

“Yuh see what Police can do? That is what Police can do!” This was in response to the action of the police team comprising nine officers from the Anti-Corruption Investigation Bureau (ACIB) and led by Senior Supt Solomon Koon Koon, who searched the desk of Newsday Senior Reporter Andre Bagoo allegedly in relation to an article written by him on December 20, 2011 about a row between Integrity Commission Chairman Ken Gordon and Deputy Chairman Gladys Gafoor. The officers seized Bagoo's office computer, several documents and two flash drives. They also went to Bagoo's home in Belmont where they seized three computers.

I therefore postpone my review of the de facto transport policies of Government in order to comment on this act of intimidation by the Police, and which appears to threaten journalistic freedom.

The response from the ACIB Senior Superintendent, as reported in the Press, reflects the attitude and temperament that society has come to expect of the Police, with few exceptions, *“We conducted a search ... Some people may have been hurt by it, but I don't think we operated in a high-handed manner or abused anybody.... Somehow there are people in this country who have a problem when the police don't do their work, and when the police do their work there is a problem. That is all I will have to say.”*

What is frightening is the high likelihood that influential people can get those in authority to do their bidding and the victims have little recourse. What is worse is that those responsible for protecting us and overseeing the laws can be apparently selective in what they do and how they do it. The fear is therefore directly about (1) who is targeted and why, and (2) the extent and inconsistency of the actions taken.

Ministers of Government often receive unsolicited proposals from foreign and local persons and firms for projects, and some of them are taken to Cabinet, and if approved the Minister might wish to invite others through a Request for Proposals or a Request for Expressions Interest, or the project might also be awarded through a statutory agency as sole-select.

There have been many instances where some of these unsolicited proposals have found their way into the public domain before they were accepted by Cabinet, some by way of several concurrent submissions to perceived persons of influence outside of Cabinet. Therefore, when these proposed projects appear in the Press as invitations for interested firms, some of the background information is already known by certain persons, and could easily be investigated and written about.

I now give an example. The Minister of Works and Transport, Colm Imbert, during his contribution to the Senate on October 17, 2006 referred disparagingly to a *“guy who writes in the newspaper every week”* challenging the rapid rail project. The Minister did not identify the *“guy”* but as the only person publishing a weekly article on transportation, I naturally assumed that he was referring to me.

The Minister went on to boast about the RITES feasibility report. RITES Ltd, a Government of India Enterprise, is a multi-disciplinary consulting organization in the fields of transportation, infrastructure and related technologies. In November 2003, RITES submitted a document to the Government of TnT entitled *‘Rapid Rail Transit System for Trinidad, a Concept Paper.’*

A team of two members from RITES had visited Trinidad from September 19 to October 1, 2003. I was recommended by *“undisclosed*

sources” to assist these two persons, and passed data and other resources in my possession at that time. I had no further input into their study and only received an unofficial copy in 2004.

The Minister stated in Parliament that the Rapid Rail Project was based on the RITES report. But, the authors of the RITES report emphasized that their document was a concept paper and that a detailed feasibility was required. Unfortunately, the report went on to make specific conclusions and recommendations which were not supported by analysis.

Under current practice, the Police could have raided my office and home searching for information on why I was publicly challenging such an important project. I suppose I should be grateful to Minister Imbert for not *“sooking”* the Police on me, or perhaps he did, but they chose to ignore him.

Secondly, I deal with the extent and inconsistency of the Police actions. Section 41(1) of the Summary Courts Act reads in part: *“Any magistrate or justice who is satisfied, by proof upon oath, that there is reasonable ground for believing that there is in any building, vessel, carriage, box, receptacle, or place (a) anything upon or in respect of which any summary offence has been or is suspected to have been committed; (b) anything which there is reasonable ground for believing will afford evidence as to the commission of any such offence.”* In this case, the evidence is being sought to prove that somebody from the Integrity Commission is guilty, yet the Newsday and its investigative officer in particular, are made to feel shame by the show of force and intimidation by the Police. Why was the raid not made on the home and office of every officer in the Integrity Commission

to identify the offending person or persons who willingly shared the information? After all, the article could not have appeared if the reporter was not given the information.

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