have to do with law and the administration of justice: the Solicitor General, the DPP, and the Chief Parliamentary Counsel?

Noting that the post of Solicitor General has not been filled either by permanent or acting appointment, the association said it was greatly disturbed by reports that the Prime Minister signified his objection to Brown-Antoine to act as DPP. You see, what is interesting is that for the post of Solicitor General they did not even make an acting appointment; they just created a lacuna and a constitutional vacuum in the country. They just left it completely vacant, they did not put somebody to act, they did not appoint someone permanently, they just left it vacant.

The Solicitor General is the legal advisor to the President and Head of State of the country. The Solicitor General advises on all matters that are civil through the courts. Why is it that they were so scared to appoint someone there? Because, again, the tentacles of the PNM wanted to reach and overreach into the office of the Attorney General, straight down into the Solicitor General's Department because that is civil law. They were already interfering with criminal law in the DPP's department; they were then therefore interfering with the civil law in the Office of the Solicitor General and the Chief Parliamentary Counsel. That was PNM's democracy—[*Interruption*]

Sen. Singh: Systematically dismantling!

Sen. The Hon. A. Ramlogan SC:—and that is your legacy. That is your political posterity, and that is your political paternity.

Sen. Singh: And they were systematically dismantling—structure.

Sen. The Hon. A. Ramlogan SC: You see, it was a structural dismantling of all constitutional independent institutions—[*Desk thumping*—]by the State. A structural and systematic undercutting.

Now, in addition to that, whilst they had all of that going on—and there was the cry of unfair treatment and discrimination from all corners of society. The PNM faced with legislation that could give people some redress in this country, they decided this would be another avenue for redress, we must shut it down. You see what the PNM did to this country, Mr. President, is that when they wanted to abuse your rights, they took control of institutions, like I have shown they attacked the Judiciary, they have attacked the DPP and they attacked the—the DPP, the Judiciary, the Solicitor General, the Chief Parliamentary Counsel, and so forth.

They have attacked all these offices, but what they did is every time they do that—oh, and the police service—when they do that, they know that there might be an avenue for redress, and what they did is they simultaneously muzzled and muffled the avenue for redress. That is why they did not appoint the Police Complaints Authority for two years. That is why you would see, in due course, they did not appoint an integrity commission for over a year, and that is why, equally, the one body that could give redress for discrimination, which was the Equal Opportunity Commission, the PNM served for seven long years and never appointed that body. Seven years the PNM did not appoint the Equal Opportunity Commission. Seven years, Mr. President.

Permit me to quote from the *Guardian* of Tuesday October 16, 2007. The *Guardian* says,

“Implement that act now!

THE PRIVY Council dealt a blow to the Government yesterday, when it ruled that it acted illegally by not implementing the Equal Opportunity Act”—which—“was passed by the United National Congress (UNC) Government”—some—“seven years ago.”

My learned friend, Sen. Hinds, says, “Well, the matter was before the court, they could not do it”. You know, Mr. President, this is the sly nature of the PNM. Who you think put it before the court to give them an excuse? It is the PNM that put it before the court. It was the first time in legal history that the State was challenging the constitutionality of its own legislation. Never before—*[Interruption]*

Sen. Hinds: *[Inaudible]*

Sen. The Hon. A. Ramlogan SC:—was the State initiating a challenge to the constitutionality of its own legislation in total—*[Interruption]*

Sen. Hinds: Mr. President, point of order.

Sen. Singh: What is the point? What is the point?

Sen. Hinds: Mr. President, the PNM brought no such action in the courts of this country.

Mr. President: What is the point of order?

Sen. Singh: What is the point of order?

Hon. Senator: “An yuh stanin up.”

Sen. The Hon. A. Ramlogan SC: Mr. President, in this matter—
[*Interruption*]

Hon. Senator: No point of order.

Sen. The Hon. A. Ramlogan SC:—when the challenge was brought by citizens, it was the State, when the PNM was in power, who raised as a defence to the non-implementation of the Equal Opportunity Act that the Act was unconstitutional. [*Desk thumping*] It was the PNM that did it. It was the PNM that raised as a defence—

Sen. Hinds: Nonsense!

Sen. The Hon. A. Ramlogan SC:—to the implementation of that Act, that—

Sen. Hinds: Nonsense!

Sen. The Hon. A. Ramlogan SC:—the State was challenging the constitutionality of its own legislation. But why was the PNM so intent on not implementing the Equal Opportunity Commission? And let me deal with the point raised by Sen. Hinds, sotto voce. He says, “Well, it is before the court”. You know, I want to ask the question; if you felt the legislation was unconstitutional—

Hon. Senator: He did not repeal it.

Sen. The Hon. A. Ramlogan SC:—well, why did you not simply draft one yourself and bring it to deal with the discrimination of the PNM? [*Desk thumping*] “Seven years yuh could not draft something an bring it to deal with the discrimination that you inflicted on this population?”

Sen. Singh: He opposed it.

Sen. The Hon. A. Ramlogan SC: Seven long years?

Sen. George: “He was sleeping or wha?”

Sen. The Hon. A. Ramlogan SC: But I would tell you why, Mr. President, they could not do it.

Hon. Senator: Hinds [*Inaudible*]

Sen. The Hon. A. Ramlogan SC: You know, perhaps, it might pass by divine intervention. Yesterday’s *Newsday*, page 5, “Blessings from Balisier House”, a letter published—[*Interruption*]

Hon. Senator: Not “Bali-jay”.

Sen. The Hon. A. Ramlogan SC: Balisier, “Bali-jay, Bali-no way”.
[*Laughter*]

Hon. Senator: Same thing.

Hon. Senator: Same thing. Same thing.

Sen. The Hon. A. Ramlogan SC: Mr. President, this is a letter published in the *Newsday*, and it is a letter from the Minister of Foreign Affairs. And this letter from the Minister of Foreign Affairs, this is what it reads. It says:

Dr. Robertson.

“Dear Consul General, This is a follow-up to previous conversations regarding the employment of Mr. Terrence Gregory Lewis at the Consulate General, New York...

Mr. Lewis’ recommendation for employment at the Consulate General comes with the blessing of the hierarchy at Balisier House...”

Sen. Singh: Can you imagine that?

Sen. The Hon. A. Ramlogan SC: Signed:

“Yours sincerely, Knowlson W. Gift, Minister of Foreign Affairs.”

Sen. Singh: Take that!

Sen. The Hon. A. Ramlogan SC: To get “ah wuk” under the PNM you must have the blessings of Balisier House, that is—[*Desk thumping*—]democracy at work. That is democracy at work.

That is why they could not implement the Equal Opportunity Commission, because they knew, very well, the political discrimination was rampant, it was rife, and they had penetrated every single institution in Trinidad and Tobago. [*Desk thumping*] That was their modus operandi. And I ask the question today; how many more letters like this exist, whereby to get “ah wuk yuh really” had to have the blessings of Balisier House? Maybe that is why we now understand why the PNM objected to Mr. Roger Gaspard, why they objected to Mrs. Carla Brown-Antoine, why they objected to Marlene Coudray, why they objected to Devant Maharaj, why they objected to Ganga Persad Kissoon, why they objected to Feroza Ramjohn; “is because dey did not have the blessings of Balijay House”. [*Desk thumping*] That is why.

If this is not misconduct in public office, I do not know what is. If this is not a violation of the Integrity in Public Life Act, I do not know what is.

Sen. Hinds: It is not statute barred.

Sen. The Hon. A. Ramlogan SC: Democracy on—my learned friend, Sen. Hinds, says it is not statute barred. If it is not statute barred, I challenge you to report it to the Integrity Commission.

Sen. Hinds: You do it.

Sen. The Hon. A. Ramlogan SC: You report it.

Sen. Singh: No, it is from your Balisier House.

Sen. Coudray: It is your Motion. Is your Motion.

Sen. The Hon. A. Ramlogan SC: Blessings from “Balijay” House.

Sen. Coudray: Your Motion.

Sen. Hinds: Not “Balijay”.

Sen. The Hon. A. Ramlogan SC: “Bali-no way”. [*Laughter*] You see, Mr. President—[*Interruption*]

Sen. Hinds: “Learn to talk nah man.”

Sen. The Hon. A. Ramlogan SC: You see, Mr. President, I listen nowadays and I see everyone, you know, the slightest “zig”, they ready to say “zag”, and “go dong de road”. My learned friend, the Leader of Government Business, put it right, it is “tic-tac-toe”. It is a game of a political “tic-tac-toe”, and they are preying on the short memory of Trinidadians.

The Prime Minister under the PNM “geh ah gun licence for he son in 24 hours”, at a time when there was no Firearms Appeal Board, so that ordinary citizens had no redress. So “ah” businessman who is robbed 10 times, and apply for a firearm, he cannot appeal the decision to the Firearms Appeal Board, because the PNM did not appoint any.

Sen. Singh: Democracy PNM style.

Sen. Coudray: Democracy!

Mr. President: Hon. Senators, the speaking time of the Attorney General has expired.

Motion made: That the hon. Senator’s speaking time be extended by 15 minutes. [*Hon. G. Singh*]

Question put and agreed to.

3.00 p.m.

Sen the Hon. A. Ramlogan SC: You see, Mr. President, they were able to ride roughshod over the state institutions and they think people forget. Brian Manning, gun licence in 24 hours; John Rahael as Minister of Health, sons get a contract to provide drugs for CDAP Programme. Even my dear friend, who is not in her seat, but the minority Leader of the Opposition Business, Sen. Beckles, her father got a CEPEP contract. Speaker of the House, Mr. Barry Sinanan, law firm Hobson got State briefs, no questions asked. The then Prime Minister rented a house from the brother of Lenny Saith for \$38,000 a month, while the presidential palace “was building”, not a peep. Jerry Narace and his wife company got contracts for insurance from T&TEC and other state enterprises—*[Interruption]*

Sen. Singh: Trinre.

Sen. The Hon. A. Ramlogan SC: Trinre. Husband of a serving Government Minister, Christine Kangaloo, State briefs, no questions asked. PNM party chairman, then and now, Franklyn Khan's wife gets a \$60-million contract just days before the 2010 general election.

I see my learned friend, temporary Senator, Camille Robinson-Regis, her husband was fortunate to land a \$50,000-a-month job at WASA.

Sen. Robinson-Regis: Really? And he did not tell me?

Sen. The Hon. A. Ramlogan SC: “Well all yuh need to communicate. All yuh need to start talking”. *[Laughter]* *[Crosstalk]* And then—*[Interruption]*

Hon. Senator: He hiding things from you.

Sen. The Hon. A. Ramlogan SC:—you have a Prime Minister running into the Marabella Police Station to find out what happened to his driver. Calder Hart could give a \$368-million-dollar contract to his brother-in-law —*[Interruption]*

Hon. Senator: “Doh forget the barbershop”

Sen. The Hon. A. Ramlogan SC: Uthara Rao, EMBD Chairman, could take half a million dollars to settle a sexual harassment claim, and “mum's the word”. Louis Lee Sing could get a radio licence in 24 hours.

Hon. Senator: Hmm.

Sen. The Hon. A. Ramlogan SC: You see, Mr. President, nobody says—I have never heard anyone say a word of compliment for the Government; that this Government has instituted a practice and policy that not a single relative, not a

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single spouse, not a single brother or sister of any government Minister serves on any state board because that is the decree of the Prime Minister of this country [*Desk thumping*] because she leads with integrity, transparency and accountability. I see Sen. Mc Knight is staring at me.

Sen. Hinds: Shocked!

Sen. The Hon. A. Ramlogan SC: “Well, I doh know, you see she might be shocked because she expected”—[*Interruption*]

Hon. Senator: “Not she. I am talking for me.”

Sen. The Hon. A. Ramlogan SC: Well, if you are shocked because we are departing from PNM style, but you all would have Mr. Calder Hart on eight boards. You all will appoint a wife to be a Minister in the Government—[*Interruption*]

Hon. Senator: In the Cabinet.

Sen. The Hon. A. Ramlogan SC:—no matter how incompetent. But this is not our style, and no one recognizes the Government for that. Not a word is uttered about that; it is as though we take it for granted when we come from a political history of the PNM putting all “dey fren and all dey family on dem state boards”. [*Desk thumping*]

Sen. Lambert: “Hinds had already fallen out ah grace, so he aint get nothing.” [*Laughter*]

Sen. The Hon. A. Ramlogan SC: You see—and Mr. President, getting back to why the Equal Opportunity Commission was so important.

Sen. Hinds: “In or out of grace I aint get nutting.” [*Inaudible*] I have—[*Crosstalk*]

Sen. The Hon. A. Ramlogan SC: On Tuesday, October 2011—[*Interruption*]

Sen. Hinds: Honestly.

Sen. The Hon. A. Ramlogan SC: the headline of the *Newsday* was “PNM Scandals”. It says:

“Prime Minister, Kamla Persad-Bissessar yesterday dropped several bombshells in the House of Representatives, exposing what she described as major corruption scandals which took place under the (PNM)...

The first bombshell was the \$45 million dollar scholarship programme which was a 'PNM slush fund', and her predecessor Patrick Manning had personally written then Culture and Community Development Minister, Joan Yuille-Williams, to say 'please handle quietly' the award of scholarships." Please handle quietly.

"Claiming that Rowley's objection to ... allocation...to the Office of the Attorney General for forensic investigations"...she indicated, "she has instructed the Attorney General...to launch a forensic audit into this programme.

After challenging any PNM...to prove that the EOC's findings were wrong, Persad-Bissessar startled Government MPs when she" indicated that not only did they come from five PNM constituencies, but that "the ethnic distribution of the scholarships was seven percent East Indian and 93 percent non-Indian."

That is the kind of discrimination the PNM is famous for—93 per cent to 7 per cent—and that is why they suppressed the Equal Opportunity Commission. The scholarships were not advertised; there were no criteria in place; nothing. Ninety-three per cent from five PNM constituencies and 7 per cent—7 per cent—is the mix now I am looking at, 7 per cent Indian, 93 per cent non-Indian, and that is why PNM suppressed the Equal Opportunity Commission.

It was the worst form of racism. It was the worst form of political discrimination, and that is why even today, "all de PNM could do is play the race card, and play the race card, and play the race card. [*Desk thumping*] They have no other card to play. [*Desk thumping*] [*Crosstalk*]

Calcutta ship, in the THA elections, was the same race card, and that is why, Mr. President, the first thing that the Leader of the Opposition did when I assumed office was to say I went to the New York mission and held a meeting with staff members to tell them, to make racist statements about the composition of the staff. "When ah show meh passport and say, well I have never been, since my appointment. Yuh wrong. He take a year and a half to get it right, because that is what they know." The PNM knows only one thing, and that is the race card.

That is, Mr. President, the very same thing they did in the THA election is the same thing they will do now. Say—spread a race war on the ground, and say something on the top to connect the dots in the minds of the population, and try to run on the same plan. [*Desk thumping*] That is what they do.

So you will see the coded messages, the coded ethnic signals and the tribal calls coming out from the PNM. They are trying to mobilize with the race card.

But you see whilst all this was going—just to point out—whilst the attack on the Judiciary, Solicitor General, DPP, Firearms Appeal Board, Integrity Commission, Police Complaints Authority, Chief Parliamentary Counsel, Chief—whilst all this was going on, you did not hear a word from “Fixin T&T, yuh did not hear a word from Ancel Roget. [*Crosstalk*] Yuh did not hear a word from the round table. Yuh did not hear a word from the square table. Yuh did not hear a word from the triangle table. [*Laughter*] Yuh did not hear a word from dem fellas dem. Today, everybody hah mouth.”

Hon. Senator: Oh, yes. [*Crosstalk*]

Sen. The Hon. A. Ramlogan SC: Mr. President, the *Express* editorial of October 19, 2012, I quote.

“Applause for former PNM Minister Marlene McDonald’s nimble sidestepping of responsibility for a \$45 million scholarship programme run by her ministry will not stop upon recall of her valiant efforts to keep the share-out secret.

Ms. McDonald’s eagerness to spill the beans now is understandable.

The Prime Minister has announced that she will refer the matter to the Commissioner of Police and the DPP.

This was after the Equal Opportunity Commission... investigated ... a complaint from Devant Maharaj...—and—...concluded that there was discrimination in the award of the scholarships.”

Not the first time the PNM is found guilty of discrimination, I might add. Mr. Patrick Manning sends a note to the line minister at the time, Joan Yuille-Williams, asking her to assist people he nominated and to say “handle this quietly.”

I continue to quote from the *Express* editorial:

“In 2009, when the Opposition asked a parliamentary question about the recipients, Ms McDonald refused to name any of them, arguing that to do so would violate their privacy. Her stonewalling gave way only under pressure of a Freedom of Information request that showed many recipients of cushy scholarship benefits had close connections to the PNM.

The details grudgingly released by the PNM and now unearthed by the EOC appear to confirm the popular perception that the scholarship programme was run as a slush fund for the friends and relations of the ruling party.”

That is the *Express* editorial.

So you see, Mr. President, they knew what they were doing. They were running a parallel thing; “Yuh attack the institutions that could provide protection and yuh shut down those that could give redress. Those that can give protection, you oppress them. Those that can give redress, yuh dismantle it.” They were attacking and shooting from the hips at both sides. That is what they were doing.

Now, Mr. President, the biggest scandal was the hounding of Chief Justice Sat Sharma, during their tenure; and what prompted it? It had its genesis in a meeting by the then Leader of the Opposition, Mr. Basdeo Panday at the office of the Chief Justice in the Hall of Justice. Mr. Sat Sharma, then Chief Justice, explained that he had met with him because judges were clamouring about the integrity in public life legislation and the question of whether judges should be subject to the jurisdiction of the Integrity Commission. [*Crosstalk*]

And the PNM came out and they condemned and vilified Chief Justice, Sat Sharma, for having that meeting with the Leader of the Opposition, Basdeo Panday. [*Crosstalk*]

Hon. Senator: Oh.

Sen. The Hon. A. Ramlogan SC: And that meeting took place at the Office of the Chief Justice. Today, we see the sheer political hypocrisy of the PNM whereby they will now stand up and defend a meeting “in ah man house [*Desk thumping*] in de dead of night”, with Dr. Rowley and Mr. Ken Gordon. The same PNM! It is a clear case of different strokes for different folks!

Hon. Senator: Yeah.

Sen. The Hon. A. Ramlogan SC: Sat Sharma met the Leader of the Opposition in the Office of the Chief Justice in broad daylight in the Hall of Justice, “and Dr. Rowley request a meeting to discuss urgent matters in ah man house in de dead of night.”

Sen. Singh: He was caught in flagrante delicto. [*Interruption*]

Sen. The Hon. A. Ramlogan SC: But you see in that matter, Mr. President, they have now undermined, the PNM has now undermined the office of the Chairman of the Integrity Commission.

Sen. Hinds: The Attorney General of this country—[*Interruption*]

Sen. The Hon. A. Ramlogan SC: The explanation given is that, look I went there because I wanted to know [*Crosstalk*] that if I could file this no confidence Motion—could I file this no confidence Motion? That is the explanation given. That was

the urgent matter. Because if the matter was before the Integrity Commission, then I could decide, well look I will not file this no confidence Motion based on this scandalous, fictitious email thing.

Sen. Hinds: Um-hmm.

Sen. The Hon. A. Ramlogan SC: But the problem there is this—

Sen. Hinds: “Why yuh doh get Google to”—[*Interruption*]

Sen. The Hon. A. Ramlogan SC:—the meeting took place on May 15, but you know, one week before the Motion of no confidence was already filed in the Parliament on May 07. [*Crosstalk*] So it filed on May 07, meeting takes place on May 15, to find out if to file it; “but yuh file it one week before.”

Hon. Senator: “He lie.”

Hon. Senator: “Yeah, he lie.”

Sen. The Hon. A. Ramlogan SC: And then after the meeting is over we get on June 06, when the whole “emailgate” is backfiring on the PNM, we get Mr. Gordon issuing a press release. And the press release is to release excerpts of legal advice obtained. There are several questions about it. No one ever doubted that the Integrity Commission had jurisdiction to investigate this matter; no one.

Sen. Hinds: What!

Sen. The Hon. A. Ramlogan SC: No one. So what really were you seeking legal advice about on a matter that no-one had raised any doubt on? But more importantly, there being no Integrity Commission, who is seeking the legal advice? The law does not give any power to the chairman to act in his own right. What he should be seeking legal advice on, is what powers he had, if any, in his own right. Because the answer is none. But instead, not only does he seek the legal advice, the disturbing thing is that after the meeting with the Leader of the Opposition, legal advice which is normally privileged and confidential, especially for an institution like the Integrity Commission, it assumes the form of a press release when the email scandal is backfiring on the PNM and you say well look, a senior counsel has advised we could investigate this.

Why did you not wait until the commission was duly constituted and then you meet and you seek legal advice if you so desire? [*Crosstalk*]

Sen. Singh: He was a collaborator with Rowley.

Sen. The Hon. A. Ramlogan SC: Why was this preemptive legal advice being sought prematurely—[*Interruption*]

Sen. Singh: A collaborator with Rowley.

Sen. The Hon. A. Ramlogan SC:—and being released to the media? And being released to the media; that is the issue.

Sen. Singh: He is a collaborator, [*Inaudible*]

Sen. The Hon. A. Ramlogan SC: You see. So when we speak about the alarm, we must bear in mind that the alarm comes against the PNM's history of attacking the DPP, attacking the Judiciary, putting cocaine, missiles or cocaine and missiles suddenly manifesting itself out of thin air in a Government Minister's water tank—[*Interruption*]

Hon. Senator: Huh.

Sen. The Hon. A. Ramlogan SC:—hounding a Chief Justice out of office. Mr. President, their political history is one of subterfuge and dangerous undermining of public institutions and attacking persons. [*Desk thumping*]

When the police commissioner comes to interview someone, they tape the interview. That is their modus operandi. That is how they operate. You see—[*Interruption*]

Mr. President: You have two minutes.

Sen. The Hon. A. Ramlogan SC: Yeah. And to crown matters off, to make de ting as bad as it could get", you had the secretive meetings to conspire to undermine the administration of justice with the PNM party treasurer, Andre Monteil; the PNM Attorney General, and the Chief Magistrate of the country. [*Desk thumping*] The Chief Magistrate.

Sen. Singh: Mustill Report.

Sen. The Hon. A. Ramlogan SC: Land that was bought has to be resold and repurchased "in de middle of de man's trial", leading to subsequent vitiation of the entire proceedings by the Court of Appeal after they spent over \$100 million.

Sen. Singh: Subversion of democracy.

Sen. The Hon. A. Ramlogan SC: Subversion of democracy. Lord Mustill said in his report and I quote:

"Imputations are being made that the Attorney General was a willing and active and possible instigator of a plot to wreck the trial of Mr. Panday...

It is plain that the imputations are that they got together and influenced what was being done...What has been said is that there has been a small group of conspirators designed to pervert the course of public justice and the Attorney General at the very least was a part of"—that—"scheme." Said Lord Mustill.

You see, then of course, to make matters—to crown off matters, we had Mr. Manning trying to give Abu Bakr back his land, and saying in exchange for the land we want your political support.

In the *Newsday* of March 19, 2010, this is what Mr. Manning says; he says in defence:

“This is what democracy is all about. You go after every vote.” He said I met him twice, four times at Balisier House. Whoever comes through my door I see them. And Mr. Bakr says that in exchange for all of this, they were saying that they will not enforce the judgment.

Mr. President: You will need to wind up now.

Sen. The Hon. A. Ramlogan SC: That they will not enforce the judgment.

3.15 p.m.

Mr. President, it is this Government that enforced that judgment and sold off the land. It is this Government that stood up for the rule of law. [*Desk thumping*]

So, Mr. President, in closing, this Motion, just like the email scandal, has and will backfire on the PNM. They have no political authority, no political morality and no political credibility to question this Government's commitment to the democratic and constitutional institutions of the State, and this Motion is therefore misconceived, without merit and doomed to fail.

I thank you. [*Desk thumping*]

[*Sen. Singh and Sen. Hinds both stand*]

Sen. Singh: You are winding up? “Naaah”, we ready to speak on that.

Sen. Hinds: No, no, no.

Sen. Ramlogan SC: “But wha yuh get up for?”

Sen. Singh: We are ready to speak again. We are ready to speak. What is your problem?

Sen. Hinds: But we alternate, somebody there, somebody there.

Sen. George: “But you cyar talk.”

Sen. Singh: “You cyar talk.” [*Crosstalk*]

Mr. President: Senators, I will take the next speaker from any bench that is available, but it would appear that people still want to continue the debate, Sen. Hinds.

Sen. Singh: “It is your Motion whe yuh going”—[*Inaudible*]

Sen. Ramlogan SC: Hinds, sit down! Sit—[*Crosstalk and desk thumping*]

Mr. President: The Minister of Gender, Youth and Child Development.

Sen. Singh: “Ah, de debate eh finish.” [*Desk thumping*]

The Minister of Gender, Youth and Child Development (Sen. The Hon. Marlene Coudray): Thank you, Mr. President, and I also thank my hon. colleagues as I rise to contribute on this debate on the Motion brought by the Opposition, calling on the Government to reaffirm its commitment to the principles and practice of democracy.

Mr. President, being new here, I am not sure whether—I know in the police service there is a charge, AG, I think, of wasting police time.

Sen. Ramlogan SC: Yes, wasting parliamentary time. [*Laughter*]

Sen. The Hon. M. Coudray: I am not sure if there is any such issue in this Senate, but I am sure after listening to the Attorney General I wonder, you know—

Sen. Ramlogan SC: It is a charge of wasting Parliament's time now.

Sen. The Hon. M. Coudray: Mr. President, I begin by making one central point clear in this debate, and that is, the very existence of the People's Partnership Government, the fortitude of our partners, the stability of our administration and its continued equitable delivery and implementation are the clearest reaffirmations to democracy, that we in this Government can possibly make.

Mr. President, in my time in this honourable Senate I have taken very careful note of a pattern of behaviour by some Opposition both here and in the other place. One of the things I have noticed is that the Opposition PNM considered it their right and privilege to say what they want, when they want, under some prefabricated guise [*Desk thumping*] of standing up for something. When, we, in this Government stand up and put the stories right and ensure that no one forgets

the failures that we have had to fix since 2010, it is somehow a bad thing. On this, Mr. President, if I may, I shall make it quite clear that at every step of the way, this Government has taken full responsibility for all of its actions and we shall continue to act responsibly for the remainder of this term and also for our next term in office.

Sen. Ramlogan SC: Yeah, yeah, well said. [*Desk thumping*]

Sen. The Hon. M. Coudray: But, Mr. President, what we shall not do is to take responsibility for the mistakes, the damage and for the wrongdoing of others. If it means that we must continuously remind the nation who is responsible for many problems we are still facing, we shall do that.

I turn now to the real crux of the Motion brought by the Opposition which we are debating today. The Motion refers to the Constitution of the Republic of Trinidad and Tobago and to its preamble which defines the terms and the spirit of our democracy and promotes the observance and practice of democratic principles. This Motion calls on the Government “to reaffirm its commitment to these principles and practice of democracy in Trinidad and Tobago.” I take great pride in doing so, Mr. President, through you, and I shall take great care not only to define our loyalty and dedication to democratic principles, but also to compare them with what was and what we as a nation almost became.

Mr. President, what is very important in this debate today is a reference to a very recent debate which took place some weeks ago in the other place. The PNM Opposition brought a Motion of no confidence in the Government based on the most absurd claims for which they paid and they will continue to pay a very heavy political price.

Sen. Hinds: Until you pay yours.

Sen. The Hon. M. Coudray: And I think that was the third such Motion brought against this Government.

Sen. Hinds: That is not true, you do not even know the rule. You are talking nonsense.

Sen. The Hon. M. Coudray: Mr. President, I refer to that debate because it is within the substance of that debate or lack of it that we find very clear and unmistakable indications of this Government’s commitment to democracy. I shall refer only briefly to that debate and in so doing show exactly how deep is this Government’s pledge to the principles and practice of democracy.

Mr. President, when the Leader of the Opposition made his opening remarks—[*Interruption*—when he made his opening statement in the other place for that Motion of no confidence on May 20, 2013 this is what he had to say and I quote with your leave:

“...the UNC-led Government of Trinidad and Tobago, under the leadership of the Prime Minister, has attacked and conspired to undermine key institutions of State, namely:

- The Judiciary;
- The Office of the Director of Public Prosecutions;
- The Parliamentary Opposition; and
- The Media;”

Mr. President, the institutions named in the Leader of the Opposition’s presentation are actually among the most important institutions referred to in our nation’s Constitution as pillars of freedom, democracy and stability. This is why that debate is so very important to us today. I was very seriously taken aback when I heard of all people, the leader of the PNM Opposition utter those words, because it sounded very much to me like he was describing his Government at the time. [*Desk thumping*]

Hon. Senator: Like he forget.

Sen. The Hon. M. Coudray: Yes, colleague. Mr. President, they think that the people of our country forgot, but those people evicted that Government not this Government. My shock, notwithstanding, I reasoned that perhaps the Opposition had genuinely forgotten deliberately and consistently that their Government eroded the fundamental principles and pillars of our democracy. [*Desk thumping*]

In fact, hon. colleagues will remember it is for that very reason their deliberate attempts to weaken the structures that protect our democracy—as the AG has just demonstrated—and freedom that they could not complete their last term in office, and this is why their leader had to call a premature general election which they dramatically lost. Mr. President, they seem to have very, very short memories, indeed. In his statement I quoted a few minutes ago, it is very clear, based on some of the areas, that the Leader of the Opposition perceives to be under threat. As the AG just said, it is very ironic, indeed. I shall therefore begin on those points, not in reply to him but to use them as part of my demonstration that this Government has a very strong and abiding commitment to democracy. [*Desk thumping*]

Hon. Senator: Ooohh!?!

Sen. The Hon. M. Coudray: Mr. President, taking off from the Attorney General, I shall start with the Judiciary, and in the order in which this Motion was placed. I simply cannot understand how in a time when relations between the Judiciary and the Executive are at their best in this country—the best they have ever been. [*Desk thumping*] Resources afforded to the Judiciary are very much better, there is a very clear mutual respect between those two arms of the State and it can be considered appropriate or accurate, I cannot understand how the Leader of the Opposition can make such a statement. That is not all, Mr. President, the accusations levelled against this Government came from someone who was a very senior Cabinet figure at a time when a former Prime Minister of our country told the then Chief Justice, words like, “you better resign or I would hound you out of office”. [*Desk thumping*]

Hon. Senator: Repeat, repeat like they forget.

Sen. Singh: Remind them, remind them all.

Sen. The Hon. M. Coudray: And those are very similar to the words the AG just told us in terms of another office holder. All of us remember that very dark moment in our history of parliamentary democracy and the separation of powers, when the head of the Judiciary was openly and unforgivingly hounded out and bullied and humiliated by the head of the Executive. [*Interruption*]

Mr. President, that act was and remains unprecedented, inexcusable and a full frontal assault on the Judiciary and by extension the freedom and democracy to which our country and our citizens are entitled. [*Desk thumping*]

Sen. Singh: By the act of a dictator.

Sen. The Hon. M. Coudray: Mr. President, that moment in our history will remain a blot on us as a democratic nation and a blot which we in this Government will continue to work tirelessly to erase.

Sen. Hinds: [*Inaudible*]

Sen. Singh: “Ah doh like this constant talk.” [*Laughter*]

Sen. Hinds: Water for all.

Sen. Singh: Pipe for you. [*Laughter*]

Sen. The Hon. M. Coudray: This is why the Government—[*Interruption*]

Sen. Hinds: Me? [*Desk thumping*]

Sen. The Hon. M. Coudray: Mr. President, this is why that Government was forced into an early election and that is why the people of this country evicted them from office, because it was they who undermined democracy and it was this Government that is now working tirelessly, as I indicated, to restore that democracy. [*Desk thumping*]

Mr. President, we come to the Director of Public Prosecutions.

Sen. Hinds: Leave me, you know.

Sen. The Hon. M. Coudray: Mr. President, in addition to what the AG has just contributed—I listened in that debate in the other place to the Opposition Leader accuse this Government of attempting to undermine the office of the DPP, and I was just as surprised and wondered whether the reference was to that Government and not to this one in every instance one had to ask.

When a government attempts to instruct and exert control over the independent office of the DPP, that constitutes a direct threat to our democracy. Where was the mover of this Motion during that time, during that era? [*Desk thumping*]

Sen. Singh: National security?

Hon. Senator: He fell asleep.

Sen. The Hon. M. Coudray: Mr. President, it would do the Opposition well to think very carefully before bringing such a Motion before this Senate, especially when they are guilty of everything they are accusing this Government of doing.

Mr. President, if I may quote, with your leave again, from the *Sunday Express* of May 31, 2009 in an investigative article written by Mrs. Camini Marajh, and I quote:

“Attorney General John Jeremie, back in Cabildo Chambers for a second term, attempted to push former Director of Public Prosecutions (DPP), Geoffrey Henderson, now a High Court judge, to charge powerful political and corporate players under criminal investigation in 2006, including Opposition Leader, Basdeo Panday and businessman Lawrence Duprey.”

Sen. Singh: Political victimization, using the arms of the State.

Sen. The Hon. M. Coudray: The article continued in 2006:

“Mr. Jeremie waged war on the then DPP, Mr. Geoffrey Henderson...He tried to pressure him, as DPP, into laying criminal charges against the then Leader of the Opposition, Basdeo Panday.”

Mr. President, in that same article this is what the former DPP at that time, who had by 2009 become a High Court judge had to say, and I quote:

“Any decision to prosecute in these matters is mine alone and I shall do so only when I am persuaded (as I have not yet been) that there is a sufficient basis upon which a jury properly directed can convict.”

So, this is the DPP again—*[Interruption]*

Sen. Singh: Standing up.

Sen. The Hon. M. Coudray:—saying to the then Attorney General that it is my decision alone. He also said then of the Attorney General John Jeremie, that “he found his actions to be imprudent and improper”. In fact, in his response to Mr. Jeremie’s attempt to instruct him, Mr. Henderson had this to say and I again quote him, he said:

“Mr. Attorney General in this regard and with specific reference to your letters...I would be failing in my independent duty under the Constitution if I were to initiate a charge under your direction where investigations are incomplete.” *[Desk thumping]*

Sen. Singh: Read that again. Read that again.

3.30 p.m.

Sen. The Hon. M. Coudray: And this is what the DPP, the then DPP, Mr. Henderson is saying to the Attorney General, Mr. Attorney General:

“In this regard, and with specific reference to your letters...I would be failing in my independent duty under the constitution if I were to initiate a charge under your direction where investigations are incomplete.”

Sen. Singh: Perverting the course of justice. *[Desk thumping]*

Sen. The Hon. M. Coudray: Mr. President, where was the mover of this Motion at this time?

Sen. Singh: A Member of the Government.

Sen. The Hon. M. Coudray: The People’s Partnership Government has at no point during its administration attempted to instruct, undermine or manipulate any Director of Public Prosecutions. And this is why I say again, that is why they

were forced into an early election and that is why they were rejected. And I want to state categorically, that the improved relations and a very clear respect for the independence of the DPP, restored by this Government, make it very clear that our commitment to the principles and practice of democracy is real. Today, we reaffirm that commitment, Mr. President. [*Desk thumping*]

Mr. President, I now turn to the parliamentary Opposition. This third and very bold and misplaced assertion was the Government's supposed attempt to undermine the parliamentary Opposition. I put it to this honourable Senate that the Opposition needs no help really in being undermined.

Sen. Singh: And she knows what she speaks of, eh. She knows what she speaks of.

Sen. Hinds: Very good. Very, very, good, very good point.

Sen. The Hon. M. Coudray: Mr. President, their leader as well as their Members—

Sen. Hinds: Substantial point.

Sen. The Hon. M. Coudray:—are doing quite an exceptional job at this. They are undermining themselves.

Sen. Hinds: Oh, yes.

Sen. The Hon. M. Coudray: In fact, Mr. President, [*Crosstalk*] I am led to believe that the PNM seems to be very, very confused indeed. I say this because while their leader stands in the other place accusing this Government of undermining the Opposition, his own members are quietly hustling in and out some backdoor undermining him. [*Desk thumping*]

Sen. Hinds: Call names.

Hon. Senator: “Member gettin slap down an ting.”

Sen. The Hon. M. Coudray: I understand that a certain Member in the other place was looking for signatures to go to the President and have this Leader removed and replaced.

Hon. Senator: Oooh, God! [*Desk thumping*]

Sen. Singh: “Kuchur” in the camp. “Kuchur” in the camp. [*Crosstalk*]

Hon. Senator: Nothing is secret here.

Sen. The Hon. M. Coudray: Yes, yes, nothing is a secret, nothing hides in this country, nothing hides.

Sen. Singh: You underestimate the pedigree of this lady.

Sen. Hinds: “Well all yuh getting it in the *Sunshine* now.”

[*Sen. Hinds shows newspaper to the Senators*]

Sen. The Hon. M. Coudray: And the party that is in Opposition engaged in such plotting, conspiring and subterfuge—

Mr. President: Sen. Hinds.

Sen. The Hon. M. Coudray: Yes, yes, please, thank you, Mr. President.

Sen. Hinds: Every time I open my mouth—[*Crosstalk*]

Sen. The Hon. M. Coudray:—and a party that is in Opposition and is engaging in such plotting, conspiracy and subterfuge, is trying to convince the nation that we in this Government are undermining them.

Hon. Senator: Yeah, yeah, yeah! [*Desk thumping*]

Sen. The Hon. M. Coudray: Mr. President, why would we in this Government try to interrupt such mistakes and such misdeeds that they are doing to themselves? Why would we want to do that?

Sen. Singh: No.

Sen. The Hon. M. Coudray: Clearly, it is another fabrication of their active imaginations. [*Desk thumping*]

Hon. Senator: They good at fabricating.

Sen. The Hon. M. Coudray: Not us, Mr. President. We in the People's Partnership had to decide who would lead. The approach we used was steeped in transparency and democracy, very openly. [*Desk thumping*] and we know who our leader is. When the UNC decided we wanted to have a new leader, it was the democratic process that we engaged in, and that is how a new leader was elected. [*Desk thumping*] That, Mr. President, that is democracy. I say this because unlike during their tenure in Government where a parliamentary representative in the then Opposition was arrested for staging a peaceful protest in Chaguanas. The Opposition should therefore define for me now, how it could ever question this Government who is abiding strongly to the principles and practice of democracy. I say again, and I will repeat it so that they will understand, because I think we were saying the other day, “like stick break in dey ears”.

Sen. Singh: All the time. [*Desk thumping*] We are talking about Hinds. [*Laugh*]

Sen. The Hon. M. Coudray: This Government abides strongly by the principles and practice of democracy. And I say it again, when the former Government had to be forced into an election the people evicted them for eroding the rights of the people and they were undermining our democracy, and every democratic institution in the country, and it is we in the People's Partnership Government who are restoring it right now.

Mr. President, in terms of the media—in bringing this Motion, asking for the Government to reaffirm its commitment and to reaffirm itself to the principles and practice of democracy, I am still left wondering, what is the moral basis for this Motion?

Sen. Singh: Good point. [*Desk thumping*]

Sen. The Hon. M. Coudray: Today's Opposition, which was the pre-2010 Government of this country represents one of the most indisputable threats to the media that our country has ever seen. Here is a party whose former leader, was the then Prime Minister who walked into a radio station one morning demanding that persons be fired because these persons were expressing their opinion which happens to be against the Government. And here is a Government of today that not only speaks of its respect and commitment to freedom of the press, but also takes a bold step of legislation that would protect journalists from prosecution for actions arising out of the performance of their duties. [*Desk thumping*]

Sen. Singh: Solid point.

Sen. The Hon. M. Coudray: Mr. President, so in recommitting ourselves to the principles and practice of democracy we must also remember the very clear dangers of democracy we faced before under a different administration, and maybe some people have forgotten.

As the Minister responsible for Gender, Youth and Child Development, I will now go into the areas under the Ministry for which I have the responsibility. As I move on now I shall go beyond the Opposition's definition of democracy, as being simply the people's right to choose through general elections. Democracy means much more than simply a right to choose and a right to vote and the right to freedom of choice. I believe it was their founder, Dr. Eric Williams who said, as he spoke in the Parliament at the time of independence, he was the one making that statement, and Dr. Williams was right: "Democracy means much more than that". It was the 32nd US President, Franklin D. Roosevelt, who put it best when he said, and I quote:

“Democracy cannot succeed unless those who express their choice are prepared to choose wisely. [*Desk thumping*] The real safeguard of democracy, therefore, is education.” [*Crosstalk*]

Mr. President, while I know that my colleague, the hon. Minister of Tertiary Education and Skills Training, would have offered a comprehensive report on the unprecedented expansion of all levels of training and skills development, it is enough for me to say for now, that the Government's approach to democracy carries with it a commitment to ensure that each and every citizen not only has a right to freedom, but is also empowered to justly use and benefit from these rights and freedom.

Mr. President, unlike—[*Crosstalk*]

Sen. Singh: Mr. Hinds!

Sen. The Hon. M. Coudray: Yes—would he like to speak? And, Mr. President, unlike the former administration we do not see education as simply being a space in a secondary or tertiary classroom—[*Interruption*]

Sen. Singh: Marijuana.

Sen. The Hon. M. Coudray:—or forcing people into programmes and fields that do not interest them.

Sen. Hinds: [*Inaudible*]

Sen. Singh: Alexander.

Sen. The Hon. M. Coudray: Education is seen by this Government as a continuous process of empowerment of people, of families, of communities and of our nation, in areas of interest to them where their skills can be identified and strengthened. Our policy approach and commitment is such that we are safeguarding the future of those who are inside the mainstream, while also making provisions for those who have fallen out of the mainstream. No one will be left behind under this Government. [*Desk thumping*]

Sen. Singh: That is what they cannot take.

Sen. The Hon. M. Coudray: Mr. President, I am here referring to the young men and women who have never had the benefit of someone working closely enough with them to identify their strengths and to understand their shortcomings. Education is not only about academic, training for persons who are already skilled, it is about helping all persons to find their strengths, to feel confident in their strengths and access programmes to enhance their strengths. This is what we

are doing in the Ministry of Gender, Youth and Child Development. [*Desk thumping*] And this is not to say that our teachers are not committed, rather it is to acknowledge that not every child who enters the education system is as academically capable as others.

In the context of gender affairs and the issue of men and women, girls and boys, this is how we at the Ministry of Gender, Youth and Child Development are seeking, and we have sought, to truly empower our people to make full use of their protected freedoms. At the Ministry and at the gender affairs division there is The Women in Harmony Programme where women ages 26—45 years are trained with employable skills to better achieve life objectives.

There is the Defining Masculine Excellence Programme which equips males with the knowledge and skills to help improve social relationships and increase their awareness and appreciation for the evolving gender roles, with a focus on male bonding between fathers and sons, healthy male friendships and the development of self-esteem. There is a six-month Non-Traditional Skills Training Programme for Women which empowers single-female-headed households who do not have formal education and certification. The skills training includes: plumbing, electrical, pipe fabrication, automotive repairs, computer repair, welding, brick laying, woodwork and construction. Mr. President, this programme, this particular six-month programme is complemented with training in literacy, numeracy, information technology and life skills and the programme also includes an on-the-job training element.

There is also the Food Preparation and Home Management Programme. This programme is for men and boys with the objective of empowering them with the knowledge, fundamentals of cooking, family relationships and home management. Through the commencement of a programme of training at government Ministries we have started the gender-based budgeting which is a programme approved by Cabinet last year, with a full view to implementation as promised by the hon. Prime Minister, Kamla Persad-Bissessar SC, and this is ongoing. The Ministry also has five community caravans in observing—and we observed International Women's Day in Mayaro, Blanchisseuse, Siparia, Toco and Cedros—[*Interruption*]

Sen. Singh: Throughout the country.

Sen. The Hon. M. Coudray:—and we have been taking information from the residents on support and assistance required by women and children in these communities. [*Desk thumping*]

Sen. Ramlogan SC: Well done, well done! Excellent work!

Sen. The Hon. M. Coudray: Mr. President, these women and children are assured that if they are in trouble they would know exactly where and how to obtain help. During this Motion this is what we in this Government will be talking about. The work we have been doing, the work we have done and the work we continue to do in order to ensure that people not only hear us commit to democracy, but they also see how committed we are by our deeds—

Sen. Ramlogan SC: That is right, that is right. [*Desk thumping*]

Sen. The Hon. M. Coudray:—and by our every—[*Inaudible*]

Sen. Singh: By your deeds, the radio station lost.

Sen. Ramlogan SC: That is right.

3.45 p.m.

Sen. The Hon. M. Coudray: Mr. President, some of us may remember the late British Prime Minister, Baroness Margaret Thatcher, the first woman head of Government in the western world, who in implementing her free market programme to an ailing Great Britain said and I quote her:

“There can be no liberty unless there is economic liberty.” [*Desk thumping*]

So, Mr. President, liberty is the guarantee of democracy, and to fully exercise and enjoy liberty one must have the means, the access and the opportunity to benefit. And, Mr. President, this is how committed we in this Government are to democracy, and this is why it is easy for us to reaffirm to its principles and practices because of all the measures we are putting in place to ensure the development of our people. [*Desk thumping*]

Mr. Chairman, I turn to the other—sorry. Mr. President, I turn to the other mandate of the Ministry, the youth democracy, and we have sought to ensure that democracy and its benefits can be enjoyed by all citizens, through programmes which look beyond conventional education into areas such as life skills, finding innate leadership qualities and enhancing them, emotional and mental stability, and building strong families. These programmes have been especially targeted to young people in Trinidad and Tobago, and I daresay to all our young people, Mr. President, not people and not communities we have selected based on political patronage.

Mr. President, many a politician has claimed an appreciation for the extreme importance of fostering the growth and development of a healthy, well-educated, well-cared-for, and confident youth population, but not many have demonstrated that

they understand how to ensure it happens. This is important to the strength of our democracy; it is also important to growth and sustainable development; it is also important for continuity; and it is important for our country's competitiveness. Here in Trinidad and Tobago, the warning signals that something was not quite right with our youth population have been sounding off for quite some time now.

Mr. President, with your leave, I would quote from a *Newsday* article of November 27, 2009, and the headline is, "PM: Youth crime, a threat". The article states and I continue to quote:

"Youth and youth violence remain a major threat to young people in this country and other Commonwealth countries Prime Minister Patrick Manning told a large international gathering of young people yesterday.

And this was November 27, 2009, newspaper. The article continued:

"Addressing the closing ceremony of the Commonwealth Youth Forum...at the Princess Theater on the cruise liner the Caribbean Princess in which an estimated 600 youths participated over a three-day session, Manning said an upsurge in violence and drug-related crime along with the unrelenting challenge posed (by) HIV Aids pandemic and other sexually transmitted diseases continue to attest the vulnerability of young people."

So, Mr. President, at what could be described as the twilight stage of that previous administration, there was a clear recognition by them that the young people of our country were being failed. Some may ask: why? In fact, I hope that the Opposition asks why, because it was in September 2006, when that infamous breakfast meeting was planned at the Crowne Plaza Hotel—right across the street from us. The meeting was said to have been called to sign a peace accord among criminal gangs.

Sen. Singh: Community leaders.

Sen. The Hon. M. Coudray: Was that the practice—[*Interruption*]

Hon. Senator: "How much ah dem living now?"

Sen. Singh: None!

Sen. The Hon. M. Coudray: Good question. Was that the practice of or reaffirmation to democracy then; or was it another affront to equity and social stability to engage known criminals, and in that moment place them and their importance at a higher level than the right to safety of our citizens? [*Desk thumping*]

Hon. Senator: Good point.

Sen. The Hon. M. Coudray: Mr. President, that was three years before the then Prime Minister's 2009 statement, yet acknowledging that the meeting was to sign a peace accord. The former Government hosted criminal gangs at the State's expense to a breakfast meeting and called these criminals community leaders. [*Desk thumping*] Mr. President, what that telegraphed to the public was that if you were a gang leader and you were bad enough, the Government would treat you with respect and you might just be able to sidestep prosecution. That was the message telegraphed by the then Government. And, Mr. President, I lay this for consideration of hon. colleagues in this Senate.

After this peace accord with community leaders, do you know what the murder and kidnapping counts were? Let me tell you. In 2006, there were 368 murders and 17 kidnappings recorded. The year following the PNM's contract with criminal gangs, in 2007, there were 395 murders and 155 kidnappings. So you hear in 2006, 368 murders, 17 kidnappings reported; after the contract with the gang leaders, there were 395 murders and 155 kidnappings. [*Desk thumping*]

Sen. Singh: Contracted them to do more.

Hon. Senator: PNM was getting a cut in that?

Sen. The Hon. M. Coudray: Mr. President, my reason for making this point is that the ability of gangs to sustain themselves and to grow, relied then, and still relies heavily on the vulnerable youths at risk. Can that ever truly reflect the exercise of democracy, where a Government knows our young people to be at risk and work to increase that risk? Some may recall a former Member of this honourable Senate, former National Security Minister Brig. John Sandy was reported in the media on January 16, 2011, as noting a rise in youth crime. Mr. President, I quote from the *Newsday*, again, with your leave:

“Minister of National Security, Brig. John Sandy, has said that from 2009 to 2010 there has been an escalation of youth crime, with police figures showing that persons under the age of 18 had committed 933 serious crimes.”

Sen. Singh: Wow!

Sen. The Hon. M. Coudray: Mr. President, do you see the regression here? In 2006, the PNM Government met with criminal gangs. In that year there were 368 murders, 17 kidnappings, and I have to repeat this: in 2007, there were 395 murders and 155 kidnappings, and it got worse.

In the *Newsday* of Tuesday, January 29, 2008, journalist Sean Douglas gave an account of the open admission from the former PNM Minister of National Security and I quote:

“Princes Town North MP Subhas Panday criticised Minister of National Security Martin Joseph over his disclosure of an increase in the number of criminal gangs operating in TT.

Last Friday, Joseph replied to questions by Panday and Tabaquite MP Ramesh Maharaj by telling the House of Representatives that the number of gangs has risen from 66 gangs in 2005 to 86 gangs at present.”

And this is from 2005—2008, from 66 gangs to 86 gangs.

Mr. President, it was their then Minister of National Security who was openly confessing that the number of gangs rose under them from 66 in 2005 to 86 in 2008. Within this period was the famous contract between the then Government and the criminal gangs, and that was five years ago. Five years ago, a member of this honourable Senate stood and boldly talked about the exact number of criminal gangs in this country and, yet, the two years left in their administration up to 2010 saw murders, robberies, rapes, physical attacks and every classification of crime increased under their administration.

Hon. Senator: Who was the junior Minister that had all these—

Sen. The Hon. M. Coudray: And, Mr. President, and they are moving this Motion today.

Sen. Hinds: [*Inaudible*—Racist.

Sen. Singh: No, withdraw that remark. You cannot say that. You cannot call a Member here—

Sen. Hinds: I call anybody anything?

Sen. Singh: Okay. Take your approach.

Sen. The Hon. M. Coudray:—and with your indulgence—sorry.

Mr. President: Can we listen to—

Sen. The Hon. M. Coudray: Yes, please. Thank you, Mr. President—Mr. President, I quote again from the *Newsday* of May 02, 2013, where the Trinidad and Tobago Chamber of Industry and Commerce was discussing its three-year strategic plan, and the Chamber is saying:

“Over the years, we have seen a steady decrease in the age of criminals, particularly those engaged in violent crime, while there has been an increase in crime and violence within the school system.”

The article continued:

“However, it is clear that youth misbehaviour, school crime and violence are more than mere deficiencies in the educational system. School crime and violence have become national development, national security and, arguably, national health care imperatives. These problems will only fester and get worse if they are not addressed cooperatively by all governmental arms, the business community, teachers, parents and all caregivers.”

So, Mr. President, while anyone can come to this honourable Senate and verbally reaffirm to the principles and practice of democracy, it takes a compassionate Government, like this one, to understand and demonstrate the will to defend that democracy in all of its forms. [*Desk thumping*]

Mr. President, that means that we in this Government shall not allow an abuse of state-funded programmes such as CEPEP and URP, and in so doing, allow crime and criminal gangs to be funded. That will be completely undemocratic. [*Desk thumping*] We in this Government shall not use such programmes to condemn citizens to lives of dependency and poverty that would be a restriction of the rights of the people to enjoy freedom, democracy and the access to opportunity. Our approach to caring for the future of young people and securing their democratic freedoms includes strategies to engage, to rehabilitate and to train and to protect our young people. And this is how we have been approaching it, Mr. President.

For the young people, we have had the National Youth Voluntarism Programme and competition which targets children and youth between the ages of 12 and 29 years. This is a collaboration between Government and civil society aimed at fostering a sense of community, pride and understanding through meaningful volunteer projects which assist community and national development.

Mr. President, we have had the launch of leaving our mark, our vacation camp exercise programme which will continue this year. This programme is for boys and girls between the ages of three and 11 years, and we have the camps for the older children and youth between the ages of 12 and 17 years. These camps are themed, Our Culture, Our Heritage, and this programme has so far reached 2,785 children and youth, and as I indicated, we will continue it in July and August of this year.

Mr. President, we have been having national youth awards for our young people with an enhanced focus on recognizing and promoting the contribution these young people make in their communities and in terms of national development. Cabinet has also recently approved the national youth policy, the implementation of which has begun and, pretty soon we will be rolling out that programme fully in every community in Trinidad and Tobago. [*Desk thumping*]

Sen. Singh: Democracy in action.

Hon. Senator: Not discrimination like the PNM.

Sen. Singh: Democracy in action.

Sen. The Hon. M. Coudray: Mr. President, we also have the safeguarding of our children, our families and our communities, also known as the Gatekeepers Programme, and this programme is in partnership with the Toco Foundation. The programme targets young men, ages 17 to 29 years, and is focused on building responsibility for the male personality through training in leadership, social and life skills.

Through a capably led transition process for the St. Mary's Children's Home, we are removing children from the unsafe structure into temporary safe structure, and we are dealing with building our plans in terms of safety for our children at these homes. Our long-term plan is a permanent, comfortable and safe structure for every institution under the Ministry of Gender, Youth and Child Development. [*Desk thumping*]

4.00 p.m.

Mr. President, all these programmes are taking place alongside our mission to build collaborative partnerships with non-government, community-based organizations, as well as faith-based organizations who are already engaged in outreach programmes, but are in need of the resources to continue their work. So we are supporting them. We are not extending the size of our Government in terms of the size of the Ministry, but we have chosen to use all these organizations who are out there doing excellent work in the community and we are adding to their resources in terms of enabling. [*Desk thumping*]

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.

Sen. The Hon. M. Coudray: Thank you, Mr. President and I thank Senators for this opportunity Mr. President, these programmes are taking place alongside our mission to build collaborative partnerships with these NGOs, as I indicated.

The Opposition has asked us to reaffirm our commitment to the principles and practice of democracy, but as we are demonstrating, we are going well beyond words, and showing how by action and implementation, we are upholding democratic values and protecting them for today's and tomorrow's people.

Sen. Singh: Good point! [*Desk thumping*]

Sen. The Hon. M. Coudray: I turn to child democracy. [*Interruption*] Yeah, so he wants democracy, so we are dealing with all the areas under this Ministry. Mr. President, democracy is not something that carries with it provisions relative to age, location, background, gender or social standing. Democracy is an entitlement to each and every citizen in equal measure from the very moment of birth.

In keeping with this ideal, we, at the Ministry of Gender, Youth and Child Development, are working to ensure that even before the youth stage of life, children must acquire the best physical, emotional and mental care, protection, appropriate opportunities to introduce them—to the educational system and provisions for their health, growth and development. We are dealing collaboratively with several other Ministries in the provision of these services.

This is why we have pursued and implemented child development policies, not through a subset of a Ministry, but through its own Ministry and this is why the hon. Prime Minister created this Ministry of Gender, Youth and Child Development, so that our people will get the direct attention that they deserve in terms of their development. [*Desk thumping*] So that through this Ministry, that is commanding its own technical, financial and expert resources, we are pursuing in a very comprehensive way, and we are pursuing a very broad-based mandate in terms of the development of our people in fulfilment of our promise of people-centred development.

Mr. President, this is how we have worked to secure the rights to freedom, opportunity and safety of our children, and we have been doing so through efforts to enhance and modernize the services offered by the Ministry.

One hundred and forty social workers were brought together in a consultation to discuss current and proposed programmes and how processes can be improved to reach more people in need of care, assistance and support. The outcome has been

the introduction and enhancement of communication and information sharing systems, building a platform for a national integrated social service delivery system and greater resources for public education programmes. Again, this is being done in consultation and in collaboration with all government Ministries across the spectrum.

Through the national strategic plan for child development which is primarily focused on securing and protecting the rights of children and equal opportunities for all children, phased implementation of this plan is now on the way and is being overseen by an inter-ministerial committee. And I would be delighted in due course, Mr. President, to bring details of this strategic plan to this honourable Senate at some later stage. [*Desk thumping*] Through the Cabinet approved National Parenting Programme in keeping with the commitment of the hon. Prime Minister, Kamla Persad-Bissessar, for a national parenting policy, and this, too, is being rolled out.

We are doing this through successful information sharing workshops with 10 media houses and communication staff of Government and state agencies to ensure a comprehensive appreciation for the span and scope of the Children's Authority; through information sharing and consultative workshops with the children of community residences to solicit their views on the upcoming standards of care for community residences; through the completion of a gap analysis of 50 community residences which will contribute to the development of standards and regulations for these community residences.

Through the development of a child protection registry through which reports made of critical incidents can immediately attract the right attention and immediate interventions; through the establishment of a child protection library in partnership with the National Library and Information Service (NALIS). Through the ramping up of voluntary counselling and testing initiative promotions by the dissemination of information brochures, testing site contact details and a comprehensive list of organizations that provide HIV tests.

Through the Children Act, 2012, which became law in August 2012, and also in keeping with the commitment of the hon. Prime Minister, the Act introduced a more stringent regime to punish sexual offences against children as well as introduce new offences, and increase penalties for offences against children. This Act, Mr. President, will work in tandem with other statutes: the Children's Authority Act of 2000 and the Children's Community Residences, Foster Homes and Nurseries Act of 2000. [*Desk thumping*] The training: the Ministry is currently training key stakeholders at the district levels in terms of the Children

Act, in terms of the implementation of the Act, and this is to ensure that all stakeholders are fully apprised of the scope of the provisions and of the demands of the Act so that there would be easy implementation.

Mr. President, this is how a Government that seeks to preserve and enhance the principles and practice of democracy works, by seeing democracy, not simply as a verbal commitment, but as an abiding principle of each and every policy and legislative action. [*Desk thumping*] This is how, through the daily work of the Government over the past three years, we have been recommitting and reaffirming our belief and commitment to democracy. Mr. President, democracy for us, in this People's Partnership Government, is not about inciting people, it is about inspiring people. [*Desk thumping*] Mr. President, this is why I began by saying I was very happy to have the opportunity to enter into this debate, because what we must all understand is that verbal commitments with no action is as worthless as a river with no water running through it. [*Desk thumping*]

Sen. Singh: Like Hinds' Motion. [*Laughter*]

Sen. The Hon. M. Coudray: Mr. President, we see it as being pointless and making absolutely no sense to pay lip service to something as fundamental and as critically important as democracy, and the principles and spirit of the freedom it assures, if you cannot act and if you cannot weave that commitment into every aspect of your policy, legislative and implementation agendas as a Government, and this is what this Government has been doing.

Sen. Singh: Excellent!

Sen. The Hon. M. Coudray: So, Mr. President, this Motion brought by the Opposition to seek to have the Government reaffirm its commitment to these principles and the practice of democracy in Trinidad and Tobago is simply a waste—in my humble view—of the time of this Parliament. I, therefore, reaffirm this commitment, and in so doing, hope that I have been able to go well beyond a mere commitment into a clear demonstration of how we, this Government, have honoured that commitment through our work as a Government. [*Desk thumping*]

Mr. President, perhaps the next time the Opposition seeks to raise a Motion such as this one, it will be instructive for them to first come to this honourable Chamber in the spirit of repentance for their own misdeeds to the country over the last few years. [*Desk thumping*] We, as a Government, are always ready to take responsibility for our actions and I humbly recommend that the Opposition start doing the same thing. [*Desk thumping*]

In this regard, I call on the Opposition to reaffirm its own commitment to democracy, not merely by words but by action.

Sen. Singh: No more secret meetings! [*Laughter*]

Sen. Robinson-Regis: Yeah, because you all know all about it. It is not a secret!

Sen. The Hon. M. Coudray: Mr. President, with those few words, I thank you. [*Desk thumping*]

Mr. President: Sen. Sturge.

Sen. Wayne Sturge: Thank you kindly, Mr. President.

Sen. Hinds: Wonderful contribution! Excellent!

Sen. W. Sturge: Mr. President, I vow today, unlike the last occasion to be extremely brief in my contribution, because, from what I have heard, both from Sen. Coudray and the Attorney General, I am quite certain that all of the instances of abuse of power of the past administration have been brought out—[*Inaudible*] [*Desk thumping*]

Sen. Coudray: There was plenty more. “It have” some more!

Hon. Senator: I had some!

Sen. W. Sturge: The major—the major ones. But, I have to commend my colleague, Mr. Hinds, who practices with me at the Criminal Bar for bringing this Motion because it has given the Government an opportunity to show the difference of approach and the difference in character between this administration and the last administration. [*Desk thumping*]

So we have to thank Sen. Hinds for the opportunity to reaffirm, because by asking for us to reaffirm, Sen. Hinds recognizes that there has been an affirmation by this Government [*Desk thumping*] to the terms and spirit and recognition and the promotion and observance of the practice of democratic principles.

Sen. Lambert: He may have exposed himself!

Sen. W. Sturge: Now, let us give two examples. I will just pick two out of the air because I understand my time is short today. Let us start first of all with spying. When this Government came into office in 2010, we would recall what became bare for all to see was a practice—a systematic practice of illegally spying on citizens. They spied not on the ordinary man; it seems as though they were not too interested in spying or listening to the conversations of community

leaders who had conversations with their leader at Crowne Plaza. They were interested in listening to the conversations of judges; they were interested in listening to the conversations of the Chief Justice; they were interested in listening to the conversations of Opposition politicians and key players in democracy.

Sen. Coudray: And small people like me.

Sen. W. Sturge: And, as my friend is saying, small people like Ms. Coudray, and one has to wonder why. So that is something that was happening secretly.

4.15 p.m.

I keep telling my in-service students at the office—because law school is on vacation now and there is an in-service programme for lawyers who are going to be called next year—what I recognize is that in this country, the PNM education that they like to boast about is simply education by inculcation.

Sen. Ramnarine: “Mmm”, share your thoughts with us.

Sen. W. Sturge: So, two multiplied by two is four; 12 multiplied by 12 is 144, you say your tables over and over. It does not encourage thinking. It simply encourages learning and regurgitation, so there is no independent thought.

Sen. Ramnarine: Rote.

Sen. W. Sturge: Rote learning, that is what it is. So, when I heard about the former Prime Minister barging into a radio station to complain about two very little radio announcers who held a different view to him, I was not surprised. When I heard the former Prime Minister calling to enquire about his driver being under arrest, I was not surprised. I was not surprised because that is hardwired into the DNA of that side.

It all started, if you would recall—I was not alive—by a former Minister of National Security, I understand, Dr. Patrick Solomon, who did the exact same thing, barged into a police station, took away someone he had custody of and said: “Look, there is not going to be any charges. I am leaving with this boy.” I just came across it in the briefing here. So, when we see the former Prime Minister or anyone behaving in that sense, it is not unprecedented. It was done before by one of their own founding fathers, Dr. Patrick Solomon. So that is how it unfolds, inculcation. I have seen it done before, nothing happened, I can do it again and I can get away with it and that has been the pattern with the last administration.

Well, I never thought—but before I go on to the other part—I would have to quote the former Prime Minister—I imagine it is one of the most popular political speeches on YouTube—when he refers to a current leader and he said: “Mr. Speaker, when I see Mr. X, I see hate, I see bitterness, I see spite, I see envy, I see jealousy, I see a man completely out of control.”

Sen. Singh: Was he referring to Sen. Hinds?

Sen. W. Sturge: And now we see a man completely out of control. And we will get to there eventually but he is exhibiting hardwired PNM behaviour. [*Desk thumping*] So we cannot blame a Rottweiler for being a Rottweiler, but the class of Rottweiler has become so watered down that it is no longer a class A in the Dangerous Dogs Bill. [*Laughter*] It is no longer considered a dangerous dog. It is no longer considered an effective dog. So, if there was a class J, the Rottweiler might fit into class J. Because what the Rottweiler has done—apart from what we have heard about attacking the Judiciary, attacking the media, attacking the DPP, attacking anyone you perceive as an enemy—now that they have changed hands, we now see typical DNA. The new leader is attacking key office holders and attacking the Parliament itself, seeking to undermine the integrity of this very institution.

I have to make mention of something I learned many years ago from a colleague of mine, a friend of mine, Dr. Cuthbert Joseph.

Sen. Robinson-Regis: He is a PNM.

Sen. W. Sturge: A PNM. We were having a conversation and Dr. Joseph said you have to understand, like he understood coming up in the PNM, that perception is reality.

Sen. Ramnarine: Oh yes.

Sen. W. Sturge: Truth is immaterial. Perception is reality. So what you—knowing that, and that having been inculcated into this new leader, knowing that you come to the Parliament and you make bold assertions and you cause uproar and panic among the citizens, and then what happens? A large amount of the citizenry believes the contents of the email, but the truth is—and they keep saying, even now: what if it were true or it may be true, without recognizing that it was technologically impossible and never may have occurred. [*Desk thumping*] So with that recognition, that is a recognition of truth and knowing that truth does not matter in the public domain, what does that responsible person do? He comes to the Parliament and creates havoc.

Now, let me go back to the second example I wanted to refer to, to show the change in approach and we will get back to that issue. The second issue, I am mindful of time, relates to SAUTT. Now, I spoke about the first issue, which dealt with illegal wiretapping and listening to conversations, and so on. When this Government came into power and realized what was happening, what did this

Government do? This Government did what was the responsible thing, to affirm its belief in democracy, and so on, and so on. It legalized, in certain instances, and gave certain “protections” to the citizens so that yes, there can be phone tapping, not in the way it was done with a veil of secrecy. They have now put on a statutory footing for all to see; the entire Parliament and the entire country now know that there is a possibility of wiretapping. We can use this and we use it legally.

You go to a judge with information, the learned judge would do what is necessary and permission would be granted. Why could that not have been done in the last administration, if the last administration is claiming that it had some affirmation to the principles of good governance and good democracy? The point is that legality came to the fore and it is amazing how people forget in this country. So that was legalized. But because I am a defence attorney, let me speak about another egregious—[*Interruption*]

Sen. Singh: Nice word.

Sen. Ramnarine: Nice word.

Sen. W. Sturge:—How do I put it? I do not want to say it is a solecism because that is minor; another egregious act—[*Interruption*]

Sen. Singh: Breach.

Sen. W. Sturge:—and how we sought to remedy it and how we are still seeking to remedy it. When crime was at an all-time high in the last administration, rather than bring a Bill to Parliament to give legislative force and to simply give soldiers three additional powers—I have to refer to it—what did they do? They created something called SAUTT, the Special Anti-Crime Unit of Trinidad and Tobago.

Sen. Hinds: Say like the AG, a mongoose gang.

Sen. W. Sturge: And it so happens I did not go to a prestige school so I have many friends who actually worked at SAUTT.

Sen. Singh: Good thing.

Sen. W. Sturge: SAUTT was made up of the police, the coast guard, the army.

Sen. Hinds: Belmont Intermediate.

Sen. W. Sturge: Belmont Intermediate, just like—

Sen. Hinds: Was a prestige school.

Sen. W. Sturge: Maybe in your day.

Sen. Hinds: Do not demean your school.

Sen. W. Sturge: I am not demeaning the school.

Sen. Hinds: Withdraw it.

Sen. W. Sturge: Be quiet, Mr. Hinds. Be quiet!

Sen. Hinds: On behalf of Belmont, withdraw it!

Sen. W. Sturge: Yes.

Sen. George: Be quiet!

Sen. W. Sturge: So, Mr. President, what happened was—*[Interruption]*

Sen. Hinds: You should be ashamed!

Sen. W. Sturge:—you had all of these. I am not saying it is not a—it is a very good school but it is not a traditional prestige school. But anyway, let me forget about Sen. Hinds for a minute.

Sen. Singh: Treat him like the PNM, ignore him.

Sen. W. Sturge: So this was an organization—*[Interruption]*

Sen. Hinds: So disrespectful!

Sen. W. Sturge:—with police, coast guard, army. And what did this organization do? The members of this organization, SAUTT, exercised full police powers—*[Desk thumping]*—not just serious powers of arrest, full police powers. So, you had a situation where members of the coast guard and the army were investigating. They were arresting. They were detaining, and so on. And what—

[Sen. Hinds stands]

Hon. Senators: No, do not give way.

Sen. W. Sturge: What the Government has done—

Sen. Hinds: Mr. President—

Sen. W. Sturge:—is to put on—*[Interruption]*

Sen. Singh: “He not giving way. Take yuh seat.”

Sen. Hinds: But it is not true! Police arrested you?

Sen. W. Sturge: What this Government has done is to try to give legislative footing—

Sen. Singh: “When yuh wrapping up yuh could do dat!”

Sen. W. Sturge: And I am saying that on the basis of my own experience, so I do not need to correct anything.

Sen. Hinds: You were arrested by a soldier?

Mr. President: Sen. Hinds, can we listen to him in quiet, please?

Sen. W. Sturge: “Behave yuh self. Behave yuh self.” Mr. President, I have five minutes, so I would try to make my point.

Sen. George: He is trying to discombobulate you.

Sen. W. Sturge: So what happened during this period when SAUTT was in control was this: when there was a problem, SAUTT would move in. So when there was the shooting of a soldier in Rich Plain, Diego Martin, SAUTT moved in. Soldiers, coast guard, police “lock down”, no crime whatsoever in that area for that period.

Sen. Hinds: Dead men walking.

Sen. W. Sturge: So what we are seeking to do now is to give these same officers who did what they did when they belonged to SAUTT during that period, we are trying to give them the same, well not all of the powers they had, but the powers of arrest to a limited few, 300. So, what was illegal then, which was SAUTT, and it was admitted by their former leader that it was, in essence, an illegal entity. It had no legislative footing. So, what the Government is trying to do now is to give legislative power, to put on a statutory footing, and give powers of arrest to a limited group of soldiers; same soldiers who exercised the powers illegally, under SAUTT, under the last administration.

Now, why was SAUTT so frightening? Ask anyone who had a son or a nephew or something locked up by SAUTT. When the police make an arrest, you have rights. So, the police, when they arrest you, it must be on the basis of reasonable suspicion, it must be on the basis of them having information, and so on, and so on. That was not the case with SAUTT. When the police arrest you, you have a right to an attorney, relative, friend. If there is an interview, a Justice of the Peace is present. That is another protectional safeguard.

When the police arrest and detain you, there is a certain period within which they can legally keep you. But what happened under SAUTT was this, you got arrested, and when we as lawyers journey to try to find the client—he is arrested in Diego

Martin, so we go to the Western Police Station, he is not there. We go to—*[Interruption]* coming to that—Four Roads Police Station, he is not there. So then we say well the head of the Western Division is St. James Police Station, we go to St. James Police Station, he is not there. So, the first thing is, it was hard to find someone detained by SAUTT. That is not democracy. That is not a recognition of people's rights.

Sen. Singh: That is a breach of the Constitution.

Sen. W. Sturge: That is a breach of constitutional rights, done by the last administration. So, after that—so let us say you were lucky to have a friend, a police friend you went to school with or an army friend you went to school with, where you can make calls and find out where he is. Where he is would be either in Cumuto or at the base in El Socorro Road. So, when you get to the base now and you want to see your client, do you know what you are told? “This is not a police station, Mr. Sturge, so you have no jurisdiction here.”

So you have no access to a lawyer and then when you try to look at the law, you realize well, by the time you try to get a habeas corpus to go before a judge to bring this person out, to get SAUTT to bring to the municipal courts this person, to see if we can have him released, because there is no basis for arresting him in the first place, by the time you draft up your affidavit and you return, to SAUTT, he has now been moved. So it is hide and seek. Your rights, which you could exercise before the municipal courts, were being frustrated by this illegal entity. So, what we have sought to do and we are still seeking to do is to put that, to sort out SAUTT and put SAUTT on a statutory footing. Because the truth is—*[Interruption]*

Sen. Hinds: SAUTT has been abandoned.

Sen. W. Sturge: Okay Sen. Hinds, be quiet. The truth is, from my point of view, the most important right is the right to life. Without the right to life you cannot enjoy or exercise any other rights. I know my time is winding down.

Mr. President: It is the usual teatime break. Leader of Government Business.

ADJOURNMENT

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Mr. President, in accordance with our tradition, I beg to move that this Senate do now adjourn to Tuesday, July 02, 2013, at 1.30 p.m. where we will be dealing with the CARIFORUM Bill.

Adjournment

Tuesday, June 25, 2013

Mr. President: Before I put the question, Senator, is there a matter on the adjournment?

Sen. The Hon. G. Singh: Matter on the adjournment, by mutual agreement, has been rescheduled; both matters of adjournment, to July 02.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 4.31 p.m.