

**HOUSE OF REPRESENTATIVES**

*Friday, January 13, 2017*

The House met at 1.30 p.m.

**PRAYERS**

[MADAM SPEAKER *in the Chair*]



**INFLUENZA VACCINE**

**Madam Speaker:** Hon. Members, I am to inform that the Ministry of Health has made arrangements with the Office of the Parliament to administer the influenza vaccine to Members who so desire during today's sitting in the J. Hamilton Maurice Room, the Mezzanine Floor of the Parliament.

**JOINT SELECT COMMITTEE  
(ESTABLISHMENT OF)**

**Madam Speaker:** Hon. Members, I have received the following letter dated Friday, January 13, 2017 from Sen. The Hon. Christine Kangaloo, President of the Senate:

“January 12, 2017

The Honourable Bridgid Mary Annisette-George, MP  
Speaker of the House  
Office of the Speaker  
Level 2, Tower D  
The Port of Spain International Waterfront Centre  
1A Wrightson Road  
PORT OF SPAIN

Dear Honourable Speaker,

Establishment of the Joint Select Committee

Your letter dated January 10, 2017 on the subject at caption refers.

I wish to advise that at a sitting held on Wednesday, January 11, 2017, the

Senate concurred with the House in the establishment of a Joint Select Committee to consider and report on the Tax Information Exchange Agreements Bill, 2016. The following six (6) Members were appointed to serve on the Committee:

- Mrs. Paula Gopee-Scoon
- Mr. Clarence Rambharat
- Mr. W. Michael Coppin
- Mr. Gerald Ramdeen
- Mr. H. R. Ian Roach
- Mr. Taurel Shrikissoon

According, I respectfully request that the House of Representatives be informed of this decision at the earliest convenience, please.

Respectfully

Christine Kangaloo

President of the Senate”

### **PAPERS LAID**

1. Audited Financial Statements of CLICO Investment Fund for the year ended December 31, 2014. [*The Minister of Finance and Acting Minister of Energy and Energy Industries (Hon. Colm Imbert)*]
2. Audited Financial Statements of CLICO Investment Fund for the year ended December 31, 2015. [*Hon. C. Imbert*]

*Papers 1 and 2 to be referred to the Public Accounts Committee.*

### **PRIME MINISTER’S QUESTIONS**

#### **Petrotrin’s Payroll Expenditure (Funding of)**

**Dr. Fuad Khan** (*Barataria/San Juan*): Thank you, Madam Speaker. To the hon. Prime Minister: having detailed the numerous financial difficulties plaguing

the state-owned petroleum company Petrotrin, can the Prime Minister elaborate on the source of funds that will be required to finance the increase in payroll expenditure by \$80 million per year?

**The Prime Minister (Hon. Dr. Keith Rowley):** Madam Speaker, I took the trouble to address the nation last Wednesday night because, arising out of the national interest in this matter, questions like this would normally arise, and I am sure that somewhere in that speech I did specifically say that the company would be expected to make these payments from its own account by engaging in cost-cutting exercises inside of the company. If the Member, as I expect, was unavailable to follow the speech, I could make a copy of the text available to you.  
[Desk thumping]

**Dr. Khan:** Thank you, hon. Prime Minister. I followed the speech quite lucidly and clearly, but what I am asking is that if Petrotrin has no money, where will the money be coming from and what kind of cost-cutting arrangement do you expect them to do?

**Hon. Dr. K. Rowley:** I am not aware that Petrotrin has no money; that is loose talk. Petrotrin is a multibillion dollar enterprise, so it is not a question of having no money; it is how the money is spent and what it is spent on.

**Dr. Khan:** Just the last question. What type of cost-cutting exercise do you anticipate that Petrotrin may be forced to do?

**Hon. Dr. K. Rowley:** That is a matter for the management of Petrotrin at the moment.

**Tobago House of Assembly  
(Tourism Management)**

**Dr. Fuad Khan (Barataria/San Juan):** Thank you, Madam Speaker. Can the Prime Minister inform this House whether he is satisfied with the performance of the Tobago House of Assembly and their management of tourism on the island?

**The Prime Minister (Hon. Dr. Keith Rowley):** Madam Speaker, one could never be satisfied when one is aiming for perfection, and I know that there is not perfection with respect to the management of the tourism industry in Tobago. In fact, the tourism industry in Tobago is undergoing a series of challenges, some of it external, some of it internal. But with respect to the efforts of the Tobago House of Assembly, while there is room for improvement, I would think that the Assembly would have done as much as it could have with the limited resources available.

We are currently focusing on improving the performance of the sector. There is investment being made in the sector, there is assistance with respect to the preparation of the product and so on, and we expect that the efforts being made to improve the airlift—all of these are challenges which when they come together should give us an opportunity for an improved performance. It is not just a question of the THA. It is a question of all the inputs into the sector in Tobago in tourism. [*Desk thumping*]

**Dr. Khan:** Thank you, Mr. Prime Minister. What I would like to find out then since there is not a problem with the THA: is there a timetable of cruise ship entry into Tobago when they do occur? The reason for this question, a major cruise line was visiting Tobago on Sunday and all the shops were closed.

**Hon. Dr. K. Rowley:** The only part of that question I am going to respond to is what you just said that I did not say “that is not a matter for the THA”, because I do not want you or anybody to go and say I said that. I did not say that, so the record must reflect that I did not say that. I said that there are a number of challenges and it is not only the THA that is involved in preparing a better product.

**CEPEP Contractors  
(Payments for 2015)**

**Dr. Fuad Khan (Barataria/San Juan):** Thank you, Madam Speaker. Is the Prime

Minister aware that CEPEP contractors who have fulfilled their contracts in 2015 to renovate health centres across the country are still awaiting payment for their completed work?

**The Prime Minister (Hon. Dr. Keith Rowley):** No, I am not aware of that. What I am aware of is that there are outstanding payments to some contractors, and there are a number of difficulties and some review is taking place, and I expect that as soon as those confirmations are made and the funds are available, the contractors would be paid for the work done.

**Dr. Khan:** Supplemental. Hon. Prime Minister, are you aware that these contractors finance these projects out of their own pockets and are now having serious difficulty in paying suppliers, et cetera, that they are losing their house, their cars and everything hon. Prime Minister?

**Hon. Dr. K. Rowley:** Well, I sympathize with the contractors, I empathize with them, but the bottom line is, Madam Speaker, we cannot just pay out moneys if there are issues of confirmation of the payments. Some of that exists and, in fact, the matter is being reviewed. This problem does not arise simply from a non-payment standpoint, it goes right back to the award of the contracts which were, in some instances, questionably done and the certifications. When you speak about contractors out-of-pocket, that is some of the difficulties we have, the origination and the certification and the confirmation of the certificates. We can even discuss the mandate of CEPEP. CEPEP was never supposed to be a contractor building schools and building health centres. That is what you all did and put us in this situation. So we are trying to unravel that now, but the contractors would be paid as soon as it is clear that the public moneys are owed and that they did work for which they are to be paid, and that is being worked upon. [*Desk thumping*]

**Dr. Moonilal:** Thank you, Madam Speaker. Having heard the Prime Minister, to

the hon. Prime Minister: are you aware that several audits have been conducted on CEPEP concerning this matter and there are no conclusions in those audits—I think one was conducted by Dr. Rolph Balgobin, among other things—there are no conclusions that speak to this issue of mismanagement of those contracts?

**Hon. Dr. K. Rowley:** I have no doubt that you know a whole lot more about this than I do, but I am not aware about what you speak. However, the very fact that there are series of audits required to come to a point of clarity should be of concern to you. [*Desk thumping*]

**Dr. Khan:** Could the Prime Minister give the assurance that these contractors would be given the same prominence as that of the OWTU and Mr. Roget?

**Hon. Dr. K. Rowley:** I do not know why you are bringing the OWTU into the picture. I am not aware that the OWTU has constructed anything for any Ministry. However, I would give every citizen the assurance that they would be treated fairly, but this Government is concerned about ensuring that taxpayers' money go only into the pockets of those who are entitled to have it. There is a change taking place in Trinidad and Tobago today. [*Desk thumping*]

**National Lotteries Control Board  
(Decrease in Registered Earnings)**

**Dr. Fuad Khan** (*Barataria/San Juan*): Can the Prime Minister inform this House whether there has been any decrease in the registered earnings of the National Lotteries Control Board?

**The Prime Minister (Hon. Dr. Keith Rowley):** Madam Speaker, I can advise the Member that there has been no decrease in the NLCB earnings. In fact, NLCB earnings for the requisite period under question, in 2015, NLCB's registered earnings was \$188.1 million, and in 2016 those earnings increased to \$227 million. So there has been no decrease. There has been an increase in the registered earnings.

**Cove Industrial Estate  
(Desalination Plant Proposal)**

**Mr. Fazal Karim** (*Chaguanas East*): Thank you, Madam Speaker. Could the Prime Minister indicate what is the status of the proposal to build a desalination plant at the Cove Industrial Estate in Tobago?

**The Prime Minister (Hon. Dr. Keith Rowley)**: WASA has been directed to proceed to ensure that this project comes into fruition, and at the moment the feasibility and the groundwork, the gestation period, is well on the way.

**Financial Experts Advice on Petrotrin  
(Details of)**

**Mr. Fazal Karim** (*Chaguanas East*): Thank you, Madam Speaker. In light of the Prime Minister's statement that a former Minister of Finance and other financial experts have been tasked with advising the Cabinet on the way forward with respect to Petrotrin, can the Prime Minister indicate the names of these financial experts and the terms and conditions of the engagement of all members of the committee?

**The Prime Minister (Hon. Dr. Keith Rowley)**: I am not at this time prepared to identify the names of experts. I have indicated that former Minister Mottley is assisting the Government, and there are other persons assisting him from the state sector and we would look externally if we have to, but there are no terms and conditions involving payments or contracts or anything like that. It is just the question of getting proper advice and we will consult widely looking at possibilities. I only mentioned Mr. Mottley's name because he is the one who is tasked with getting the advice from where it may be available.

**Mr. Karim**: Thank you, Madam Speaker. Hon. Prime Minister, relevant to this statement you had indicated that the report was on its way to Cabinet, can you indicate whether Cabinet has received this report and, if not, by when you expect to receive the report?

**Hon. Dr. K. Rowley**: No, the report is not before the Cabinet, but when I say on

the way, I mean there are a lot of stops along the way, including the Prime Minister's Office, but it has not yet gone to Cabinet, but it is a matter being dealt with, with a certain amount of dispatch, especially in light of our recent experiences, December into January. So we expect that in the very near future the Mottley report will be before the Cabinet.

**Mr. Karim:** Thank you, Madam Speaker. Hon. Prime Minister, is it your intention to lay that report for public viewing or into the Parliament of the Republic of Trinidad and Tobago?

**Hon. Dr. K. Rowley:** Not at this time, but the report will have to first be—the report is really meant for advice to the Cabinet, and based on the nature of the report and its contents, I will consider that.

**JSC on National Security  
(Independent Senator Chairman)**

**Mr. Rodney Charles** (*Naparima*): Could the Prime Minister please state when he will put into effect his promise to the Leader of the Opposition that the Joint Select Committee on National Security will be headed not by a Cabinet Member but by an Independent Senator?

**The Prime Minister (Hon. Dr. Keith Rowley):** Oh, I would do that as soon as I am in better understanding of the machinations behind that request which caused that promise to have been made.

**Mr. Charles:** Is the Prime Minister aware that Prof. Frederick Stapenhurst, who came here and spoke to parliamentarians on the best practices with respect to joint select committees, indicated that it is not the best practice globally to have a Cabinet Member chair a parliamentary oversight committee? [*Desk thumping*]

**Hon. Dr. K. Rowley:** No, I am not aware of that, but I am sure that—is it Prof. Stapenhurst?

**Mr. Rodney:** Yes, Frederick Stapenhurst.

**Hon. Dr. K. Rowley:** He does not have to deal with the under-handedness that I have to deal with. [*Desk thumping*]

**Dr. Moonilal:** Thank you very much. Is the Prime Minister saying that emanating from the meeting with the Members of the Opposition, the Prime Minister made no commitment to remove a Government Member from chairing that committee on national security?

**Hon. Dr. K. Rowley:** I have said no such thing. I did not take any issue with the commitment made then, and if you go to the *Hansard* you would see exactly what I have said and you would know exactly what I am talking to. [*Desk thumping*]

**Mr. Charles:** Would the Prime Minister understand why we on this side do not trust you on that side because you make promises that you—[*Interruption*]

**Madam Speaker:** Member, I would not allow that.

### **Escalating Crime Situation (Corrective Action)**

**Mr. Rodney Charles (*Naparima*):** Thank you, Madam Speaker. In the absence of a crime plan and given that the murder rate last year was the highest in six years, would the Prime Minister state what corrective action is proposed to arrest this escalating crime situation?

**The Prime Minister (Hon. Dr. Keith Rowley):** Madam Speaker, for the nth time, I would like to tell my colleagues on the other side that we have no intention of committing any crime from this side of the country. We have no crime plan, we have an anti-crime plan and the anti-crime plan is, as we have said, that the responsibility for responding to the criminal element and the widespread national conduct lies with the Trinidad and Tobago Police Service, and the Government will move everything possible and do everything possible and leave no stone unturned to allow the police service to become more efficient in responding so that the police service can become more effective, and also in getting better information

gathering and also with respect to crime detection so as to eliminate the threat posed by the criminal elements that is widespread across the country. The Government's approach is to ensure that the country has a better, more responsive and effective police service and security agencies. [*Desk thumping*]

**Mr. Charles:** Madam Speaker, I heard that the Prime Minister say that, you do not have a crime plan?—so, therefore, I would ask if he is denying authorship of the document, the 10-point crime plan.

**Hon. Dr. K. Rowley:** Well, “if yuh had dat, what yuh coming to ask meh dat for”? [*Crosstalk*]

**Dr. Moonilal:** Madam Speaker, you need to protect us now from this Member for Diego Martin West. I just wanted to ask the Prime Minister if he is aware of a 10-point crime plan [*Document in hand*] published by the People's National Movement?

**Madam Speaker:** Member, I have—one, you understand that things are not to be displayed without leave. Secondly, I believe that question was just asked by your colleague on the bench. Do you wish to ask another question as your supplemental question?

**Dr. Moonilal:** Not at this time, Ma'am.

**Madam Speaker:** Okay. Thank you. Member for Tabaquite.

**Dr. Moonilal:** I am scared.

**Dr. Rambachan:** Mr. Prime Minister, in light of the fact that you said that you are not satisfied with the performance of the police service, and in view of the fact that you are head of the National Security Council, what have you done, using your own words, to provide the kind of support and resources that you believe that the police do not now have that would make them effective in the country?

**Hon. Dr. K. Rowley:** Madam Speaker, I do not know why the Members on the

other side are trying to say I said what I did not say. In answering the question, I do not want a sound bite that I said I am not satisfied with the police service. You may have inferred that from what I said and you would be right. [*Interruption*] Not might, you would be right. However, but do not say I said that, because I did not say that. Anyway, the inference is correct.

However, one of the main areas that we are focusing upon is the whole question of information gathering about who is involved in planning and executing criminal activity in Trinidad today. Because the biggest part of the problem that you are focusing on, which is violent crime, has to do with gang activities and persons who come together, conspire and execute heinous actions against citizens. The police need to have information and the information gathering aspects of the State, we have put a lot of effort into that and we have, in fact, made some significant expenditure on the information gathering side.

We are also focusing on the quality of the personnel in the police service, and we are also improving the whole question of accountability within the police service, and we are spending time and effort in ensuring that the basic inputs into policing are there, and it is against that background that we have just commissioned and about to initiate a manpower audit of the police service, so that we can know that the resources which are quite considerable, both human and financial, that those resources are, in fact, directed in the best way to the problem that we are trying to address. That is the way the focus in the Government is at the moment. [*Desk thumping*]

**Carnival Season  
(Protection for Participants)**

**Mr. David Lee** (*Pointe-a-Pierre*): Thank you, Madam Speaker. To the hon. Prime Minister: Can the Prime Minister state the specific plans, if any, his Government intends to implement to protect both the local and foreign participants

during this Carnival season and beyond?

**The Prime Minister (Hon. Dr. Keith Rowley):** Madam Speaker, Carnival is the time when there is a lot of activities in the country, a lot of visitors here and a lot of citizens and visitors on the streets and during that period—before and during—there would be a significant increase in the joint police and army patrols to ensure that the venues and locations heavily trafficked or occupied by persons will have a sufficient level of security eyes and ears, and personnel on the ground including canine patrols and so on and the defence force reserves will be called out—I think that has been done already—and that will go right into Carnival which is quite normal, and we intend to have significant involvement of mobile and foot patrols.

#### **Natural Gas Master Plan**

**Mr. David Lee (Pointe-a-Pierre):** Thank you, Madam Speaker. To the hon. Prime Minister: Could the Prime Minister state when the Natural Gas Master Plan will be brought to the Joint Select Committee on Energy Affairs of the Parliament?

**The Prime Minister (Hon. Dr. Keith Rowley):** Thank you, Madam Speaker. Madam Speaker, I am aware that not too long ago in this very House, I did indicate to colleagues that the gas master plan would be brought to the Parliament. I maintain that position now. This master plan has been the subject of considerable work and review at the level of the Cabinet and the Energy Subcommittee of the Cabinet, and we are awaiting one little—I should not say “little”—one more interaction with the experts who are on their way here before the next month, and as soon as we have had that interaction, we will bring the master plan to the Parliament. So I can say today that we will bring it here by March 31<sup>st</sup>. [*Desk thumping*]

#### **Swiss Offshore Drilling Contractor Transocean (Non-collection of Payments)**

**Mr. David Lee (Pointe-a-Pierre):** Thank you, Madam Speaker. To the hon.

Prime Minister: Could the Prime Minister state the reasons for the non-collection of approximately US \$35 million in payments owed to the State by Swiss Offshore Drilling Contractor Transocean for the mooring of nine ships off the coast of Chaguaramas since the beginning of 2015 especially at a time when the nation continues to suffer with a shortage of available foreign exchange?

**The Prime Minister (Hon. Dr. Keith Rowley):** Madam Speaker, I am not aware of any \$35 million in payments, the non-collection, because the statement is non-collection of approximately US \$35 million. I am not aware of that non-collection. What I do know is that there is some proposal for the mooring of these ships which will bring some kind of revenue. The idea is that that matter is now before the F&GP where the terms and conditions are being considered, and if agreement is had that we should in Trinidad and Tobago become a place to park ships in the way that is being suggested, then at that stage, costs and payments would come into effect and become due.

But I want to caution Members on the other side not to get up and tell the country that we are foregoing money that we should have in this way, because a government before this Government bought a building in Canada, a house, and the fuel from that house, hydrocarbon products, polluted an aquifer and up to this day taxpayers in Trinidad and Tobago are paying millions of dollars to try to restore and we cannot even sell the house or occupy it, and the neighbours around have made millions because we bought a polluting house and now we are paying the bills for years and cannot get out of it. We even asked the Canadian Government for help and they could not help us in that matter. So to bring ships here and park them in the gulf ad infinitum with all the ramifications of potential pollutions of Venezuelan waters and so on, we have to consider this very widely to ensure that we do not grab at a dollar and end up with an expense of \$1,000. [*Desk thumping*]

**Caribbean Airlines Limited  
(Price Increase for Tobago)**

**Mr. Rudranath Indarsingh** (*Couva South*): Thank you, Madam Speaker. Given the recent remarks by the Chairman of Caribbean Airlines that the Trinidad and Tobago air bridge is unprofitable, could the Prime Minister inform this House whether the Government intends to increase the price for passengers travelling on the air bridge?

**The Prime Minister (Hon. Dr. Keith Rowley)**: Madam Speaker, all Members of Parliament should be seized of this very simple fact: It is not the Chairman of CAL who is determining that the service is unprofitable. The situation is that the Chairman of CAL was asked a question as to what is the real cost of a ticket to Tobago, what is the operating cost, and he indicated that the cost to the Government is \$600 to \$700. We all know as established by the Government for years that passengers are made to pay \$300. So, in fact, there is a \$300 subsidy on each ticket, and there is nothing else that could be ascribed to the Chairman of CAL's comment.

The final part of the question is, this Government has no intention at this time to make any fare increase. However, it is quite likely that persons who have been making bookings for convenience and making block bookings and not turning up at the airport, inconveniencing other travellers, and wasting seats on the plane, we have to look at that to ensure that that kind of situation does not continue, and if you book and you travel, you get the subsidized fare. If you do not travel, then you may have to pay like any other airline, pay a cost for the inconvenience that you would have caused and the loss of money which you have incurred. [*Desk thumping*]

**2.00 p.m.**

**US Money Seizure by Law Enforcement Agencies  
(Status Report on)**

**Mr. Rudranath Indarsingh** (*Couva South*): Could the Prime Minister please provide this House with a status report on the seizure of the US \$2 million by both local and international law enforcement agencies and indicate whether that seized currency remains in the custody of the Central Bank of Trinidad & Tobago?

**The Prime Minister (Hon. Dr. Keith Rowley)**: Madam Speaker, one of the problems with this country is that people seem to want to look in the wrong place for the answers that they want. I do not understand why a Member of Parliament is asking me as Prime Minister about moneys seized by Customs and the police. This is a matter which is in the hands of law enforcement, and I have no role and I have seen no information from law enforcement on this matter. So I will not enter, I have no information, except what I have read in the newspapers on this matter. So I cannot assist the Member in that way. The Cabinet has no role in this matter.

**Madam Speaker**: A supplemental question?

**Mr. Indarsingh**: So the Prime Minister is telling this House that in his capacity as the head of the National Security Council he has no information on this issue?

**Madam Speaker**: And I believe that has been answered.

**Retrenchment and Severance Benefits Act  
(Details of Amendment to)**

**Mr. Rudranath Indarsingh** (*Couva South*): In light of the decision by RBC Bank to downsize and send home workers, thus adding to the list of unemployed persons in T&T, could the Prime Minister please advise this House when will the amendments to the Retrenchment and Severance Benefits Act and accompanying pieces of legislation be placed on the Government's legislative agenda?

**The Prime Minister (Hon. Dr. Keith Rowley)**: Madam Speaker, when I looked

at my colleague who is asking this question I am tempted to rename him Rip Van Winkle, because this matter of amendment to the severance Act was his job for five years. A government of which he was a part incurred significant costs, and nothing has been done. But I can tell you that the work has been done by this Government. Only last Thursday I had a copy in my hand. This Thursday—yesterday actually—I had a copy in my hand and the matter is now before the F&GP, and as soon as those deliberations are complete we will proceed as you should have proceeded five years ago. [*Desk thumping*]

**Petrotrin/OWTU Interim Settlement  
(Impact for Workers)**

**Mr. Rudranath Indarsingh** (*Couva South*): In light of the recent settlement between Petrotrin and the Oilfields Workers' Trade Union—and I should say, interim settlement—for the collective bargaining period 2011-2014, could the Prime Minister state what is the likely negative impact for the workers of Petrotrin, including job losses?

**The Prime Minister (Hon. Dr. Keith Rowley)**: Madam Speaker, I think my colleague, the Member for Couva South, is either entertaining me or he just woke up, because I heard him for the last two years, especially during the general election, saying that his government had settled all outstanding—the man campaigned for a whole year in a general election saying that his government had settled, and the Prime Minister listening to that had been saying at the time that they had settled all outstanding matters, and we kept asking, which are these matters that you have settled? And now he is coming to ask me when I am going to settle. [*Interruption*] I am answering the question.

Madam Speaker, 2011 to 2014 is part of the settlement that you had done; of the “all” that you had settled. Remember when you had settled all? They had settled all, so I presume that 2011 to 2014 was settled.

**Madam Speaker:** Members, the time for Prime Minister's Questions has now expired.

**Mr. Lee:** Madam Speaker, I can beg your indulgence, through you, I was hoping that the Leader of Government Business might consider—[*Crosstalk*]

**Madam Speaker:** Members. I would like, Members, that we observe the Standing Orders, please. By virtue of the Standing Orders there is no provision for an extension of time. That can only be permitted if there is agreement by both sides. From the indication from the Leader of the House, I do not believe there is agreement, so we have to go on.

**Dr. Khan:** Hon. Speaker, can you put it to the vote as a Motion on the floor?

**Madam Speaker:** No, I cannot. [*Dr. Khan rises*] Member, I have already determined no I cannot.

**Mr. Indarsingh:** The public needs the information! [*Crosstalk*]

**Madam Speaker:** Member, Member. [*Crosstalk*] May we have order, please. I have already ruled, Member for Barataria/San Juan, that there is no provision for this to be extended and that the time has expired. I am not allowing any Motion.

**Dr. Khan:** Yes, but, Madam Speaker—[*Dr. Khan rises*]

**Madam Speaker:** Member! Member!

**Dr. Khan:** I just want to find out something.

**Madam Speaker:** Order, Member! I do not recognize you.

**Dr. Khan:** You do not recognize me? [*Crosstalk*]

**Madam Speaker:** I do not recognize you. I have ruled on the matter. [*Crosstalk and interruption*] Members, could we have some Order, please! Member for Couva South.

Member for Barataria/San Juan, I do recognize that you are a very senior Member. You have sat in this position, I do not want to consider your behaviour in

the manner that one might first jump to. So that I repeat my position, I am not entertaining any Motion. I have ruled. I have no power to extend except that there is agreement on both sides. We shall proceed.

### URGENT QUESTION

**Madame Speaker:** Member for Couva North.

**Miss Ramona Ramdial** (*Couva North*): Thank you, Madam Speaker. Question No. 1 to the Minister of National Security. [*Interruption*]

**Madam Speaker:** Minister of National Security. One minute please.

Member for Couva South, we are very early in the deliberations, please do not test my patience. Thank you very much.

**The Minister of National Security (Hon. Maj. Gen. Edmund Dillon):** Thank you, Madam Speaker. It was this House that gave the Commissioner of Police autonomy and responsibility. [*Interruption*]

**Hon. Member:** She did not read it.

**Madam Speaker:** Member for Couva North, we are under Urgent Questions, and I think because it is not “on notice”—thank you.

### Commissioner of Police (Power to Terminate Appointments)

**Miss Ramona Ramdial** (*Couva North*): Does the Minister support the actions of the Commissioner of Police to invoke under the Police Service Act, the power to terminate the appointments of senior officials of the Trinidad and Tobago Police Service on the grounds of non-performance?

**The Minister of National Security (Hon. Maj. Gen. Edmund Dillon):** Thank you, Madam Speaker. It was this House that gave the Commissioner of Police under the Trinidad and Tobago Police Service Act of 2006 the autonomy and responsibility to manage the Trinidad and Tobago Police Service, and he has been doing so under section 74(2)(b) of the Trinidad and Tobago Police Service Act.

He has the autonomy and the responsibility and, as such, the Police Commissioner has done what he did in his own discretion.

**Dr. Moonilal:** Hon. Minister, have you been satisfied or are you aware at all of any process or procedure that led the Commissioner to take the action? As to whether you support the action or not is not the question. Are you aware, are you satisfied of any process that the Commissioner may have used to terminate officers? [*Crosstalk*]

**Madam Speaker:** Members, let us have some order, please. Members, could we have some order please. Member for Oropouche East, I would not allow that as a supplemental question under this question.

### ORAL ANSWERS TO QUESTIONS

**The Minister of Planning and Development (Hon. Camille Robinson-Regis):** Madam Speaker, questions 26 to 37, we will answer all questions except question No. 37.

With regard to Written Questions, question No. 8 and question No. 15 we are asking for an extension. Question No. 8, question No. 15, question No. 16 and question No. 18, we are asking for a two-week extension, please, Madam Speaker.

**Madam Speaker:** Just for clarification. Leader, I heard with respect to 37 that the Government would not be answering. I did not hear that there would be an extension.

**Mr. Lee:** Madam Speaker, listening to the Leader of Government Business as far as written answers, question No. 8 has been outstanding since the 26<sup>th</sup> of November, 2016, and the Leader of Government Business is asking for another extension of a further two weeks, if I hear her correctly. I would like to look at Standing Order 29(13).

**Madam Speaker:** So it means that you are going to invoke this at the end of question time?

**Mr. Lee:** Yes.

**Madam Speaker:** So at the end of question time you will make the required request.

**Mr. Lee:** Yes.

*The following question stood on the Order Paper in the name of Miss Ramona Ramdial (Couva North):*

**Cruise Ship Arrivals in Tobago  
(Details of)**

**37.**

Could the hon. Minister of Tourism provide the figures for cruise ship arrivals in Tobago from July to December 2016 providing:

- (a) total cruise vessel calls;
- (b) total cruise passengers; and
- (c) a comparison of these figures for the same period last year?

*Question, by leave, deferred.*

**Desilting and Widening of Marie-Dolay River  
(Commencement Date)**

**26. Dr. Surujrattan Rambachan (Tabaquite)** asked the hon. Minister of Works and Transport:

Could the Minister provide the proposed commencement date for works to desilt and widen the Marie-Dolay River in Gasparillo?

**The Minister of Planning and Development (Hon. Camille Robinson-Regis):** Madam Speaker, on behalf of the Minister of Works and Transport, barring unforeseen circumstances, it is envisaged that the Marie-Dolay Flood Reduction Project will commence by the third quarter of fiscal 2016/2017. Thank you very

much.

**Programmed Repairs to Roadways  
(Commencement of)**

**27. Dr. Surujrattan Rambachan** (*Tabaquite*) asked the hon. Minister of Works and Transport:

When does the Minister expect to commence programmed repairs to the roadways:

- (a) between Guaracara Junction and Stone Road along the Guaracara Tabaquite Road; and
- (b) along the Guaracara Tabaquite Road in the vicinity of the Montserrat Roman Catholic Church?

**The Minister of Planning and Development (Hon. Camille Robinson-Regis):**

Madam Speaker, on behalf of the Minister of Works and Transport, with respect to repair works along the Guaracara/Tabaquite Road, between Guaracara junction and Stone Road and in the vicinity of the Montserrat Roman Catholic Church, the Highways Division has been conducting programmed road repairs such as deep patching, pothole patching and surface patching since June 2016. These works will continue in the second quarter of this financial year 2016/2017. Thank you very much, Madam Speaker.

**Dr. Rambachan:** Madam Speaker, I would like to know when this work has been programmed for; exactly when it has been programmed for this work?

**Hon. C. Robinson-Regis:** Madam Speaker, as I indicated in the answer, this work started since June 2016 and has been ongoing and will continue up to the second quarter of the financial year.

**Dr. Rambachan:** Madam Speaker, I would like to know from the hon. Minister whether any work at all has started in that area or is programmed for that area?

**Hon. C. Robinson-Regis:** Madam Speaker, my information is that the Highways

Division has been conducting, and that means it is being done at this time, programmed road repairs such as deep patching, pothole patching and surface patching since June 2016.

**Construction of Schools  
(Date of Completion)**

**30. Mr. Rodney Charles** (*Naparima*) asked the hon. Minister of Education:

Could the Minister provide a list of the schools that commenced under the previous administration and were left in a state of near completion during the fiscal year 2016?

**The Minister of Education (Hon. Anthony Garcia):** Thank you very much, Madam Speaker. The schools and the ECCE centres which commenced under the previous administration and which were 80 per cent or more completed as at September 30, 2016, are as follows: secondary schools—St. Joseph Secondary, Mount Hope Secondary, Princes Town East Secondary; primary schools—Belmont Boys' RC, Cap-de-Ville Government Primary, Reform Hindu Primary, Ramai Trace SDMS, Chatham Government Primary; early childhood care and education centres—Springvale SDMS, Ben Lomond, Williamsville, Reform SDMS, Gasparillo Government Primary, Sonny Ladoo Development, Maracas Valley SDA, El Dorado SDMS, Marabella Government Primary, Tulsi Manas, Wallerfield, La Plata, La Horquetta North, Waterloo SDMS, Cedros Government.

Madam Speaker, 12 of these projects were suspended or terminated by the respective contractors because of non-payment of outstanding sums. The Ministry of Education is in the process of quantifying the sums owed and the funds required to resume these projects, given their advanced stage of completion, with a view to seeking the necessary funds to proceed.

In addition, another eight buildings are close to completion, but are awaiting statutory approvals and/or Water and Sewerage Authority connection before they

can be formally opened. The Ministry is in communication with the various agencies to facilitate finalization of these matters. Thank you.

**Mr. Charles:** Madam Speaker, specifically, would the Minister be in a position to give us some information in terms of when it would be completed—the schools: Reform Hindu Primary School that he listed and the Reform SDMS Early Childhood Centre, and the childhood centre that is about 99 per cent complete at Ben Lomond?

**Hon. A. Garcia:** Madam Speaker, I am not at this time in a position to give you specific dates. Thank you.

### **Foreign Business Merchants in Trinidad and Tobago (Details of)**

**31. Mr. Fazal Karim** (*Chaguanas East*) asked the hon. Minister of Trade and Industry:

Given that there are a growing number of foreign business merchants operating across Trinidad and Tobago, could the Minister state:

- i. whether there have been any reports of unregulated business practices by foreign business merchants; and
- ii. if the answer to part (a) is in the affirmative, whether the Government will launch an investigation into these reports?

**The Minister of Trade and Industry (Sen. The Hon. Paula Gopee-Scoon):** Madam Speaker, the Ministry of Trade and Industry has not received any formal reports relating to unregulated business practices by foreign business merchants. The Ministry of Trade and Industry, however, notes what appears to be the emergence of several business establishments being operated by foreign business merchants scattered throughout Trinidad and Tobago.

In this regard, the relevant agencies of the State, including the Anti-dumping Unit of the Ministry, the Financial Intelligence Unit, the Immigration Division,

Board of Inland Revenue, the Ministry of Labour and Small Enterprise Development and the Ministry of the Attorney General and Legal Affairs continue to keep a watchful eye on this situation to ensure adherence to the laws of Trinidad and Tobago.

**Orange Valley ECCE Centre  
(Resumption of Construction)**

**33. Miss Ramona Ramdial** (*Couva North*) asked the hon. Minister of Education:

Could the Minister state when will construction resume on the Orange Valley ECCE Centre?

**The Minister of Education (Hon. Anthony Garcia):** Madam Speaker, construction work on the Orange Valley ECCE Centre was terminated by the contractor on October 21, 2016, at which time the project was 25 per cent completed. The limited financial resources available have forced the Ministry of Education to undertake an exercise to rationalize its construction programme, giving priority to those projects with the highest completion rates. The Orange Valley ECCE Centre will be considered for possible completion in fiscal 2018. Thank you.

**Montrose Vedic Primary School  
(Relocation Update)**

**34. Miss Ramona Ramdial** (*Couva North*) asked the hon. Minister of Education:

Further to the response provided to an Urgent Question on November 18, 2016, could the Minister provide an update on the relocation of the Montrose Vedic Primary School?

**Madam Speaker:** The Minister of Education. Member, just before you answer, may I remind Members with respect to the rule for Members not speaking.

Proceed.

**The Minister of Education (Hon. Anthony Garcia):** Thank you very much, Madam Speaker. The Montrose Vedic Primary School underwent fumigation on January 04 and 05, 2017 and was subsequently sanitized. The principal was satisfied, and as a result classes resumed at the school site at the start of the new school term on January 09, 2017.

Madam Speaker, in light of these circumstances, the Ministry of Education is not considering the relocation of the school at this time.

**Miss Ramdial:** Thank you, Madam Speaker. Minister, are you aware that this problem has been happening for a number of years on and off again, and the best advice would be to relocate? Can you reconsider this, please?

**Hon. A. Garcia:** Madam Speaker, I am aware that this was a recurring problem, but on this occasion we sought the advice of the experts and we had a firm with the necessary expertise to do a complete fumigation exercise that lasted two days. We have been assured by the competent authorities that that should be sufficient. In addition to that, the nearby market was also sanitized, and we are confident that there will be no recurrence of this problem in the near future. Thank you.

**Mr. Karim:** Madam Speaker, question to the hon. Minister of Education. Are you aware that lands have been allocated for the relocation of the Montrose Vedic School?

**Hon. A. Garcia:** I am not aware that lands have been allocated. What I am aware of is that discussions were in progress with the relevant board with respect to identifying a parcel of land. I am not sure and, in fact, I do not know that those discussions have been completed. Thank you.

**Persons Employed Through National Retrenchment Registry  
(Details of)**

**35. Mr. Rudranath Indarsingh** (*Couva South*) asked the hon. Minister of Labour and Small Enterprise Development:

Could the Minister advise this House of the number of unemployed persons who attained employment through the National Retrenchment Registry from September 07, 2015 to present?

**The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus):** Thank you, Madam Speaker, for the opportunity to respond to the summon here today by the Member for Couva South.

Madam Speaker, the Government of the Republic of Trinidad and Tobago, in response to the current global unemployment situation, created a national register of unemployed workers which was operationalized on March 18, 2016, as part of the 10-point plan on unemployment titled “Empowering Unemployed Persons, Reintegration into Decent Work, Turning Adversity into Opportunity”.

As of December 2016, 503 persons registered on the National Register of Unemployed Persons. It is pertinent to note, however, that of those 503 persons, 356 persons have registered with the National Employment Services as job seekers. To date, 38 clients have received employment. It is also relevant to note that persons were assisted otherwise through the NES offices of the Ministry of Labour and Small Enterprise Development. Madam Speaker, 211 persons have received advice to date on one or more of the undermentioned.

In the area of career guidance, 36 persons. Resume building, 71 persons and information relevant to upskilling, retraining and business development services, 104 persons. Madam Speaker, 147 persons are at some stage of operating or setting up a business of which 78 indicated that they are in need of financing, and an additional 22 persons indicated that they need business training or advice. I thank you, Madam Speaker.

**Mr. Karim:** To the hon. Minister—of those 104 persons who received information with respect to reskilling, can you say how many of them have actually been reskilled and what has happened to that reskilling?

**Sen. The Hon. J. Baptiste-Primus:** Madam Speaker, the unit which is addressing this issue is in the process of collating data. It is an ongoing exercise.

**Mr. Indarsingh:** Madam Speaker, based on the statistics which have been provided by the Minister, could the Minister advise, out of these 38 persons who have gained re-employment—644 workers lost their jobs at ArcelorMittal—out of this 38, how many workers are from ArcelorMittal?

**Sen. The Hon. J. Baptiste-Primus:** Madam Speaker, that information can be supplied to the hon. Member at a subsequent time.

**Termination Letters attached to Special Security Unit  
(Details of)**

**36. Mr. Rudranath Indarsingh** (*Couva South*) asked the hon. Prime Minister:  
Could the Prime Minister state:

- (a) whether termination letters have been issued to officers attached to the Special Security Unit at the Office of the Prime Minister; and
- (b) if the answer to part (a) is in the affirmative, the number of employees terminated and the total cost to taxpayers?

**The Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young):** Madam Speaker, the answer to question 36(a) is: termination letters dated October 21, 2016 were issued to officers who were attached to the Office of the Prime Minister security unit, formerly the Special Security Unit.

The answer to part (b) is 65 officers were terminated effective November 21, 2016. This process incurred a cost in terms of terminal payments of \$507,333.24.

**Mr. Indarsingh:** Thank you, Madam Speaker. The fact that 65 persons have received letters of termination, does that mean all the officers who were existing at this Special Security Unit have been terminated? In addition to that, how many police officers or officers of the law enforcement agencies are now being utilized at the Diplomatic Centre and within the precincts of the Office of the Prime Minister?

**Hon. S. Young:** With respect to the first question, the answer is, all of them were terminated. With respect to the second question, that is a different question and I do not have that information with me today. [*Interruption*]

**Standing Order 29(13)**

**(Re: Minister of Housing and Urban Development)**

**Dr. Roodal Moonilal** (*Oropouche East*): I am waiting here. Madam Speaker, with a heavy heart, I invoke Standing Order 29(13), and request that you write a stern letter to the Minister of Housing and Urban Development on his tardiness and lack of respect for the Parliament. [*Desk thumping*]

**Madam Speaker:** Member for Oropouche East, I have heard your request under Standing Order 29(13). I have heard your qualification with respect to the type of letter, but I assure you that your request will be entertained under the particular Standing Order.

**MISCELLANEOUS PROVISIONS (MUTUAL ASSISTANCE IN  
CRIMINAL MATTERS, PROCEEDS OF CRIME, FINANCIAL  
INTELLIGENCE UNIT OF TRINIDAD AND TOBAGO, CUSTOMS AND  
EXCHANGE CONTROL) BILL, 2017**

Bill to amend the Mutual Assistance in Criminal Matters Act, the Proceeds of Crime Act, the Financial Intelligence Unit of Trinidad and Tobago Act, the Customs Act and the Exchange Control Act [*The Attorney General*]; read the first time.

**LAND ADJUDICATION (AMDT.) BILL, 2017**

Bill to amend the Land Adjudication Act, 2000 [*The Attorney General*]; read the first time.

**REGISTRATION OF TITLES TO LAND (AMDT.) BILL, 2017**

Bill to amend the Registration of Titles to Land Act, 2000 [*The Attorney General*]; read the first time.

**LAND TRIBUNAL (AMDT.) BILL, 2017**

Bill to amend the Land Tribunal Act, 2000 [*The Attorney General*]; read the first time.

**STATE SUITS LIMITATION BILL, 2017**

Bill to repeal and replace the Crown Suits Limitation Ordinance [*The Attorney General*]; read the first time.

**STANDING FINANCE COMMITTEE**

**The Minister of Planning and Development (Hon. Camille Robinson-Regis):**

Thank you very much, Madam Speaker. Madam Speaker, in accordance with Standing Order 82(6), I beg to move that this House now resolve itself into Standing Finance Committee to consider proposals for the variation of appropriation for fiscal year 2016.

**2.30 p.m.**

*Question put and agreed to.*

*House resolved itself into Standing Finance Committee.*

**Madam Chairman:** Hon. Members, while the technical staff take their seats we will just do some matters of housekeeping. Hon. Members, in accordance with Standing Orders 82(6) and 87, this meeting of the Standing Finance Committee has been convened to consider proposals for the Variation of Appropriation for the fiscal year 2016.

Hon. Members, in accordance with Standing Order 45(1), the speaking time in Standing Finance Committee shall not exceed five minutes on each intervention. We will proceed as follows: the proposals for decreases will be considered prior to the proposals for increases. And, as you may recall, the procedure is such that each Head of expenditure shall be as follows:

1. The Head and the amount to be decreased or increased will be announced;
2. I will then propose the question that the Head be decreased or increased;
3. The Minister will then be invited to explain the purpose for the decrease or increase, and the Members may seek clarification from the Minister;
4. Once this is concluded, the Chairman will then put the question that the sum to be decreased or increased be approved;
5. The procedure will be repeated for each Head;
6. The Committee is being asked to note that the Minister of Finance has approved the transfer of funds in the sum of \$1,019,704,671 between Sub-Heads under the same Head for expenditure for fiscal year 2016.

These transfers do not require the approval of the Committee. So, we now proceed, and we are dealing, as was stated, with decreases.

Hon. Members, we now consider the proposal for decreases in fiscal year 2016.

*Head 40:* Ministry of Energy and Energy Industries \$370,497,277.

*Question proposed:* That Head 40 be varied by a decrease in the sum of \$370,497,277.

**Madam Chairman:** Minister of Energy and Energy Industries, Acting.

**Hon. C. Imbert:** Thank you, Madam Chairman. During this year the actual oil price and actual price of petroleum products was lower than estimated resulting in a lower subsidy than originally anticipated, resulting in savings of \$370,497,277. So, that is how we were able to achieve savings. It was savings in the fuel subsidy as a result of lower oil prices and lower prices of petroleum products.

**Mrs. Persad-Bissessar SC:** I am not sure it fits here, but I note that \$370.4 million being transferred to the Ministry of Social Development and Family Services coming out of the savings, which, you know, we welcome that in terms of the social safety net. But in Appendix II where the explanation is given, I note some moneys being—this is on Page 33 of Appendix II, Head 70, Ministry of Social Development and Family Services, in addition to disability grants, that is not what the \$370 million is for? Well, you have here an increase in two Heads—

**Madam Chairman:** We are dealing with the decrease of—

**Mrs. Persad-Bissessar SC:** First?

**Madam Chairman:** Yes, we are dealing with the decrease first.

**Mrs. Persad-Bissessar SC:** Okay, fine. Well, I would come back to it, Madam. Thank you.

*Question put and agreed to.*

*Head 40 varied by a decrease in the sum of \$370,497,277.*

*Head 70: Ministry of Communications \$120,781,446.*

*Question proposed:* That Head 70 be varied by a decrease in the sum of \$120,781,446.

**Madam Chairman:** Minister of Finance.

**Hon. C. Imbert:** Thank you very much. In March 2016, the Ministry of Public Administration and the Ministry of Communications were merged to make one Ministry, Public Administration and Communications, and this resulted in a

decrease in the requirement for the Ministry of Communications for the balance of that fiscal year—approximately five and a half months—because this Ministry no longer existed after March 17<sup>th</sup> is the date, 2016. So that is the reason for the savings, as it were, the decrease.

**Madam Chairman:** Member for Cumuto/Manzanilla.

**Mrs. Newallo-Hosein:** Thank you, Madam Chair. Minister, could you indicate where did the decrease come as a result? Was it as a result of persons being terminated, was it as a result of buildings no longer being utilized, rented? Can you tell me how the savings, you were able to decrease it, specifically? Thank you.

**Hon. C. Imbert:** I thought I made that clear, the Ministry no longer existed. It was merged with Public Administration and Communications, so there is no longer a line item to incur expenditure against. As you will see as we go along, when we get to that, you will see it went into the merged Ministry of Public Administration and Communications. So, there were no consequences that you have spoken about there. That did not happen. It is just that that Ministry, by name, Ministry of Communications, ceased to exist on March 17<sup>th</sup>, and you had a new Ministry called Public Administration and Communications. So, the remainder of the allocation for the Ministry of Communications is no longer relevant, because the Ministry gone. But all of the functions went into the Ministry of Public Administration. Okay, none of the consequences that you have spoken about occurred.

*Question put and agreed to.*

*Head 70 varied by a decrease in the sum of \$120,781,446.*

**Madam Chairman:** So we now move on to increases. Hon. Members, we shall now consider the proposals for increases.

*Head 31: Ministry of Public Administration and Communications*

\$120,781,446.

*Question proposed:* That Head 31 be varied by an increase in the sum of \$120,781,446.

**Madam Chairman:** Minister of Finance.

**Hon. C. Imbert:** As I indicated just a few minutes ago, it is the identical amount of \$120,781,446 that has been transferred and increased the allocation of the new Ministry. So, it is a complete swap, a decrease in one Ministry that no longer existed, and then those functions were transferred to the newly created Ministry of Public Administration and Communications, and therefore their allocation went up by the identical amount, \$120,781,446.

**Madam Chairman:** Member for Naparima. No?

Hon. Members, the question is that the 2016 appropriation for Head 31, Ministry of Public Administration and Communications, be varied by an increase in the sum of \$120,781,446.

*Question put and agreed to.*

*Head 31 varied by an increase in the sum of \$120,781,446.*

*Head 78:* Ministry of Social Development and Family Services \$370,497,277.

*Question proposed:* That Head 78 be varied by an increase in the sum of \$370,497,277.

**Madam Chairman:** Minister of Finance.

**Hon. C. Imbert:** Thank you. As Members will be aware, the financial year ends on the 30<sup>th</sup> of September, and the new year begins on the 1<sup>st</sup> of October. There are a number of payments that the Ministry of Social Development and Family Services has to make, primarily, senior citizens' pensions. But, because the Parliament was engaged in the annual budget debate there was no appropriation to

make these payments, so we used Treasury Deposits to make the payments, and we are now bringing that matter to book. It is an immediate payment, some of them from the 1<sup>st</sup> of October they have to be made, like pensions and so on. So, that is the reason for this allocation.

**Madam Chairman:** Member for Naparima.

**Mr. Charles:** Thank you. Madam Chairman, I note that the \$370 million is identical with the decrease from the Ministry of Energy and Energy Industries. What happens if the price of oil goes up, and therefore the subsidy increases—  
[*Interruption*]

**Mrs. Persad-Bissessar SC:** It is closed.

**Mr. Charles:** Excuse me?

**Mrs. Persad-Bissessar SC:** 2016 is closed.

**Mr. Charles:** Oh, it is 2016. Okay, it is answered.

**Madam Chairman:** You withdraw the question?

**Mr. Charles:** Yes, thanks.

**Madam Chairman:** Member for Cumuto/Manzanilla.

**Mrs. Newallo-Hosein:** Thank you. I just want to confirm Minister, that during the time of this appropriation that no senior citizen or recipient of the public assistance and disability grants, were they all able to receive their grants in time during this period? Was there any shortfall at all?

**Madam Chairman:** Minister of Social Development and Family Services.  
[*Interruption*] Members! Members, could we just have a little silence or a little more hushed tones, please.

**Hon. Crichlow-Cockburn:** Madam Chairman, all recipients of the senior citizens' pension, the disability grant, and the public assistance grant would have received their payments on time.

**Madam Chairman:** Member for Cumuto/Manzanilla.

**Mrs. Newallo-Hosein:** Thank you, Madam Chair. From what we have been advised, there were shortfalls, a number of persons did not receive their grants, and pensions, and so forth on a timely basis. As a matter of fact, during the budget debate it was cut—this increase was actually cut by \$1.8 million and now increased by \$1.6, and therefore it would appear that there may be a shortfall during this period. I just want to confirm, in fact, whether there would be another shortfall during this period?

**Hon. C. Imbert:** Hon. Member, this is just for the month of October. It is not for the entire fiscal year. Normally, the Ministry would have 13 instalments of the monthly amount to cater for this eventuality, but in this particular year there were 12 instalments made. So, we had to create the 13<sup>th</sup> instalment for the month of October by using Treasury Deposits which we are now bringing to account, so I do not know if the Minister has anything more to say.

**Madam Chairman:** Member for Cumuto/Manzanilla.

**Mrs. Newallo-Hosein:** So, you were saying from November onwards everything has been rectified?

**Hon. C. Imbert:** That is not what this is about. This appropriation is for the month of October.

**Mrs. Persad-Bissessar SC:** Thank you, Madam Chairman. Hon. Minister, through Madam Chair, Head 78, Appendix II, page 33, I note in paragraph 2 that reasons for transfer—

**Hon. C. Imbert:** This is not the same thing, you know. This is something different. This has nothing to do with this appropriation to the Ministry for the month of October.

**Mrs. Persad-Bissessar SC:** So, we will get to that at a point?

**Madam Chairman:** Just for the guidance.

**Mrs. Persad-Bissessar SC:** Yes, please, Madam Chair.

**Madam Chairman:** This is the transfer, and as I had indicated when we were setting the table, and maybe because it was said so early it was sort of lost in transmission. [*Interruption*] Well, no, the Committee—if the transfers are being done under the same Head of Expenditure, these transfers do not require the approval of the Committee. So, I guess we are just being provided with information.

**Mrs. Persad-Bissessar SC:** Thank you. But I am sure the Minister is generous enough to provide some clarification on it and information, provide it to the Parliament.

**Hon. C. Imbert:** No, no, we do not want to depart from the procedure. We do not want to depart from time and the procedure in this Parliament for about 60 years. These matters are for noting, not for debate or commentary.

**Mrs. Persad-Bissessar SC:** No, we can ask them in a different format.

**Hon. C. Imbert:** I am sure you can.

**Mrs. Persad-Bissessar SC:** So, thank you hon. Minister for your non-generosity, for your clarification.

**Hon. C. Imbert:** That is okay, my pleasure.

**Madam Chairman:** Hon. Members, the question is that the 2016 appropriation for Head 78, Ministry of Social Development and Family Services, be varied by an increase in the sum of \$370,497,277.

*Question put and agreed to.*

*Head 78 varied by an increase in the sum of \$370,497,277.*

**Madam Chairman:** Hon. Members, this meeting of the Standing Finance Committee is now adjourned. Please note that the Committee's report would be

circulated on Monday, January 16, 2017 to all Members. I will now call upon the Leader of the House.

**Hon. Robinson-Regis:** Thank you very much, Madam Chairman. Madam Chairman, I beg to move that the House be resumed.

*Standing Finance Committee adjourned.*

*House resumed.*

**Madam Speaker:** The Leader of Government Business.

**The Minister of Planning and Development (Hon. Camille Robinson-Regis):** Madam Speaker, I beg to move the following Motion standing in my name: the proposals for the Variation of Appropriation for fiscal year 2016 were considered in Standing Finance Committee and approved. I wish to advise that the debate for the adoption of the committee's report will take place on Wednesday, January 18, 2017 at 2.30 p.m. Thank you very much, Madam Speaker.

**POLICE SERVICE COMMISSION  
(NOMINATION OF MR. MARTIN ANTHONY GEORGE)**

**The Minister of Planning and Development (Hon. Camille Robinson-Regis):** Thank you very much, Madam Speaker. I beg to move the following Motion standing in my name:

*Whereas* section 122(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 ("the Act") provides that the President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission;

*And whereas* section 122(4) of the Act provides that the President

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Hon. C. Robinson-Regis (cont'd)

2017.01.13

shall issue a Notification in respect of each person nominated for appointment under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives;

*And whereas* the President has nominated Mr. Martin Anthony George to be appointed as a member of the Police Service Commission;

*And whereas* the President has on the 24<sup>th</sup> day of November, 2016 made a Notification in respect of the nomination;

*And whereas* it is expedient to approve the Notification:

*Be it resolved* that the Notification of the nomination of Mr. Martin George Anthony be approved.

Madam Speaker, in bringing this Motion to the House at this time, I wish to indicate from the outset that this Government recognizes the importance of a fully constituted Police Service Commission. And, Madam Speaker, we also recognize the necessity to ensure that the Police Service Commission executes its critical role in the management of the Trinidad and Tobago Police Service, and that it is clear that the police service needs to be strengthened by the appointment of this member.

Madam Speaker, for the Police Service Commission to be fully constituted, there is the need to have a chairman and four other members. And, Madam Speaker, I would like to start my contribution by quoting from the contribution of the Member of Parliament for Oropouche East in 2010, July, when he was the Leader of Government Business, and he said:

The matter before us—“...may I remind my colleagues...”

And this was in January 2015.

“...opposite—”—is—“to accept the nominee by His Excellency to serve as a member of the Police Service Commission. The Government

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Hon. C. Robinson-Regis (cont'd)

2017.01.13

stands by this nominee, and will ask Members opposite to give support as the House can now move to approve the nomination...”

Madam Speaker, I start my contribution this way because, as we all know, those who sit opposite us have a penchant for saying one thing at one time and then changing what they say on another occasion. [*Interruption*] Madam Speaker, I am determined to ensure that they recall what they said on the last occasion, and that is, that we are here to accept the nomination of His Excellency the President.

Madam Speaker, in making this nomination, His Excellency the President, according to the Constitution, is asked to consult with the Leader of the Opposition, and with the Prime Minister before notifying the Parliament. And, my information is that this in fact has been done.

Madam Speaker, it should be noted that the nominee Mr. Martin Anthony George is no stranger to the Police Service Commission. Indeed, he has served on the commission on two previous occasions, having been nominated on both occasions by His Excellency the President. The first nomination was executed at the First Session of the Tenth Republican Parliament, and debated July 16, 2010; and his second nomination was in November 2013, and, Madam Speaker, at the time Mr. Martin George had served the full term of the first time as a Police Service Commissioner, and that was a three-year term. The second nomination, as I said, was in November 2013, and now he is being nominated for a third term.

Madam Speaker, I will take this opportunity to underscore the qualifications of Mr. Martin Anthony George to be appointed as a member of the Police Service Commission. Mr. Martin Anthony George has an LLB Honours from the University of the West Indies, a Legal Education Certificate from the Sir Hugh Wooding Law School, UWI, St. Augustine. Mr. George also holds management

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Hon. C. Robinson-Regis (cont'd)

2017.01.13

qualifications, and is a member of the Association of Business Executives. Mr. Martin Anthony George is the principal attorney with 22 years legal experience at the law firm he established, Martin Anthony George and Company, which consists of four attorneys and three senior external legal consultants.

Madam Speaker, this nominee possesses a strong sense of country and social service, and this is evident as Mr. George was a founding member and former chairman of Crime Stoppers Trinidad and Tobago, which is a nationwide initiative to reduce the spate and rate of crime in Trinidad and Tobago, which the Trinidad and Tobago Chamber of Commerce and the Bankers Association of Trinidad and Tobago have closely aligned themselves.

**3.00 p.m.**

This nominee has been an active member of the following associations: Former Commissioners, for several years, that is, of the Law Reform Commission; a member of the Law Association; former Vice-President and member of the Tobago Lawyers Association; former Chairman and current Director of Crime Stoppers Trinidad and Tobago; former member of the Ken Gordon-led Prime Minister's Anti-Crime Committee; member of Trinidad and Tobago Chamber of Commerce; member of the Port of Spain Rotary Club; member of Toastmasters International; member of the Tobago Chamber of Commerce; member of NOVA, which is a committee; and Crime and Justice Committee of the Trinidad and Tobago Chamber of Commerce. He is also a member of the St. Mary's College Past Students Association; a member of the UWI Guild of Graduates; a member of the Trinidad and Tobago Rifle Association; a newspaper columnist for *Tobago News*; a Sunday *Guardian* columnist for many years; a frequent guest on television and radio programmes and talk shows and a motivational and inspirational speaker

and trainer.

Madam Speaker, the Government of Trinidad and Tobago supports this nomination and is therefore seeking the support of members opposite to approve the appointment of Mr. Martin Anthony George to the Police Service Commission. Madam Speaker, I would like to indicate very briefly that the objective of the Police Service Commission, or indeed the mandate of the Police Service Commission is stated in sections 122 to 126 of the Constitution.

Madam Speaker, amongst the objectives of the Commission is:

“To appoint the Commissioner and Deputy Commissioners of Police...”

The other objectives of the Police Service Commission are:

- “To evaluate the efficiency and effectiveness of the performance of the Commissioner and the Deputy Commissioners of Police;
- To hear and determine appeals by officers against the Commissioner in respect of his decisions on promotions and discipline;
- To appoint the Commissioner and Deputy Commissioners of Police (through a selective process determined by the Parliament); and
- To remove from office the Commissioner and Deputy Commissioners of Police and exercise disciplinary control over them.”

And, Madam Speaker—

“The primary functions of the Police Service Commission are to appoint a Commissioner of Police and to monitor and appraise his performance in the interest of the security of the nation.”

Madam Speaker, we on this side are clear that the nominee of the President will add to those who already sit on the Police Service Commission and with these few words, Madam Speaker, I beg to move.

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

*Question proposed.*

**Dr. Roodal Moonilal** (*Oropouche East*): Thank you very much, Madam Speaker, for the opportunity to join this debate on the notification from His Excellency the President to the Parliament calling for the Parliament to affirm or approve his notification for the appointment of Mr. Martin Anthony George.

Madam Speaker, we heard moments before what I could only consider a scantily clad address by the Leader of the House on this matter of the appointment and began by quoting the Member for Oropouche East. And, Madam Speaker, I am at a loss, because I wish I could have quoted the Member for Arouca/Maloney somewhere, but I cannot. I could not find a quotable quote from the Member to share, but I can find a quote from her leader, the Member for Diego Martin West. And it was in this very debate, a debate for the nomination of a Commissioner at that time, Prof. Ramesh Deosaran, that the then Leader of the Opposition, the Member for Diego Martin West, stood in the House on this side and invited us, not only to consider the appointment of Prof. Deosaran, but to consider the role and functions of the Police Service Commission. And the Leader of the Opposition on that day, it was the 16<sup>th</sup> of the fifth month, 2014, indicated that the Police Service Commission stands at the pinnacle of the management of the Trinidad and Tobago Police Service.

So that an appointment to that Commission cannot be taken lightly and therefore the Parliament in reflecting on an appointee ought to also reflect on the Police Service Commission, the role that this person is being asked to perform. So it is not a matter that we can come here and just read the CV which has already—  
[*Interruption*]

**Hon. Members:** Returning appointee.

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

**Dr. R. Moonilal:**—on a returning appointee, a CV that some of us would be familiar with, given the person's participation at this level over the years.

Madam Speaker, the Leader of the Opposition then had this to say and I quote from his speech, so I am quoting someone. I quote:

“...I, along with the rest of the population of Trinidad and Tobago,”—and this is 2014—“have never been more insecure within our borders...the streets have never been more insecure and, therefore”—in this—  
“situation”... [*Interruption*]

**Madam Speaker:** Member, while I understand that it is a quote, I would like the relevance in terms of what is before this House. So I will give you some leeway but all that is before us is the notification of His Excellency and for the approval of this House.

**Dr. R. Moonilal:** Thank you very much. Madam Speaker, I am merely indicating that the Leader of the Opposition then, speaking to the Parliament on a similar Motion, spoke to the importance of the Police Service Commission in the context of what he believed then to be widespread insecurity. Today, this nation has never been more insecure. We have had the highest murder rate in six years and therefore a debate on an appointee to the Police Service Commission carries great gravity. [*Desk thumping*] That is the point.

Madam Speaker, if I could focus on the functioning roles and the exercise of the powers of the Police Service Commission, because we know of the gentleman, we have his CV, we have heard from the Leader of the House, his qualifications in law, in public affairs, his civic mindedness, his commitment and may I also on behalf of the Opposition thank Mr. George for his service to the Police Service Commission and his willingness and commitment to continue serving Trinidad and

Police Service Commission  
 (Nomination of Mr. Martin Anthony George)  
 Dr. R. Moonilal (cont'd)

2017.01.13

Tobago in this capacity. [*Desk thumping*] Because, Madam Speaker, it is not an easy job given the Police Service Commission and its role which I will come to now, a member of the Police Service Commission is not an easy job because you can be blamed for any and every thing. Particularly when there is a culture in this country of shifting blame, of blaming everybody for something except yourself. And Mr. George ought to be commended for accepting the responsibility to serve yet again on the Police Service Commission.

Madam Speaker, the Commission's functioning and roles prescribed in section 123 of the Constitution:

“(a) to appoint persons to hold or act in the office of Commissioner and Deputy Commissioner of Police;”

So, Mr. George would be familiar with this:

“(b) make appointments on promotion and to confirm appointments,”—to offices—

“(c) remove from office and exercise disciplinary control over persons holding or acting in the offices specified...

(d) monitor the efficiency and effectiveness of the discharge of their functions;

(e) prepare an annual performance appraisal report in such a form that may be prescribed by the Police Service Commission respecting and for the information of the Commissioner or Deputy Commissioner of Police; and

(f) hear and determine appeals from decisions of the Commissioner...or of any person to whom the powers of the Commissioner of Police have been delegated, in relation to appointments on promotion or as a

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

result of disciplinary proceedings brought against a police officer appointed by the Commissioner of Police.”

Madam Speaker, I raise this matter first because Mr. George is asked now, although we know of his experience and his qualifications, he is now to be appointed a member of the Police Service Commission with these functions at hand, critical functions given the crisis we face in this country at the moment. Madam Speaker, may I say that just today a sitting Member of the Parliament was robbed. [*Interruption*]

**Madam Speaker:** Hon. Member, now, while I understand what you are trying to do in terms of linking the importance of the appointment and the functions, I just want to guide you again that this is really as far as the Chair rules, very narrowly circumscribed and just that you do not get beyond the boundary of what is before us. I just wish to caution you.

**Dr. R. Moonilal:** Thank you very much, Madam Speaker, for the caution. Madam Speaker, the nominee before us, Mr. George has experience, tremendous experience, and I imagine that you are inviting us to consider the CV of the nominee as a primary focus of the debate. The member before us has membership and participation in several important committees, several important organizations linked to crime fighting. I took note of the nominee being a member of the Committee for Crime and Justice in Trinidad and Tobago of the Chamber of Commerce, serving on the Law Association as well over the years, a former Commissioner of the Law Reform Commission as well and discharging duties, Madam Speaker, related to crime and crime fighting.

Madam Speaker, this person that we are considering—we have not approved the person—this person we are considering, we are inviting the person to

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

contribute to an organization which has specific rules, specific functioning, to exercise important powers. And if we are to consider the CV, we will consider his CV in line with what he is expected to do. So if the person was expected to perform duties as a geologist we would look at his CV and link it to the role of a geologist. If he was going to become a chemist we would look at his CV and link it to the role of chemistry. So we are linking his CV to the role, functioning and exercise of the powers of the Police Service Commission. And I am proceeding along that line.

Madam Speaker, Mr. George may well be a person charged with listening to appeals from the decisions of the Commissioner of Police, appeals lodged by members of the police service, of course, and we are told that Mr. George on re-entering that office will have in excess of 250 appeals before the Police Service Commission. Mr. George will have to reflect on that. He may be asked to consider appeals of police officers. Mr. George is well equipped to do this, but as to whether we are putting Mr. George in a difficult position if the Commission itself complains time and time again of a lack of resources, then what is the purpose of putting the best-qualified persons on a commission if the Commission itself suffers from a lack of resources, financial manpower, et cetera.

Madam Speaker, it was under the Partnership Government that the Police Service Commission obtained proper facilities, building and housing. [*Desk thumping*] When the Commission moved office those opposite complained. Now this is where Mr. George is expected to serve in office, they complained. But the Police Service Commission, when based in Port of Spain, they were in a situation where persons like Mr. George refused to go to the office in fear of crime in Port of Spain, where they were previously located. It fell to the Partnership

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

Government to relocate the office of the Police Service Commission. [*Desk thumping*] Then Mr. George and others could go to that office.

**Madam Speaker:** Hon. Member, is that the current position now? You are talking historically.

**Dr. R. Moonilal:** Madam Speaker, from the reports which I would like to quote we have a problem as it relates to resources of the Commission and Mr. George, for him to do his work, clearly with his qualifications—I would not display this, Madam Speaker, [*Member holds up document*] I do not have the authority to do that, so I would hold it to—[*Interruption*]

**Madam Speaker:** That is still a display.

**Dr. R. Moonilal:** Yeah, so for the Commissioner to do his work—

**Madam Speaker:** That is still a display.

**Dr. R. Moonilal:** Madam Speaker, there is nothing—for Mr. George to do his work we must be clear that we are not throwing Mr. George on the deep end of the pool without resources, without manpower, without financial resources, without newspapers to begin with and expect that this qualified person will perform. So 250 appeals remain.

Madam Speaker, we may have more appeals coming because the data I gave you is data from 2015. We may have more appeals coming because the Commissioner of Police now is wont to make more decisions. But, Madam Speaker, the Police Service Commission plays another critical role and it is the Government of this day that made a commitment on entering office. They actually had a matter related to the Police Service Commission and related to the work of Mr. George. They raised a matter related—[*Interruption*]

**Mrs. Robinson-Regis:** Madam Speaker—[*Interruption*]

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

**Dr. R. Moonilal:**—to the appointment of the Police Service Commission—  
[*Interruption*]

**Mrs. Robinson-Regis:** Madam Speaker, I rise on the Standing Order of relevance. Madam Speaker, the Member is obviously trying to widen this debate and the debate is very specific. It is to confirm the nomination as given by the President.

**Hon. Members:** Which Standing Order?

**Dr. R. Moonilal:** “She make ah speech.”

**Madam Speaker:** Member, the Standing Order raised is to one related to relevance. [*Crosstalk*] I would want to say this and I think you understand the caution that I have been trying to give before. [*Crosstalk*] Okay, you said that you are speaking about resources and the ability of the appointee to perform the functions. [*Crosstalk*] Members!

Having regard to what I have outlined from the beginning, I am going to ask you, I have given you some leeway but I am asking you to be very cautious in terms of the nature of the Motion that is before us. It is not a general Motion whether it is on the Police Service Commission or on anything else. It is as far as the appointee and the notification which we have been given. So that while I think you have the opportunity to speak and to contribute I would ask you to keep in mind what is before this Chamber.

**Dr. R. Moonilal:** Thank you very much, Madam Speaker. Madam Speaker, with your leave I propose to continue to link the appointee, Mr. George, to the role he is expected to play. Is that permitted?

**Mr. Imbert:** No.

**Dr. R. Moonilal:** The Member for Diego Martin North/East says otherwise.

**Madam Speaker:** Member for Diego Martin North/East—

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

**Mr. Imbert:** Sorry, Madam Speaker.

**Madam Speaker:** I accept your apology, but what I would caution is that all Members try to keep their opinions from reaching the Chair and that you contain crosstalk, it is not allowed. Continue, Member for Oropouche East.

**Dr. R. Moonilal:** Thank you very much, Madam Speaker. So, Madam Speaker, our nominee enters the Commission with a critical function available and that is to appoint persons to hold or act in the office of the Commissioner of Police. Madam Speaker, the Government indicated earlier their support of the nominee. I think that was clear. The Government also indicated earlier their support of the Police Service Commission, so I am now responding to the issue raised by the Leader of the House. The Leader of the House indicated that they support the Police Service Commission in the conduct of its work. They did indicate that, and they support, of course, the nominee Mr. Martin George. And in saying that, the Leader of the House is very clear that Mr. George is qualified to serve as a Commissioner where the first function of the Commission is the appointment of a Police Commissioner.

Madam Speaker, we are hoping on this side, before we give our support or not to the nomination, that Mr. George is strong enough, given his track record, to withstand pressure as a Commissioner, to withstand the pressure of political interference in the conduct of the Police Service Commission. [*Desk thumping*] Mr. George has served on several committees and bodies. He will be aware of the role and function of the Commission and the laws of Trinidad and Tobago in a wider sense.

**Mr. Al-Rawi:** Standing Order 48(6), Madam Speaker.

**Dr. R. Moonilal:** What is happening here?

**Madam Speaker:** I overrule. I will allow you to continue.

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

**Dr. R. Moonilal:** Thank you, Madam Speaker, and with your leave I continue. So we are calling upon the nominee and, Madam Speaker, might I say again without running the risk of being irrelevant, that this has a history, the Police Service Commission nomination that comes to the Parliament has a history. This was the product of a bipartisan arrangement between the then PNM Government led by Mr. Patrick Manning and the Opposition at the time led by Mr. Panday—*[Interruption]*

**Mrs. Robinson-Regis:** Madam Speaker, I rise on Standing Order 48(1).

**Hon. Members:** Allow the debate to take place.

**Madam Speaker:** Leader, I will allow the Member some leeway in that I think he is setting a sort of context. I will allow him some leeway because we are in the presentation. Reference was made to the Police Service Commission and its constitutional role. I will allow him some leeway in terms of the context I see that he is trying to build. Please proceed.

**Dr. R. Moonilal:** Thank you very much, Madam Speaker. I will tell my colleagues opposite *[Desk thumping]* if they have somewhere else to go, you can go. If you have something else to do, you can do it.

**Madam Speaker:** Member! Let us confine ourselves to the debate. I have ruled. Let us confine ourselves to the debate, please.

**Dr. R. Moonilal:** Thank you, Madam Speaker.

**Madam Speaker:** Thank you.

**Dr. R. Moonilal:** It is just that I am becoming fed up of their interruptions. Madam Speaker, so the appointment of the Commissioner of Police and the appointment of the Commissioner linked to the role and this came about because at that time in 2006 or thereabout it was felt that we should break the mould that existed since independence of a Prime Minister having a veto power over the

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

appointment of the Commissioner of Police. And that veto was transferred effectively to the Parliament. And we were trying to model ourselves at that time—those persons involved included, Mr. Manning, Mr. Panday, the Member for Siparia today, others were involved—and we were trying to create a model akin to the American congressional model where persons go to the American Congress for a congressional hearing to be appointed, a nomination hearing. We watch television, we know that.

But in Trinidad and Tobago given the role and functioning of the Westminster System of Parliamentary Democracy it was felt that that would not work, bringing the body. So we decided not to bring the body but bring the CV and Members of Parliament akin to the American congressional model would get an opportunity to speak to the body of the CV on the person's qualifications and to ask relevant questions. [*Desk thumping*] So I am entitled to ask from the CV I have read what qualifies this person to stand up strong to an arrogant government trying to politicize the Police Service Commission. [*Desk thumping*] I am entitled to ask that based on the CV.

**Mrs. Robinson-Regis:** Madam Speaker, Standing Order 48(1), Standing Order 48(6).

**Madam Speaker:** I would rule on Standing Order 48(6) in terms of the imputing improper motives. On the first occasion when the Standing Order was raised, it was not specifically directed anywhere. It now has been. So that Member, you are a seasoned Member. I would ask you to just withdraw that and rephrase it. I am sure you are quite capable of that.

**Dr. R. Moonilal:** Madam Speaker, I may have to thank you at the end of this for sharing in my contribution. But I will withdraw that because I understand that. I

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

am saying that I am here now to examine the CV of Mr. George and to hope that Mr. George can withstand pressures of any kind, political or otherwise from any authority in Trinidad and Tobago, including the Government. [*Desk thumping*] And I have good reason for questioning Mr. George as I am doing now by looking at his CV. And the reason I am questioning Mr. George on his strength to withstand pressure of a political nature is because we have had experience and examples of attempts to undermine the Police Service Commission. [*Desk thumping*] And had Mr. George been in front of me sitting here on a chair, as they do in America, I would have said, Mr. George, are you prepared to tell this House that you will withstand pressure of any kind from any authority to politicize and undermine the functioning of the Police Service Commission? I am asking him now on the basis of his CV. And he would say, I am sure he would say, yes. And I would ask him, again, if I had him in front of me, would you have supported an attempt to illegally change the procedure for appointing a Police Commissioner which the court rejected and ruled as illegal?

**Mrs. Robinson-Regis:** Madam Speaker—

**Dr. R. Moonilal:** Mr. George, would you have done that?

**Mrs. Robinson-Regis:** Madam Speaker, Standing Order 48(6). [*Crosstalk*]

**Madam Speaker:** Members, Members. Member for Naparima, remember the caution with respect to displaying. It is not allowed, okay? Member, I would ask you, because you are also seasoned in another practice in terms of and I think, in terms of the word used. You understand the meaning and the definition of that word. The court has made a ruling as you said but I do not believe it ruled in terms of the word that you have used. So I am asking you to use another word, withdraw the “illegal” and use another word. That was not the ruling of the court in my

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

recollection.

**Dr. R. Moonilal:** Madam Speaker, just for the benefit of the record, and I in no way attempt to defy your ruling or to even suggest that your recollection is not complete, but, Madam Speaker, I do have the judgment in my hand and this judgment of Mr. Justice Peter Rajkumar, dated the 14<sup>th</sup> day of July, 2016, on the conclusion as to the question whether the Order is illegal and unconstitutional. It says for the reason set out above, the answer is yes. Mr. Justice Rajkumar has indicated that the Order is deemed, the answer is yes, as to whether that Order is illegal and unconstitutional. [*Desk thumping*] It is a matter of fact. I am quoting from the judgment which I am prepared now to send to you if you so request.

On the matter, Madam Speaker, whether the Order, then Order of the worthy Attorney General infringed the constitutional jurisdiction of the Police Service Commission, which you Mr. George must now defend as to whether it infringes on the constitutional jurisdiction of the Police Service Commission, which Mr. George must now defend, for reasons set out above, the answer is yes.

**Mr. Al-Rawi:** What page?

**Dr. R. Moonilal:** I am looking—you do not know the judgment. [*Laughter*] This was your first act that was proven to be illegal.

**3.30 p.m.**

So, Madam Speaker, it is not my intention to quote an entire judgment for you. I have it in my hand. It is 51 pages, of course. But I am saying according to this judgment the High Court ruled, it was an appealed. The High Court ruled that an Order emanating from the Executive infringed the constitutional jurisdiction of George Martin to be Commissioner of Police Service Commission. [*Desk thumping*]

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

The ruling is saying that the Executive by Order issued an Order that is illegal and unconstitutional as far as it relates to the Police Service Commission of which you, Mr. George, will now become a Commissioner if approved today, and we must be satisfied that all Commissioners including the one that we are examining today, because we are examining him in his absence through his CV, we must be convinced that he can withstand the pressure of an Executive—  
[*Interruption*]

**Mrs. Robinson-Regis:** Madam Speaker, Standing Order 48(1).

**Madam Speaker:** Member, I will allow you to proceed.

**Dr. R. Moonilal:** Thank you. Madam Speaker, to the Member for Arouca/Maloney, I want to assure her that you could get a personal trainer if you need exercise. It is not necessary to be standing up in the Parliament like this. So the judgment of the High Court, not appealed by the Government, suggest that Mr. Martin Anthony George has his work cut out as it relates to attempts by any authority to undermine the constitutional jurisdiction of the Police Service Commission, as the learned High Court judge indicated there was an attempt to do. That is a matter of fact. That is not my opinion. I have no opinion on this.

The High Court judge said there was an attempt to undermine the constitutional jurisdiction by an illegal Order. Mr. George is coming into a position now where he has to withstand pressure of this kind, and I will tell Mr. George—because I see again on his CV he has experience in mediation and so on—that there were other Commissioners who raised their hands. When this was being done another Commissioner raised their hand and said you cannot do this, and—[*Interruption*]

**Mrs. Robinson-Regis:** Madam Speaker, Standing Order 48(1). Madam Speaker,

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

is this the forum for the Member—I am explaining—to explain and debate the judgment of the court? [*Crosstalk*] I can indicate why I am raising that Standing Order.

**Madam Speaker:** Members, I understand what the Member for Oropouche East is trying to do, is to indicate the functions that the proposed appointee has to undertake. I understand what you are trying to do, but again remember the limits of your debate. So that if you can keep it within what you set out to do rather than extending it further and widening the debate, you can continue. Just be careful.

**Dr. R. Moonilal:** Thank you very much. Madam Speaker, at the end of my contribution, the Member for Arouca/Maloney will have to join me to do the edited version for *Hansard*. Madam Speaker—[*Interruption*]

**Madam Speaker:** Let us proceed. We each have our responsibilities, we will do it the best that we feel we should. Please continue.

**Dr. R. Moonilal:** Thank you very much, Madam Speaker. So Mr. George comes to the Commission where the Commission is under a lot of stress, where the Commission has enormous challenges as it relates to resources and so on, and where the Commission is asked to stand firm, and the Commission has a job to do which is to appoint a Commissioner of Police and Deputy Commissioners of Police. This has been a commitment of the Government on entering office. The Police Service Commission—and I will ask Mr. George—[*Interruption*]

**Mr. Imbert:** Madam Speaker—[*Interruption*]

**Dr. R. Moonilal:** Madam Speaker, this is a strategy now. This is clearly a strategy. What is the Standing Order?

**Mr. Imbert:** Madam Speaker, I rise on a point of order. This Motion is—[*Interruption*]

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

**Dr. R. Moonilal:** What number?

**Mr. Imbert:**—to confirm Mr. George—*[Interruption]*

**Dr. R. Moonilal:** What number?

**Mr. Imbert:**—nothing else. Standing Order 48(1).

**Madam Speaker:** Members. Hon. Member for Oropouche East, your original speaking time has expired. Having regard to what has been happening, I have inputted some injury time and that is why I now rise to say that your original speaking time has expired.

You are entitled to an extension of 15 minutes and I would ask you to use it judiciously, and I would also ask you to please do not go outside of what is before the Chamber and in terms of what you are trying to link it to. Please keep that to the Motion that is before us.

**Dr. R. Moonilal:** Thank you very much, Madam Speaker, and I would take the extra 15 minutes or more if it is possible at all. I would just also like for point of clarity, when my colleagues raise a Standing Order are they permitted to extemporize in raising the point of order, or should they just suggest the number and you can deliberate yourself because I have seen this tendency to rhapsodize when they get up—*[Interruption]*

**Mr. Indarsingh:** “Seukeranize”

**Dr. R. Moonilal:**—and to “Seukeranize”. We spoke of the appointment of the Commissioner of Police. I want to move away from that because I want to go on to something else. Another critical function that Mr. George will have to undertake is this matter of hearing appeals from the decisions of the Commissioner of Police. It is a fundamental function of the Police Service Commission. Mr. George, we ask you today whether you are prepared to undertake this type of

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

responsibility given the type of appeals, not just the number, but the appeals that may likely come to the Police Service Commission? It requires enormous consideration, enormous time, independence, neutrality for which Mr. George is telling us, by his acceptance of this offer, that he is prepared to undertake.

You see, Madam Speaker, with the Police Service Commission, over the years, constables, sergeant and whoever, would write to the Commission—I myself am aware of a few of these matters—and file a complaint for which a Commissioner, like Mr. George, would get involved to hear the complaint of a constable, a sergeant and so on, and that may be on matters of discipline, it may be on matters of promotion, it may be on matters delegated to the Commissioner of Police, particularly discipline I think. Now we are in a situation where senior members of the police service are being asked to go home, and it may well be that the Police Service Commission and Mr. George could be asked upon—  
[*Interruption*]

**Mrs. Robinson-Regis:** Madam Speaker, Standing Order 48(1).

**Madam Speaker:** I overrule. Member for Oropouche East, based on where you are going I hope you relate it to what is before us.

**Dr. R. Moonilal:** Madam Speaker, let me go back to the toastmasters club. I think they are very comfortable that if I stay with the toastmasters club and the rifle association—[*Interruption*]

**Hon. Member:** And the boy scouts.

**Dr. R. Moonilal:**—and the boy—is the boy scout here? Yes. A newspaper columnist for the *Tobago News*. You all are happy with that? Right. So, Madam Speaker, the type of appeals are very serious and I am asking now whether there is a connection between those senior police officers going to the Diplomatic Centre,

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

summoned by the Prime Minister, and two being fired by the Commissioner of Police; and whether Mr. George—*[Interruption]*

*[Madam Speaker, Mr. Imbert and Mrs. Robinson-Regis stood up]*

They all stood. *[Desk thumping and laughter]*

**Madam Speaker:** Member, I now have to rule that you have breached Standing Order 48(6). Before the Bench stood up I was on my legs. Okay? So that I would ask you to withdraw that and please, again, be also minded about relevance and come back to the debate.

**Dr. R. Moonilal:** Thank you very much. Madam Speaker, I withdraw the question I asked of the Government. I withdraw the question.

Another major function that Mr. George will have to participate in—and this is where I have a difficulty with the CV because we have not yet come to the point whether we support or not. When I look at this CV, let me go back to the comfort of the CV. We see Vice-President of Tobago lawyers, former member of the Ken Gordon-led Prime Minister's anti-crime committee, member of the Port of Spain Rotary Club, but I am not sure with these memberships and so on, whether Mr. George—and if he was here I would ask him—has the qualification to participate at a high level in matters involving the preparation of annual performance appraisal reports. Because as you know, one of the key functions of the Police Service Commission is to undertake annual performance appraisal reports of the Police Service Commissioner.

Nothing, I dare say, in the CV—and I hope I am looking at the same CV as everybody else. It is a two-page document supplied to us—nothing tells us about any qualification in that area of performance appraisal. And if you are to participate in a performance appraisal of the Commissioner of Police, the

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

Commissioner fired two people for lack of performance, is Mr. George prepared to say that he will support the Police Service Commission to fire the Commissioner of Police for lack of performance as well because the national data is as bad as the divisional data?

The Police Service Commission in undertaking their annual performance appraisal, Mr. George and others will have to come to a conclusion as to whether or not the current Commissioner of Police has satisfied the expectations on him because as the Member for Diego Martin West reminded us, the Police Service Commission stands at the pinnacle of management, and the Police Service Commission and Mr. George would have the responsibility to appraise the work, the effectiveness, the efficiency of the Commissioner of Police and his Deputy Commissioners of Police. And when they do that, they will look to crime statistics, I imagine to other indicators of performance and they are entitled to do that as the Commissioner is entitled to look at his own divisions and so on. But to Mr. George, I would like to tell him now—this Mr. George of whose two-page CV I have in my hand—that in undertaking an appraisal of the Commissioner and Deputy Commissioner pursuant to section 122 of the Constitution—I would ask Mr. George, if he was seated here, are you prepared to ensure that fairness and natural justice apply to any decision to give a report on a Commissioner of Police?  
*[Desk thumping]*

As I am sure the Commissioner of Police will answer eventually as to whether he is fair and he has acted according to the tenets of natural justice, and Mr. George, in doing the appraisal of the Commissioner of Police, needs to apply those elements. They need to apply those elements because, as I said earlier—and that part they did not object to—there is a tendency in this country to shift the

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

blame, and Mr. George, you must take responsibility. Mr. Martin Anthony George you must take responsibility as a member of the Commission pursuant to the objectives of the Commission and do not try to shift the blame.

We do not want a situation where Mr. George and others at the Commission blaming somebody else for their lack of efficiency and effectiveness in managing the Commissioner of Police and Deputy Commissioners. We do not want a situation where they pass the buck, because that is part of our culture in this country, a culture where someone who may sit as the head of national security blame the police, the police blame the law—[*Interruption*] Hypothetically, I mean. Hypothetically.

**Madam Speaker:** Yes. I know it might be hypothetical, but we want you to talk factually to what is before us.

**Dr. R. Moonilal:** So, Madam Speaker, the blame passing will not work for the Police Service Commission and Mr. George with his experience, we are hoping that they will not pass the buck. They will undertake their responsibility, they will stand up to the pressure that they may face as they did before, particularly as it relates to function number one according to the Constitution, the appointment of a Commissioner and Deputy Commissioner of Police.

Madam Speaker, I would also like to hear Mr. George speak about his earlier role in this Commission and the work that the Commission may have done when he was there, pursuant to the objectives. It is my understanding that they did make significant strides, notwithstanding the resource crisis that they faced. It is my understanding that of the few matters that were brought against them, five judicial review matters, I believe they won four in one year and that was related, of course, to the quality of lawyers and the quality of legal advice that was present at the

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

Board that time. I remember former Industrial Court judge, Mr. Addison Khan also served—deceased Addison Khan also served—along I believe with Mr. George at that time, and the judicial review matters brought to the Police Service Commission were dealt with. What was not dealt with is the backlog of appeals, and the backlog of appeals is growing—that is growing—and Mr. George is well positioned to deal with that.

In terms of discipline, Madam Speaker, the authorities of the day have spoken to this issue of discipline.

**Madam Speaker:** Member. To those not speaking, please continue to listen in silence. I want to hear the Member for Oropouche East. Please continue, Member.

**Dr. R. Moonilal:** Thank you very much. Madam Speaker, the discipline matter we have dealt with. With your leave I wanted again to reflect on a contribution in 2016, just recently, on a debate on the nomination of another member to the Commission. The Member for Diego Martin West was allowed, in a Police Service Commission debate on a nomination, to speak about the establishment of 7,000 people and the lack of proper management of the police service.

**Madam Speaker:** The point you are making is that somebody else was allowed that in a particular debate.

**Dr. R. Moonilal:** “Gopaul luck is not Seepaul luck.”

**Madam Speaker:** Well, this is another Parliament.

**Dr. R. Moonilal:** Thank you very much. So unlike the Member for Diego Martin West, I will not be permitted to raise matters relating to the police service and the work of the Police Service Commission in discussing a nomination.

**Madam Speaker:** Now while you say that tongue-in-cheek, I really do not think that is what you mean.

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

**Dr. R. Moonilal:** No, no, I do not mean that. It was not tongue-in-cheek at all.

**Madam Speaker:** All right.

**Dr. R. Moonilal:** Madam Speaker, in the few minutes I have left, I would like to call upon Mr. George now, given his resume—Madam Speaker, I want to tell you, I personally was not satisfied with this resume. I personally was not satisfied with the resume—and given his clear experience and practical knowledge, clearly 18 years' experience and so on, I am sure that the nominee will make a contribution. He has served before. We thank him for his service then and for his service now, but the biggest problem facing us now is crime and insecurity.

The Police Service Commission plays a critical role in managing the very top of the police service. If the Police Service Commission collapses, that is it. Everything else goes. But above the Police Service Commission there are other entities that are responsible, and today I ask whether they are prepared to take responsibility for what has happened.

**Madam Speaker:** Member, we are talking about the notification of the nomination of Mr. George to the Police Service Commission. Please confine yourself to that.

**Dr. R. Moonilal:** Thank you, Madam Speaker. So the qualifications are intact, the bio-sketch we have been furnished with speaks to education and so on, and some, I think, major cases that the person had been involved in, but the person will not be involved in any more or any bigger major case than the case before the Police Service Commission now involving disciplinary action.

Madam Speaker, the Commissioner will have no bigger task than to assess the conduct of the Commissioner of Police, the performance, monitor. That is part of the remit of the Police Service Commission. And in assessing and monitoring

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. R. Moonilal (cont'd)

2017.01.13

the conduct, the actions of the Commissioner of Police, Mr. George will have to ask himself important questions, whether or not the Police Service Commission has satisfied its mandate to be part of the management of the crime-fighting strategy of Trinidad and Tobago.

You see, Madam Speaker, we believe in this country that only divisional heads of police are responsible for crime. This is why, hypothetically, we summon them, but it not them alone. It is the Police Service Commission by virtue of their work. It is not the Police Service Commission; it is others which I will not raise in mortal fear of six people opposite standing up. The Police Service Commission cannot act by itself. It needs the cooperation of a Government. It needs the cooperation of the Police Commissioner and his Deputy Commissioners—sorry.

**Madam Speaker:** Your speaking time has expired, Member. [*Desk thumping*]  
Leader of the House.

**The Prime Minister (Hon. Dr. Keith Rowley):** Madam Speaker, I do not want to prolong this issue, but I just think that it is an appropriate moment that I should make a comment on what has happened so far on the matter before us and maybe ask a question of my colleague, the Member for Siparia.

Madam Speaker, the matter before us is to confirm the appointment of a member to the Police Service Commission. It is not before us to debate or to engage in the suitability of the Commissioner even though in the debate one can, en passant, make reference to certain things. But what happened here today is likely to happen again on every occasion that a vacancy arises and it has to be filled, and it occurs to me that we probably—[*Interruption*]

**Dr. Moonilal:** Madam Speaker, Standing Order 48(1). Is this about the CV?

**Hon. Member:** Yes.

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Hon. Dr. K. Rowley (cont'd)

2017.01.13

**Hon. Member:** Is it relevant?

**Dr. Moonilal:** He came to lecture me how to debate?

**Madam Speaker:** Member for Oropouche East, I believe the contribution is now in respect to the contribution that you have made. Please continue, Member for Diego Martin West.

**Hon. Dr. K. Rowley:** Madam Speaker, this is precisely what I am addressing. This Parliament of which I am a part is in fact behaving in a way to be upsetting to the national population [*Desk thumping*] and I was hoping that civility will prevail so that at least I can get up here and say to my colleagues on the other side that the whole question of what we are doing here—there was a problem in an earlier time and we appeared to have addressed that problem by creating this approach—it is part of a wider approach. However, if the Member wants me to be specific, in having this Parliament go through what we have gone through here for the last 45 minutes, where we have not distinguished ourselves, I simply want to say specifically to the debate and the content that it has been said here this evening, that what we have done in Trinidad and Tobago is to create some microcosmic expression or some copy of the American system where persons who have to go to high office, or to go to Commissions or otherwise, are examined by the Parliament. That—[*Interruption*]

**Dr. Moonilal:** That is irrelevant.

**Hon. Dr. K. Rowley:** It was irrelevant and also it was wrong because there is no system in America where persons who have to be appointed to positions are in fact debated on the floor of the Parliament of the Americans. None! [*Desk thumping*] On no instance is an appointee being brought by CV or in person before a sitting of the Parliament in the Senate or in the House.

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Hon. Dr. K. Rowley (cont'd)

2017.01.13

**Mr. Imbert:** The Congress interviews them.

**Hon. Dr. K. Rowley:** Madam Speaker, what happens—[*Interruption*]

**Madam Speaker:** Could we please restrain the crosstalk, and Members will be given an opportunity according to the Standing Orders to join the debate. Continue please, Member for Diego Martin West.

**Hon. Dr. K. Rowley:** It having been said that we are trying to follow the American method, what has happened here this afternoon shows how far we are from it. There is no arrangement where nominees for public office in America are dealt with in person or in a CV before a sitting of a House, the Senate, or the Congress. What you have are Standing Committees of the House, and most interestingly those committees are bipartisan committees. Those committees are bipartisan committees where members of the committees—it is going on now right as I speak this very minute—represent the House and there is no debate across the floor between members of either side. And therefore to say that what we are doing here in some way mirrors America, you are completely at sea because what we are doing here—and you saw the effect of it here now, where simpliciter we are being asked to treat with a recommendation sent to us from the President, and the debate, in fact, is on this question of the suitability of the individual to hold the position. And that is why we had so much difficulty this afternoon, and so much jumping up, and so much “smartmanism” and wasting Parliament’s time and looking very bad in the public eye. I watched a piece of this on the television upstairs and this Parliament needs to get serious and distinguish itself. [*Desk thumping*] And this very—[*Interruption*]

**Dr. Moonilal:** Madam Speaker, Standing Order 48(4). This is contemptuous, offensive. What do you think it is?

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Hon. Dr. K. Rowley (cont'd)

2017.01.13

**Madam Speaker:** Prime Minister, continue please.

**Hon. Dr. K. Rowley:** Madam Speaker, the CV came to us by a process and I think we took some comfort in the process before, but I am seeing a problem. This CV would have come to us after the President would have consulted the Leader of the Opposition and the Prime Minister, and how the consultation went and what positions those officers took is not open for debate or to even be made public, but the bottom line is I want to end my contribution by asking the Leader of the Opposition whether in fact she is prepared to keep her commitment that she made when she was Prime Minister, that we as a Parliament need to review and to make changes to the whole system with respect to the appointment of a Commissioner of Police and the Service Commission that services the police, and I ask that of the Leader of the Opposition to put an end to what happened here this afternoon.  
[Desk thumping]

**Madam Speaker:** Member for Caroni Central.

**Mrs. Persad-Bissessar SC:** I could answer the hon. Prime Minister.

**Hon. Dr. K. Rowley:** Thank you for your answer. Go ahead.

**Madam Speaker:** [Crosstalk] No, I am recognizing the Member for Caroni Central.

**4.00 p.m.**

**Dr. Bhoendradatt Tewarie (Caroni Central):** Thank you very much, Madam Speaker. It is an honour to make a contribution on this Motion before us, which basically asks that we confirm the nominee and approve the nominee of His Excellency the President after consultation with the hon. Prime Minister and the hon. Leader of the Opposition. So, I think in something like this, Madam Speaker, without trying in any way to get beyond the limitations of the Motion, I think it is

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. B. Tewarie (cont'd)

2017.01.13

legitimate to ask some basic questions that are generally asked regardless of what is the issue you are addressing or what are the facts of a situation. I think it would be reasonable to ask the question: who is the person? And, my colleague, the Member for Oropouche East and, indeed, the Leader of the House dealt with the qualifications of the person and the relevance of those qualifications to the job of Commissioner and raised certain issues.

I do not agree with the hon. Prime Minister that when the Member for Oropouche East created a scenario in which he was trying to invoke the American approach to the interrogation of nominees for office that he was trying to demean the Parliament in any way, and I do not think that he did that at all. Basically what he was seeking to do I thought when I listened to him and reflected on it, was that he was trying to show that in the process of nomination, and given the role of parliamentarians of both sides, that a nominee would be subject to scrutiny.

Now, I understand the Prime Minister's point which is that this is a presidential appointment, this is an appointment after consultation with the Leader of the Opposition and with the Prime Minister, and that when it comes here we are to engage issues that lead us to confirm or not confirm, approve or not approve. That does not mean you cannot raise issues that are of importance to the general public. I mean, that is the whole purpose of being a parliamentarian and operating in a democracy and representing your constituents, as well as engaging issues of national importance in the society. [*Desk thumping*] So the issue that is being raised here is the issue of an appropriateness. With all due respect, Madam Speaker, through you, to the hon. Prime Minister, I think the Member for Oropouche East addressed the issue perhaps of appropriateness of the nominee, given certain historical antecedents that are now part of our historical record and

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. B. Tewarie (cont'd)

2017.01.13

asking the question: does a person qualify on those grounds? That is to say, the grounds of independence to deal with the power of Executive authority. Does the person qualify on those grounds to carry the office? I think that was the issue he was raising. [*Desk thumping*] But I would not dwell on this matter.

Another question that you ask if you are going to interrogate something, Madam Speaker, is not just who but what. This person is going to be put on the Police Service Commission, and we have to ask the question: what is the role of the Police Service Commission? What is its function? What is its value in the system and what does it actually do? These things are very important because why are you putting the person there. What is the value of putting the person there and why is qualification relevant? How do you involve three very important people in the system, the President, the Prime Minister and the Leader of the Opposition? All of this is happening and you do not ask the question: well, what is the significance of all of this? And, therefore, the role of the Police Service Commission is very important, and we need not just to interrogate the credentials or the appropriateness of the individual and the appropriateness of the credentials, but also to ask the question—the Police Service Commission when the person goes there and you have the functioning Commission with a chairman appointed by the President, which you have now, and he is being added to this Commission, in that situation the responsibility is threefold as I understand it. It is to appoint the Commissioner, the Deputy Commissioner and to make sure that they perform. What is the performing role of Commissioner of Police and Deputy Commissioner if not to ensure the safety and security of the citizens of the country?

So that is part of it, but it is also to deal with a relevant matter that the Member for Oropouche East raised which is the issue of complaints against the

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. B. Tewarie (cont'd)

2017.01.13

Commissioner of Police where the Commissioner of Police or the Deputy Commissioner deals with issues in certain matters, and people lower down in the system need redress, because these are important matters, so that is a role of the Commission. So it is not just to keep the Commissioner and the Deputy Commissioner performing according to certain criteria and to make measurements of that over time, but to ensure as well that you have a fair and functioning police service in the country so that when matters come up for redress, when people make appeals for justice, these matters can be properly interrogated.

Now, this police commission, the question is: why do we have this? Remember the powers to the Police Commissioner—and the Minister of National Security answered a question earlier today that was posed to him by the Member for Couva South—*[Interruption]*

**Mrs. Robinson-Regis:** Madam Speaker, Standing Order 48(1).

**Madam Speaker:** Member for Caroni Central, in terms of where you are going, I would ask you to be very careful. I think you are going on the fringes. I understood what you have done this far, you are now going in to greater depth about Police Service Commission. So far you have sought to show why it is important to interrogate the CV against the functions. You are now going in a little deeper about the Police Service Commission, and I would ask you to be very careful because you may be offending the rule if you continue along that route.

**Dr. B. Tewarie:** Madam Speaker, I thank you for your guidance. I want to give you the assurance that I have no intention at all of offending the rules, but I do want to make a logical argument that has to do with the importance of Parliament in playing a role in this process.

You have the President involved, you have the Prime Minister involved and

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. B. Tewarie (cont'd)

2017.01.13

you have the Leader of the Opposition involved and the Parliament now becomes involved and, therefore, it seems to me that it would be unreasonable to circumscribe the contributions of Members of Parliament on this issue as long as they are willing to operate within the rules. I do not think it is reasonable, Madam Speaker, for the Leader of Government Business to be just jumping up all the time and making objections to the contribution of a Member of Parliament. [*Desk thumping and crosstalk*]

**Madam Speaker:** Member for Caroni Central, while I could understand some sort of concern, I think the Standing Orders are there. Any Member is entitled to invoke the Standing Orders as often as they wish, and it is really for the Chair to determine whether or not. We talk about democracy that is part of our democracy.

**Dr. B. Tewarie:** Thank you. Thank you. Thank you, Madam Speaker, and I thank for your guidance again. The point I am making there is that it is important to understand why and when. Okay? This happened in a situation, that is to say, what you might say the movement of powers that existed under the Commission were basically transferred to give authority, and a significant amount of autonomy to the Commissioner of Police. So the role of the Commission in a fundamental way changed, so that it was now required not to manage the police service as a commission, but to manage, basically, the performance of the Commissioner of Police and the Deputy Commissioner of Police and to leave the management of the police service to the Commissioner of Police, but to be there to deal with complaints and to deal with challenges or to deal with appeals from members of the police service who felt that they needed to go to a higher authority when the commissioner acted in a certain way that did not please them or that they did not think fair.

Police Service Commission  
 (Nomination of Mr. Martin Anthony George)  
 Dr. B. Tewarie (cont'd)

2017.01.13

So, in a fundamental way, the Commission is the police of the Police Commissioner and the Deputy Police Commissioner. [*Desk thumping*] That is what it is. We need to understand these differences and distinctions. This happened—and you are right—with a bipartisan Parliament with a bipartisan effort involving the Parliament in and around 2006, 2007. So you had the powers—  
 [*Interruption*]

**Madam Speaker:** Just let us bring it back to the debate. I think that point, and I allowed the original speaker on your side to build that context, that historical context. So let us really deal with the matter that is before us, the subject of the Motion.

**Dr. B. Tewarie:** Thank you, Madam Speaker. So this—and I wish to say that making the point of what happened between the movement of powers from the Commission to the Commissioner of Police, there are other complexities in the system, because the way our system operates, basically you have a—  
 [*Interruption*]**Mr. Imbert:** Madam Speaker, a point of order, Standing Order 55(1)(b). [*Crosstalk*]

**Dr. Moonilal:** What are you all scared of?

**Mr. Imbert:** Scared? [*Crosstalk*]

**Madam Speaker:** Member, I am going to allow you a little leeway. I have said, again, I want us to stick to what is the Motion before us and, therefore, I pointed out originally that what you are saying, that case was made, the foundation was made by the Member for Oropouche East. I am not going to allow us to go back into the historical basis and to go further along that route. So that if we come back now to what is the subject of the Motion, which is to whether approve or not approve the appointment of a particular named nominee.

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. B. Tewarie (cont'd)

2017.01.13

**Dr. B. Tewarie:** Madam Speaker, I hear you. I understand you, I appreciate. What I do not understand is the nervousness for whatever reason of the Members opposite. [*Desk thumping*] There is no mayhem that can be caused by the articulation of a point of view by a Member of Parliament and even Madam Speaker—[*Crosstalk*—well, if you are bored you can go to sleep. You have the option. [*Laughter*]

**Madam Speaker:** Member for Caroni Central, what I would want to suggest is that you make good use of your time by addressing your contribution to the Chair. [*Crosstalk*]

**Dr. B. Tewarie:** But because of the existing structure, it has nothing to do with history, now it got here over an historical period. You have a national security council—[*Interruption*]

**Mr. Imbert:** Madam Speaker, Standing Orders 55(1)(b) and 48(1).

**Dr. Moonilal:** Why do you not remain standing all evening?

[*Member for Naparima on his feet*]

**Madam Speaker:** Member? Member for Naparima, I understand everybody's enthusiasm, all right but, one, you have to wait until you are recognized. The Member for Diego Martin North/East raised an objection, I have not had an opportunity to rule on it, and in your time I certainly would. In terms of—Member for Caroni Central, I now see we are going on to the National Security Council and I am ruling on 48(1). I think as the Chair, I have the decision under 55(1). So that under 48(1), I will ask you because I do not know how we have reached the National Security Council, to come back. And because I have stood up several times to try to keep people within the confines of the debate, I do not want to go on to the consequential Standing Order. So let us use this as the last form of guidance

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. B. Tewarie (cont'd)

2017.01.13

that we give to anybody who intends to join the debate on both sides.

**Dr. B. Tewarie:** Madam Speaker, I truly do not know how to proceed. I was simply going to indicate that there is a national security—*[Interruption]*

**Dr. Moonilal:** He gets up again. Why do you not sit down? Just remain standing.

**Madam Speaker:** Member for Oropouche East, please. Member for Caroni Central, please go on to something else that relates to the topic. We are not dealing with the National Security Council here. This is not a general Motion on crime or security or any such thing. I have allowed Members the latitude to speak about the Police Service Commission because of the nature of the appointment. I would ask us to keep within those narrow confines.

**Dr. B. Tewarie:** Madam Speaker, I take the opportunity to ask: is the Commission not part of the national security architecture?

**Madam Speaker:** While I cannot actually render advice—I cannot render advice from here. *[Crosstalk]* Yes, I cannot render advice from here with respect to what one should say. I can rule on what one has said. Okay? I have said this is not a debate on crime, this is not a debate on security. In fact, what you just said there, the question that you asked runs very afoul of what I have said before. It is not crime, it is not security. It is about the appointment of a specific nominee to the Police Service Commission. Okay?

**Dr. B. Tewarie:** The point I was going to make, Madam Speaker, and if the Member for Diego Martin North/East was not so over eager and had given me perhaps a minute, two minutes to outline, I was going to make the point that every element of the national security architecture has been caught at one point or the other in controversy, including the Commissioner.

**Madam Speaker:** We are not dealing with every element. If you want to talk

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. B. Tewarie (cont'd)

2017.01.13

about the Police Service Commission in terms of this appointment, I will allow it. All right? But we are not talking about the national security architecture and so on. We are talking about an appointment to the Police Service Commission. I do not know how much further I can make that clear and, therefore, it appears that, you know, if one does not understand, you are pushing me to invoke other Standing Orders which I rather not.

**Dr. B. Tewarie:** Well, Ma'am, I would like to contribute to this Motion and to proceed by saying that the member who is being brought under scrutiny and in debate here, that is to say, Mr. Martin George, although he is very qualified, has not been without controversy as an individual and so has the commission, the Police Service Commission, not been without controversy and there is documentation here. I do not wish to spend my time reading from it, and so the question really—the reasons for the controversy have to do basically—  
[*Interruption*]

**Mr. Imbert:** Standing Order 48(1), Madam Speaker. [*Crosstalk*]  
**Madam Speaker:** Member for Naparima. Member for Naparima, thank you for the assistance, I do not think it is timely assistance. Member for Caroni Central, could I please ask that you please leave that point so that I do not have to rule on it, and please proceed with another point on your contribution. Continue.

**Dr. B. Tewarie:** Madam Speaker, I find it very difficult to continue in a situation of such repression, initiated by the Members of the Government side. [*Desk thumping*]

**Mr. Imbert:** Standing Order 48(6).

**Madam Speaker:** In terms of and, again, Member for Caroni Central, I would like you to rephrase that, because to me it is a reflexion on the Chair.

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. B. Tewarie (cont'd)

2017.01.13

**Dr. B. Tewarie:** I said it had to do—[*Interruption*]

**Madam Speaker:** To me, it is a reflexion on the Chair, because—[*Crosstalk*] Members, if we could have some order. When an objection is raised it is for the Chair to make a determination. So that the reflection in your comment, even though may not have been intended, it is really on the Chair and the Chair takes no offence, but would ask you to be guided. Continue please, Member for Caroni Central.

**Dr. B. Tewarie:** Madam Speaker, I came here with all the best intentions to debate this Motion, because it is an important Motion that has ultimately to do with the quality of life in this country and the security of the State and the security of the ordinary citizens of this country. [*Desk thumping*]

**Madam Speaker:** I think that is where the issue lies. The Motion really deals with the appointment—[*Crosstalk*] Member, Member, I understand your anxiety because, as you said, you came here prepared to debate, but as much as you are prepared and eager to contribute in the best interest of Trinidad andTobago, we have to do it within the confines of the Standing Order and what is before us. So that once you speak within those confines the Chair is prepared to allow you. In fact, the Chair would have no power to stop you, but please speak within the confines of the debate. The Chair has ruled that it is not a wide ambit debate as you have considered or determined and, therefore, that is what the Chair has ruled. I am sure with your experience you can bring your contribution within the confines of the Motion. Please continue, Member for Caroni Central.

**Dr. B. Tewarie:** Now, Madam Speaker, with all due respect and with great thanks for your guidance and also the tone with which you give the guidance today, I want to say that it is very, very difficult to make a meaningful contribution on the

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. B. Tewarie (cont'd)

2017.01.13

appointment of the individual and the significance of the Commission to which he is appointed, and the role and purpose of the Commissioner and the Commission without repeating oneself about the credential—[*Interruption*]

**Mr. Imbert:** Madam Speaker, Standing Order 55(1)(b) for your consideration.  
[*Crosstalk*]

**Madam Speaker:** Member, please continue.

**Dr. B. Tewarie:** It is very difficult to continue to simply focus on the individual personality which has been properly scrutinized by the President and engaged by the Prime Minister and the Leader of the Opposition, and has now come here for parliamentary engagement and I suspect scrutiny, because you do have the power to say yea or nay, that is, the Parliament does have that. I find it very difficult to talk about the commission without talking about the meaning of the commission and the purpose and the role, and the fact that these commissioners are put on the commission in order to achieve certain objectives and guarantee certain results. Within that framework, therefore, I would like to end my contribution and indicate that in doing so, I am very, very unhappy about the way the Government behaves in this Parliament [*Desk thumping*] and then the Prime Minister comes to lecture us about parliamentary conduct. [*Desk thumping*]

**The Attorney General (Hon. Faris Al-Rawi):** Thank you, Madam Speaker. Madam Speaker, I wish to just make a very short contribution to this Motion before us. Madam Speaker, my contribution is going to be confined really to answering some very untruthful statements put on the record by the hon. Member for—[*Interruption*]

**Mr. Charles:** Madam Speaker, 48(6).

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Hon. F. Al-Rawi (cont'd)

2017.01.13

**Madam Speaker:** Attorney General, I would just ask you to rephrase that statement.

**Hon. F. Al-Rawi:** Sorry, Madam Speaker, just for guidance and not to run afoul, I was speaking to untruthful statements. Is there something offensive with that?

**Madam Speaker:** Maybe you could say inaccurate. Okay? Thank you.

**Hon. F. Al-Rawi:** I would explain the inaccuracy which can lead one to believe that there is an untruth for the record. Madam Speaker, we are here to debate—  
[*Interruption*]

**Dr. Moonilal:** Madam Speaker, 48(1). [*Crosstalk*]

**Madam Speaker:** Members, I would rule that the Attorney General may continue. He is responding to something that was put on the record by a contribution. Please, continue.

**Hon. F. Al-Rawi:** Thank you, Madam Speaker. Madam Speaker, on this Motion, we are dealing firstly with the nomination, which must come before us, His Excellency's nomination pursuant to sections 124(3) and 124(4) of the Constitution of the Republic Trinidad and Tobago—122(3) and 122(4). Relative to that particular nomination, it is a matter of record that there has been consultation already by the Leader of the Opposition together with the Prime Minister with His Excellency the President.

What is quite interesting relative to this particular nominee, Mr. Martin George, and the fact that the Member for Oropouche East, speaking as the first responder for the Opposition, no doubt under their collective Whip, says to the Parliament he, the hon. Member, that there is not a position of knowing whether there will be support or not by the Opposition Bench. He is not satisfied with the résumé. What I find rather interesting about this particular nominee and the CV

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Hon. F. Al-Rawi (cont'd)

2017.01.13

before us is a matter of the record. You see, Mr. Martin Anthony George was first proposed as a member of the Commission as his CV says, and accepted as a member of the Commission on the 21<sup>st</sup> of July 2010.

**Dr. Moonilal:** Madam Speaker, 48(1). That was another Parliament.

**Hon. F. Al-Rawi:** Secondly, Madam Speaker—[*Interruption*]

**Madam Speaker:** Member, I would ask you to confine yourself to just the appointment and the notification.

**Hon. F. Al-Rawi:** Madam Speaker, I am speaking about the CV before us of the gentleman. On the CV is recanted the history of appointments, and I am squarely within the proper confines of your ruling if you would just allow me to paint the position. [*Crosstalk*]

**4.30 p.m.**

**Madam Speaker:** Member, I have ruled; therefore if you are going to talk about the CV then speak within the confines of the CV. I am not allowing us to go to Parliament 10, nine, eight, whatever. Okay? Please.

**Hon. F. Al-Rawi:** Madam Speaker, as I was saying a short while ago, relative to the CV before us, the CV speaks to three appointments for Mr. Martin Anthony George—as I said before I was interrupted by the Member for Oropouche East—the first of which was on July 21, 2010, the second appointment was on November 29, 2013, and the third appointment which is now being sought before us today is in relation to the CV put before us for consideration. So the first point is that this is not a new nominee. The recommendation for the nominee is supported by the length and tenure of service, and I wish to endorse that particular perspective.

The second point that I wish to make is really quite simple. The hon. Member for Oropouche East, when asked in relation to the point made that the

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Hon. F. Al-Rawi (cont'd)

2017.01.13

honourable Mr. Justice, he said Rajkumar in the judgment of *Harridath Maharaj v The Attorney General and the Police Service Commission*—[*Interruption*]

**Dr. Moonilal:** “Madam Speaker, we not taking tea?”

**Mr. Charles:** We were ruled out of order when we went in.

**Madam Speaker:** Why I allowed the Attorney General to continue, my recollection is I allowed the Member for Oropouche East to speak about the judgment.

**Dr. Moonilal:** Have you waived the Standing Orders for tea time?

**Madam Speaker:** Member, I have ruled. [*Interruption*] Member, I have ruled.

**Hon. F. Al-Rawi:** Yes, Madam Speaker, I was saying, in response to the submission made by the hon. Member for Oropouche East, that at page 48 of the judgment of the honourable Mr. Justice Rajkumar, there was a statement that the Order brought by the Government in 2015 for the change in criterion and selection process for the appointment of a Commissioner of Police, was as he put it, one which was illegal and unconstitutional. I am bound to state that there is no such reference in the judgment on page 48. [*Interruption*] It does not appear and therefore it is untruthful, perhaps by a serious misjudgment on the hon. Member’s part.

But more particularly, later in the judgment, the honourable judge specifically says in relation to whether the Order is unjustifiable and unlawful—  
[*Interruption*]

**Madam Speaker:** Hon. Member, I will stand and ask you to confine yourself. I allowed you to address something that was raised in the debate, I am not going to let you go further in the judgment.

**Hon. F. Al-Rawi:** Madam Speaker, I am guided.

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Hon. F. Al-Rawi (cont'd)

2017.01.13

**Madam Speaker:** Thank you.

**Hon. F. Al-Rawi:** Madam Speaker, on the record of the Parliament is the hon. Member for Oropouche East's submission and statement that an Order passed by Government was illegal, and I just wish to state for the record that the illegality referred to by the honourable judge is in relation to the statement of the Central Tenders Board Act only. [*Desk thumping*] That is a feature which prevailed in every selection and criterion order prior to 2015. So it was not in reference to the entire Order itself.

So, Madam Speaker, that is something which any lawyer ought to be able to distinguish. Apparently the hon. Member is seriously mistaken, or perhaps bordering on other aspects of factual accuracy—if I can put it that way.

I wish to simply put by way of summary, the position that the work of the Police Service Commission—which is squarely before us—in terms of completing the nomination process for a member, is guided by the section 122 of the Constitution. At present there are only two members of the Commission sitting, that is, the Chairman and another member. With the nomination, if it is accepted by this honourable House, of Mr. Martin Anthony George, there will be a third member.

With the appointment of a third member, the Police Service Commission would be quorate, and the work of the Commission to actually move about appointing a Commissioner of Police or Deputy Commissioner of Police, or to deal with the matters which are set out in the Constitution to come before the Police Service Commission, it is only then with a quorum that the work would be allowed to continue. It is therefore a very important matter for this honourable Parliament to act with expedition, and in the citizens' best interest for us to approve the

Police Service Commission  
 (Nomination of Mr. Martin Anthony George)  
 Hon. F. Al-Rawi (cont'd)

2017.01.13

nomination of the honourable nominee as now stands before us for the third occasion, and unless there is something compelling about the tenure of service of that nominee, Mr. Martin Anthony George, and there having been no statement of any question mark in relation to that CV before us, I humbly submit that he is a fit and proper nominee for the confirmation of this Parliament by way of affirmative resolution.

I thank you, Madam Speaker. [*Interruption*]

### PROCEDURAL MOTION

**Madam Speaker:** I would please like to move a procedural Motion. It is now 4.35, and therefore at this time we will take the suspension for tea and we will resume at 5.05 p.m.

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

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

### POLICE SERVICE COMMISSION (NOMINATION OF MR. MARTIN ANTHONY GEORGE)

**Dr. Surujrattan Rambachan** (*Tabaquite*): Madam Speaker, thank you very much. My colleagues have a bet they have placed on this side as to how long am I going to be able to speak without running afoul of the rules. So we will see.

**Madam Speaker:** Member for Tabaquite, I think you did not mean it that way, but that is totally up to you.

**Dr. S. Rambachan:** Madam Speaker, I am very glad to join the debate which has had its fair share of problems here this afternoon. But I want to really begin by asking the basic question: What is this debate really about? We all agreed that the debate is about the confirmation of Mr. Martin Anthony George as a member of the Police Service Commission. I think it is instructive to look at the notification

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. S. Rambachan (cont'd)

2017.01.13

issued under the hand of the President, Anthony Thomas Aquinas Carmona, ORTT, SC, in which he says that:

After consultation with the Prime Minister and Leader of the Opposition, in accordance with 122(3) of the Constitution of the Republic of Trinidad and Tobago, Mr. Martin Anthony George, a person—and I want to underline this—who is qualified and experienced in the disciplines of law and management—and I doubly underline the word “management”—to be appointed as a member of the Police Service Commission.

Madam Speaker, if we are to confirm Mr. George as a member of the Police Service Commission, and if he is being appointed—and in the notification it states that he is qualified and experienced in the disciplines of law and management—then we ought to be assured that, in fact, the management capabilities which have been described in the notification are going to work in the interest of improving the effectiveness, and I would also say efficiency, of the Police Service Commission.

In that regard, one would have to match the skills and capabilities of Mr. Martin George to what his role and functions as a commissioner are going to be, or as described. We do not have a detailed CV of Mr. Martin George in order to examine what kind of work he has really done. We have a generalized and a very shortened CV here, a bio sketch.

One knows that Mr. Martin George is perhaps a very competent lawyer. He runs a law firm, so there are some management skills involved in running a law firm and managing a group of attorneys, in managing relationships with his clients and so on. So he is not bereft of some human resource management skills as well as other skills related to law and case management, and what have you. But I do think that we need to examine what little information we have, against the

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. S. Rambachan (cont'd)

2017.01.13

functions that he is supposed to perform.

Permit me though to make reference to a matter involving Mr. Martin George which was reported in the *Trinidad Express* of June 16, 2011, under a headline:

“A case of a lawyer serving two masters?”

Today Mr. George is being supported by the Government as a nominee, but in this article in the *Trinidad Express*, June 16, 2011, a question was asked by the then Opposition Leader, the hon. Dr. Keith Rowley. It says—I quote from the article:

“Do we have a situation of a man serving two masters?”

The question was posed by Dr. Keith Rowley with respect to attorney Martin George’s role:

“...as a Commissioner on the Police Service Commission...and as an advocate for his client, Roger Simon.”

The then distinguished Opposition Leader said that:

“The PSC is supposed to be an independent commission and people who serve on it are required to demonstrate that independence. ‘And this kind of development raises concerns and I am uncomfortable with it,’ he said.”

I do not want to go into the rest of the details of the article, but today the very Member for Diego Martin West and the Members of his Government, hopefully, are presenting before this House the nomination of Mr. Martin George, having also questioned the independence of Mr. Martin George in 2011.

I raise that, not in any way to disparage Mr. Martin George at all, that is not my intention, but to really question whether the Government has had a change of heart, whether they now do not believe that Mr. George cannot be independent and whether they are saying now that this opinion which the Member for Diego Martin

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. S. Rambachan (cont'd)

2017.01.13

West had about Mr. George, is now irrelevant, and they are convinced that Mr. Martin George is an adequate, competent and will be an independent commissioner on the Commission. I think it is important that I raise that. It is very important that I raise that, because all the Members on that side seem to have full faith and confidence in Mr. Martin George.

Madam Speaker, the effectiveness, the competent expression of the potential of the police service is affected by several factors; resource availability to the police service, the quality of personnel recruited and trained to work in the police service; the administrative support that the police service receives and of course the quality of leadership of the police service.

One of the important aspects of the functions of the Police Service Commission, as elucidated in section 123(1) of the Constitution, is to appoint persons to hold or act in the office of Commissioner and Deputy Commissioner of Police. [*Interruption*]

**Madam Speaker:** Can I ask you to move on to another point. I think that has been exhausted.

**Dr. S. Rambachan:** The point I am making is that one expects that in the appointment of members of the Police Service Commission that those entrusted with the task, first of examining the person to be appointed, or persons to be appointed, would have done a careful analysis of the potential of such individuals through their supposed training and experience, to positively impact through the decisions they make on the performance of the police service. They would have to do so.

One has to ask the question: Mr. Martin George who has served on several occasions as a member of the Police Service Commission and has transcended as it

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. S. Rambachan (cont'd)

2017.01.13

were administrations, to what extent has his judgments in the appointment of police commissioners resulted in an improvement in the performance of the police service, given that they are entrusted with picking right leadership for the police service?

Madam Speaker, you see, the Police Service Commission and the members of the Commission have a very important task to do, and they cannot exonerate themselves from any responsibility in terms of the contribution they make or do not make to the performance of the police service. [*Interruption*]

**Madam Speaker:** Sorry to interrupt you. As I have said, I have allowed you some leeway; I think that point has been made clearly by speakers before you. I am going to ask you to proceed to another point. We are not here debating the Police Service Commission. Please continue.

**Dr. S. Rambachan:** Madam Speaker, we are not debating the Police Service Commission, I respect that. But we are also debating the capacity of an individual serving as a member of the Police Service Commission, to make the Police Service Commission effective, efficient in doing what it has to do in the country. And that means that you have to examine the role of the Police Service Commission because that is the role of the commissioners.

**Madam Speaker:** I said, Member, if you could move on. That point has been dealt with. Please move on.

**Dr. S. Rambachan:** The question therefore is simply this: given what we see in the bio-sketch, are we convinced that Mr. Martin George can add any kind of value required to make the Police Service Commission more effective? I think that is the basic question.

**Madam Speaker:** I said that question has been dealt with; next point; please

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. S. Rambachan (cont'd)

2017.01.13

move on.

**Dr. S. Rambachan:** Madam Speaker, Mr. Martin George lists here as one of his qualifications in management, an ABE—that is an associate business executive qualification—member of the Association of Business Executives. A qualification in management does not make one a manager. It might allow you a base of knowledge to ask intelligent questions and to direct analyses which can affect decision quality. I may make the reference, we have a lot of people who today are qualifying with MBAs and qualifying in management, and if in fact they were good managers we would have made a tremendous difference already to the quality of management and leadership in the public institutions in the country. So I wonder whether some of this is just to get a job, rather than being able to do the “Job”. Sometimes, Madam Speaker, I feel that we are in a theoretical society rather than problem-solving society.

I think that we would have better off, rather than being here as an entire Parliament, because there must have been some reason why after the President sends this nomination, as a Parliament we are being asked to contribute to this debate. It cannot be that this is just a rubber stamp. It has to be that there must be some reason why the parliamentarians are being asked to enter this debate, otherwise we could have just come here and say yes or no. The reason is that someone in their wisdom felt that the parliamentarians would have a point of view that could influence a yes or no.

Madam Speaker, if it is one recommendation I would like to make is about process in this matter, the recommendation is perhaps that what you should have is not that this matter comes before the Parliament like this, but you should have a committee being set up in which a more detailed examination of the capacity of the

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. S. Rambachan (cont'd)

2017.01.13

candidate could be done. So that the candidate can be asked specific questions as to how he or she would deal with certain matters if it is presented to them in the context of the job that they are being asked to do. I think that was being alluded to by colleague the Member for Oropouche East in his contribution, and that is one recommendation I think should not be thrown out of the window but should be looked at into the future.

I do not think that I have any problem with Mr. Martin George in terms of his capacity and so on, but I do have to ask the question, if after he has sat on the Police Service Commission for so many years, and the Police Service Commission still seems not to be able to be as efficient or as effective as the public perceives it should be, with the kinds of delays that are taking place, what is the reason for that?

Madam Speaker, I do not want to go into it because you would stop me, but the Police Service Commission's last report is 2013. This is 2017, or 2016 at least, they are three years behind even in terms of presenting their reports. When you examine all the reports and you examine what is the content of these reports, you would see that the commissioners are complaining of the same thing year after year. But they have been unable to correct some of the deficiencies even within the Commission.

So if you are sitting as a commissioner and you are unable to affect some of the matters that are there in the Commission, then I want to know how effective you are in dealing with the matters that really come before you. How can you be an effective commissioner if you report that your work production and productivity—and I quote from the document, 2013 report, page 15—that:

The Police Service Commission continues to face bureaucratic challenges to

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Dr. S. Rambachan (cont'd)

2017.01.13

have its Secretariat properly staffed, resulting in protracted achievement of some of its objectives.

The commissioners are the managers of the system.

**Mrs. Robinson-Regis:** Madam Speaker, Standing Order 55(1)(b) for your kind consideration.

**Madam Speaker:** Member for Tabaquite, I rule on both 48(1), because this is not about the Police Service Commission. I have said that repeatedly. I want you to move on and speak about the particular nominee and the appointment that is before us.

**Dr. S. Rambachan:** Madam Speaker, I, like my colleague, the Member for Caroni Central, find it very difficult to continue amidst such oppressive circumstances, and therefore I thank you.

**Madam Speaker:** Member, again as I have said, I understand the emotion that people have invested in this debate, and therefore I really do not think you meant your statement in the way it may have come across. So that I am certain that if you reflect upon it, you may wish to withdraw that statement.

**Dr. S. Rambachan:** Madam Speaker, I withdraw it, but you know I find—

**Madam Speaker:** I understand, Member.

**The Minister of Planning and Development (Hon. Camille Robinson-Regis):** Thank you very kindly, Madam Speaker. I would like to indicate that contrary to what seems to be the belief of the other side, what we had before us was a Motion to affirm a notification. That is the process that was put in place and it is to affirm a notification. That is what was before the House for debate today.

Madam Speaker, despite the fact that our colleagues on the other side tried to widen the debate, one of the reasons why the Standing Orders were made—

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Hon. C. Robinson-Regis (cont'd)

2017.01.13

**Dr. Moonilal:** Madam Speaker, standing Order 48(1), please.

**Madam Speaker:** Members, the murmur is disturbing my attention. Leader, could you please continue.

**Hon. C. Robinson-Regis:** Madam Speaker, one of the reasons why the Standing Orders were made to cut down the length of time of persons speaking—  
[*Interruption*]

**Dr. Moonilal:** We do not want a lecture.

**Madam Speaker:** Leader, could you please proceed. I think you are winding up and therefore please limit your contribution to what is before us.

**Hon. C. Robinson-Regis:** Madam Speaker, the objective of a notification is to do exactly that; for the President to be given the opportunity to notify the Leader of the Opposition and the Prime Minister, and to consult with them on the name that he is proposing, and then in accordance with the Constitution, specifically sections 122(2) and 122(3) and 122(4), to bring that notification before the House and ask the House to confirm the notification and therefore the nomination of the person.

Madam Speaker, it is passing strange that those who sit opposite us at this time, in 2010 and 2013 supported the nomination before the House at this time, and now are standing to question the nominee. This is the third time that nominee—[*Interruption*]

**Dr. Moonilal:** Madam Speaker, Standing Order 48(1). We are not dealing with earlier Parliaments.

**Madam Speaker:** Member, please continue. Again, just let us confine ourselves to what is before us. You are winding up and please make effective use of the time.

**Hon. C. Robinson-Regis:** Thank you very much, Madam Speaker.

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Hon. C. Robinson-Regis (cont'd)

2017.01.13

The Member for Tabaquite indicated that on June 16, 2011, the same nominee was questioned by the then Leader of the Opposition. After that period in 2013, the Member for Tabaquite tried to allude to the issue of whether this nominee was suitable. After that time in 2013, those on the other side upheld the nomination after the notification was brought to the Parliament. So it is strange that they are now questioning the suitability of the current nominee.

Madam Speaker, the question was asked about those of us on this side being nervous throughout this debate.

**Dr. Moonilal:** Madam Speaker, Standing Order 48(1). That was not asked.

**Madam Speaker:** Member, please continue.

**Hon. C. Robinson-Regis:** There was no question of anybody on this side being nervous. In fact, all we were attempting to do was to adhere to the Standing Orders and encourage those on the other side to do the same.

Appointees in these circumstances are brought in accordance with the Constitution. We on this side, I repeat, support the Notification and the nomination of Mr. Martin Anthony George. Madam Speaker, I beg to move.

*Question put and agreed to.*

*Resolved:*

That the Notification on the nomination of Mr. Martin Anthony George be approved. [*Interruption*]

**Madam Speaker:** Leader of the House.

**Mrs. Robinson-Regis:** Are you raising a Standing Order?

Police Service Commission  
(Nomination of Mr. Martin Anthony George)  
Hon. C. Robinson-Regis (cont'd)

2017.01.13

**Madam Speaker:** I have not recognized anyone but the Leader of the House.

[*Crosstalk*]

Member for Naparima, Members!

### **ADJOURNMENT**

**The Minister of Planning and Development (Hon. Camille Robinson-Regis):**

Madam Speaker, I beg to move that this House do now adjourn to Wednesday, January 18, 2017, at 2.30 p.m., at which time we will deal with the Report of the Finance Committee.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 5.30 p.m.*