



REPUBLIC OF TRINIDAD AND TOBAGO

Debates of the House of Representatives

4th Session – 10th Parliament (Rep.) – Volume 26 – Number 27

**OFFICIAL REPORT
(HANSARD)**

THE HONOURABLE WADE MARK
SPEAKER

THE HONOURABLE NELA KHAN
DEPUTY SPEAKER

Friday 9th May, 2014

CLERK OF THE HOUSE: JACQUI SAMPSON–MEIGUEL

EDITOR: LILA RODRIGUEZ–ROBERTS
Telephone: 623–4494

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**THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT
IN THE FOURTH SESSION OF THE TENTH PARLIAMENT OF THE REPUBLIC OF
TRINIDAD AND TOBAGO WHICH OPENED ON JUNE 18, 2010**

SESSION 2013—2014

VOLUME 26

HOUSE OF REPRESENTATIVES

Friday, May 09, 2014

The House met at 1.30 p.m.

PRAYERS

[MADAM DEPUTY SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Madam Deputy Speaker: Hon. Members, I have received the following correspondence from Sen. The Hon. Timothy Hamel-Smith. [*Pause*]

Hon. Members, I have received the following information: hon. Clifton De Coteau, Member of Parliament for Moruga/Tableland, is currently out of the country and has asked to be excused from the sittings of the House during the period May 03, 2014 to May 13, 2014; the hon. Ramona Ramdial, MP, Member for Couva North, who is on maternity leave, has asked to be excused from sittings of the House during the period April 11, 2014 to June 20, 2014; Mr. NiLeung Hypolite, MP, Member for Laventille West and Dr. Amery Browne, MP, Member for Diego Martin Central, have asked to be excused from today's sitting of the House. The leave which the Members seek is granted.

**MISS DANA SEETAHAL SC
(LEGACY OF)**

Madam Deputy Speaker: Hon. Members, on Sunday, May 04, 2014, this country tragically lost a former Senator, an outstanding legal practitioner, a mentor and a friend to many, Miss Dana Seetahal SC. Miss Seetahal was an Independent Senator, state prosecutor, assistant solicitor general, magistrate and senior counsel. Since her heart-breaking passing, there have been captivating stories of Miss Seetahal's overwhelming achievements and contributions to our country. We have lost an exceptional civil servant and a committed citizen, a breed of which is so rare today. However, the lessons that her life has taught us is a composite one of hope and aspirations, love and civility, which were all virtues of an existence also characterized by duty, diligence, morality, strength, integrity and perseverance.

Dana Seetahal has indeed left us all a rich legacy. All citizens of this country, whether young or old, must not squander this legacy. We cannot allow Dana's untimely demise to have been in vain. This is a time for serious reflection. We must each engage in genuine introspection and make the needed adjustments to ensure that we maintain her high standards of excellence in service to this country. That way, when our time comes, we, too, will hear from all corners of this country, the words, "Well done, dear citizen".

Ms. Dana Seetahal SC (*Legacy of*)
[MADAM DEPUTY SPEAKER]

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On behalf of all hon. Members of this House, I extend condolences to the families, friends and colleagues of Miss Dana Seetahal. I further direct the Clerk of the House to send an appropriate message of condolence on our behalf to her bereaved family. From God we came and unto him is our return. May she rest in peace.

ARRANGEMENT OF BUSINESS

Madam Deputy Speaker: Earlier I would have announced that I do have a correspondence from the President of the Senate which I will read sometime later.

PAPERS LAID

1. Notification of His Excellency, the President, in respect of the nomination of Prof. Ramesh Deosaran for appointment as a member of the Police Service Commission. [*The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Chaguanas Borough Corporation for the year ended September 30, 2009. [*The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh)*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the Public Accounts of the Republic of Trinidad and Tobago for the financial year ended September 30, 2013. [*Hon. R. Indarsingh*]
4. Public Accounts of the Republic of Trinidad and Tobago for the financial year ended September 30, 2013. [*Hon. R. Indarsingh*]
Papers 2 to 4 to be referred to the Public Accounts Committee
5. Audited Financial Statements of Seafood Industry Development Company Limited for the financial year ended September 30, 2013. [*Hon. R. Indarsingh*]
6. Audited Financial Statements of Point Lisas Industrial Port Development Corporation Limited for the financial year ended December 31, 2013. [*Hon. R. Indarsingh*]
7. Audited Financial Statements of the Deposit Insurance Corporation Limited for the financial year ended September 30, 2012. [*Hon. R. Indarsingh*]
Papers 5 to 7 to be referred to the Public Accounts (Enterprises) Committee
8. Administrative Report of the TAURUS Services Limited (TAURUS) for the fiscal year ended September 30, 2009. [*Hon. R. Indarsingh*]

9. Administrative Report of the TAURUS Services Limited (TAURUS) for the fiscal year ended September 30, 2010. [*Hon. R. Indarsingh*]
10. Administrative Report of the TAURUS Services Limited (TAURUS) for the fiscal year ended September 30, 2011. [*Hon. R. Indarsingh*]
11. Administrative Report of the TAURUS Services Limited (TAURUS) for the fiscal year ended September 30, 2012. [*Hon. R. Indarsingh*]
12. Administrative Report of the Export-Import Bank of Trinidad and Tobago Limited (Eximbank for fiscal year ended September 30, 2011. [*Hon. Dr. R. Moonilal*]
13. Annual Report of the Criminal Injuries Compensation Board for the period June 1, 2008 to September 30, 2010. [*Hon. Dr. R. Moonilal*]
14. Annual Administrative Report of the Ministry of Works and Infrastructure for the fiscal year ended September 30, 2010. [*The Minister of State in the Ministry of Works and Infrastructure (Hon. Stacy Roopnarine)*]
15. Annual Administrative Report of the Ministry of Works and Infrastructure for the fiscal year ended September 30, 2011. [*Hon. S. Roopnarine*]
16. Administrative Report of the Tunapuna/Piarco Regional Corporation for the fiscal year ended September 30, 2012. [*Hon. Dr. R. Moonilal*]
17. Administrative Report of the Mayaro/Rio Claro Regional Corporation for the fiscal year ended September 30, 2012 [*Hon. Dr. R. Moonilal*]
18. Administrative Report of the San Juan/Laventille Regional Corporation for the fiscal year ended September 30, 2010. [*Hon. Dr. R. Moonilal*]
19. Administrative Report of the San Juan/Laventille Regional Corporation for the fiscal year ended September 30, 2011. [*Hon. Dr. R. Moonilal*]
20. Administrative Report of the San Juan/Laventille Regional Corporation for the fiscal year ended September 30, 2012. [*Hon. Dr. R. Moonilal*]
21. Administrative Report of the San Juan/Laventille Regional Corporation for the fiscal year ended September 30, 2013. [*Hon. Dr. R. Moonilal*]
22. Response of the Police Service Commission to the Fourth Report of the Joint Select Committee appointed to enquire into and report to Parliament on Municipal Corporations and Service Commissions on a Re-evaluation of the Efficiency and Effectiveness of the Police Service Commission [with specific focus on the performance of the

Commissioner of Police and the Deputy Commissioners of Police].
[*Hon. Dr. R. Moonilal*]

23. Response of the Police Service Commission to the Eighth Report (2012/2013) of the Joint Select Committee appointed to enquire into and report to Parliament on Municipal Corporations and Service Commissions on a Review of the Police Service Commission. [*Hon. Dr. R. Moonilal*]

WRITTEN ANSWERS TO QUESTIONS

Community Improvement Services Limited (Details of Contracts)

54. **Mr. Jack Warner** (*Chaguanas West*) asked the hon. Minister of Works and Infrastructure:

For the period September 11, 2013 to date, could the Minister of Works and Infrastructure please state the details of each contract issued by the Community Improvement Services Limited (CISL) for infrastructural works including but not limited to:

- a) The location of the project and scope of works;
- b) The name of the company to whom the contract is/was awarded;
- c) The initial estimated cost of the project;
- d) The final or revised estimated cost of the project;
- e) The date on which the contract award was decided by the Board of Directors;
- f) The date on which the contract was signed;
- g) The date of commencement of works;
- h) The projected and/or actual completion date;
- i) The method by which the successful contractor was selected for award of the contract;
- j) The status of the project; and
- k) The amount of money paid to the contractor to date.

Rural Development Company of Trinidad and Tobago (Details of Contracts)

55. **Mr. Jack Warner** (*Chaguanas West*) asked the hon. Minister of Works and Infrastructure:

For the period September 11, 2013 to date, could the Minister please state the details of each contract issued by the Rural Development

Company of Trinidad and Tobago (RDC) for infrastructural works including but not limited to:

- a) The location of the project and scope of works;
- b) The name of the company to whom the contract is/was awarded;
- c) The initial estimated cost of the project;
- d) The final or revised estimated cost of the project;
- e) The date on which the contract award was decided by the Board of Directors;
- f) The date on which the contract was signed;
- g) The date of commencement of works;
- h) The projected and/or actual completion date;
- i) The method by which the successful contractor was selected for award of the contract;
- j) The status of the project; and
- k) The amount of money paid to the contractor to date.

**Palo Seco Agricultural Enterprises Limited
(Details of Contracts)**

58. Mr. Jack Warner (*Chaguanas West*) asked the hon. Minister of Works and Infrastructure:

For the period from September 11, 2013 to date, could the Minister please state the details of each contract issued by the Palo Seco Agricultural Enterprise Limited (PSAEL) for infrastructural works with such details including but not limited to:

- a) The location of the project and scope of works;
- b) The name of the company to whom the contract is/was awarded;
- c) The initial estimated cost of the project;
- d) The final or revised estimated cost of the project;
- e) The date on which the contract award was decided by the Board of Directors;
- f) The date on which the contract was signed;
- g) The date of commencement of works;
- h) The projected and/or actual completion date;

- i) The method by which the successful contractor was selected for award of the contract;
- j) The status of the project; and
- k) The amount of money paid to the contractor to date.

**Toxicity Levels
(Details of Preventive Measures)**

100. Mr. Fitzgerald Jeffrey (*La Brea*) asked the hon. Minister of Health:

Could the Minister indicate:

- a) What measures are put in place to test for toxicity levels in vegetables and root crops before they are marketed?
- b) When and where these tests were last conducted and what were the results?

**Traffic Congestion
(Measures Taken to Reduce)**

117. Mr. NiLeung Hypolite (*Laventille West*) asked the hon. Minister of Works and Infrastructure:

Could the Minister state what measures are being put in place to reduce the traffic congestion on our nation's roads?

Vide end of sitting for written answers.

ORAL ANSWERS TO QUESTIONS

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Madam Deputy Speaker, to inform the House that the Government today would be prepared to answer all questions on the Order Paper, save two questions, questions No. 96 and No. 123. We would ask these questions to be deferred for two weeks.

The following questions stood on the Order Paper.

**Clearing of Watercourses
(Details of)**

- 96.** Could the hon. Minister of Local Government state when the following watercourses will be cleared of vegetation and debris, deepened, widened as well as reinforced with concrete channel walls:
- i. Lake Canal in La Brea;
 - ii. Brea River in Vance River;

- iii. Lorensotte North River;
- iv. Los Charos River;
- v. Salazar Trace River; and
- vi. Palo Seco/Erin River? [*Mr. F. Jeffrey*]

**Visit to China
(Details of)**

- 123.** With respect to the Prime Minister's recent official visit to China, could the hon. Prime Minister state:
- i. how much public funds were expended on the official visit;
 - ii. were contributions of any kind made by any person or agency/company, local or foreign towards the visit;
 - iii. if the answer to part (b) is in the affirmative, what was the nature and quantum of each contribution; and the names of the persons who travelled to China on the visit; their positions and the cost of their travel, accommodation and living expenses for the visit? [*Miss D. Cox*]

Questions, by leave, deferred.

**JOINT SELECT COMMITTEE
(APPOINTMENTS TO)**

Madam Deputy Speaker: Hon. Members, before we move on to questions for oral answers, I want to take you back to the item of correspondence.

Hon. Members, I have received the following correspondence from Sen. The Hon. Timothy Hamel-Smith, dated May 07, 2014.

“Mrs. Nela Khan, MP

Deputy Speaker of the House of Representatives

Office of the Parliament...

Dear Madam Deputy Speaker.

Appointment of Members to the JSC”—which is the Joint Select
Committee—“on Municipal Corporations Service Commissions and
the Insurance (No. 2) Bill, 2013

Please be informed that at a sitting held on Tuesday 6th May, 2014 the Senate agreed to the following appointments:

- on the Joint Select Committee appointed to inquire into and report to Parliament on Municipal Corporations and Service Commissions—Mr. H. R. Ian Roach in lieu of Mr. Subhas Ramkhelawan; and

JSC (Appointments to)
[MADAM DEPUTY SPEAKER]

Friday, May 09, 2014

- on the Joint Select Committee on the Insurance (No. 2) Bill, 2013—Dr. Dhanayshar Mahabir in lieu of Mr. Subhas Ramkhelawan.

Accordingly, I respectfully submit that you cause this matter to be brought to the attention of the House of Representatives at the earliest convenience.

Yours respectfully,

Senator The Honourable Timothy Hamel-Smith

President of the Senate”

ORAL ANSWERS TO QUESTIONS

La Brea Fish Market

(Construction of)

88. Mr. Fitzgerald Jeffrey (*La Brea*) asked the hon. Minister of Food Production:

With respect to the construction of the La Brea Fish Market, could the Minister state:

- a) the expected commencement date of construction;
- b) the name and address of the contractor who was awarded the construction contract; and
- c) the cost of the contract?

The Minister of Food Production (Sen. The Hon. Devant Maharaj):

Thank you very much. Madam Deputy Speaker, the objective of the People’s Partnership Government is to develop a highly productive agricultural sector that is modernized, internationally competitive and that generates sustainable income levels for producers. It is within this context and this framework that the Ministry of Food Production executes all its activities, a strategy so far that has proven to be yielding the desired result, with a track record that is both historic and enviable.

Accordingly, in 2010 the Ministry, through the fisheries division, developed a fisheries development programme which we have been rolling out for the last three years. Under the fisheries development programme the following was achieved: the development of the fishing centres and related facilities. This included the delivery of critical components of infrastructure works at 28 fish-landing sites and the upgrading of facilities which included the electrical upgrade and repair of the Port of Spain wholesale fish market as well as overall upgrades to the Orange Valley and southern wholesale fish market to HACCP standards.

Madam Deputy Speaker, with respect to La Brea, in 2010 the fisheries division started the process of identifying an appropriate location and developing designs for a new La Brea fishing facility.

1.45 p.m.

After substantial consultation with the fishing community and the residents of La Brea, there was an agreement to relocate the existing fish market and construct a new upgraded fish landing facility at an alternative site, as the area where the current fish market is located has limited land space for development, has been identified as a haven for illicit activities and is completely vandalized and unsuitable for the berthing of boats.

An area at the end of Pierre Road, La Brea, was identified by the majority of fisherfolk from La Brea as the preferred location for the new proposed La Brea fishing facility, and plans went ahead towards the acquisition of this land for the provision of a new modern fish landing facility. A working committee comprising key stakeholders from the fishing industry and the Ministry's staff was established to finalize the design which was completed and agreed to by the fisherfolk in the area, by having them sign as having approved the drawing designs presented to them.

Madam Deputy Speaker, I wish to insert into the records at this point, the fact that between the period 2006—2009 under the PNM administration, there were only six fishing facilities refurbished across Trinidad. However, La Brea was never included as one of those fishing facilities for refurbishment under the last administration. Perhaps, the Member for La Brea would have been better suited to divert his energies to lobby his own administration. Conversely, this administration has built and/or refurbished over 28 fishing facilities [*Desk thumping*] between the short period of 2010 and 2013 across the country and La Brea. The neglect of the PNM for the last decade cannot be remedied in three short years. So we will turn our attention to Carenage shortly.

Madam Deputy Speaker, the list of the fishing facilities that we have assisted in the refurbishment or building include Balandra fishing centre, Claxton Bay fishing centre, Fullerton fishing centre, La Brea fishing facility, Maracas fishing facility, Otaheite fishing centre, San Souci fishing centre, Cocorite fishing centre, Erin fishing centre, Matelot fishing centre, Morne Diablo fishing facility, Cumana fish landing site, Moruga, Chaguaramas, Alcan Bay fishing centre, Grande Riviere fishing centre, Point Radix fish landing centre, Toco fishing—but, Madam Deputy Speaker, you get my point.

In conclusion, in March 2014, Petrotrin indicated this preferred site at Pierre Road, which was agreed to by the fishers for the La Brea fishing facility, was simply not available. An area east of the Carat Shed Bay was proposed. The fisheries division is currently involved in consultation with the residents and the fisherfolk to discuss concerns and issues with respect to providing a fish landing facility adjacent to the Carat Shed Bay, and to discuss

how these concerns could be mitigated through an appropriate design of the facility and the development of a pertinent management and maintenance system to be developed.

As such, Madam Deputy Speaker, the Ministry of Food Production has not awarded any contracts for the construction of a fish landing facility, nor the refurbishment of the existing fish market at La Brea as discussions are ongoing.

I thank you. [*Desk thumping*]

Mr. Jeffrey: Supplemental. Mr. Minister, can you tell us whether or not this new La Brea fish market will begin construction in this financial year?

Hon. D. Maharaj: Madam Deputy Speaker, I do not want to prejudice the consultations that are ongoing, and we have to engage the entire stakeholder base in the La Brea area of which I invite the Member for La Brea to please include himself so as to arrive at a solution that will satisfy both the fisherfolk and the community at large. So I do not want to preclude that discussion by predicting if it will be included this year or not.

Mr. Jeffrey: Further supplemental, Madam Deputy Speaker. Could the hon. Minister tell us when will be the next consultation?

Hon. D. Maharaj: Madam Deputy Speaker, I do not have that information before me, but it is ongoing.

Floodlighting at Recreation Grounds

(Details of)

95: Mr. Fitzgerald Jeffrey (*La Brea*) asked the hon. Minister of Public Utilities:

Could the Minister indicate when the following recreation grounds will be outfitted with floodlighting:

- i. Lot 10 Village Recreation Ground;
- ii. La Brea Community Recreation Ground;
- iii. Palo Seco Settlement Recreation Ground;
- iv. Vance River Recreation Ground;
- v. Parry Lands Recreation Ground;
- vi. Erin Recreation Ground;
- vii. No. 4 Road, Palo Seco Recreation Ground;

- viii. No. 8 Road, Palo Seco Recreation Ground; and
- ix. KTO Recreation Ground?

The Minister of Public Utilities (Hon. Nizam Baksh): Thank you very much, Madam Deputy Speaker. The question posed relates to a very important project pursued under the development programme of my Ministry, the Ministry of Public Utilities, under the heading: Lighting of Parks and Recreation Grounds. Given the limitation of funding, one would appreciate that it would be impossible to light up all grounds in the country in one fiscal year. My Ministry has adopted an approach, therefore, of prioritizing the projects on the basis of discussions with the various stakeholders as well as with Members of Parliament themselves, who bring forward requests for grounds in their respective constituencies.

Madam Deputy Speaker, I want to share with this honourable House that every administration put its own stamp on how it will execute this project. I have observed, for example, under the PNM administration, a total of 84 grounds were lit over the period 2007—2010, and 68 of them were in PNM constituencies and 16 of them in Opposition constituencies.

Miss Mc Donald: I did not get any. None in Port of Spain South. I did not get any.

Hon. N. Baksh: Blame your administration. Of those 84 grounds, 41 were located in the East-West Corridor and 38 of those were—41 were at the time in PNM constituencies, with D'Abadie/O'Meara getting six and Laventille West getting eight.

Again, I have observed that of the 84 grounds, 13 were illuminated in central region and as many as six of that 13 fell in the then PNM constituency of Chaguanas East. Following this trend, 26 grounds were lit in the south, 21 of these went to other PNM constituencies and only three were completed for the PNM constituency of La Brea, for which my goodly brother is the MP. So in a way, they treated you just like they treated us, south of the Caroni bridge. Smaller constituencies than La Brea got six and eight and La Brea only got three. So, Madam Deputy Speaker, I can understand the concern of the hon. Member over the grounds in his constituency because he has been knocking on the door for assistance, even from his own Government since the period 2007—2010.

Madam Deputy Speaker, I am happy to inform this honourable House that since the tenure of my Government, the People's Partnership Government, the constituency of La Brea has had two grounds illuminated. [*Desk thumping*] And from the MP, we have received requests for five of these grounds

mentioned in the question, namely, Lot 10 Village recreation ground, La Brea community recreation ground, Palo Seco Settlement recreation ground, Vance River recreation ground and Erin recreation ground.

As I had indicated earlier, given the approach of my Ministry with respect to prioritization, I will discuss with the MP which grounds will be prioritized, and thereafter the necessary surveys and estimates for lighting will be done. [*Desk thumping*] My approach, Madam Deputy Speaker, is to bring equity to the programme, and pending the availability of funds I will try my best to treat the constituents of La Brea far better than they were treated under the PNM administration. [*Desk thumping*]

Registered Small Businesses

(Details of)

97. Mr. Fitzgerald Jeffrey (*La Brea*) asked the hon. Minister of Labour and Small and Micro Enterprise Development:

Could the Minister:

- a) state how many new small businesses were registered with the Ministry for the fiscal year 2012-2013;
- b) state how many small businesses registered with the Ministry ceased operations in the fiscal year 2012-2013; and
- c) provide a breakdown by category of those small businesses that were registered with the Ministry's Point Fortin Office that ceased operations?

The Minister of Labour and Small and Micro Enterprise Development (Hon. Errol Mc Leod): Madam Deputy Speaker, question 97 at part (a). With regard to part (a) of this question which deals with the number of new small businesses registered with the Ministry for the fiscal year 2012/2013, I wish to inform that for the period October 2012 to September 2013, 646 micro and small enterprises registered with the Ministry's FairShare Programme.

With regard to part (b) which deals with how many small businesses registered with the Ministry ceased operations in the fiscal year 2012/2013, it is important to note that the Ministry of Labour and Small and Micro Enterprise Development collects data on small businesses registered with its FairShare Programme only. Other businesses—all businesses, as a matter of fact, would register with the Registrar General. Only such businesses as are aligned to the IBIS Programme and the FairShare Programme would be registered with the Ministry of Labour and Small and Micro Enterprise Development. Information pertaining to small businesses that ceased operations is collected at intervals when the FairShare Programme conducts its recertification process, and this is conducted every 18 months to two years.

With regard to—and this is part (c) of the question—a breakdown by category of small businesses that were registered with the Ministry’s Point Fortin office and businesses that had ceased operations, the Ministry’s database indicates that of the 12 applications to the FairShare Programme from vendors who reside in the Point Fortin area, 11 have been fully certified and one is provisionally certified for the time being. Information pertaining to small businesses in the FairShare Programme that ceased operations in Point Fortin will be collected as had been mentioned in part (b) of the question.

Thank you very much. [*Desk thumping*]

Mr. Jeffrey: So, hon. Minister, you are saying that from your Ministry, you do not have a record of the number of small businesses that were registered with you that have ceased operation? Are you saying that?

Hon. E. Mc Leod: No. I am not saying that. [*Crosstalk*]

Hon. Member: “Yuh give up awready?”

Hon. E. Mc Leod: You understand what I said.

Caribbean Airlines Limited (CAL)
(Executive Management Positions)

121. Miss Marlene Mc Donald (*Port of Spain South*) on behalf of Mr. Jack Warner (*Chaguanas West*) asked the hon. Minister of Finance and the Economy:

With respect to Caribbean Airlines Limited (CAL), could the Minister please state:

- a) which executive management positions are currently vacant;
- b) under what circumstances, and from what date, did each such position become vacant; and
- c) where executive management positions became vacant due to the termination of the office holder:
 - i. whether CAL is engaged in any negotiations with the former office holder regarding the termination;
 - ii. the status of any such negotiations; and
 - iii. when will these negotiations be resolved?

The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh): Madam Deputy Speaker, taking into consideration the new political alliances we are seeing unfolding, I want to state that there are persons who are currently acting in the positions of Chief Executive Officer, Chief Financial Officer and Vice-President of Human Resources. The position of Vice-President, Commercial, is vacant.

Madam Deputy Speaker, there is an acting Chief Executive Officer because the termination of the services of the Chief Executive Officer occurred on October 14, 2011. There is an acting Chief Financial Officer because the Chief Financial Officer was terminated after the probationary period which came to an end on August 14, 2013.

2.00 p.m.

The Vice-President, Commercial, was promoted to Chief Operating Officer effective March 14, 2012 and the Vice-President, Human Resources, resigned effective April 19, 2014.

With respect to (c), Caribbean Airlines Limited is not engaged in any negotiations with any of the former office holders regarding their exit from the organization. Since (c)(i) is in the negative, parts (ii) and (iii) are not applicable.

Mr. Deyalsingh: Supplemental. Hon. Minister, given this sorry state of affairs at the executive level, when will these positions be filled, because accumulatively, you have over six years of vacancies? When will these positions be filled?

Hon. R. Indarsingh: Madam Deputy Speaker, the board of directors has put in place, with respect to the recruitment of the Vice-President, Human Resources and the Chief Financial Officer is in its final stages of recruitment. With respect to the Vice-President, Commercial, the interviewing process as it relates to this particular occupation, in relation to the shortlisting of candidates, is well under way, and with respect to the Chief Executive Officer, based on the information provided, the selection process is well advanced.

Mr. Deyalsingh: Further supplemental. Could the hon. Minister state whether this sorry state of affairs is contributing to the losses being incurred at CAL?

Hon. R. Indarsingh: Madam Deputy Speaker, the Member for St. Joseph is engaging in what I would call coming to his own opinion and so on. As I have stated and responded to the best of my ability, the business of Caribbean Airlines is being handled by the board of directors and the current management of the airline.

Mr. Deyalsingh: Further supplemental. Is the hon. Minister aware that the Minister of Finance and the Economy, in the Senate, to a question, admitted that CAL is making a loss?

Hon. R. Indarsingh: Madam Deputy Speaker, the Member for St. Joseph is going into new territory as it relates to what I have to respond on behalf of the Ministry of Finance and the Economy.

Public Service
(Details of Employees)

98. Mr. Fitzgerald Jeffrey (*La Brea*) asked the hon. Minister of Public Administration:

Could the Minister provide:

- a) the number of vacancies that exist in the Public Service as at December 31, 2013;
- b) the number of permanent employees in the Public Service as at December 31, 2013;
- c) the number of contract employees in the Public Service as at December 31, 2013; and
- d) the number of persons who are due to retire from the Public Service in the 2013—2014 fiscal year?

The Minister of Public Administration (Hon. Carolyn Seepersad-Bachan): Thank you, Madam Deputy Speaker. In response to the question raised by the Member for La Brea, the Ministry of Public Administration sought clarification from the relevant parliamentary officers on the definition of the “public service” and was informed that the requisite consultations were held with the Member for La Brea who advised that for the purpose of responding to this question, the focus would be on the civil service. Yes, Member for La Brea? Okay.

Just for the record, the civil service includes all Ministries and departments, the fire service and the prison service. It comprises permanent and temporary offices which are filled by the Public Service Commission, as well as contract employees engaged directly by Ministries and departments on the basis of Cabinet approvals to fulfil specific organizational needs.

Information regarding this question 98(a), (b), and (d), with respect to the number of vacancies in terms of in the public service and permanent employees, and with respect to the number of persons due to retire, this information was collected by the Service Commissions Department which, in turn, requested data from Ministries and departments and were further verified by the Service Commissions Department.

With respect to part (c), Ministries and departments were required to submit information to the Ministry of Public Administration. In respect of part (c), again, Madam Deputy Speaker, it should be noted that one department, the Tobago House of Assembly, is still to provide complete information. The THA has advised that it has received information from 10 of its 11 divisions.

Oral Answers to Questions
[HON. C. SEEPERSAD-BACHAN]

Friday, May 09, 2014

In response to part (a) of the question, with respect to the number of vacancies that exist in the public service as at December 31, 2013, I am advised that there were 13,709 vacancies on the permanent establishment, and vacancies in respect of contract positions were 5,863.

In response to part (b) of the question, the number of permanent employees in the public service as at December 31, 2013 was 16,843.

In response to part (c) of the question, with respect to the number of contract employees in the public service as at December 31, 2013, there were 8,331 employees.

In response to part (d) of the question, the number of persons due to retire from the public service in the 2013—2014 fiscal year is 756. I thank you.
[*Desk thumping*]

Mr. Jeffrey: Supplemental. Hon. Minister, could you tell us what attempts are being made to fill those 13,709 vacancies?

Hon. C. Seepersad-Bachan: Madam Deputy Speaker, with respect to the 13,709 vacancies referred to here which are on the permanent establishment, the Service Commissions Department and the Public Service Commission have taken steps. The commission itself has taken steps to expedite the recruitment process and this is totally within the hands of the Public Service Commission.

I want to, again, for the record, Madam Deputy Speaker, remind Members of this House that the Public Service Commission is an independent body as set out in our Constitution.

St. Joseph Police Station

(Details of)

124. Mr. Terrence Deyalsingh (*St. Joseph*) asked the hon. Minister of National Security:

Could the Minister state:

- a) the start date for construction of the St. Joseph Police Station;
- b) the name of the successful bidder for the said construction; and
- c) the value of the successful bid?

The Minister of National Security (Sen. The Hon. Gary Griffith): Thank you, Madam Deputy Speaker. In relation to question No. 124, as it pertains to the St. Joseph Police Station, I wish to confirm the anticipated start date for construction of the St. Joseph Police Station is August 31, 2014. The design/build contract for the St. Joseph Police Station was awarded on May

01, 2014 and the design phase is estimated to last three months with construction carded to commence August 31, 2014.

As it pertains to the name of the successful bidder for the said construction, the St. Joseph Police Station was publicly tendered in September 2013, and it was awarded to Moosai Development Construction (Caribbean) Limited.

I wish to add at this time, Madam Deputy Speaker, as it relates to the third question—the value for the successful bid, that being \$31,417,535.80, it was the lowest bid of all of the other five proponents. The others being \$43,124,130; \$51,641,869; \$60,608,696; \$50,755,578 and \$59,750,400. So, out of the six proponents, Moosai Development Construction (Caribbean) Limited, which was the successful bidder, actually had the lowest of all bids at \$31,417,535.

Madam Deputy Speaker, this here is where we speak about the importance of providing the financial, logistic and administrative support for all arms of our law enforcement agencies. This is not so much about just building police stations because trying to put a police station at every corner is not the answer. What we are actually doing is upgrading and replacing defective police stations—police stations that needed repairs for the last few decades.

The more stations you have, the more manpower strength that will actually be placed in these police stations, and that is really the old way of thinking in policing. What we are doing now is being more proactive than reactive. The more police officers that would be in the station, the less police officers that you will have out on the streets. So, what we are doing now is having more police officers, more patrols, a greater presence in operations on the streets, so that is the proactive response rather than the reactive response.

But, however, we are fully aware of the importance of having police stations constructed in strategic locations. I can actually look at some of the other police stations that we have established, completed and others that are now ongoing: Arima which was completed in December 2013; Piarco, completed in January 2014; Maloney, completed in December 2013 and others such as Cumuto, which is expected to be completed in May 2014; Brasso, June 2014; La Brea, May 2014; Oropouche, June 2014; Moruga, June 2014. And likewise, we can look at all the other arms of the law enforcement agencies where we can actually look at the fire stations as well, where commencement date for the Mayaro station—it started in January 2014 with the completion date being April 2015. Likewise Arouca, Lady Hailes, Woodbrook, Chaguaramas and Penal, all expected to be completed in July 2015 to October 2015.

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I can actually look into the other installations such as military camps where we intend to actually look to get the establishment of a military installation in La Romaine. Also, the construction of coastguard installations in strategic points around Trinidad and Tobago and also coastal floating platforms.

So, with that, we are aware of the importance of providing the logistic support for our law enforcement agencies and we will continue to do so. We will continue to put them in strategic locations to ensure that our law enforcement agencies have that support so that they can be able to protect and serve with pride. I thank you.

Mr. Deyalsingh: Supplemental. Thank you for the answer, hon. Minister. Is the Minister aware that when we both met in January of this year, you had promised a construction start date of May 2014? What has accounted for this delay, please?

Sen. The Hon. G. Griffith: Madam Deputy Speaker, there is no delay. As I have stated, the contract was awarded on May 01, 2014, the design phase takes three months, which is why the commencement date for construction would be on August 31, 2014. So I want to re-emphasize that: the award was on May 01, so that is the design/build contract and that takes three months.

I know the next question you may ask is: when will it be completed? Again, because we are now going through the design/build contract, that aspect, for those three months, I would not be able to give you a pinpoint date as to when it will be completed, but then, looking at the other police stations, it varies. It could vary between—do not hold me to it—eight months to a year and a half.

Mr. Deyalsingh: Further supplemental. Hon. Minister, you were at pains in part (c) to outline the fact that \$31.4 million was the lowest bid. Is it that it is policy of the Government, now, to accept the lowest bids for all capital-intensive projects, for instance the waste water plant?

Sen. The Hon. G. Griffith: I think it would be inappropriate for any government, any organization, to just put something based on the lowest bid. What we are doing is the best bid; something that can provide quality, you look at cost and you look at all other aspects to provide that the taxpayers get value for their dollar.

Mr. Deyalsingh: Further supplemental. Given that you accepted the best bid from Moosai Development, is the Minister able to tell me who were the other bidders?

Sen. The Hon. G. Griffith: Madam Deputy Speaker, I think, at this time, it might not be appropriate for me to actually give the names of the others.

Mr. Deyalsingh: No problem.

Sen. The Hon. G. Griffith: I can give it to you, I have it right here, but I do not think it would be appropriate at this time.

Mr. Deyalsingh: Thank you.

Mount Hope/Mount Lambert Community Centre

(Opening date)

125. Mr. Terrence Deyalsingh (*St. Joseph*) asked the hon. Minister of Community Development:

Could the Minister state the opening date for the Mount Hope/Mount Lambert Community Centre?

The Minister of Community Development (Hon. Winston Peters): Madam Deputy Speaker, the Ministry of Community Development, in fulfilling its mission to lead in the development of resilient communities by stimulating human and social capital, continues to execute a variety of sustainable development programmes, projects and services to the community sector.

In this regard, the Ministry continues to implement its programmes of construction of community centres with an allocation of \$70 million under the Public Sector Investment Programme for the construction of facilities throughout Trinidad. Currently, construction work continues on the Mount Hope/Mount Lambert Community Centre which is 91 per cent complete. The Ministry anticipates that this facility will be completed and commissioned by the end of the third quarter of fiscal 2014.

Mr. Deyalsingh: Supplemental. Thank you, hon. Minister. Is the Minister aware that this community centre has been 90 per cent complete for over a year now?

Hon. W. Peters: Yes, I am aware, and I am also aware that it started way before we got into Government and it was like 50 per cent for about the last 10 years.

Mr. Deyalsingh: Could the hon. Minister state the reasons why this community centre has been stuck at 90 per cent completion for the past year?

Hon. W. Peters: Because I answered a question in this Parliament sometime before which said that we are prioritizing the community centres. There are lots of community centres—100-and-something—that are in different stages of completion, and this one happens to be one that is in the process of being done now because we are finishing the ones that were further advanced.

Mr. Deyalsingh: Thank you.

Madam Deputy Speaker: Hon. Members, question No. 126 will be answered at the next sitting of the House.

EXPIRATION OF QUESTION TIME

The following question stood on the Order Paper:

**Early Childhood Education Centre
(San Juan Hill – Rebuilding of)**

126. Could the hon. Minister of Education state whether the Early Childhood Education Centre at San Juan Hill is scheduled for rebuilding during 2014? [*Mr. T. Deyalsingh*]

Question time having expired, question 126 was not dealt with.

MISCELLANEOUS PROVISIONS

(PRISONS) BILL, 2014

Bill to amend the Prisons Act, Chap. 13:01, the Criminal Offences Act, Chap. 11:01 and the Mental Health Act, Chap. 28:02. [*The Attorney General*]; read the first time.

INDICTABLE OFFENCES

(COMMITTAL PROCEEDINGS) BILL, 2014

Bill relating to committal proceedings in respect of indictable offences by Magistrates and for ancillary matters [*The Attorney General*]; read the first time.

MISCELLANEOUS PROVISIONS

(ADMINISTRATION OF JUSTICE) BILL, 2014

[Second Day]

Order read for resuming adjourned debate on question [April 11, 2014]:

That the Bill be now read a second time.

Question again proposed.

Mr. Terrence Deyalsingh (*St. Joseph*): Thank you, Madam Deputy Speaker. I rise to make a contribution on this most important Bill, debate which started on April 11, 2014, and today, we are here on May 09, so we are almost a month away from the start date because we had other items to attend to.

Madam Deputy Speaker, to put my response, or to put my contribution, in context, one has to refer to the piloting of the Bill firstly by the hon. Attorney General and the first responder for this side, the Member for Diego Martin

North/East. I know, Madam Deputy Speaker, you would have read the *Hansard* to bring yourself up to date as to what transpired and to what the hon. Attorney General would have said to the population, to this Chamber, to the media and so on. But, I think it is incumbent upon me just to recap some of the highlights of the presentation of the hon. Attorney General on that date.

He spoke at length about many issues. Obviously, it is a crime Bill so the focus of his presentation was on crime. He would have spoken about the firearms legislation. He would have spoken about human trafficking. He would have spoken about murders. He would have spoken about gun crimes. If I just quote some highlighted passages from his *Hansard* to put today's debate into some sort of context, because I know, Madam Deputy Speaker, you would have read his *Hansard*. This is the first page of the *Hansard*:

“At the moment we are all aware of the problems we face in our country with respect to the criminal elements that seek to terrorize and hold hostage, the law-abiding citizens of this country. The criminal element has evolved at a rate that appears to have outpaced our law enforcement institutions...”

So, he is saying that the criminal element is more evolved than the law-abiding enforcement institutions, for example, the police.

“...and indeed the development of the law itself...”

He goes on in that same presentation:

“It was clear to us that there was no quick-fix overnight solution to this vortex that our society had been courting...”

Let me repeat that:

“It was clear to us that there was no quick-fix overnight solution to this vortex that our society had been courting...”

If I pause there for a while, Madam Deputy Speaker. It was this Government that rightly raised the issue of crime for the 2010 general elections, but it was this Government who said, in their manifesto, that they have a 120-day crime plan; that was this Government. But now, we are hearing, almost four years later to the date:

“...there is no quick-fix overnight solution...”

Whom do we believe? Do we believe the manifesto where you have a 120-day crime plan or do we believe you now, four years later, “no quick-fix overnight solution”? Amazing. But this Government introduced a state of emergency and then we have, after four Ministers of National Security, this current Minister of National Security saying he does not believe in crime plans. What utter madness is this?

But you had a 120-day crime plan in 2010, we are now almost four years—48 months later—into your tenure; that is 1,460 days. In other words, you could have had 12.166 120-day crime plans. We are now 1,460 days into the tenure of this Government, you had a 120-day crime plan—1,460 divided by 120, you get 12.1666; recurring decimal 666, the devil. Where is it? But this Government, now, does not believe in crime plans. Let it not be forgotten that this current Minister of National Security was the advisor to all previous Ministers of National Security, and was the advisor to the hon. Prime Minister.

The hon. Attorney General goes on:

“...since we have assumed office, to tackle the crime problem from”—a point—“...of legislation.”

He goes on:

“Of course, much else is being done elsewhere to deal with it at...”—a societal—“...level but...I come here to proudly present yet another pioneering piece of legislation to tackle the criminal justice system problems.”

Madam Deputy Speaker, if we want to tackle crime, the hon. Attorney General is right on two fronts: you need to tackle crime from a societal level and I agree with him, and I think the first place you need to tackle crime from is in the homes: parenting. Second, as a Legislature, we have a responsibility to work together to bring the legislation. But, as an Executive, and all the Members of the Executive are arrayed across me, they have failed miserably [*Desk thumping*] because they have dismantled everything that they found. The most hypocritical aspect of their dereliction of duty is the OPVs. [*Interruption*] And you are going to hear about it ad infinitum.

It is this Government, under the hon. Prime Minister, who said we do not need the OPVs, we will fight crime in the streets. Well, let me tell you something, Hamilton Holder Street is awash in blood. Why did you not fight it there? Why did you not fight crime in Hamilton Holder Street? “We do not need OPVs.” We do not need it but the OPVs are now patrolling the waters in—where? Brazil? Colombia? And doing a wonderful job.

Then, we hear, in this most deceitful piece of literature on page 31, the *Medium-Term Policy Framework 2011-2014*, here is what they say. They have the gall—and this is written by the current Minister of Planning and Sustainable Development, hon. Bhoendradatt Tewarie. On page 33, under:

“...Strengthen Surveillance and Control of Borders
...sourcing of two (2) long range patrol vessels...”

What is that? Then, we heard that we will get two decommissioned ships from the United States Navy. Then, we heard—[*Interruption*] No, hold on,

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there is more to come—we are getting OPVs from China, but the blood continues to flow; the battle is in the streets. But, if we do not protect our borders, we are playing fast with foolishness and that is what we are faced with, so we have no infrastructure to protect our borders.

Madam Deputy Speaker, if I go back to some previous *Hansards*: 2010, anti-gang legislation, Wednesday December 01, 2010. This is just about six months after this Executive took power:

“The Anti-Gang Bill, 2010 is...”

—and this is what this Government always says, flashy language: path-breaking, pioneering.

“The Anti-Gang Bill, 2010 is a path-breaking piece of legislation that will be the flagship for a package of criminal legislation that is designed to arrest the tsunami of crime...”

There was a tsunami of crime in Hamilton Holder Street. There was a tsunami that hit this country on the morning—last Sunday morning at 12.05, but we gave you the anti-gang legislation but the tsunami still hits. The Attorney General goes on:

“The measure is intended to improve the ability of the State to deal with the unprecedented level of crime in our society...threatening to engulf and consume...”

That is the language. He goes on—this is 2010.

“That is a story, Mr. Speaker. Every time we read of death by fire...”

That is what the Attorney General is saying. He is saying:

“Every time we read of a death by fire, we must ask ourselves the question: how is it these people could not escape from their own home? How is it they could not jump out of a window? How is it they could not open a door?...We live now on edge, gingerly making our way as though we are walking on eggshells;...”

Well, hello! “I still walkin’ on eggshells” and so are the other 1.4 million people in this country. We were walking on eggshells in 2010? Yes. We have eggshells today and people:

“...gingerly peering from behind closed doors and bars as though we are the ones in prison.”

Hello! We are still in prison. This was 2010.

Hansard: Bail (Amdt.) Bill, because the hon. Attorney General mentioned this same Bail (Amdt.) Bill when he moved this particular Bill. This is Friday, December 10, 2010. This is later. So, I just read December 01, 2010, this is later, December 2010:

“There can be no doubt that crime is the number one problem affecting our country at the present time.

This Bill is about taking our country back; it is about pulling the country back from the brink of the precipice in which the PNM left it;...”

Hello! We reached another brink last Sunday gone at 12.05 a.m. in the morning on Hamilton Holder Street.

2.30 p.m.

Let me tell you the brink we have reached, Madam Deputy Speaker. Some years ago, Members for Couva South and St. Augustine listen to this carefully, a then Principal of the University of the West Indies, Dr. Tewarie, wrote a piece criticizing the Patrick Manning administration where he said—and I will be honest and I will be fair to him, he never said Trinidad and Tobago is a failed state—Trinidad and Tobago is developing the characteristics of a failed state, Dr. Bhoendradatt Tewarie, then Principal of the University of the West Indies. He said that.

What are some of the characteristics of a failed state? One of them is the inability to control your borders. One of them is when a State has to resort to offering a bounty to catch criminals like the Wild Wild West. This Government is now offering, what, \$3.5 million? A bounty of \$3.5 million. That is where we have reached, the depths of despair after four years of the collective actions of this Executive. I would like to hear what the former Principal of UWI has to say now—who wrote the PP’s manifesto, who wrote the 120-day crime plan. But he talks about the brink of the precipice under which Mr. Patrick Manning and the PNM left it. The precipice is still there. It is a chasm. It is an abyss into which we look. It is about giving voice to the voiceless and saying to those who have suddenly found their voice that it is a bit too late.

For far too long our hard-working police officers, who put their lives on the line on a daily basis to protect our citizens, have been themselves at the mercy of the bandits and the criminal elements.

Look at the newspapers, he opined—and this is where the UNC will never understand the multi-ethnic society that is Trinidad and Tobago.

Look at the newspapers, he opined—this is when? Friday, December 10, 2010:

This is why you had seen our new Commissioner of Police lock down John John and 75 persons were held in his “Taking Back the Community Plan”.

Every time a UNC Member of Parliament talks about crime, they talk about John John, East Port of Spain, Laventille. They talk about Maloney. It is here in the *Hansard*.

Mr. Roberts: You are fabricating it. That is one person.

Mr. T. Deyalsingh: This is why—so he was wrong then? He is your Attorney General.

This is why you would have seen our new Commissioner of Police lock down John John...

Why single out John John?

Do you remember the state of emergency? “Dey lock up 8,000 people to charge one, to get a conviction for one.” But until the UNC understands that the guns and the drugs are not imported by the 75 people in John John, they are being imported by people who are being protected, and if you want to understand crime and if you want to solve crime, you need to go after the importers.

Remember the container of marijuana with the chicken that came in free of charge to a Chairman of MTS, under your watch? We have heard nothing about the cocaine in the juice. Did John John people mastermind that? We have heard nothing about the cocaine in the operation, the stomach. Did John John people mastermind that? Until the UNC has an honest look at itself in the mirror, they will not understand where crime starts. [*Desk thumping*] You would see the crime at the retail level at the streets, and yes, if somebody holds you up with a gun, punish them. But then ask the other question: Where does this gun come from? Where does the cocaine come from? I do not know anybody in John John, Beetham, anywhere, that has the wherewithal to import cocaine and guns in containers. None!

Let us look at their *Hansard* for 2013. The hon. Anand Ramlogan again:

“Mr. Speaker, for some time now, we have seen the lawless elements encroached further and further and pull the rug out from beneath the feet of...innocent law-abiding citizens...”

Mr. Speaker, there is a pervasive lawlessness in our land, and this is an attempt to recalibrate the scales of justice...”

Nothing changes through all these *Hansards*, nothing, absolutely nothing.

He goes on again, 2013. I read 2010, 2011. Remember in 2010, he spoke about burglar-proofing? You would have thought that after three years of this Government we could take down all our burglar-proofing, because he blamed the PNM for that. So here we are now in July 2013, three years after you took the reins of power. I thought by then, everybody in the wrought-iron business and burglar-proof business “gone out of business”, there will be no need for

burglar-proofing again after three years. But here is what he says in June of 2013: As you gingerly peer from behind the barricaded walls of your home from behind burglar-proof and all sorts of security cameras, you have become a virtual prisoner in your own home. What has changed?

Mrs. Mc Intosh: Nothing!

Mr. T. Deyalsingh: Absolutely nothing!

But the hon. Attorney General came here some weeks ago and proudly boasted that he got back \$1 billion from the arbitration for the OPVs, which are now patrolling the waters of Colombia. So we got back \$1 billion, “ray”, well done, well done. Go to the top of the class. You have gotten back \$1 billion. Of what use is that billion dollars to Abass Mohammed of Rio Claro who was murdered? Tell the family, because it was your habit, when in Opposition, to come here after visiting the homes of all the murder victims, when you were across here, and you would “explashiater” on how you went to the homes of murder victims and you went to wake and you did that and you did the other and you would lambaste the PNM.

Did anybody from the UNC and the COP go to the wake of Abass Mohammed of Rio Claro? Did anybody go to the wake of Cleavon Manswell? What use is that \$1 billion if Daniel Guerra is dead, if Deon Mitchell is dead? I noticed they have stopped going to the homes of murdered victims after Daniel Guerra. They do not go again. They do not go again, because it is not convenient to visit citizens being murdered under your tenure. It was convenient to do it then. Right?

Dr. Khan: You all should do it now.

Mr. T. Deyalsingh: But we do not play politics with that you see. Shane Painter, the \$1 billion you saved, because everybody talking about Dana Seetahal, everybody. But what about these ordinary citizens? Could the \$1 billion have saved the life of Jeffron Jordon who was the 100th murder victim for this year? Cassimir Khan—could the OPVs, possibly have helped? Llasana Jackson.

Express, January 07, 2014, 19 murders in one week; the most murderous start to any year in the history of Trinidad and Tobago; Hezekiah Mark; a husband and wife team of Khrisna Ramdeen and Radha Ramdeen, grandparents of eight. They do not have their grandparents again. Did you visit them? You know, paradoxically Krishna Ramdeen and Radha Ramdeen started burglar-proofing their home just a month before?

Guardian, Monday, February 17, 2014, one murder every 16 hours. One murder every 16 hours. But we will not fight crime on the seas. We will fight crime on the streets. Cancel the OPVs, cancel them, no good and the Congress of the People supports it. Cancel it, no good.

But, Madam Deputy Speaker, according to Reverend Teelucksingh yesterday, do you not think Dana's blood and all those of murdered victims cry also to the person or persons who pulled the trigger? The soul in anguish is going to call out to them: Why did you cause me such pain? Why deny me the right to live? That is what we are in after four years of PP governance, four years.

Madam Deputy Speaker, the events of last Sunday at 12.05 a.m., whilst every murder is to be decried whether you are an ordinary citizen or a lawyer, and I have called out the names of some ordinary citizens, because their murder and their death is just as traumatic as yours or mine. But let us go back to the statement hon. Dr. Bhoendradatt Tewarie made years ago, which I referred to earlier, about Trinidad and Tobago having the characteristics of a failed state. Again, he never said we were a failed state. He said we were developing the characteristics of a failed state.

I said earlier, one of the characteristics of a failed state is when you have no control over your borders. Do you know what another characteristic of a failed state is? I think the *Guardian* put it best one day this week, commenting on the events that happened at 12.05 a.m. on Sunday morning in Hamilton Holder Street. The *Guardian* editorial, I cannot remember the day, maybe Gail Alexander who is here can remind us. This said that that was a dagger or a shot at law and order in the society. It was not so much an attack against a person. It was an attack or a shot at law and order.

And if you take law and order in the context, a failed state is one where the Judiciary is under threat and law and order refers to the Judiciary. She was a lawyer. And after they kill the lawyers, they next kill the judges and after they kill the judges, you know who they come for? The politicians, you and I. Did we have this under the Patrick Manning administration? Did we have lawyers who represent law and order being murdered? Did we have the State offering \$3.5 million bounty?

Mr. Ramadhar: But you hosted the gang leaders.

Dr. Gopeesingh: Twenty-four gang leaders, all dead.

Mr. T. Deyalsingh: We hosted the gang leaders. Hon. Member for St. Augustine, let me refresh your memory. When the hon. Basdeo Panday won elections and his office was in the Twin Towers, there is a picture on the front page of the *Express* and Ria Taitt is here. Do you know the first picture that came under Basdeo Panday's tenure?—a meeting in his office at the Twin Towers with Abu Bakr.

Miss Cox: "Leh we hear yuh now." Talk now.

Mr. T. Deyalsingh: Talk now! Talk now! Basdeo Panday hosted Abu Bakr when the Office of the Prime Minister was in the Twin Towers, when it was moved from Whitehall. Right? So if the COP wants to talk ethics and you are the ethical core, the ethical centre, “talk nah, talk”.

Madam Deputy Speaker, this Miscellaneous Provisions (Administration of Justice) Bill has gone through many turns over the past few years and this Government, again aided and abetted by the Members for St. Augustine and San Fernando West, took part in the most dastardly plot that a Parliament in the Commonwealth has ever experienced, this Miscellaneous Provisions (Administration of Justice) Bill.

2.45 p.m.

I have a very pointed question for the Member for St. Augustine today. When this Bill was being piloted Friday, November 18, 2011, Miscellaneous Provisions (Administration of Justice) Bill, by the then hon. Herbert Volney:

“Our Government is aware that the delay must not be shifted from one area to another. We do not want the cases to go quickly to trial, and then get clogged... This is precisely why the Government...”

And listen to the language, listen to the language, hon. Madam Deputy Speaker:

“This is precisely why the Government has already...”

Madam Deputy Speaker, he did not say “is going to”, you know, he said “has already”. “Has already” means something taking place.

“...embarked on projects that will result in the construction of four additional High Court buildings; each with four High Courts. Purpose built, state of the art High Courts, two in east Trinidad; that is one in the Trincity...”

Member of Parliament for St. Augustine, I think Trincity is yours? Trincity falls under who? [*Crosstalk*]

Hon. Member: Arouca/Maloney.

Mr. T. Deyalsingh: Right. Member for Arouca/Maloney, has the Government started the building of this court in your area?

Miss Hospedales: No.

Mr. T. Deyalsingh: Thank you.

“...one in the Sangre Grande...”

Member for Toco/Sangre Grande, has any court been started “to build” in Toco/Sangre Grande? No? Yes?

Miss Mc Donald: No!

Mr. T. Deyalsingh: No. Carlsen Field. Who is the Member of Parliament for Carlsen Field? Member for Caroni Central? Member for Caroni Central, has the Government started the building of any court in Carlsen Field? [*Crosstalk*]

Mrs. Mc Intosh: No, no.

Mr. T. Deyalsingh: You cannot answer me? [*Crosstalk*]

Madam Deputy Speaker: Hon. Member, I want to ask you to address the Chair, please.

Mr. T. Deyalsingh: I do apologize. So through you, Madam Deputy Speaker, I pose the question to the Member for Caroni Central, enter this debate and tell us, has the Government—and this is Friday, November 18, 2011, eh. We are now in 2014. This is what, two years “and change”? But the then Minister said they have “already embarked on the projects”.

“...one at Carlsen Field...and another in Siparia...”

Hon. Member for Siparia, the hon. Kamla Persad-Bissessar SC, has any such court been started anywhere in the constituency of Siparia? You know what the answer is, Madam Deputy Speaker? None, and I will tell you why soon. He goes on:

“...these cases will be held before a Master of the High Court...”

Member for St. Augustine, what is the progress in amending the Supreme Court of Judicature Act? Madam Deputy Speaker, if I could, through you, ask anyone opposite, have we employed any more Masters of the High Court which was spoken about in 2011? [*Crosstalk*]

Dr. Gopeesingh: That is a Judicial and Legal Service Commission job. “Yuh doh even understand law.” That is an independent institution.

Mr. T. Deyalsingh: So what about the judicial centres then? Is that independent? [*Crosstalk*]

Dr. Gopeesingh: That is the Judiciary.

Miss Mc Donald: Excuse, Madam Deputy Speaker, I will just—Standing Order 40(a), (b) and (c).

Dr. Gopeesingh: 40 what?

Miss Mc Donald: 40(a), (b) and (c).

Dr. Gopeesingh: Not you, it is the Speaker who has to implement that.

Miss Mc Donald: No, well, that is to her, not to you.

Dr. Gopeesingh: “What wrong with you?”

Madam Deputy Speaker: Members! Members of the House! I want to ask you to please allow the Member for St. Joseph to make his contribution in silence.

Mr. T. Deyalsingh: Thank you, Madam Deputy Speaker. You see, the old saying: the truth offends. [*Interruption*] [*Laughter*] Friday, November 18, 2011, the then Minister of Justice, Volney:

“Our Government is aware that the delay must not be shifted from one area to another.

This is precisely why the Government has already embarked on”—these—“projects...”

The question I am asking the hon. Members of Parliament, for Trincity, whomever that person is, St. Augustine, Arouca/Maloney. I am asking the Member for Caroni Central, the Member for Toco/Sangre Grande, and the Member for Siparia. Your Government said you had already embarked on these projects. Where are these projects? Where are they? Where are they, Madam Deputy Speaker?

But, Madam Deputy Speaker, in that same debate we go on. From that debate to now, it is 925 days, and we have not seen as the Member for Diego Martin/North East would say “not ah blade ah grass cut, not ah blade ah grass touch, not ah foundation laid”. But you came here and boasted they have already begun. You have already begun. “Oh man, I tell you.” This is what Mr. Volney had to say again:

“Thank you, Mr. Speaker...I am very humbled by the indicated support for the Bill coming both from the hon. Member for Diego Martin West and the Member for Port of Spain South,”

And listen to why we supported this Bill then, because we in the PNM get licks every day for supporting this Bill:

“...who have openly supported the measure...”

And this is where the whole section 34 thing breaks down.

“...albeit on certain understandings that certain measures will be put in place prior to the implementation of this Bill when it becomes law.”

We supported this measure, based on the assurances that certain things will be done before it became law, for example, the Masters of the High Court. So do not tell me now that is an independent thing. If it cannot be done, you all promised not to implement the Bill.

So the Member for Caroni East should be here to listen to this. You cannot put the blame for the section 34 debacle on the independent Judicial and Legal Service Commission, because you said you will not implement this Bill until certain measures were put in place like the Masters of the High Court, the judicial centres. That is why we supported it. We never supported it to pick out one clause on August 31, 2012—[*Interruption*]

Mr. Roberts: Madam Deputy Speaker, Standing Order 36(3). I was allowing the Member to go—I thought he was going to touch on this en passant, but it seems like he is going into a detailed diatribe to revive this issue. Standing Order 36(3) please, Madam Deputy Speaker.

Madam Deputy Speaker: Hon. Member, I want to ask you to stick with the agenda before you and the topic before you, please. You may continue.

Mr. T. Deyalsingh: Madam Deputy Speaker, the Bill before us—and let me read it into the *Hansard*: the Miscellaneous Provisions (Administration of Justice) Bill, 2014. I am simply quoting from the Miscellaneous Provisions (Administration of Justice) Bill, Friday, November 18, 2011. [*Desk thumping*] I really do not see what the problem is, but I would heed your advice. I will heed your advice, because as I say, the truth offends. The truth is very, very offensive and they cannot take it.

Let me go on, Madam Deputy Speaker, because this Bill is about the administration of justice:

“The land has been identified...” Madam Deputy Speaker—“The land has been identified, contrary to what those on the other side have said...”

A special projects unit of the Ministry of Justice is in place”—to build these judicial centres.

Where are they? Nine hundred and—[*Interruption*]

Hon. Member: Ask Volney.

Mr. T. Deyalsingh: Ask Volney? That is your reply? Ask Volney. Madam Deputy Speaker, no wonder blood is still flowing in the streets, no wonder. If that is the kind of flippancy we get. Ask Volney. You would have thumped your desks back then when he was speaking. You would have been in full support of everything that he said and did, but now that he is the fall guy, your response is, “ask Volney”.

But they also said, Madam Deputy Speaker, that they were going to issue invitations for the turning of the sod in the new year, and I think as a birthday gift to the hon. Member for Port of Spain South. I give you notice, Member for Port of Spain South, through you, Madam Deputy Speaker, did the Member for Port of Spain South get an invitation for sod turning?

Miss Mc Donald: No.

Mr. T. Deyalsingh: No. I do not know if the Member for Caroni Central got an invitation for sod turning, or the Member for Siparia, or the Member for Toco/Sangre Grande, but that is what goes on, “is ah pappyshow”. It is a “pappyshow”.

Madam Deputy Speaker, Friday, November 18, 2011 again, because in the administration of justice everything the Minister of—sorry, the Attorney General spoke to, has to take place in a courthouse. So you need the courthouses. The contribution of the Minister of Legal Affairs, the hon. Prakash Ramadhar, please permit me, Madam Deputy Speaker:

“And I could assure Members on the other side that the provision of these courts certainly will not take as long as the delivery of the Brian Lara Stadium, nor will it take as long as the delivery of the Oncology Centre, nor of the Scarborough hospital. You could talk about promises, yes, but we deliver...”

Have you delivered any of these four, hon. Member for St. Augustine? It is 925 days, but let me tell you why you cannot deliver. Madam Deputy Speaker, this part of my contribution dovetails with another part of this Bill before us. The creation of—the amendment of the Jury Act to create special jurors with experience in finance, and banking and so on, to set up what we might call, a commercial court. So you need courts.

Let me tell you why this Government cannot build any of those four judicial centres that they promised, 925 days have passed. You know why? They accepted drawings from non-registered architects. There was no open tendering for those drawings, in total violation of the rules of the tenders board. Correct, Member for St. Augustine? Millions have been spent on the drawings, millions, and the plans have not gone through the Central Tenders Board.

In other words, Madam Deputy Speaker, unlawful, illegal procurement practices. You cannot build any of the centres, Member for St. Augustine, you cannot. You may have all the will in the world, but because you sit with this Government who only preaches procurement, they do not practise it. And I know you are well intentioned, but you are guilty by association. [*Desk thumping*] You are guilty by association. You cannot build one. You cannot build the one in Siparia, Toco/Sangre Grande, Carlsen Field or Trincity, because you violated every single rule of the Central Tenders Board—poor procurement, you cannot build one. That is why.

And what is puzzling, Madam Deputy Speaker, you know, in the last

debate here, I seemed to be the butt of jokes for the entire Government. No debate passes where the Member for St. Joseph is not mentioned, or they do not throw some picong at me, and I do not mind, that is fine.

Mr. Ramadhar: “Yuh in every debate.”

Mr. T. Deyalsingh: Exactly. [*Laughter*] But the Leader of Government Business in an earlier debate, earlier last month, the Member for Oropouche East, he jokingly said that the Member for St. Joseph, meaning me, has read the introductory chapters to some law books, and that is fine, that is fine, that is picong. I have an LLB. So the Member for Oropouche East is saying I have read the introductory paragraphs to some law books, and I take it in the spirit in which it was given. It is picong.

But we have a Minister of Justice, a Minister of Justice who is in charge of the criminal justice system in Trinidad and Tobago. I would like to lend him my law books, so he could read something, because the Minister of Justice every time anything comes up, he never pilots a Bill under his Ministry. You notice that? Since he was chosen as Minister of Justice, because Wayne Sturge could not take it at the 11th hour, and 59th minute, and 59th second. It was given to the hon. Emmanuel George. He has never, never piloted one piece of legislation that has to do with his Ministry. Why is he not here? We have asked the honourable, former Sen. Christlyn Moore, why can you not build these judicial centres? No answer.

3.00 p.m.

Four Ministers of Justice later, no answer, but at least I read the introductory paragraphs to some law books and I can lend them to the hon. Minister of Justice. At least I do not oversee the criminal justice system. I do not. I do not, but Sen. Emmanuel George does. That is why you cannot build them, hon. Member for St. Augustine. You cannot. You may have all the intentions in the world, but you simply cannot.

Madam Deputy Speaker, may I ask how much time I have used up please?

Madam Deputy Speaker: You have two minutes of original time.

Mr. T. Deyalsingh: So, Madam Deputy Speaker, that is why the criminal justice system is in the state that it is in today, because this Government has not been forthcoming and truthful with us.

I now turn to a second item and I go back to the *Hansard* of the hon. Attorney General—and I want to make sure I set the groundwork for what I am about to talk about—where he piloted this legislation. So before anybody gets up on a Standing Order, this same piece of legislation when the hon. Attorney General piloted it, he said:

“Of course, Mr. Speaker”—because this Bill also amends the Securities

Act—“the amendment to the Securities Act, 2012. You would see that in the topical matter”—so he introduced the thing; he called the matter topical, that means it is of currency in these times; it is something to be noted—“You would see that in the topical matter of the FCB IPO...”

Madam Deputy Speaker: Hon. Members, the speaking time of the hon. Member has expired.

Motion made: That the hon. Member’s speaking time be extended by 30 minutes. [*Miss M. Mc Donald*]

Question put and agreed to.

Mr. T. Deyalsingh: Thank you, Madam Deputy Speaker. Thank you, my leader, the Chief Whip. Thank you for the support. So the hon. Attorney General introduces a matter into the debate.

“You would see that in the topical matter of the FCB IPO, reference is made specifically to the powers given to the Securities and Exchange Commission, pursuant to the 2012 amendment. It was this Government that brought the 2012 amendment to widen the scope and ambit of the powers enjoyed by the SEC.”

Madam Deputy Speaker, yes, the FCB IPO is topical; it is current and I want to say a couple things before I get into that part of the debate—and that is, under the tenure of this Government, we have had scandal after scandal with metronomic regularity. Let me explain what that means, “scandal after scandal with metronomic regularity”. For those of us who do a little music, a metronome is something that you use to keep time. It goes tick-tock, tick-tock and you can speed it up or slow it down. When I used to dabble in my little music, I used to have a metronome to learn to play different things like the drums and so on, which I never did very well, but “say what”. So scandal after scandal with metronomic regularity.

My next comment is not directed to this Government per se, but directed to all Governments all around the world because what I am about to say happens everywhere. Becoming a Member of Parliament—and everyone here will agree with me—especially in a seat like St. Joseph, you deal with all strata of society. You deal with the white-collar workers, the blue-collar workers, the farmers, taxi drivers, teachers, lawyers, businesses, businessmen and so on; and the common sense and values of the small man are often assaulted by the way high society seeks to protect itself. That is not unique to Trinidad. It goes on all over and that is why white-collar crime is so difficult to prosecute.

Society seems to have an acceptance for white-collar crime because we all lime in the same parties—for those of us who go to the cocktail party circuit; I

do not go—but there is that acceptance of white-collar crime and the little man has a problem understanding why a State is always so ready to prosecute, and sometimes persecute them, but the white-collar criminals always hide behind this mask of respectability—jacket and tie. [*Interruption*] Yes, I wear a jacket and tie. I know.

The issue that the Attorney General raised, the FCB issue, speaks to the same problem, the willingness of societal forces to rally around one of their own. When the scandal broke, why did the Chairman of FCB seek to defend? Why? When we had the issue with the doctor in Mount Hope, why did the Principal of UWI and the Minister of Health seek to defend, without an impartial investigation determining guilt or innocence, hon. Member for St. Augustine? Why? You agree with me?

Why did the Principal of UWI and the Minister of Health, representing the Executive, choose to rush in to defend someone in the absence of an investigation. But when the nurse did something wrong, she was suspended immediately, but nobody rushed to her defence. The small man does not get justice. The nurse is suspended with no defence, but the doctor is suspended, but with defence. And from who? The Principal of UWI and the Minister of Health.

Hon. Member: Justice UNC style.

Mr. T. Deyalsingh: It is not really justice UNC style. I started this part of my contribution saying that societies around the world seek to circle the wagons around white-collar criminals, but we prosecute and persecute the blue collar, the small man. I am representing people in St. Joseph, all over the constituency, and I am at a loss to explain this. That is why I am at a loss to understand why this FCB IPO was allowed to go on.

I will tell you why. I spoke earlier about scandal after scandal with metronomic regularity. If we have the scandals, why is this Government so afraid of independent investigations?—whether it is the \$40 million contract to Gopaul; whether it is the deal to give Gopaul a piece of equipment out of National Quarries; whether it is prison-gate.

Would Gerald Ramdeen not love to have an independent investigation to clear his name rather than being cleared by the Attorney General? Would Mr. Ramdeen not love to be cleared by independent tribunal? Would Subhas Ramkhelawan not like to be cleared by an independent tribunal? Would Phillip Rahaman not like to be cleared by some measure of independent investigation? But that is not what we have because scandal one is buried by scandal two; and then scandal two is buried by scandal three; and then scandal three is buried by scandal four—metronomic regularity. You could set your watch to it, Member for St. Augustine.

Madam Deputy Speaker, if you want to set up special jurors, the same problem that this Government put us in under section 34—because they said they had consulted with the Chief Justice and the DPP when no such consultation took place—you do not bring an amendment to the Jury Act to talk about special jurors in finance and banking without telling us: is the Chief Justice on board with this? Tell us. Is the Chief Justice on board with this? Has he issued some regulations? Has the Chief Justice given us any structural confirmation that this is what he wants? And where is the Minister of Justice in this, again I ask? Where is the Minister of Justice? He is in charge of the criminal justice system.

Madam Deputy Speaker, for those who practise in the courts—and I do not know, but I have been to the courts and I speak to people who practise, and the Member for St. Augustine will bear me out. When you are trying to swear in jurors and you have a special day set aside for juror exemption, the hon. Member for St. Augustine will tell you that the day for juror exemption is packed. Do you know who it is packed with? Not the small man, you know. It is packed with the doctors, the businessmen, the white-collar people, because they do not want to sit on juries.

So if it is you want to amend the Jury Act to bring in special jurors, with expertise in banking and finance, where, pray tell, are we finding them? Because they are all going to seek exemptions. Lawyers do not rat on lawyers. Doctors do not rat on doctors and bankers certainly “ain go rat” on bankers. Correct? Correct, Member for St. Augustine? Correct?

You see, special jurors work in large countries where you have a large pool of jurors, but in Trinidad everybody knows a banker, an insurance man, somebody in the stock market, a pharmacist. Right? And that is the problem we have here. So I would like to hear the Chief Justice’s views on this issue of special jurors because a special juror is going to have to look at this, the Securities Act.

This is the Securities Act. It is over 300 pages long and this is what they will have to determine the guilt or innocence of those persons involved in the FCB IPO. If it is we are trying to set up a commercial court, let the Chief Justice tell us what are his opinions. Let us follow the precedent and model set by the Family Court in 2004, which was a model court. We learn and then we implement, but you cannot set up a commercial court, a business court, with a simple amendment to the Jury Act.

Madam Deputy Speaker, this is something called *Her Majesty’s Courts and Tribunal Service, The Admiralty and Commercial Courts Guide*. This is just a guide. You know what this guide has? Over 100 items to set up a business court, a commercial court that sees about contracts, that sees about

banking, that can handle this FCB IPO issue. That is what we need because this FCB IPO issue is another example of white-collar persons circling the wagons and you will never get to the guilty parties.

For example, did Phillip Rahaman use the funds that citizens gave to Bourse Securities to invest in Savinvest, which is a mutual fund, to buy FCB shares? That is in clear violation of the SEC Act. [*Interruption*] It is not sub judice, I checked. It might be under investigation, but it is not before the court, so do not try that! I had a legal opinion. It is not sub judice. It is not sub judice.

Hon. Member: We are not saying it is. The police is investigating.

3.15 p.m.

Mr. T. Deyalsingh: So the question is, I give somebody my funds to invest in a mutual fund and you take those funds and lend it to somebody to buy shares. That is what the SEC Act contemplates.

Madam Deputy Speaker, you can go on to the Trinidad and Tobago Stock Exchange website and print out the list of transactions for FCB shares from the date of issue to now, and that printout under the Securities Exchange website makes for some interesting reading. If we have to recommend amendments, one recommendation I want to make here is that the SEC—and we as a Parliament to prevent another FCB IPO scandal, because you have Phoenix Park coming up—that the SEC needs to look at itself and ask: is it time to put in circuit breakers and filters?

Madam Deputy Speaker, let me just explain briefly. All of us have homes, we have circuit breakers. We have computers, we have regulators; it regulates the current. If it goes too high the circuit trips off and your appliances are protected. Mature stock markets have these same circuit filters and circuit breakers that do a variety of things. They would stop trading if you have wide price fluctuations or wide volume fluctuations.

The day those 600,000 shares were sold, if you all looked at the history of selling shares the days and weeks and months before, there was nothing approaching 646,000 shares, but on January 14 when 646,000 shares were traded, it passed through the system. There was no circuit breaker. So, you could set your circuit breaker by share volume within a particular range or price if it goes beyond or below a certain price. That would prevent stock manipulation; it would prevent insider trading.

I urge the Parliament and I urge the SEC to look at this issue and let us put in these circuit filters and put in these circuit breakers before the Phoenix Park IPO, because greed is universal, not only in Trinidad and Tobago, but we have a duty to protect the assets of state companies owned by the small man who

cannot understand 646,000 shares being sold. “He doh have one”, but we have to go to constituents and explain that. We have to do that.

Madam Deputy Speaker, there is also another item that—and I am using my own words here—I will wait for the association I am bringing into this debate to respond for themselves. It is no secret that the Clico fiasco, the Hindu Credit Union fiasco and others have been linked to accounting firms in Trinidad and Tobago. I am not going to call out the firms’ names, but there is a large firm, a medium-sized firm and a small firm owned by one person who have been implicated in certain matters. My interest is not in the accounting firms; my interest is not in the Clico matter or the Hindu Credit Union matter; my concern is with ICATT, the Institute of Chartered Accountants of Trinidad and Tobago who are responsible for the practices of their members.

Question again: is ICATT still pursuing investigations into those three accounting firms? I have heard nothing from ICATT in the past two years. Is it that due process is taking place? If so, hooray for them, but I would like ICATT to go on record and tell us what is the state of your investigation into those three firms? Because, again, it goes back to my fundamental problem which happens worldwide where the elite in society judge themselves, but the small man is held to a different yardstick. If you want to have faith in our institutions like ICATT, like the Parliament, we need to do something.

The FCB IPO which the Attorney General raised was spoken about by the hon. Leader of the Opposition, the Member for Diego West on July 23, 2013 because we saw back then, at least he saw back then—he is the leader, he saw it—the potential for abuse. He saw back then that possibly the way this IPO was going to be done would not redound to the benefit of the small man, the blue-collar man, the bank worker, the taxi driver who wants to buy a little 500 shares, and he is quoted in the *Newsday* Tuesday, July 23, 2013 in an article by Chan Tack. I seem to be calling all the newspaper people today, but that is all right.

Mr. Warner: What about *Sunshine*?

Mr. T. Deyalsingh: Were you around then? He goes on:

“...‘The Opposition objects to the small percentage which will become available for purchase by individual...’”

That is what Dr. Keith Rowley said in July 2013, but one man is allowed to get 646,000 shares. We saw it. Sorry, he saw it. He goes on:

“...‘We demand that the Minister of Finance...revisit the prospectus’...’”

He wanted the prospectus revisited as early as July 2013.

“...‘as published and take immediate steps to revise it so as to allow at

least 50 percent of the designated distribution of FCB shares be made available for purchase by individual citizens.”

One man should not get 646,000 shares, especially when he cannot declare where he got the funds from; especially when he is a senior person in the bank. I think he was the risk manager. Is that not the definition of insider trading under the SEC? And Nyree Alfonso rushes in—“nothing is wrong!” The chairman of the bank rushes in. Who rushed in to defend the 8,000 persons arrested under the state of emergency? If it was not for the DPP, all of them “rotting in jail” now. You get one conviction. One! Saying that:

“Saying the PNM ‘supports no business model which could see the average citizen purchaser being restricted to a token shareholding,’ Rowley reminded Howai that—“the First Citizens Bank—“came into being ‘at great expense to taxpayers’...”

All the individuals who enriched and gorged themselves on the FCB IPO, gorged themselves on the taxpayers’ money. Talking about feeding at the trough! That is what went on with this FCB IPO, and we saw it back in July 2013.

He said:

“...the PNM supports no business model which could see the average citizen purchaser being restricted to a token shareholding,’...who were required”—that is the taxpayers—“to foot the bill when National Commercial Bank and Workers Bank were bailed out by injections of taxpayers’ money...”

It is taxpayers’ money that made FCB what it is, but the average taxpayer did not benefit under the FCB IPO. It was a clique, a cabal that benefited. One man, 646,000 shares! And that deal, like section 34, Madam Deputy Speaker, where we were all stained with the same brush, reached the halls of this Parliament again, in the other place. It touched and concerned somebody there. This is how far this thing is; how bad it is. The carcass of this thing smells and stinks to high heavens. If we as parliamentarians are serious, the same alacrity in which we want to pass firearms Bill and anti-gang legislation to catch the bad boys, we must also with the same alacrity catch the others wherever they may lie.

Dr. Moonilal: Karen Nunez-Tesheria would have been in jail now.

Mr. T. Deyalsingh: Anybody. I do not care, hon. Member for Oropouche East. Anybody. But, hon. Member for Oropouche East, you were not here when I said this is something that goes on all over the world. It is not unique to Trinidad. However, other jurisdictions, in an effort to preserve the integrity of

institutions have gotten tough. Bernie Madoff is in jail, Martha Stewart made a jail. The United States, Canada and England have now seen the value of not protecting these people, and we have to take a page out of their book and start to do something.

So I am recommending to the SEC that we put in—[*Interruption*] It does not matter, the names. Do you not understand the principle?

Mr. Indarsingh: No, tell me; tell me.

Mr. T. Deyalsingh: Madam Deputy Speaker, that is why I am suggesting that the SEC looks at itself; looks at the Securities Act and see if it is feasible to put in these circuit filters and circuit breakers so that if you have suspicious transactions they can be stopped. You can suspend trading for, let us say 15 minutes, investigate the suspicious trade, or if at the end of the day before accounts are settled, you investigate those suspicious trades and if found suspicious, investigate them, because this FCB IPO fiasco should not be allowed to happen again in Trinidad and Tobago. [*Desk thumping*] It should not!

I am asking the Government, before they go ahead with the Phoenix Park IPO to please consider the recommendation from this side that we put in these filters, because you cannot stop the greed because there are some people for which enough is not enough, but we have a duty to look at the legislation. This is what we can do as a Legislature together. We could look at the legislation and see what we can do having had this experience. [*Interruption*] It does not matter again, the names are irrelevant. If we get the principle right, then we can stop it in the future. I know the Member for St. Augustine understands where I am coming from. He does. The Member for Couva South would not get it, because he is still asking me about names. I am talking about a principle. [*Crosstalk*] So, Madam Deputy Speaker, those are some of the recommendations we have on this side.

Before I close, Madam Deputy Speaker, I want to touch on a part of the Bill that dealt with fingerprinting. Madam Deputy Speaker, how much time do I have please?

Madam Deputy Speaker: Three more minutes.

Mr. T. Deyalsingh: Excellent. I would like to pose questions to hon. Members opposite. Do you think that the Shanique Myrie case is good law? Do you think that fingerprinting goes against the grain of the Treaty of Chaguaramas? Do you think it is feasible to fingerprint millions of people that come into Trinidad? Tobago gets one million visitors a year, tourists—Trinidad gets a half a million tourists plus another half a million—so we are talking about fingerprinting three million people, two million people. Let us have a proper definition of what a deportee is, because the Member for Diego

Martin North/East raised it. Before I leave fingerprinting, I just want to ask the Minister of Foreign Affairs, in light of the five-year negotiations for Trinidadians not to have Schengen Visas, if we decide to fingerprint Europeans coming here, does it put that negotiation in jeopardy? I would like that question answered.

3.30 p.m.

As I close, Madam Deputy Speaker, the issue of deportees needs to be addressed. Who is a deportee? The hon. Member for Diego Martin North/East raised it. Who is a deportee? He was asking that we put in the regulations that the Minister in his regulations has the authority to list the countries. If you remember, your former Commissioner of Police, Dwayne Gibbs, just before the state of emergency, which he was not a part of, went to Colombia or Brazil and was deported because he did not have a visa. Could you imagine the indignity of this country where your Commissioner of Police is being deported because he did not have a visa, and has to be fingerprinted at the airport because he is a deportee? That is what we are doing. What type of deportee are we talking about: the Dwayne Gibbs garden variety or other varieties?

Madam Deputy Speaker, as the Member for Diego Martin North/East said, this Bill has very many things that are worthy of consideration, but because of the haphazard, illogical manner in which it was brought, we would have some difficulty in supporting it.

Madam Deputy Speaker, I thank you.

The Minister of Legal Affairs (Hon. Prakash Ramadhar): Thank you very much, Madam Deputy Speaker. I am minded to repeat a statement that is not really intended to be funny, but it is. It says that if you cannot impress them with brilliance, you dazzle them with Deyalsingh. [*Laughter and desk thumping*] The inconsistencies of my friend's comments and contribution here today are startling. I shall not go much into him as a person, but what I have realized is that the style of the PNM and their new most eloquent and vociferous speaker in this House, their modus operandi, is to demonize everything, to put a claim of shame on all good and noble things and to ignore the truth. It could not be that they do not have the intelligence to know the difference between truth and what is false, and I find that most troubling, in an environment where this country is, in fact, in crisis in terms of the fear factor of the population.

Mr. Deyalsingh: You promised to stop all that!

Hon. P. Ramadhar: We are taking positive steps to stop it.

Mr. Roberts: Yes!

Hon. P. Ramadhar: Madam Deputy Speaker, let me just say this: my friend took the opportunity to speak of the characteristics of a failed state, and the right and proper Principal of the university at the time, now a Minister in this Government, was quite right to refer to some of the characteristics of a failed state. My friend has alluded to some, but he has ignored the other characteristics of a failed state: where oil was \$140 a barrel the economy of this country was in jeopardy of meltdown; when they allowed by their governance or lack of it—or by their definition of governance—the Clico fiasco to have come; where they jeopardized the economic future of this generation and the other generations yet to come. *[Interruption]* How many billions? Thirty thousand million dollars they jeopardized.

They have the gall to speak about insider trading, when one of their Ministers of Finance—*[Desk thumping]*—and if the Member for Oropouche East is correct, left her home as he said in duster and in curlers—well-dressed—as a matter of high urgency to rescue her investment; of course, to ignore her friends and her colleagues in her own party, to have informed them. But if there was no sign and characteristics of a failed state, where a Minister of Finance acted in complete conflict of interest, then I do not know what is.

Mr. Deyalsingh: And you do the same thing!

Hon. P. Ramadhar: We will not do it, and I will get to this—we will get to this—the change in this country is coming far slower than anybody who loves this country wants it to. But when we came into the authority of the people in 2010, to do the things that we had promised, we are fulfilling those promises, but we have a legacy left behind of failure and of resistance to change by the PNM that had governed this country for two generations. So when they complain about the slowness, that is the system we have inherited, and with an ice pick or with a pin, we shall prick it and “chook” it as they say and make it move along, and we are doing these things.

Another characteristic of a failed state—they have forgotten that murders crossed 500 under them.

Hon. Member: 558.

Hon. P. Ramadhar: I do not want—because, you know, I do not want to trivialize the numbers. Did that happen overnight, or was there not a slow but certain—not just slow, but certain, but a galloping rise in the murder rate? Under whose authority and control did that come? Let us not forget these things.

They speak about OPVs; there is a fixation with the billion-dollar mega projects, but I as a citizen first remember the days before 2010 and into 2010 when citizens would pick up their phones and try to call police stations for

help with the crime in progress, and if they were lucky to have gotten through, because the 999 system that we had found was like “000”—no response. If you are lucky enough to get through, the response would be, “We have no cars.” Some stations did not have a proper shift.

Mrs. Mc Intosh: “Buh we still have dat going on!” [*Crosstalk*]

Hon. Member: Conduct yourself!

Hon. P. Ramadhar: That is not so. So that where they wished to spend—please, with all due respect, Madam, behave as a madam. [*Crosstalk*] Conduct yourself appropriately. They speak of the expenditure of billions of dollars to put assets out into the deep blue ocean, but never cared about putting blue on the streets of Trinidad and Tobago. Today I am proud. [*Interruption*] I am proud today to say that wherever you go in this country, there is a real police presence. [*Desk thumping*] You could ignore as much as you wish, when you measure only by the failures and by the murders, you ignore the successes.

Almost every night on the TV you will see that the police service is lifting itself up by the number of raids, by the number of firearms they are able to capture, by the drugs they are able to intercept, by actually catching criminals in the act. For those who care only of this area, not more than a month or two ago, there was a robbery going down at the yacht club, the police were able to capture them there. You have seen the successes in Chaguanas and in central Trinidad, where Mr. Abraham has said, “There shall be no lawlessness here; you will pay a price.” And you see so many other incidents throughout the length and breadth of this country of the rising success of the police.

Let us not demoralize the good and noble servants of this State who, to quote yesterday at the funeral of our dear departed friend—I am so sorry that my friend had to go and cheapen the loss of her life to score some political points—and, you know, my hair raised when I heard this, that Dana belonged to the order of the brave and the community of the courageous. It is to these people we call now; not the flippant politicians, who come now to share bile and poisons and toxins to ensure, in some way, that they could hold the seat, that they could make our successes failures, because they had their seat on this side for so long and refused to act in the interest of the people.

This is the truth, and you know it in your heart and in your conscience. That when they speak to OPVs and speaking about “who looking and where de guns coming from”—I agree, we do not manufacture guns here, nor do we manufacture cocaine. Where does it come from? Well let us go and search the oceans and find them. But yet, with all of the resources they had, they never put a single scanner on the ports of our country—not a single scanner. [*Desk thumping*] Why is that so? When indeed, without a second thought, you speak

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of containers coming in with drugs here—and I congratulate the Customs officers who were able to ascertain the presence of drugs in that container.

When you hear that a container may have left this country with cocaine in juice tins, a container you know—so when you “talking bout pirogue and you talking bout two/three gun and you capturing on the open seas”, you have wholesale, possible importation and exportation of illegal things. Why did your Government at the time not put a scanner on any of our ports? Answer that, Member for St. Joseph. [*Desk thumping*]

Mr. Roberts: “He cyar answer!” He cannot answer.

Hon. P. Ramadhar: I know as a fact that you do not fix a security fence five miles away, when your home, the door itself is unprotected. The philosophy of this Government was very clear, very simple and promises that we made—and I congratulate one of our former Ministers of National Security, the Member for Chaguanas West, for the work he did as Minister of National Security. [*Desk thumping*]

Mr. Roberts: Very good work.

Hon. P. Ramadhar: That is a fact; getting the assets necessary to police the streets.

Mr. Roberts: “Give Jack he jacket!”

Hon. P. Ramadhar: I have always given Jack his jacket. [*Laughter*] These assets have done incredible benefit to our people, with the cars that we have. [*Crosstalk*] But not just that, when we came into office we realized that there was a terrible shortage of police officers. Member for Chaguanas West, was it 6,000 short?

Mr. Warner: Yes, 6,000.

Hon. P. Ramadhar: Madam Deputy Speaker, 6,000 short, and you have a capacity to train how many, two hundred per year? And you have the gall to talk about PNM Government? They closed down the training centre and our people are dying left, right and centre. [*Crosstalk*] Homes are broken into, women are raped. And you have the gall now to talk, when we take steps to fix it.

Madam Deputy Speaker: Member for D’Abadie/O’Meara, please.

Mr. Roberts: Sorry, Madam.

Hon. P. Ramadhar: The number of police officers had to be rapidly increased. When you pick up your phone now and you dial 999—I had reason to call it, within the second ring it is answered with great respect, the information is taken professionally and you get despatched. [*Desk thumping*]

These are the things that do not come just overnight. It took hard effort to make it happen.

So that if you want to shoot it down “bro”, so that you could say that we fail and “allyuh” coming in next year, have a second thought, [*Desk thumping*] because the truth, as you have said, offends.

Mr. Roberts: “He going back upstairs!”

Hon. P. Ramadhar: But the truth will bury you; it will bury you because of your long history of failure. When you speak about OPVs, boats and ships that could never fire a gun properly—every effort was given under this Government to make this “ting”, “Allyuh fix it nuh man; we want it.” We could not fix it. You wanted us to take that like the *MV Panorama*, I could go to all the ships and boats, the *Su* and everything that you all bought, not “money down de drain”, but money into the ocean. That is what you all want, these mega expenditures, when the simple things do not matter. You did not even spend a real minute to deal with the real changes that this legislation wishes to bring.

Talk about promises and failed promises. The PNM promised a highway to Point Fortin—a stronghold. They did not want Point Fortin to come up to Port of Spain or Port of Spain to go to Point Fortin. They never wanted to connect this country. They wanted to keep it apart and divided, so that your East-West Corridor mattered all, and that has changed. That has changed. [*Interruption*] You want to hear promises?

Hon. Member: Rubbish.

Hon. P. Ramadhar: Let us talk rubbish.

Dr. Gopeesingh: The Member for Point Fortin is smiling now she is getting her highway. [*Interruption*]

Hon. P. Ramadhar: Member for Port of Spain North/St. Ann’s West, you are leaving; I am sorry. The truth does offend.

The aquatic centre that was promised since 1966. “You were born yet, Minister of Sport?”

Mr. Roberts: No, no; three years, I was still somewhere in the dark.

Hon. P. Ramadhar: Well, before you were born, it was a dream, and now you, Sir, under the People’s Partnership Government, are making this aquatic centre a reality, [*Desk thumping*] listed for completion in 2015. Cycling velodrome, 1981. You might have been born by then?

Mr. Roberts: Yes.

Hon. P. Ramadhar: A little baby with a little tricycle, right? You talked about it; that will be delivered in this term. [*Desk thumping*] I really did not want to speak about, you know, they did not do, we do and we do, we do and they did not do, but I want to tell you something, Madam Deputy Speaker, this country is in grave danger because of the propaganda. This is what “dey real good at. If is one ting de PNM good at is propaganda.” They are able to speak in such ferocity and with such conviction, you can almost, if you “doh ketch yuhself”, believe it to be true. [*Laughter*] I will tell you something: the truth shall set us free.

We are not perfect on this side; we are certainly not perfect. We have made a lot of errors, but the will that we have—you are quite right, we have the best intentions, but the systems you left us causing—because you sense almost a political paranoia for many in the system that you would have generated by two generations populating it of loyalists—[*Interruption*]

Mr. Deyalsingh: What?

Hon. P. Ramadhar: Yes, I will say it.

Mr. Deyalsingh: You are accusing the public service of being loyalists?

Hon. P. Ramadhar: And I will give you examples privately, of course. There are people who are interested in nothing other than, “Listen nuh, yuh see dat, I cyar do dat. I will not do that.” They are not interested in improving the lives of the people of Trinidad and Tobago, but we are. We have committed to it.

I will tell you something. All the metronomic regularity of scandals that you speak to, a new dawn has come to this country. When we came in, we said that there will be openness and transparency, and a lot of things that had gone wrong and hidden under the PNM—[*Interruption*]

Mr. Deyalsingh: Like Resmi?

Hon. P. Ramadhar: Whoever do wrong now—that is the mark of this Government—whoever it is, even if it is one of our team players—and I congratulate the Prime Minister for taking real action to do the right thing, even against our own team players. [*Desk thumping*]

Mr. Deyalsingh: You mean when Sat Maharaj said to do it? [*Crosstalk*]

Mr. Roberts: “You just talk already, rest we nuh boy!” We just had to painstakingly listen to you. [*Crosstalk*]

Dr. Gopeesingh: You took all the tablets in the pharmacy.

Hon. P. Ramadhar: I want to ask you, Member for St. Joseph—

[*Crosstalk*—you have to be careful. [*Interruption*] Gentlemen, gentlemen, gentlemen. I just want to ask some questions. I grew up in the courts, so my thing is questions. I do not know if you have the answers.

You are talking about the SEC. Under whose administration was the legislation given power for effecting, to do the things that are now happening within the FCB/IPO issue? Think about it, you may not know the answer. Did you? Did your government of the past empower these institutions or you just put institutions to say you have institutions and no authority, no teeth to get anything done? The FIU, Financial Intelligence Unit—you talk about going after the money. What did you do to empower them, give them the legislative authority and the manual resource to do these things? I am pleased to say, and maybe I should not say it now, but this week at the LRC, the one “dey like to pound Ramadhar for”, Chairman with the LRC—the Attorney General, I want to compliment him. He has brought legislation—and I see some members of the team who may have worked on it here; they were here earlier—that will give further potency to the FIU to follow the money. [*Desk thumping*]

You know, at the end of the day—we all grew with the saying “money is the root of all evil”—the love, I beg your pardon. Money good, but you must earn it properly, legitimately and rightly, because by the sweat of thy brow man shall eat bread.

The FIU will become possibly the most important unit to restore what is right and proper in this nation, because it will be given—and we are doing that—we, we, we, the People’s Partnership, not you PNM—to give the authority to them to follow the money. So that time may come soon, when that power is unleashed—no wonder you all are fearful of us staying in office, because you will wish to push it back to the time that you only have image and no substance. These things do not happen overnight—they do not happen overnight. These are institutional changes, and a whole concept and a philosophy and an issue of having the drive and heart to really belong to the order of the brave to do these things.

And you know the irony, you spoke to the death of Dana. You know who heads that FIU? Her sister. Now the reason I make that connection is this: sometimes the stars align in the most evil of things, the most hideous of experiences for change to come. If Dana’s life is to mean anything—and I worked with her for 25 years—she always sought justice. This Government is giving the resources to all the institutions to restore justice in this society, and that if evil really is founded in the love for money and we give them that power to go after the money, whether you are a tax evader, whether you are a money launderer, whether you are involved in gangland activity, kidnapping, murder and all these things, we are going modern with our approach to it.

I congratulate also the Minister of National Security. Madam Deputy Speaker, I just want to say this, I do not like to speak long, especially after that dizzying effort from the Member for St. Joseph. Let us get to the substance.

Miss Mc Donald: You have no shame in truth.

Hon. P. Ramadhar: They really have no shame.

Miss Mc Donald: You, you!

Hon. P. Ramadhar: You will permit that, Madam Deputy Speaker? I would want an apology for that. [*Crosstalk*]

Madam Deputy Speaker: Hon. Members, I know with the Bill at hand everyone is anxious for their voices to be heard. I want to ask you and to let you know that the opportunity will be yours to speak, and I ask you to take some notes as well. I want to allow the Member for St. Augustine and Minister of Legal Affairs to be heard in silence. Before I take my seat, Member for Port of Spain South, I know your outburst just now was not a pleasant one. I just want to ask you to humbly apologize to the Member for St. Augustine.

Miss Mc Donald: Madam Deputy Speaker, it is with a very heavy heart, because I am really not sorry about what it is. I really do not want to run—I do not want to be—what is it? I cannot even find the word—run contra to any of the rules, because these Government Members say a lot to us on this side, Madam Deputy Speaker. [*Interruption*]

Hon. Members: Nooo!

Miss Mc Donald: It is the truth, but I withdraw the statement, but I am not sorry, Madam Deputy Speaker. I am not sorry.

Madam Deputy Speaker: Member, you have withdrawn. Member for St. Augustine, you may continue.

Hon. P. Ramadhar: Luckily I do not require for my existence the apology from anyone or anything. I live with my own conscience and I do what I consider right.

Mr. Imbert: You do not have a conscience.

Hon. P. Ramadhar: If it is that my friend has a heavy heart, well I just wish you better health. [*Laughter*]

We were on the point of corruption and money laundering and saying that we go after it. Do you know, Madam Deputy Speaker—I was complimenting the Minister of National Security for using the resources of the taxpaying dollar to ensure that we get the best value for money with the latest technology.

During the year 2009, when this country hosted the President of the United States and many others, at CHOGM and these international fora, where billions were spent, there was a false sense of security along the highways. Then you saw what appeared to be close-circuit cameras. But do you know when we examined the quality of picture from those cameras, it was like one of those toys you get, a 25-cents brand, when you pull it out, it was hopeless. You could barely make out anything. The resolution was so poor that they amounted to almost no value whatsoever.

Indeed, yes gentlemen, I am a member of the National Security Council and we had to view an actual killing on Ariapita Avenue in front of one of their cameras, a killing. You saw a form that we assumed to be human, come out of a form that appeared to be a car and you see a flash and a person is killed, murdered just not far from one of these cameras. The police could have found no real benefit to identify the vehicle or the shooter from the quality of cameras that they spent millions and millions and millions for. You know, that is the kind of hypocrisy that we hear about.

“They put blimp”, [*Minister Ramadhar makes vocal sound*] “yuh hearing it a million miles away coming down de road”, like a big, old Dumbo—you know Dumbo?—of very little value to the people of Trinidad and Tobago.

In terms of the communication, they claimed that they have all sorts of high, sophisticated communications in that, but the police cars, the few that were running, did not have radios in them for them to talk to each other. So that one police officer could not speak to another down the road. “Listen nah man, de getaway car coming down de road there.” They had to use their own cell phones, and that is what we are talking about. The rot that we inherited from them is not easy. And you know the old saying, “if you have to fix a old house, sometimes better yuh break it down and start from the beginning. It cheaper and it easier”; unfortunately we cannot do that. So we had to fix a lot of the failures, a lot of the expenditures that they have made, a false sense of security. [*Crosstalk*] All of the brilliance of their plans, none of which worked. Madam Deputy Speaker, I do not, with all due respect—

Mr. Roberts: This is not a snackette.

Madam Deputy Speaker: I want to ask you—[*Interruption*] please, please. Member for St. Augustine, you may continue.

Mr. Imbert: First time you said something valuable. [*Crosstalk*]

Hon. P. Ramadhar: You see, the truth has to be told, and I really wanted to focus on the actual legislative changes that we are about to bring, but I just cannot allow this foolishness to continue, where the propaganda is first and foremost. The truth has no relevance to them. They commented in a mocking way about the issuance of a reward for information leading to the arrest,

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prosecution and conviction for the killer or killers of Miss Seetahal, as if something is wrong with that. But history is replete with examples of bounty being put to ensure that crime is solved.

In the great United States, Osama bin Laden, do you know how much the bounty was? Even the Member for Diego Martin North/East “woulda sell himself for dat”—US \$25 million. [*Crosstalk*]

Mr. Imbert: Madam Deputy Speaker, this Member likes to parade as holier than thou. Standing Order 36(5), that is improper motives, it is the character of the man. I ask him to withdraw it. “I doh sell mehself for \$10 million. Disgusting; Standing Order 36(5).

Miss Mc Donald: And withdraw it! [*Crosstalk*]

Hon. P. Ramadhar: I withdraw that. I withdraw that.

Madam Deputy Speaker: Members, Member for St. Augustine. Members, please, please! [*Crosstalk*]

Hon. P. Ramadhar: Withdrawn, withdrawn.

Madam Deputy Speaker: Member for D’Abadie/O’Meara. Member for St. Augustine, I really want to ask you to withdraw your statement. It is not appropriate.

Hon. P. Ramadhar: Unreservedly, and I apologize to have offended your conscience, Sir. [*Laughter and crosstalk*]

Mr. Imbert: What kind of apology is that?

Hon. P. Ramadhar: I have apologized.

Mr. Imbert: He is insulting the House, not me. What kind of half-baked apology is that? Ask him to withdraw that too, Madam Deputy Speaker.

Madam Deputy Speaker: No, Member for Diego Martin North/East. Member for St. Augustine, you may continue. [*Desk thumping*]

4.00 p.m.

Hon. P. Ramadhar: The US \$25 million reward—somebody may very well, in Trinidad and Tobago, bring some information—[*Interruption*—to ensure that justice is served. So, nothing is wrong with that. In fact, it was a most responsible effort on the part of this Government to do all things necessary to solve this. [*Desk thumping*] Because you know, if you solve this crime then the message will go very clearly that if you could solve this crime you could solve any other and that is the message that has been lost in the society and that is why there is a belief that one could do all evil things that you wish, and in particular the most heinous of murders without any consequence and we need to reset the equation on that.

Because it is against universal laws—for every action there must be an equal and opposite reaction, and something has gone wrong in this country for more than a decade where you can have an action without a reaction. It is numbing to the psyche to understand how it came to be. That just did not happen overnight because it was nurtured, cultivated by an uncaring leadership of this country. So, Madam Deputy Speaker, steps have got to be taken. Criticism is lauded on this Government for the anti-gang legislation that we all participated in, but little do they realize that all a government ought to do is to give the resources, whether legal or material, to the constitutionally empowered authorities to do their job. [*Interruption*]

This Government did not go out and arrest anybody. It gave the tools to police officers. There is an office of the DPP which the police officers, the Commissioner of Police, could have access to for advice at any given time, but that is another point. More important than all of that is, where do we go from here? Knowing all of the rot in the past, how do we move forward? This legislation that has been brought, let me compliment the Attorney General on it. [*Desk thumping*] Do you know in this legislation if you took the time to read it, is a section that says if you interfere, threaten or so, any juror, any person involved in the Judiciary, if you interfere with the judicial system, for the first time there is a penalty of up to 20 years' imprisonment for persons who wish to interfere with the judicial system or any player in it whether you be judge, witness or juror.

I thought that we should speak to that because this is critically important where we have complaints over the years of witnesses who would have been threatened, witnesses who perjure themselves, who change their story, who have amnesia for one reason or the other out of fear, maybe, from persons and nobody took it on. Nobody took it on. We talk about it but no action. We have heard of witnesses being killed. Has there been any effort to really deal with that or just leave it as a normal murder?

This is a cancer on the judicial system, and if you destroy your judicial system you do not just have characteristics of a failed state, you will have a failed state. But this legislation did not come as tombstone legislation after the death of one of our leading lights, it came before then, so we anticipated the possibility of these things and to try to take pre-emptive measures. But my friend, the Member for Diego Martin North/East, speaks about fingerprinting, how you could do a million, how you could do—listen, the law enforcement agencies tell us that a lot of the sophisticated crimes come from deportees, from foreigners, but yet we quibble about fingerprinting? Does it for a moment come into the mind—[*Interruption*]*—that it is the old time—you have to rub up the ink on your hand and—*[*Interruption*]

Mr. Imbert: You are missing the point as usual.

Hon. P. Ramadhar: It is electronic fingerprinting. Like in the United States, you just go, less than a second sometimes to get the reading, and nothing is wrong. In fact, that is the way we must go forward. In fact, I do not know if my friend knows, he is so frightened about fingerprinting, do you know that even to get into Disney you have to fingerprint now?

Mr. Imbert: That is not true.

Hon. P. Ramadhar: Yes.

Mr. Imbert: That is not true.

Hon. P. Ramadhar: When you purchase your ticket and you check in to Disney they put your thumb—*[Interruption]*

Mr. Roberts: Well, you are a Mickey Mouse so you must know. *[Laughter]*

Mr. Imbert: Not true!

Hon. P. Ramadhar: You put your fingerprint and they connect that ticket with the—*[Crosstalk]*

I do not like to shout, but I may have to, to get over the din of foolishness coming from the other side.

Mr. Imbert: You are talking foolishness, not me!

Madam Deputy Speaker: Diego Martin North/East, please!

Hon. P. Ramadhar: Madam Deputy Speaker, do they not understand that this sort of conduct in the House sends a message of absolute indiscipline, lawlessness that contributes into the wider society a lack of respect for institutions. *[Interruption]*

I want to pause on that for a moment, let me hear them make noise. *[Laughter]* Laugh, disturb the people's place and the contribution of a Member who cares.

Mr. Imbert: Cares what?

Hon. P. Ramdhar: Madam Deputy Speaker, all of these things contribute to what is happening. And I am making the point that this Government is taking steps to protect the integrity of the judicial system. This Government is taking steps to protect the people of Trinidad and Tobago, and I was on the point of the fingerprinting, because it is one of the quickest and easiest ways. There is new technology now that you may not even have to show your passport when you arrive at a destination, it will be more in the nature of a

credit card size thing with all the information and you scan, probably, the retinal scan, and you go forward.

So, we know who you are, we know that you have come, but I hear all sorts of concerns about Europe and other countries and whether it is in breach of our relations with other Caricom countries. [*Interruption*] There is no breach, because there is no discrimination. If it was that we decided, look, we just need to have another form signed, would that be a breach? Would that really be a breach? And the day would come where everyone entering Trinidad and Tobago will be scanned one way or the other, whether it is fingerprint, retinal or other ways, as the technology changes.

So, for them to throw up the dust into the air to cloud the issues and obfuscate, which they want to do, we must say, let us clear the air and let us deal with some of the legislative changes that we are bringing here today. I have dealt with the new effort to protect the Judiciary. There is change now for jurors, so we move the age from 65 to 72, which I think is a very, very good thing, because there are many in our society who live very healthily to age 70 and beyond. Many of them are retired who have life experiences that the judicial system could do well with, so we have extended that to them.

The issue of DNA, the collection of DNA. What we are doing now is streamlining and making very simple and making easier for law enforcement so that lawyers would have less space to argue through loopholes as to some little technical issue that an entire case, as we have seen painfully in the past—gets thrown out on. We are just making it easier for the law to be enforced, but they would not speak to these things, they will criticize everything. Now, sometimes there is good criticism and the Member for Diego Martin North/East has contributed in a lot of ways, sometimes, accidentally, to improve things. [*Laughter*]

So, Madam Deputy Speaker, I shall not spend more time because I am really responding to the Member for St. Joseph and I hope that we have identified the dazzle in his razzle of very little value. [*Interruption*] Now, he is a good man, I want to tell you this, he comes from good family, he carries a great name, but sometimes, you know, some of the things he has said, some of the calls that he has made go in direct confrontation to the way his party operates and I am fearful come next election he may not be chosen as a candidate if he is true to what he has said. [*Crosstalk*]

So, Madam Deputy Speaker, I want to thank you for the opportunity and to ask the question, when is it that we are going to get very serious?—all of us across the aisle to really work together to make real change, because a lot of the complaints that we keep hearing about are apportioned to Government. When the Constitution does not allow a government or any administration to

interfere to do things—not interfere in a negative way, but to make the changes in institutions so that we could be more effective, more real and more real time, because we are embarked, this side, on issues of constitutional reform, but the leader of the other side has gone public to say they will support nothing in relation to constitutional reform. [*Interruption*]

The message that he sends then, and I would want to know if each and every Member on his team or otherwise support that call for no constitutional change, so that we will have the same old system playing itself over and over, just the faces may change over time but the game remains the same. Is it that is what they want, for us to return to the paradigm of before 2010 when persons close to the then Prime Minister could do things with impunity, where information could be given to that person so that he could leave before law enforcement takes any action? When the country could scream and beg about their policies without any consequence and they have to wait for an election to remove them and change them?

When we on this side say we want to empower the people with referenda—one example—so you do not have to wait for an election. You have a big issue in the country, what do you want? You want smelter? You say, no, put it to a vote. Let the people help us decide these things. But they do not want that. They do not want any constitutional change to allow the people to have any power other than on election day and then they bamboozle them with propaganda and falsehoods, and then nothing, we are totally disempowered for the entire period that you stay in Government.

Mr. Roberts: Axe the tax.

Hon. P. Ramadhar: Yes, absolutely, we did axe the tax. Thank you for reminding me. They have shamelessly threatened the return of that abominable property tax.

Mr. Deyalsingh: What did you do?

Hon. P. Ramadhar: We have axed it, Sir. We have axed it, PNM. [*Desk thumping and interruption*] They have threatened again the return of smelter and yet they expect that the population will be so blinded by their propaganda—“everything is corrupt, everything is corrupt”—and I think the Member for Oropouche East made the point some time ago that “things eh even happen, buh yuh brand it corrupt to begin with so dat nothing moves”. So when election time comes, “well, you promise dis, yuh eh get dat, yuh promise dat, yuh didn do it.” That is what they want.

So, I heard it today from the Member for St. Joseph about these courts speaking about improper processes being used and therefore they could not be

built and he seemed almost gleeful to know. But did they ever attempt even to cut a blade of grass to find courts? *[Interruption]*

When we came, and I mean it is a fact, in San Fernando there was a court they rented, a building they rented, spent over \$9 million, “it eh even have a window on the damn thing”. Sorry, forgive me. Not a window on it. In Chaguanas the same thing, huge building rented for year after year, never made fit to occupy. We are trying to fix all of these things, but we are met with their bureaucracy, a mindset of no, we cannot, no, we should not, but I want to tell you something—that this People’s Partnership Government, contrary if the truth be told, if it gets rid of all the falsehood that you have put on us, is the best Government this country has ever seen *[Laughter and desk thumping]*

Laugh as you will, but you will not get a smile from the cancer patients who are waiting on the oncology centre. Look now and see, today, let us adjourn this House and go down and see what is happening there now—congratulations Minister of Health for that effort. When no hospital was built in this nation for over 30 years, go to San Fernando and see the world-class, first-class institution that we have. As critical as some may want to be of the Minister, the former Minister, the Member for Chaguanas West, look at the work that had gone in the East-West Corridor and in south and in every corner of this nation.

Mr. Warner: Careful, you will get in trouble.

Hon. P. Ramadhar: I will not get in trouble for speaking the truth on an issue.

4.15 p.m.

That is the point. We do not have to be your friend or your enemy to do what is right. And I could go through a long list of things that we have been able to achieve. This issue, for instance, when old people every year, twice a year, have to go get a life certificate—the people who least need to leave their homes to be interrupted by bureaucratic foolishness—this Government is removing that, hopefully, in this year. *[Desk thumping]*

Dr. Gopeesingh: To certify your life.

Hon. P. Ramadhar: To certify your life? What an insult to humanity that I have to prove I am alive. *[Crosstalk]*

So we could go into health; we could go into education. How many schools? Seventy-odd schools built, under budget and within time. *[Desk thumping]* This is a debate about crime and legislative changes necessary, but it is important that the foundation of your Government is restored to a truth so

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that all these good things will be properly seen and not criticized for the sake of criticism. Let us all now promise to belong to the order of the brave, Sir, and to the community of the courageous. The task is very difficult, but it takes all of us who care to make it happen.

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

Madam Deputy Speaker: Member for La Brea. [*Desk thumping*]

Mr. Fitzgerald Jeffrey (*La Brea*): Thank you very much, Madam Deputy Speaker. After listening to the very virtuous Member for St. Augustine— [*Interruption*]

Mr. Imbert: Virtuous?

Mr. F. Jeffrey: Yes, very virtuous.

Mr. Imbert: Sanctimonious.

Mr. F. Jeffrey: Sanctimonious.

Mr. Imbert: Sanctimonious. Get your words right.

Mr. F. Jeffrey: I thought that for the rest of the time in this House the Member for St. Augustine would never have mentioned the word “smelter” in his mouth. You see, Madam Deputy Speaker, it is one thing to come to this House and talk very sanctimonious, but “yuh doh live it out”. Because in 2007, I and the former Prime Minister, we came down to turn the sod for the TGU power plant and one of the then COP candidates, David St. Clair, illegally jumped on my vehicle and “beat de daylight out ah de vehicle”, Madam Deputy Speaker. [*Laughter*] “De daylight!” Yes!

Madam Deputy Speaker, you know what is strange? You all could laugh at that. What is strange, the person who rose to the defence of David St. Clair was the very, said Member for St. Augustine. [*Laughter and desk thumping*] Madam Deputy Speaker, rather than condemn the COP candidate for his action, the look of the Member for St. Augustine at me, “if looks coulda kill, ahda dead long time ago”. It is a sad day to hear him come here and talk so sanctimoniously about this thing, but I know better. I know better, Madam Deputy Speaker.

I came here to express, on behalf of the Members on this side, our deepest sympathy to the family and friends of the late luminary, Dana Seetahal. And it is my intention to seriously address this problem of justice in this country. I look forward to the early apprehension, conviction and sentencing of those perpetrators who took the life of this great legal luminary, but so, too, it is also for the other 160 persons who would have lost their lives in Trinidad and

Tobago for this year, and I dare say, most of them were by the use of guns.

Madam Deputy Speaker, I have no intention of coming here to look for bragging rights, but for us to really and truly try to see how best we could deal with this administration of justice because, you know, I come from the constituency of La Brea where we see the scales of justice going extremely slow, as a matter of fact, stagnating. Like the people down in the Coffee area, where is the justice for them? But that is another story.

Mr. Imbert: The murder is 163.

Mr. F. Jeffrey: I understand 163 is the murder.

Madam Deputy Speaker, the Attorney General came here and he boasted about some of the Bills that they passed: Anti-Gang Bill, Anti-Terrorism Bill, DNA Bill, Bail (Amdt.) Bill, Firearms (Amdt.) Bill. I am asking the question: is he really serious about addressing the problems of the justice system in Trinidad and Tobago? He seems, Madam Deputy Speaker, to be on a PR campaign, trying to see whether or not he could outdo the former Attorney General, Ramesh Lawrence Maharaj. You know, much legislation was passed, and I think that is his intention, to come here and see if he could pass more legislation than Ramesh did. But, Madam Deputy Speaker, we need to get serious about this justice system in Trinidad and Tobago.

He boasted about the Firearms (Amdt.) Bill that they passed, but I want to remind him that we have amended the Firearms Act, 16:01 at least six times and the destruction of lives by guns has not been abated. I want those on the other side to listen very carefully. Let me tell you something that is indeed very disturbing, and I “had was” to go and consult with some customs officials thereafter for confirmation because from “Speak Out T&T” on the website:

“Port Authority officials working at the port of Port of Spain have admitted that customs only check around 16,000 of the 80,000 shipping containers that enter Trinidad & Tobago ports each year.”

Let me repeat that, Madam Deputy Speaker:

“Port Authority officials working at the port of Port of Spain have admitted that customs only check around 16,000 of the 80,000 shipping containers that enter Trinidad & Tobago ports each year.”

Madam Deputy Speaker, if the majority of murders in this country is by guns, rather than coming here and try to do PR with legislation, we would have tried to address that serious situation.

I want to refer to a *Newsday* article: “Guns in TVs from USA” by Andre Bagoo, Sunday, March 16, 2014. And this is what he says:

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“In what has been described as a ‘new level of sophistication’ in the illegal import of firearms, guns are being hidden in furniture appliances—such as TVs, stoves and refrigerators—imported from the United States of America...”

That is one.

In the article by Shaliza Hassanali—and that one is September 26, 2011: “Drugs, guns and imported chicken

Chicken—mainly leg quarters imported from the United States—is being used as a cover to bring illegal drugs and guns in Trinidad and Tobago. The revelation comes from vice president of Nutrimix Feeds Ltd Ronnie Mohammed who insists that the importation of residual chicken parts from the US is a guise to facilitate the drug and gun trade...”

Madam Deputy Speaker, so we are talking here now, 80,000 containers come in this country, only 16,000 being checked.

I want to go a little step further because, you see, when the—let me go to a next one again, man; I will just do about two more:

“Twenty-two million dollars worth of compressed marijuana was found on Wednesday night inside a container filled with Volkswagen cars at the Port in Port of Spain.”

That is Friday, June 14, 2013, *Newsday*. You know what this says, Madam Deputy Speaker? “All how they were able to get the drugs, the perpetrators and dem were never caught. So you could pass how much legislation, increase how much fines, penalties, increase how much imprisonment that you need”, if you are not going to catch the perpetrators, we are wasting precious time in this Parliament. [*Desk thumping*]

Let me give you another example, and this one is very instructive. They said police made one of the biggest drug busts in Tobago after \$11.2 million in compressed marijuana was found at two locations on the island.

“Officers of the Roxborough Police Station...acting on a tip-off, went to an area close to the beach at Bel Garden.

There they discovered 10 crocus bags containing 166.2 kilos of marijuana in all hidden in some bushes.

The officers then received another tip-off and went to the Englishman’s Bay, where they intercepted a Nissan X trail vehicle with two occupants.

However, upon stopping, the two male occupants of the black Nissan X-Trail exited and escaped into some bushes, but during a search of the

vehicle, officers discovered 11 bags...”

No conviction. So you could increase the penalty as much as you wish, we are not addressing the serious crime situation in this country.

You see, Madam Deputy Speaker, we were told, in no uncertain terms that we do not manufacture guns in this country. And Yvette Holder, who is a consultant, had indicated a long time ago, that fact. She went on to say that, and I quote:

“Smuggled firearms are sourced from South and Central American manufacturers of light arms, among others. Suppliers are from Brazil (which is licensed to manufacture Beretta, Colt and Taurus makes); Venezuela (Smith & Wesson); Mexico; and the Dominican Republic (Klare and Anderson, 1996). These countries all make firearms for domestic sale and for export, ostensibly to governments and licensed private owners.

Weapons manufactured or otherwise available in South America are smuggled through Venezuela, Suriname and Guyana to Trinidad and Tobago via fishing vessels and private pleasure boats. Some proceed to the United States and Europe, all part of the northward shipping of contraband. Weapons from the United States and Canada are transported southward in the shipping of the proceeds from the sale of illegal drugs.”

Madam Deputy Speaker, it does not take a rocket scientist for us to understand the importance—[*Interruption*]

ARRANGEMENT OF BUSINESS

Madam Deputy Speaker: Hon. Member, it is 4.30 and it is a good time for us to have some refreshments, but before I do so I want to revert to an item agenda, “Announcements”.

Assent indicated.

LEAVE OF ABSENCE

Madam Deputy Speaker: Hon. Members, the hon. Kamla Persad-Bissessar, Prime Minister and Member for Siparia, and the hon. Vernella Alleyne-Toppin, Member for Tobago East, have both asked to be excused from today’s sitting. The leave which the Members seek is granted.

This House is now suspended to 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

**MISCELLANEOUS PROVISIONS
(ADMINISTRATION OF JUSTICE) BILL, 2014**

Madam Deputy Speaker: Member for La Brea, you may continue.

Mr. F. Jeffrey: Thank you very much, Madam Deputy Speaker. Hello colleagues, you are okay now? [*Laughter*]

Madam Deputy Speaker, the length of the coastline for Trinidad and Tobago is approximately 362 kilometres or 225 miles, and I dare say little is done to protect our coastlines from the influx of guns and drugs. I listened to the Member for St. Augustine trumpeting so many things for the PP, but I want to refer him to the *Express* editorial of March 30, 2014. Madam Deputy Speaker, March 30, 2014 is under the People's Partnership governance and it will be instructive to repeat what is in the editorial.

“Today, in 2014, we're still wrestling with the same problem of illegal guns which has only gotten worse and more deadly.”

Let me repeat that again, Madam Deputy Speaker. You see, those on the other side would like to bamboozle the national community that things are going nice under this People's Partnership, but let me go back again. This is no PNM magnum. This is their *Express*, March 30, 2014 editorial:

“Today, in 2014, we're still wrestling with the same problem of illegal guns which has only gotten worse and more deadly.”

Madam Deputy Speaker, they could do what they want, they could say how much they want, the reality on the ground is, things are worse in this country than ever before. [*Desk thumping*] This old talk about the People's Partnership being the best Government this country has ever seen, that is a dream. A bad dream too. Bad dream!

Madam Deputy Speaker, I want us to deal with this drug thing and this gun thing very quickly and very seriously. September 16, 2011:—“all yuh” *Express*—

“CUSTOMS and Excise Division officers late on Thursday discovered compressed marijuana valued at more than \$30 million concealed in a refrigerated container at the Point Lisas port.

Officers believe they have disrupted a major drug-smuggling operation at the port following the discovery, the biggest drug seizure in the country for the year.

The marijuana was found in the 31st container...

The container, which had arrived two days before on the vessel Vega Saturn, belongs to a Central businessman, but Customs sources were unable to say if he had knowledge of the drug.”

Madam Deputy Speaker, you find that making sense? What about the sting operation? What about surveillance, whereby you set up your team—and you watching, yes, because the container is cleared—and you wait for them to open the container and so on, and then pounce on them? “No, dey eh doing dat. Dey eh doing dat at all.” I asked the question whether or not those people who are involved in the drug trade—the big fish and them—are they their friends, or are you all their friends or their prisoners? Because I cannot understand all this big drug bust that we have been having in this country, not one big fish has been caught.

Let me go again, September 08, 2013. “All yuh newspaper again.” *Newsday*:

“Trinidad and Tobago is awash with guns. Gang leaders, bandits, drug smugglers are armed and shooting at each other, at citizens, at the police without hesitation. The majority of the weapons are small arms and they are usually ‘imported’ with illegal drugs or there is an exchange of drugs for arms. Drug cartels use their illicit profits to purchase these guns...”

Madam Deputy Speaker, without a doubt, I do not think I need to make any more references that the drug and guns, they are coming from outside, and what we need to do is to set systems in place to curtail or stop the illegal importation of drugs in this country and one of them is the OPVs.

Madam Deputy Speaker, from the time you see a fishing boat or a pleasure craft coming from the coast of Colombia or Venezuela, it is not fish they are going to catch. It is not fish they are catching at all. It is the drugs that are coming into this country. But the problem is: who is the owner of the pleasure craft, who is the owner of those big trawlers? “It eh nobody” from Laventille, nobody from Port of Spain South, nobody from La Brea.

Hon. Members: How you know that?

Mr. F. Jeffrey: Poor people cannot afford that—cannot afford that at all. Therefore what we need to do, Madam Deputy Speaker, is to set the OPVs and them offshore. So you could see, for example, from the time you see those craft coming from the South American mainland, you go and you do your checks and so on to stop the importation. You cannot wait until they reach the shoreline, where we have about 364 kilometres of shoreline, in which to do surveillance. Impossible! There are thousands of fishing boats in Trinidad and Tobago. If you wait until they reach within our coastal waters to say you are going to check, nothing will happen. It is out there you have to deal with it, and the OPVs are a big mistake that this Government has made and we know.

The Prime Minister went down to—was it China?

Miss Mc Donald: Yes.

Mr. F. Jeffrey: Right. And they are afraid to call it OPVs, eh. They call it LRVs. OPV, LRV is the same thing. Do not fool anybody with that.

Mr. Sharma: What CRV means?

Mr. F. Jeffrey: It is the same thing. But more than that, Madam Deputy Speaker—[*Interruption*] OPVs boy, this is serious business, you know.

Our ports—I told you that 16,000 containers on the average are checked, out of 80,000. My stupid recommendation would be to strengthen your Customs, give them the equipment, increase the staffing—[*Crosstalk*] Madam Deputy Speaker, you know I am very quiet when other people are speaking. I think I deserve the same kind of respect from those on the other side.

Miss Mc Donald: Member for Couva South, why you “doh” allow him to speak?

Mr. F. Jeffrey: You want to say something Member for Couva South? Go ahead. Member for Couva South, go ahead.

Mr. Indarsingh: I am allowing you to speak. I am cooperating with you. Just edify me.

Mr. F. Jeffrey: So, Madam Deputy Speaker, I am making the points: I have shown you that the number of containers that are not opened; I showed you that even some of those they were able to open, what they discovered; and I expressed as well that a number of murders in this country are done by illegal guns, and I am saying here as well, that if we set up systems in place whereby you strengthen your borders and your Customs are beefed up with proper equipment and more staffing, that in a large measure would deal with that crime problem, and therefore, the justice system will not have as much work to do with the overcrowding in the justice system.

Madam Deputy Speaker, I want to make some recommendations and I guess I will make that after, because this situation in Trinidad and Tobago is serious. Sunday gone was Dana Seetahal, who next? None of us in this House is isolated from a similar situation and, therefore, we need to put our heads together and come up with serious solutions to this problem. No amount of casting blame and aspersion and so on—I could tell you, Madam Deputy Speaker, this same Yvette Holder, she showed that the big influx of guns in this country came in 2000. From 2000 “ting geh real bad.” PNM was not in Government then, but I am not going there. I am going because—what is the situation now? We are in crisis. We got to stop the illegal importation of drugs from coming into this country. [*Desk thumping*]

Additionally, Madam Deputy Speaker, almost every murder in this country is witnessed by some other person in this country. I do not care what kind of

police we have. They depend on the citizenry to inform them. Great as Randolph Burroughs and Randolph Babb and them were, they had a lot of informers, and the big problem in this country is that people see but they are afraid to talk. I am convinced that there were many people who saw what happened to Dana Seetahal. I am convinced. The more you listen and so on between the lines you will come to that conclusion, but they are afraid to talk because they might be the next person to go.

So we need to set up a proper witness protection programme so that those who come forward will be protected. Giving them bounty—\$2.5 million or \$3 million for coming forward, “dey eh coming no way.” I will collect \$3 million and “then dead next day; dah eh making no sense.”

5.15 p.m.

What we need to do is that when people come forward with their information protect them and their family. Set up a system. And if we deal with that, together with protecting your borders and dealing with the system at the port, a large percentage of the problem will be over.

We also have to sanitize our protective services. I am not only saying the police, I am saying the customs, I am saying the coastguard and the army. You have to sanitize them, because I know of a case when I was vice-principal in Cedros Composite School. One of the residents saw some cocaine coming into Cedros and they called the police station and made a report. Do you know what happened? It was not a good hour afterwards, the person who was bringing in the stuff called the fella and say, “Yuh playing yuh brave. You gone and report me to the police, ah go do for yuh.” You understand what we are dealing with, Madam Deputy Speaker? I am saying here now that we need to sanitize our protective services.

I know that there are many good—I would not say good, excellent police officers. I could vouch for the majority of those in the south-western division and I know them very well. Good men. Sergeant Alexander who hails in central is “ah Lot 10 boy”. Good men; they work hard; they go beyond the call of duty. But they have some crooks in the system and we need to deal with that in order for us to deal with the problem.

Dr. Moonilal: Call the name of the crooks.

Miss Mc Donald: “Doh buy that, yuh know.”

Mr. F. Jeffrey: That will be another presentation; “cah gih yuh everything one time”. [*Laughter*] I also want to talk about the whole question of the 360 degree radar to really and truly monitor our coastline. Trinidad was never as bad as it is now, so let us deal with that.

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Finally, Madam Deputy Speaker, on that regard, a recommendation has to do with education. There is a lawlessness that is taking place in our schools now that students are taught about their rights but never their responsibilities. So, the point I am making here, “yuh talk too hard to a child, he could talk about he rights”, but the responsibility of being disciplined, respectful, obedient, “that eh necessary”. And what is happening here is a breakdown in the society. What is happening outside in the 20-year-old and 25-year-old is down in the school system. The other day, when the parent gave some strokes to the child, we want to jail the mother. I hope good sense prevails, because the problems in the school system started to get bad when certain pronouncements were made. I was there in the system. Right?

Now, as a teacher, I never believed in corporal punishment. I never believed in it; I never practised it. For the 20-odd years I was in the system, I never had to use corporal punishment to discipline students, but that does not mean that it is not necessary. As a young man growing up, the amount “ah cut-tail” I got and I am sure a lot of us did get and it did not make us bad; it did not make us violent. And therefore, one needs to understand that the mistake we make in the school system, we are not going to the homes and repeat that, “we go be in trouble”.

I want to leave that and go on to the question of the jurors. I think the Attorney General started well. He mentioned that in Australia, they raised the age limit to 75. In the Bahamas, Canada, New Zealand and the United States, there are no restrictions, but he only wants to raise it from 65 to 70.

Dr. Moonilal: [*Inaudible*] 75.

Mr. F. Jeffrey: Seventy-five? Okay. Does it mean that he is going to come back—anyway, they would not be here. Sorry, sorry, “allyuh” would not be there at that time. [*Laughter*]

Dr. Khan: “Who go fix La Brea? Remember PNM doh fix La Brea. PNM go fix La Brea? Watch what yuh saying, eh.”

Mr. F. Jeffrey: I will invite you down. “Yuh eh hear we gehing ah hospital too?”

Dr. Khan: “Yuh gehing that too?”

Mr. F. Jeffrey: “Yeah, we gehing that here under PNM.”

Dr. Khan: “Yuh ent get it then; yuh would not get it then.”

Mr. F. Jeffrey: So coming back, Madam Deputy Speaker, I believe that that limit should be removed because the same conditions that would apply to somebody who, let us say is 74, might have some kind of legitimate reason, it is the same will apply, for example, if you are over 75. So, I am saying remove

the limit, and let the circumstances of the individual be brought to bear. I do not see the need for this 75 limit.

Dr. Khan: Remove the age discrimination.

Mr. F. Jeffrey: Yeah, right. Excellent!

In section 8(1), special jurors, they mentioned accountants—just now, let me get the exact thing. [*Looks through papers*] I do not want to be quoting wrongly. Right—banking, finance and one or two others. But, you know something? Medicine is left out and I wonder why. Madam Deputy Speaker, listen to this chilling statement, again, coming from the *Newsday* of March 15, 2014:

“...the agonising and tortured death of tiny Simeon is the most recent case in a pattern of poor procedures and medical negligence, that has resulted in many investigations by the Ministry of Health, all of which have culminated in a failure of justice, inadequate redress, frustration among the poor and vulnerable in society, and a worsening of a culture of injustice and violence that plagues Trinidad and Tobago...”

We need to include medicine in that case because, you know—I do not want to call the names of the other people because of the emotional thing. I am sorry for mentioning about the Simeon child, but I really want us to understand that with the amount of malpractices in the medical system, we need to protect some of the victims’ families. I want to recommend that we include medicine in that listing.

I go now to look at the whole question of Part I, clause 3(c)(ii) and it has to deal with the DNA Act whereby the custodian has sole custody and control of the Forensic DNA Databank. He has sole custody of all DNA profiles received by him. Given human frailty, why not two? If you go to the commercial banks—I think the Member for Point Fortin will tell you as an ex-banker—the key to the vault is never held by one person, always at least two. I cannot understand why we are using this whole question of one person. I think that is courting disaster. Therefore, I want to make that recommendation that we have at least two persons in control.

Dr. Khan: You know there is a custodian and a deputy custodian?

Mr. F. Jeffrey: Yeah, but what I am saying is one person should not—[*Interruption*]

Dr. Khan: What I am saying it is more than one; it is a custodian department.

Mr. F. Jeffrey: Yes, just bear with me a minute. Madam Deputy Speaker—[*Interruption*]

Dr. Moonilal: “Ah lost meh notes.” [*Laughter*]

Mr. F. Jeffrey: Yes, “kinda misplace it in truth”. Just bear with me a minute, I think I will get it.

Madam Deputy Speaker, we are told that the custodian shall be deemed to be a government expert and the whole question—I really want to find out what qualification and experience must someone have in order to become a custodian. You see, we cannot leave that to chance. Right? In the selection of somebody to be the custodian, we would like to know what qualification and experience are desirable.

Therefore, in closing, I wish to ask those on the other side to reflect a little because just going and passing legislation and not protecting our borders, not dealing with our ports, not strengthening our Witness Protection Programme, is like playing “role y poley”.

I thank you. [*Desk thumping*]

5.30 p.m.

The Minister of Health (Hon. Dr. Fuad Khan): Madam Deputy Speaker, thank you very much for allowing me to contribute in this debate, the Miscellaneous Provisions (Administration of Justice) Bill, 2014. This Bill speaks to quite a number of pieces of legislation such as the Administration of Justice (Deoxyribonucleic Acid) (DNA) Act, the Jury Act, the Criminal Offences Act, the Dangerous Drugs Act, the Indictable Offences (Preliminary Enquiry) Act, the Young Offenders Detention Act, and the Police Service Act.

Madam Deputy Speaker, I have listened here this afternoon to a multitude of contributions on both sides and I must say that the Member of Parliament for St. Joseph was quite eloquent in his delivery, because he gave a discourse, not only passionate but also what the Government has been doing to work against the scourge of crime in our country as it is today. However, not being dispassionate, I must say that the Member for St. Joseph started off by critiquing everything that the Attorney General said. In doing so, he was able to just buffer his whole contribution, which would have lasted—if we look at the content—about 10 minutes, to about a full 75. I must commend the Member for La Brea who was short—I do not mean it in any derogatory manner—I mean his contribution, but gave a couple of salient points.

I just want to say a little about the DNA action. DNA is the 21st Century fingerprinting system. It has been used in the United States of America since 2005, but it came into being by a technological matter in, I think, 1984. What the DNA does is it sort of replaces or augments the fingerprinting, which is the rough method of identification of suspects. So when I heard the last time about

the Member for Diego Martin North/East speaking somewhat against keeping the database, et cetera, it got me a bit concerned because we heard today about what happened on Sunday about who, what, where and why, shot Miss Dana Seetahal, and condolences to her family, and we should stop crime, et cetera. But how can we stop crime if we are not giving the police the tools to stop the crime? In order to stop crime or to catch criminals you have to first detect the crime. The detection rate in our country is rising slowly but it needs to be better.

So, the Attorney General, by utilizing this system of detection, which is that of the DNA, which is the 21st Century fingerprinting—I want to quote from a magazine, *Evidence Technology Magazine*. The website is www.evidencemagazine.com. There is an article written by Joseph Blozis:

“Using DNA to Fight...Crime

DNA is a very powerful law enforcement tool...often referred to as the ‘finger-print of the 21st century.’ Less than ten years ago in major cities such as New York, crime scene investigators recovered DNA only in high-profile violent felonies that were associated primarily with homicide and sexual-assault...Other felonies—such as assaults”—et cetera—“where the victim was not likely to die, robberies, criminal possession of a firearm”—et cetera—“were”—not—“routinely processed...”

—for DNA.

However, in 2003 the:

“New York City Police Department implemented a pilot program...” they called ‘Biotracks’ biological tracking.

And in doing so, to précis it, they did Biotracks on every single crime that was supposedly committed and what they found was that from areas where there was no suspect involved, they collected the DNA samples and they were placed—first they were analysed by labs to determine what they call the ATGC content, which is the protein contents of that DNA, and it was fed into a system by a software. The software was initially localized and it was attached to what they call the federal and island-wide database called the CODIS system, Combined DNA Index System.

By doing that, although they did not have a suspect, what occurred, they were able to keep on the database, the DNA, as they say, profile of the “no suspect”, let us say the John Doe suspect, and they found that sometimes, because of this database, they were able to find the matching profiles of DNA profiles, and they were able to target it to a special person or an area or group of people. In doing so, because of the CODIS system and the national database, they were able to decrease the recidivism rate of crime in New York City and crime actually went down. This is about the time of the Giuliani effect.

Now, when you look at it, we are here thinking about starting a database; a national daily database that will be fed into the system. In 2003/2005, they kept this database Biotracks system and made it into, as I said, a formulated system linked to the national CODIS system and a lot of all the other states fed into this software. So they were able to track criminals or would-be criminals or match profiles of crime activity. So doing that, they were able to apprehend criminals. That is a detection rate. That is how they detect people. We are now arguing against having that database.

I remember the Member for Diego Martin North/East indicated why should we keep it for so long? Why should we fingerprint? Why should we this? I will be the first person, if you want to—and I think I would have no—I would not want to talk for the other Members—put my DNA on a database to show the population that we are with it. I will put my DNA on it. Because, you know why? We have to lead from in front, as we have been doing for the last three years. When you say it is going to be mandatory, I have no problem. I will do it and I would expect every right-thinking citizen in this country to come forward and put their DNA on a database.

Right now, we speak about intimate samples and in the definition, a non-intimate sample involves a pin prick of blood. However, that is an invasive method of doing it. What you could also do—and in England and different places, non-invasive samples mean you take from the inside of the cheek, you take a strand of hair. Those are non-intimate samples. Intimate sample is when you go into the genital area, et cetera, the semen, et cetera. We are trying our best to look at the system to determine how we could use technology to determine detection and detection rate. We have a tool here that is a 21st Century tool that will allow us to do that.

What the writer indicates is that:

“In September 2005, the Biotracks program was expanded throughout New York City, and proved to be a tremendous success. More than 3,430 crime scenes were processed in which 6,391 items of DNA-related evidence were recovered. As of April 2008, when the program concluded and stopped tracking statistics, 1,558 CODIS-eligible profiles had been generated, resulting in 692 case-to-offender matches involving 548 offenders, and these statistics are expected to dramatically increase over time. The vast majority of offenders pled guilty and received lengthy incarceration. The program revealed that many of the offenders were recidivists whose arrest records indicated that the crime of burglary”—et cetera—“was a common denominator and that burglary was a stepping-stone to more serious crime. The Biotracks program became a model for how all crime scenes are now processed.”

We are now in the process of doing something like that, Madam Deputy Speaker.

So, utilizing that method of approach, one could be back into the method of taking DNA, et cetera. Now, there are various types of DNA samples. It is a sample that you find, which is called the crime scene sample, that you go to a crime scene, you ward off the crime scene and you take the samples of blood, of hair, of semen or whatever it is, of that area. You process the sample and one of the ways of collecting DNA samples is that you must not put it, any of that material, into a plastic bag because it sweats and destroys the protein and destroys the DNA. However, you could put it in envelopes, et cetera. These are things that would be dealt with in the Forensic Science Centre. That is what they call crime scene samples. Nobody knows who it is.

Then there is what is called the elimination samples. Elimination samples are taken from people who went into the site, maybe family, maybe friends, maybe close neighbours, et cetera. They are eliminating the DNA of that area. So they are known samples and then they have what they call the abandoned samples. The abandoned samples are samples that are found by police that may have been dropped by known offenders. So, you have three types of samples, and DNA has been utilized, as they say for crime detection of criminals and also to protect the innocent who were once incarcerated. So it is something that needs to be looked at. Another point, a moot point, is 1984, a British geneticist, Alec Jeffreys stumbled upon this important forensic tool and today we have to give him his just due.

Now, Madam Deputy Speaker, our law speaks about utilizing DNA with a custodian. The custodian keeps the DNA samples in a proper vault. I would suspect it is not just one person. It will be a department, a custodian department, because it speaks about a custodian, deputy custodian and other people. So, most likely it would be people in that department. They keep the samples but they really and truly do not really keep much of the profiles of the sample. They just store it. The profiles themselves are known to those in the Forensic Science Centre but they do not store it, so they would not be able to retrieve it unless you go to the custodian, sign up for it and move forward.

Mrs. Gopee-Scoon: May I just ask a question? Maybe I got distracted and I was trying to follow your argument. You were saying that who is holding the profiles and who is holding the samples? You said the custodian is holding the samples?

Hon. Dr. F. Khan: The samples that contain the profiles but they do not know the profiles. You cannot go to a custodian and say give me Mr. Jeffrey's profile. You cannot do that. He would not know. It would just be numbered XX123. But the XX123 will be linked in the forensic science person in the

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forensic department to whom that XX123 is. So, in other words, the custodian will be holding the actual DNA sample with profiles but they are not labelled and known as that person. They would not know who it is. What is so hard about that?

Mrs. Gopee-Scoon: No, no, I got the impression from what the AG had said that the Forensic Science Centre are the ones who would be holding all of the DNA samples.

Hon. Dr. F. Khan: No, no, no.

Mrs. Gopee-Scoon: It is in the *Hansard*. I will check.

Hon. Dr. F. Khan: Look at the Bill again. The custodian keeps the samples. That is why they call them the custodian. Check the legislation. You see, the point I am trying to bring across, as the Member for La Brea said, he was worried that the custodian, because it is one person, would be able to give out information. That cannot happen because they are not linked. They would not know who is what.

I would also like to speak, Madam Deputy Speaker, about the role of DNA in profiling. One builds up a database. I feel very strongly about the database, so I want to spend some time on it. Building up a database of DNA profiles, it means to say that you could:

“Firstly, it indicates how common or rare... a particular profile.”—will be. In other words, matching profiles will be rare.

“The rarer the profile, the stronger the evidence that it comes from a person whose profile it matches.”

So if something just matches once, it means to say that that is most likely the person who has done the crime.

“Secondly, if samples recovered from several crime scenes or victims have the same profile, it is likely that the same offender was responsible.”

So if you go to different rape scenes or whatever samples that you take from victims, you find that they are matching samples, the same DNA, as they say chromatography systems, you will find out. It has to be one person to match to that. So you may get a serial killer or a serial rapist like that or a serial burglar.

“Thirdly, the profile obtained from the scene of an unsolved crime might match that of a person”—this is important—“who had been charged in relation to a previous crime and whose profile was recorded in the database. Under current... legislation, DNA profiles obtained from suspects can only be retained in such a database if the suspect is charged with a relevant offence within six months (or if an extension of time limit is

granted by a magistrate). The profile cannot be retained if the person is subsequently acquitted or successfully appeals against conviction, and there is no provision for obtaining blood samples from offenders after conviction.”

5.45 p.m.

So, Madam Deputy Speaker, what this point says is, that when you have a profile from an unsolved crime and you put it into your database, you are matching because of the CODIS-type system. You could put somebody in five years down the road, and it could be matched back to that person, only if that person’s profile is in the database. If the person’s profile has to be removed from the national database, then you will not be able to link it. So it is very important that we keep profiles in that database for a pretty long time, like about 10 years.

So the argument of moving that profile or destroying that profile after three years, if somebody commits a crime after—because normally there are repeat offenders—you will find out that you will lose that connectivity and not be able to match. We have also done in the legislation that the police can ask for a repeat sample, which was not really in the other legislation, that you could not—if a sample is destroyed, or you need a repeat sample, initially, you could not ask for it, after the first time, now you can.

Fourthly, Madam Deputy Speaker, DNA database is feasible to set up the database of missing persons or their relatives, and to look for a profile which matches those of unidentified bodies. It was even suggested that members of aircraft crews and other armed services should have their DNA stored to aid in identification of victims of a disaster or airline mishap, or some other mishap, or bomb explosion—you get parts of bodies, so you can then determine exactly who the people were if you had the DNA sample and the profiles.

Once again, it should be said that you could only match a profile if you have the match in the system. I have to use the word CODIS because that is the one that is being spoken about. You could only match if there is a match to match it with. You cannot match something if you have destroyed it. So keeping DNA in a national database is a good idea, Madam Deputy Speaker.

Madam Deputy Speaker, we also spoke about the—I am going to speak a little about DNA and London. Sorry, this is the United States, Washington. This is a paper written Monday, June 03, 2013 by Lawrence Hurley. It is a Reuters article.

It was—”a major victory for law enforcement agencies,”—where—”a divided Supreme Court on Monday ruled that police can take a DNA sample from someone who has been arrested and charged but not convicted of a serious crime.”

It was a narrow vote, and the opinion written by Justice Anthony Kennedy—

“...handed a victory to the state of Maryland by saying that taking DNA samples from arrestees was similar to taking fingerprints.”

It says, Madam Deputy Speaker, that we have to look closely at taking DNA sample from persons. They say in law enforcement agencies, private security, and it goes on to say that anywhere somebody has a profession that—enters somebody’s home, private security, gardeners, or any form of—they should have given the mandatory DNA sample profile to put in the system.

Now, it goes on, Madam Deputy Speaker, to speak about the actual science behind DNA, but I would not go into that. It says:

“Genetic samples”—however—“are some of the most sensitive forms of personal data. DNA holds the key to a person’s identity and as such must be protected with the utmost care.

DNA profiling can be useful in criminal investigations, and for medical purposes like paternity testing.

The United Kingdom holds the largest database of this kind. Although this information is legitimate and relevant for the protection of public safety, these databases must be tightly regulated to ensure compliance with human rights. The collection of genetic samples must be limited to serious crimes in which DNA is relevant to the investigation...”

Madam Deputy Speaker, it stands to reason that developing a plan of DNA fingerprinting, in preference to actual fingerprinting which is not as accurate. In fact, it might be just about less than 70—80 per cent accurate, with an inaccuracy of about 30 per cent. There was a case, I think by Masefield, who was targeted for a bombing attack, who eventually won the case, because the fingerprints were really that of an Algerian who did the bombing. He won \$2 million as a result of a payout.

We have to be very serious if we are going forward to catch criminals. If we are not going forward to catch criminals, and we are going to put things in roadblocks, and—we could also call a lot of things like personal and genetics and everything else, and stop a database being formed.

Fingerprinting, when you go into the United States of America, you are all fingerprinted and checked against a profile on a computer. There is no reason for us not to do it here, there is absolutely no reason for us not to do it. We need to be able to tag every, single person who comes in to our country and those who leave. At the end of the day, Madam Deputy Speaker, this is a fight against crime. Section 4 of our Constitution indicates that we are—the Government has to give security to the people of Trinidad and Tobago; that is a right, an inherent right.

We as a Government, as we are here now; we have to determine how we are going to exercise the power that we are given, for the benefit of the people of Trinidad and Tobago. And when you see things such as what occurred on Saturday night, you ask yourself, that kind of system—and I do not want to go into police attitude—was not done by a normal random shooter. That was done by somebody with a lot of experience, who had been practising on a daily basis, and who could do that in a rapid movement, and who had practised that. Had we had a database, with different, as they say, DNA sampling profiles, there might have been a match, and then we could have targeted easier.

We also go on, Madam Deputy Speaker, to intimidation of witnesses. Intimidation of witnesses, we all know, exists in this country, and I commend the Attorney General for bringing something that will, as they say, attack intimidation of witnesses. We all know that people—and as the Member for St. Augustine said—witnesses change their story, change their tune, refuse to go to give evidence, because why? They are targeted thereafter. Once we can pass this legislation, and we have to do it with the help of the Opposition, because passing this legislation means to say that our police and our judicial system, will be able to fight crime at a proper level.

We also have to look at witness protection programmes, as the Member for La Brea had said. This is something that had been going on since I have been here, since 1995. This is nothing new, 1995—2001 we were here, UNC; then PNM came in afterwards, back again to us. What I am saying to you, this is something that we have been speaking about for a long time. People are afraid to give evidence against everything. They are afraid to even go to the police, because they are afraid that somebody inside there will finger them to some other criminal and move this way.

I remember between 1995—2000 period, and you could check it. In Barataria/San Juan we started what we called the Guardian Angels group, similar to that in New York City. The Member for San Fernando East was not too happy because he thought it was going to be a vigilante group. What it was in those days was a watchdog group. We had an area you could ring and tell us what you are seeing, and then we would convey it to a police officer that we trusted. That was eventually—it went for a while and eventually dipped, because then Crime Stoppers came into being. That was the same time Crime Stoppers came into this country. We started that in the Barataria/San Juan area.

We were able—I will tell you why, by starting Guardian Angels in Barataria/San Juan, we were able to change the banking in this country, and I will tell you how. At the time what was happening, people were stealing envelopes from mailboxes with people's banking information, and they knew

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it because guess what was happening? All the bank envelopes, people with envelopes with records—the statements came out, somebody came and gave us a bag of them; that they found dumped in a place. We were able to carry it to the police and show that this was what was happening—all the banks were there, and everybody's statements. So the people were able to look and know who to kidnap and how to kidnap and what to do.

What did the banks do after that? They never—and you notice it is happening now—it is from that—they did not put their stamp on it any more. There is no bank stamp on your envelope from whatever bank they are coming from. We were able to change that at that time, and so it works, the system works.

I hear that everyone is talking about it in the papers, and, police are talking because somebody would have seen what happened. Please come and tell us, but who do you tell if you trust no one? You have to start trusting the system. When the Attorney General brings legislation that will protect witnesses, so no intimidation of jurors, no intimidation of witnesses, or else you face a \$100,000 fine, 20 years in prison, it gives people the confidence that wait, something could happen here.

I remember telling—in those days, the then Attorney General, Ramesh Lawrence Maharaj, that in order to protect witnesses, the only way out of this might be a simple solution—but pretty draconian—that if you have a witness to a serious crime, and that witness dies as a result of that, it went so far then the person is automatically guilty. He said that was a draconian method. I said I understand, but we have to send a message that you cannot be killing witnesses. You cannot be doing it. So this is one step in the right direction, for witness protection, intimidation, bribery, juror bribery, et cetera, this is here, intimidation as they say, and I am very thankful that the Attorney General brought it up.

Gillian Lucky in the Opposition—[*Interruption*]

Mr. Jeffrey: Hon. Member, you would not agree with me that if even though somebody—let us assume you are a witness in a case, the person who has an interest in the case may not interfere with you now while the trial is going on, but when the trial is over, okay, the person gets convicted, what happens to you thereafter? The person who was the witness, what happens to them thereafter? And that is where the real witness protection programme has to be—[*Interruption*]

Hon. Dr. F. Khan: I understand. I remember—I was about to say that—Gillian Lucky, I remember, gave a discourse in Opposition, about witness protection and how to do it, and what you are supposed to do, because she was part of the Dole Chadee case, and they had to give witness protection to the

person who gave the information. They were able to put it in such a manner that the person is still alive and out. So they knew what to do and they were giving it to the then, as they say, the then Mr. Manning's regime at that time.

Witness protection is very important, you are quite right. What happens after that? And I will go into something else. Policemen who, as they say, good policemen, sometimes are afraid, and we are trying—we are looking at, and I have spoken to the Minister of National Security, let them take their guns home, because no sense apprehending a major criminal, then you go home with nothing to protect you. So we are looking at that, and as the Minister of National Security has said, he is going to look at that. The Member for San Fernando East and PNM refused to look at that, and I am not saying so because I am here and you are there.

How can you expect a policeman to apprehend a major criminal, then go home with no firearm, with no protection, then he thinks twice, because if he dies, his family is not taken care of. So then we started off the insurance for \$1 million, or more, to take care of his wife and family or her husband and family, the system as they say, wife and family. So it is a big ball game. This is just not a matter of stock customs as you said, Member for La Brea, no offence.

Customs, we have put in scanners in customs, but the scanners are going to detect quite a few things, maybe metallic, et cetera. The other people who got—I do not know where it was again—the cocaine in the tins, they were able to get that cocaine in the tins because something looked funny. They did not get it because they knew it was there. It just did not look right, and they went and they checked the tins and they got it. We have to reach that level of efficiency here.

Now, we have cameras all over the place. We have cameras, but as the Member for St. Augustine said, you can have a camera giving you a panoramic view, when you focus it down, you do not see the face, you “doh” see it. So we had to spend—we have to spend more money in a system that is for, as they say, face recognition, and that level of camera is extremely expensive, but it needs to be done on major routes, not those things that they had before. Then there is the digital system that works with all the different army, police and everybody else, needs to be done. These are the things that the Minister of National Security is doing.

6.00 p.m.

So what we have here is part and parcel of where we are going to go forward—administration of justice, young offenders, jury, et cetera, as you said, making more jurors. You hit a nice point when you said that, in Australia, they had it at 75. In England, they are thinking about putting it to

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75, which should happen in the near future and they said they are bringing two million other jurors into the system. But you made an important point and I have taken that point for the nurses and midwives Bill. There should be no age discrimination and I think that we can talk to the Attorney General. It is a good point. We say 70, but we can go 75, why not go 80, once you are in a sound body and mind, as in a driver's licence report, you are of sound body and mind. We touched on that, the DNA, et cetera.

This is a whole system of looking at crime in a different manner rather than speaking that we should do this or do that. We are looking at it in a sort of deductive manner—look at the crime situation and see exactly how we can beat the criminal. This is not about CSI. CSI is a one-hour show that they catch people and a lot of things in CSI are here, but it is not in the time span that you would like it to be. So we have to give the police the tools. We have to give the magistrates the tools. We have to give the whole system the tools.

As you quite rightly said, today is Miss Dana Seetahal. Mexico City, Ciudad Juarez. You know Ciudad Juarez? Drug area. First it became the police, then it became the legal, magistrate, mayor and politician. It could happen, so we have to put our—we should not wait for that, but that is an example of where we do not want to go; what we do not want to happen. So we have to look at this legislation, determine—as legislators who are here to seek the public interest—whether we want, really and truly, to go after the criminals or we are too afraid to do it.

If you are afraid to do it, do not vote. We are not afraid to do it, so our Attorney General, our Prime Minister, has put this on the table and I think we are going to go forward and, hopefully, one of these days, we can stand and say that we were here, where we did the thing with DNA and jury service and witness protection, and as a result of it crime decreased, as it did in the Biotracks system.

So, Madam Deputy Speaker, thank you very much.

Mrs. Paula Gopee-Scoon (*Point Fortin*): Thank you, Madam Deputy Speaker. I must say that I was happy for the intervention by the Member for Barataria/San Juan, but only to the extent of the explanation of the DNA database. I think we needed that. I am not sure that the AG had given enough of an explanation on that. So, I was happy to hear about it, but I still think I want to clarify because I just peeked at the legislation whilst you were on your feet and it is the Forensic Science Centre who will hold the samples and the custodian who would have control over the profiles. I checked the legislation. [*Interruption*] Yes. That is what it is.

Dr. Khan: You are right.

Mrs. P. Gopee-Scoon: I checked the legislation, so that is what it is.

Dr. Khan: What I was trying to show is that it is separate. You would not be able to link both together, but thanks.

Mrs. P. Gopee-Scoon: They are separate and that makes sense, but I will speak a little bit about that a little later on as well.

I really want to join and pay a little tribute to the Member of Parliament, Dana Seetahal, who was murdered last Sunday and whose death has shocked the entire nation. She was someone who worked tirelessly in advocating for the right legislative measures to fight crime and she was passionate of ensuring that the national security apparatus had the right legislative tools.

I did not know her personally, but I had some exchanges with her and, of course, I identified with her greatness in the field of law and also I found her to be a legal luminary, but with her eyes strictly on justice; and, of course, judging from what was said in the public domain from members of her family who spoke and the persons whom she interacted with socially as well, she appeared to be someone with spunk. So she had great balance in her life and great love for mankind and it seems to me that hers was a life well lived.

On behalf of the people of Point Fortin, I do commiserate with the family and the legal fraternity, in particular, on the passing of Dana Seetahal—a life well lived.

Certainly she was a Member of Parliament and a newspaper columnist and I think there is much she has taught us that we can take in our roles as parliamentarians in assessing legislation.

I know that she worked with the Ministry of the Attorney General and that she had assisted in the preparation and drafting of several Bills and so on, but I somehow feel that I do not think she would have felt that what is before us is entirely effective—this Bill that is before us.

I understand the importance of the Bill before us, if I am to say so. I do understand the importance, and it is something that we would want to assist with, in principle. However, I think the previous speakers have pointed out matters that need to be looked at and tweaked and, therefore, I think, as the Member for Diego Martin North/East had pointed out, there needs to be a conversation with both sides. There must be cooperation into fixing this properly before we can add our support to it. Otherwise, later on you would find that there are problems down the road and that what we have passed here today really would have no real effect on the crime situation.

So I will add a little bit more to what my colleagues have added, but I understand, as I say, the importance of the Bill. Crime is the most pressing issue in the nation today. It is ahead of corruption, which is also a pressing

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issue, and this Government surely has not been able to get a handle on the crime situation. They have really failed in terms of providing effective leadership in the fight against crime. I can really see them now, their status being confirmed, as an opposition party in waiting. I think that is the true status that we could assign to them at this stage for their failure in managing and leading crime and corruption as well.

So, we have seen several things coming from the Government that are supposed to resemble something of a crime plan. One of them, that I have seen, is a most dishonest advertising campaign that says that crime is down. I am really disappointed in the way this has been approached by the Government. That is one way that they have sought to impress the community that crime is on its way down—that is, through this dishonest campaign. The other way is by bringing piecemeal legislation—because I can only describe this as piecemeal legislation—a number of amendments, but really provisions, which I do not think would be quite effective in the form that it is. [*Crosstalk*]

My colleagues in front of me are disturbing me. I ask myself another question, Madam Deputy Speaker: why is this brought again today? Before, we had the conversation that was recommended by the Member for Diego Martin North/East. And, why? It was only on Monday, I believe, that we got wind that this will be discussed today and I trust and I hope that the Government did not seek to bring this here to take advantage of the prevailing mood of deep sorrow following Miss Seetahal's murder.

Again, as was said before, this cannot be passed today. The Government will not have the majority. We are not going to support it in its current form, in principle, yes, but not in its current form and I just trust that the purpose of bringing it here is not to take advantage of the mood of the country on account of Miss Seetahal's passing.

I go back to their plan. Their plan, and I think it is a very dishonest plan—of the advertising campaign where they used, I understand, Mr. Tony Deyal, who is a satirical columnist in the *Sunday Express*, pretty much a joker. I understand that he was paid something like US \$120,000 to do this campaign.

Mr. Deyalsingh: What campaign?

Mrs. P. Gopee-Scoon: You know the campaign that crime is down, trying to impress upon the country that crime is down? I understand that he was paid TT \$800,000 to come up with this campaign. It is disappointing that that is an avenue that they should choose. Really and truly what they are doing is that they are using statistics from 2008 and comparing it with the statistics of today, 2014, and showing, of course, that the disparity between 2008 and 2014 is something like 25 per cent. That is what they are trying to show. In fact, when they had come in, in 2010, there were a number of policies.

Of course, we had been trying with this scourge of crime, probably for the last decade or so, and there were a number of measures—some of them we failed at and some of them that had been working. Certainly the fact of strengthening SAUTT, for instance, the Special Anti-Crime Unit of Trinidad and Tobago, to provide assistance to the police was an effective one and that measure was beginning to have an effect.

So that, when in 2008, yes, it had spiralled—it had peaked at over 500; certainly in 2009, it had begun to come down because of the measures that we had put in place; and certainly by the time that they came in as well, it had in fact gone down even further. So, I really find it very dishonourable that they would allow this clown—that they would spend taxpayers' money on this ad to deliberately mislead the public to think that crime had been down by 25 per cent. In fact, I am talking about murders being down by 25 per cent, to be more specific, and that is not the case.

Why did they not use the comparisons from 2010, to 2011, to 2012, to 2013, to show the public that they have done nothing and they have not been able to put a dent in the murder rate? They have not been able to have any meaningful effect on the murder rate.

As I said, very dishonest that advertising campaign to pay \$800,000, through the GISL, to attempt to fool the population that crime is down and then, of course, bringing today the other side of their two-pronged approach, unworkable legislation, which does not have the supporting administrative provisions to make it effective and which in themselves, as I said, need some adjustment so that it would be effective.

For instance, they talk about—I am happy that the Member for La Horquetta/Talparo is here because there is something I want him to clear up with us. For instance, we spoke about the extensive provision for increasing the number of persons, including all deportees, that would be required to provide a DNA sample. I am saying to you, Madam Deputy Speaker, if it is we were to pass this Bill today and it were to become law, does the Forensic Science Centre, as it is, have the wherewithal to store and provide access to this national database that is being recommended here?

I am aware that the Forensic Science Centre has outgrown itself, both in terms of physical capacity and also in terms of tools, et cetera. It is really under capacity as it is and we are aware of that, but when this Government came in, they did absolutely nothing about it. They are the ones who advocated this 120-day crime plan and that everything would be in order. This is the ticket on which they came into Government. So the Forensic Science Centre they have done nothing about and it is really at its lowest now in terms of its ability to perform functions that are necessary at this time.

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In fact, two nights ago, there was a pathologist, or he may have been a forensic science expert, who was on television and he was speaking about the appalling conditions under which the employees have to work there. He was also addressing the poor quality of the equipment, which was not up to international standard. I do recall there was a young girl who was murdered in Point Fortin. She had gone missing, was murdered, burnt, and her remains, I remember, had to be sent to Barbados, firstly, and then to the UK for investigations and so on.

It tells you that we are not really up to international standards. It is bursting at its seams and I cannot understand how you are going to introduce something like this national database that so many people have to provide DNA samples for. They are the ones who are going to store and have responsibility for the bank, even though the custodian will have responsibility for the profiles. But, how could the unit of the Forensic Science Centre, in its present form, really accommodate this national database? Do they have the staff as well to accommodate it?

6.15 p.m.

So even the pathologist or the forensic expert who was on television, he was saying also that the air quality was not even up to standard—not even up to the standard required to prevent the degradation of forensic material—and that, in fact, has affected the quality of work which they can produce.

So, again, all I am saying is that if this Bill is passed, and requiring this increase in the DNA database, I do not know that it would really have any effect on crime. I do not even know if it is going to be effective given the weaknesses in the administration; given the weaknesses in the capacity, and in the physical capacity as well of the Forensic Science Centre. So, really, given those constraints, I really cannot see that all of what we have spoken of today in terms of the DNA database and the introduction of the custodian and so on, I am not sure that anything is going to come out of it. I do not even think it is going to take effect. I think we are mouthing this legislation, but I cannot see any of this coming into effect very soon. I just do not see it, not with the state of the Forensic Science Centre as it is today.

And, as I said, we were the ones who had built it, but over time it has outgrown itself, and this Government has done nothing about it. We know that there seems to be a policy of this Government to run down offices and buildings in Port of Spain. You know that. And then the next thing is that these offices and buildings are transferred to Chaguanas or Penal. Those are the only two growth poles that appear to be growing.

Dr. Moonilal: And Point Fortin.

Mrs. P. Gopee-Scoon: Point Fortin? I understand you are going there to distribute houses tomorrow. You did not even have the courtesy to invite the Member of Parliament. I would come back to that at another time. [*Member for Oropouche East on his feet*] I am not giving way to you. You will speak after me. [*Crosstalk*] Maybe there is none; maybe you have cancelled it, but I know it was being planned.

Dr. Moonilal: Nobody is distributing anything, you are misleading the Parliament. [*Interruption*]

Mrs. P. Gopee-Scoon: I would speak to you, Madam Deputy Speaker. [*Crosstalk*] Madam Deputy Speaker, what I was saying is that they have a policy of running down buildings in Port of Spain and trying to develop only Penal and Chaguanas. Nothing is wrong with developing those areas; absolutely not, at all. I support it in a sense, but not to the extent that they have been doing, and I feel that that is what they are doing with the Forensic Science Centre. The next thing you know there would be a sod-turning ceremony for a Forensic Science Centre somewhere in Chaguanas or Penal. I feel that is what is coming next.

Mr. Baksh: Cuchawan Trace.

Mrs. P. Gopee-Scoon: Cuchawan Trace? I really do have to visit Cuchawan Trace. I could just imagine how it has developed. But, Madam Deputy Speaker, I go back to this piece of legislation. The question is: will it have any real effect on the rate of murders and on serious crimes the way it has been put here today—or, in fact, in April, two weeks ago, when the AG had introduced it.

There is something I wanted to raise and I would like the Member for La Horquetta/Talparo to probably clarify if he feels he wants to—oh, he has gone—When he spoke on April 04, I think it had been on the Finance Bill, he announced that he had a business relationship with someone, a Mr. Fallon Thomas, and he said that they had formed a football club. And you know, Madam Deputy Speaker, when you say you form a football club, it is not really just a pastime, you know, it is a business. It is a business that attracts investments and so on and you run it like a business. So, the Member for Chaguanas West, had he been here, he could tell us about that. I want to go to the *Hansard* and to use the words which were uttered by the Member for La Horquetta/Talparo and he said:

“Mr. Speaker, when I came into the constituency, I started a sports club called the La Horquetta Sporting Academy. In 2010—I want to put on record in this House, that I and a gentleman by the name of Mr. Fallon Thomas were responsible for registering and starting this La Horquetta Sporting Academy. The reason...why I want to put it on record is that

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there was a PNM meeting in La Horquetta recently and they were laying claim to this sports club. This sports club was started by me and on that sports club I got in contact with the Minister of Sport, and this is one of the first LIFEsport Programmes that he launched right there in my constituency, in the heart of La Horquetta, in the heart of the constituency which was theirs.”

So, I do not know anything about this sports club, Madam Deputy Speaker, or anything about the PNM laying claim to it, but what I have been advised—and I used that term which the Prime Minister uses—I have been advised that the person with whom the MP for La Horquetta/Talparo claims that he started this sports club—and I believe it is an investment—his partner is a deportee who is well known to the police. That is what I have been advised. So, I would like him to clarify. Let me tell you something, I have no problem at all with the rehabilitation of any persons and so on; I do not have a problem with that, but I want the clarification.

I would like to know whether or not the Member will be willing to advise his business partner that he now needs to provide a DNA sample that would be kept on record for 25 years even if he has committed no crimes following his deportation, but I really would like to know more about this. I think the public will want to know. It was brought to my attention after it had been seen on the Parliament Channel. So it is out there. I am somewhat concerned that a Member of Parliament would openly claim to be in business with a criminal deportee well known to the police. That troubles me a bit. *[Interruption]* Sorry?

Dr. Moonilal: The criminal deportee.

Mrs. P. Gopee-Scoon: No, I am concerned about the alliance between this deportee and a Minister. I do not know how we could be, on the one hand, passing legislation that targets deportees—compelling them to give DNA samples and so on—whilst a Minister of Government is involved with this particular deportee. I do not think that sends a proper signal, and I would like the Member to address that. I must say the Member is my friend, but I would really like him to address it and respond to it.

Mr. Seemungal: Do you want me to respond? I would respond afterwards.

Mrs. P. Gopee-Scoon: You will respond after? Not a problem. Madam Deputy Speaker, there are some other matters that are of concern, and I would just like Members on the other side, if they are aware of them that, perhaps, they can give an explanation in the House because these things are out in the public domain, and people are really very concerned about the implications on crime and so on.

I noticed in the *Newsday* of May 08, there was a story about gang operation. Let me quote from the story. It reads:

“Sources added that a man in charge of a gang in East Trinidad recently moved to Laventille after another known gang leader was jailed under the anti-gang legislation.”—this is a story in the *Newsday*—“The East Trinidad gang leader is now controlling gangs in Laventille and Beetham and is believed to be the mastermind in the murder of Sentinel security guard Bert Clarke, 59, on Wednesday November 27, when millions of dollars belonging to various banks were stolen by the killer.”

Now, this kind of reporting—I do not know if it is the truth—really sends chills down the spines of most persons in Trinidad and Tobago. It is that I really do believe that we have entered a very dark place in our history when these are the kinds of things that are reported in the newspapers. So it speaks about these gangs in east Trinidad, but I am scared and there are many people who have said that they are scared as well.

The point is, I am also advised by persons out there that there are gang leaders who are in receipt—I would want the people on the other side when they respond to me to respond to that—of contracts from Government. I am hoping that that is not so. If you wish to correct it now, I would give you the chance, but what I am trusting is that there is no link in that article about these gang leaders, and the fact that there is something out there that says that there are those gang leaders who are receiving contracts from the Government.

What I am saying is, we cannot be attempting to provide for the administration of justice and so on when, in fact, there is this hint out there and this link that suggests that the Government might be providing the financial ammunition for gang leaders, and that is something that would be of concern to any Trinidadian and Tobagonian. I would want—particularly, it speaks to gangs in the east—any of those MPs that are along the East-West Corridor, if they are aware of any such links or any gangs and so on—the situation that we have entered to in this country today—you really have to come out and assure the population that these matters are being dealt with.

The situation is so bad, Madam Deputy Speaker, I am sure that you heard that even the Permanent Secretary in the Ministry of Sport has had to flee this country recently as he was alerted that a threat had been made on his life, and this is a very, very, serious matter. I would like the Member for D’Abadie/O’Meara to throw some light on this or to correct me if I am wrong, but certainly explain to the House whether he is aware that his Permanent Secretary had received word of a hit that had been placed on his wife, and he immediately left the country with his wife. If that is so, if the Minister is aware of it, what has he done with this information and what steps has he taken to secure the safety of his staff?—and, again, all of the circumstances

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surrounding it. I really would be concerned that he sees the importance of giving the background of this information that has caused his Permanent Secretary to flee and that is if, in fact, that is so. So, I wait for the clarification during the course of the debate.

Going back directly to the Bill, clause 4 seeks to widen the pool of potential jurors to age 70 to increase the bank of persons who would volunteer to serve on juries. The AG is quoted as saying that this has been done in the UK and Australia. Whilst I would support it from the point of view that I think persons at the age of 70 are quite lucid and quite in tune with what is going on, and many of them would want to contribute to these cases being solved and so on, but in today's environment, I am also very concerned that many persons are really not going to want to volunteer at this time. The AG is saying that they have nothing to fear and maybe that is why people at age 70—in other words, they are close to the door of heaven and, therefore, they should have nothing to fear.

But the point about it is everyone has something to fear in this country, now particularly so where we have reached the point where you have a State Prosecutor being gunned down in cold blood. I ask the question to the AG: if there is nothing to fear—[*Interruption*—I am concerned that any person age 70 would actually give of themselves to volunteer their services with the scenario as it is in Trinidad and Tobago. He said that research had been conducted, and this is why he was advocating that, but I do not know that any research has been done in Trinidad and Tobago and so on.

6.30 p.m.

The other thing that I found with the presentation by the AG is that he did not really show us how the legislation that is being brought here today would make a difference. So we got all of these pieces of legislation, but what he needed to impress upon us and the public is how the legislation would make a difference. For instance, how many DNA samples have been retrieved in past murders that remain unsolved of the failure to find matching DNA samples? This is the kind of information that he should come with. In other words, yes we had the DNA samples, but the murders remain unsolved and it is because of the failure to find the matching samples.

So, he really should come here to show us and to measure, to give us the figures as to how the murder rate would be reduced; the crime rate in general would be reduced by this new ability to match these DNA samples and so on. That is the kind of appreciation that we would want, to show that the legislation which has been put forward can, in fact, be effective. Of course, I would have expected some kind of justification that the facilities and the personnel at the Forensic Science Centre would have been made effective as well to accommodate all that is being put forward today.

The other clause that I should have mentioned when I spoke to the clause on the jurors up to age 70, is clause 4(d) which would amend section 7 of the Jury Act to eliminate the exception of spouses of judges, Members of Parliament, mayors, deputy mayors, magistrates, et cetera, et cetera. Again, they really seriously have to think whether, after the events of last Sunday in particular, whether anybody would want to volunteer to serve on a jury, because people are scared as hell out there. It brings us to the point again where this Government has really failed in its responsibility to secure our country.

They think that money would be able to solve this problem, and the point about it is it will not, because Crime Stoppers has offered \$1 million—they have come now, and that was following the robbery of a courier vehicle transporting money to the banks. But, Madam Deputy Speaker, no one has been arrested, and both the robbery and the murder, with regard to that particular event, remain unsolved. So that the Government has put another \$2.5 million and hopes that it would make a difference with regard to the Seetahal murder. But I do not think that it is going to have any effect at all. In fact, the effect might be zilch as it had been with regard to the bank robbery where a death occurred as well.

I mean, it comes back to the point that the population has lost confidence in this Government in terms of its mandate to control crime. It is based on that and for all the other reasons that we have put forward, that we really think that this Government has entirely lost the moral authority to bring any kind of legislation to this House in order to solve crime.

I expect therefore that the person who follows me, the Member for La Horquetta/Talparo and also the MP for D'Abadie/O'Meara, that they would try to give some explanations on this very dangerous situation, where a Senior Counsel has been gunned down. But here we are, a Permanent Secretary has had to flee and, of course, the other situation with the Member for La Horquetta/Talparo where, I do not know, he seems to be working at cross purposes with the Government as well. So I have concerns for all those things—*[Interruption]*—yes, cross purposes with the Government.

Mr. Seemungal: Can you explain?

Mrs. P. Gopee-Scoon: You will have a chance to clarify.

Mr. Seemungal: You clarify for me.

Mrs. P. Gopee-Scoon: It is, Madam Deputy Speaker, that we no longer have any confidence in the Government in tackling this crime situation. Really, I think the only way that we could help this whole situation is perhaps with a change of government.

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Public security—I hope the Government is aware it remains or ought to remain the priority for this Government or for any government at all. The point is the threats and the concerns in the public domain are very, very real. The peace and the security of every Trinidadian and Tobagonian is now threatened. Our political instability is well known. Our prosperity in Trinidad and Tobago is threatened. The world is aware of the state of criminal activity in Trinidad and Tobago.

I ask you, Madam Deputy Speaker, which investor is going to be anxious about coming here to seriously invest in Trinidad and Tobago? I am asking you, which tourist will ever put this as their prime destination? With due respect, this Government just has not exhibited the wherewithal to prevent, to fight and to eliminate crime and then, of course, to deal with all of the financiers and the facilitators as well. I do not know that they have the resolve to do it.

So many countries have cooperated with the Government. I am aware of it. Colombia, Brazil, the US, the UK, in so many ways, including extradition, but yet still they have not been effective, and that is the harsh reality. The illicit trafficking in drugs, in arms, in ammunition, in explosives and in persons is out of control. And why? We have said it, and every speaker on this side should say it as well, it is because our borders are porous, and you could add the loss of Dana Seetahal to that.

Just think of the sophisticated weapons used. How did they get here? How did they get here? Through where? It has to be through those borders. The “PNM OPVs”, as they are deemed by the Government, are right now patrolling the borders of Brazil, while the human cost continues to mount in Trinidad and Tobago.

We are all hearing from them now that Trinidad and Tobago should be the headquarters for the Arms Trade Treaty. I want to make reference to the *Guardian* newspaper article of Sunday, February 02, 2014. They seem to want to align themselves very much with this Arms Trade Treaty. Yes we have signed on, yes we needed to sign on, but it was not entirely of their doing. Following from that, let me make reference to the *Guardian* newspaper, it is headlined:

“PM bids to host secretariat for Arms Trade Treaty”

And she said this on her return from the CELAC meeting in Cuba. She is quoted as saying:

“...guns are creating havoc and great sadness in our own country...”

Always a bang on the return, you know, with a barrage of Ministers behind and so on. Just talk, but very, very hypocritical, that Trinidad and Tobago can

see themselves, that out of all the countries in the world, that this would be the best place to house the secretariat for the Arms Trade Treaty, when, in fact, the Government has not taken any effective and substantial measures to really control the entry of drugs, arms, persons, ammunition and so on. So really, this is very hypocritical of them to ask that the world should see them, see Trinidad and Tobago as the ideal place. It would have been good, it would have been nice that it is placed in the south among the Latin American and Caribbean countries, but really they have no basis to ask for it.

The Government has failed in their responsibility in keeping this nation secure, and the point I am making is that they should never, never have broken that OPV contract. It is a huge error, a huge political error, and they are going to see the effect of it. It is a huge political error for which the citizens of Trinidad and Tobago continue to pay the price. There is loss of loved ones; there is safety compromised.

The trouble, Madam Deputy Speaker, is that they have played all their cards already, so I do not know what they are going to turn to next. They have played all their cards already. You have had four Ministers of National Security—gone; SAUTT, dismantled. They have not dealt with the criminal gang problem. There is no border control. There are poor detection rates. There is no confirmed Commissioner of Police to date. The foreign ones who were here were dispensed with, and now we are hearing that they are going to be sending back more foreign experts. In short order, they have lost the war on crime. The Government has lost it, so the country needs help.

Let me say, just before I begin to wind down, that the country needs help. The Dana Seetahal murder is not the only case that this country should be so alarmed about. I think about the case in Fullerton, Cedros where, on the morning of January 07 this year, 2014, we awoke and the sleeping village of Fullerton awoke to hear of the death—brutal, gruesome death—of Mr. and Mrs. Ramdeen. Five months now no arrests, no prosecution. Loss of loved ones, no arrests, no prosecution, and it really points to the fact that the Government has failed all, each. And there had been another murder in Erin, in the constituency of Point Fortin as well, unsolved. So it is Dana Seetahal, it is the Ramdeens, it is my other constituent who has died. There are so many murders in this country, and they all have remained unsolved.

So the country needs help, and it is that this Government has to go. I think they are quite spineless. They would like to show us differently, but they are quite spineless, and I can only point my finger at them for the risks that we now all face. I too, I can tell you that I am not staying here at any ungodly hour at all, not putting myself at risk. I do not have any security. I have no security at all.

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They on that side have it, but we are all at risk. We are public officials, and I am not going to be staying here beyond a reasonable time. So I really suggest that we start earlier if we are to get any meaningful debate in during the course of this session. But I cannot put myself at risk, and the country, people out there cannot continue to live like they are living. But anyway, May 23 soon comes, and I think that is when the country will be sending a strong message to this Government: do not stop; do not pass; go, just go straight to a national election. That is all that is needed here. We have to have a national election in this country because, after all the things they have said, and very lofty presentations have been made—even by the AG in presenting this piece of legislation—at the end of it all, justice has been denied to the people of Trinidad and Tobago, Madam Deputy Speaker.

With these few words, I will end my contribution. [*Desk thumping*]

The Minister of Land and Marine Resources (Hon. Jairam Seemungal): Thank you very much, Madam Deputy Speaker. The young people have a saying when referring to the PNM in my constituency, that they talk loud and continue to say nothing, absolutely nothing.

For the last 25 minutes I have been sitting here at pains listening to the Member for Point Fortin. When the Member for Point Fortin speaks and when Members on that side speak in this House, they speak on behalf of each other. They represent the People's National Movement. They have shifted away, totally away, from the Eric Williams' People's National Movement, to listen to the Member for Point Fortin chastising the young people of La Horquetta.

I did not intend to bring my constituency into this debate but I will spend my time talking about my constituency in this debate, because I am passionate about the young people in my constituency, and I am passionate about the young people, not only there, but throughout this country. [*Desk thumping*] The legacy they have left on the young people, and why they are there today, is the People's National Movement's legacy that has the young people in this country fighting each other. They have destroyed the entire family system in this country.

Today, when I listened to the Member for Point Fortin asking me the question as the Member for La Horquetta/Talparo, what is my relationship with Mr. Fallon Thomas and the La Horquetta Sporting Academy. Well, let me explain to you, Member for Point Fortin.

When the PNM was in office, for eight years, Madam Deputy Speaker, for eight years they had the constituency of La Horquetta/Talparo; they felt it was one of theirs. It was a giant among the giants of constituencies, because it was a constituency they never felt they could have lost in the history of this

country, until I came into office. This is why they are coming to this House to chastise the young people, and that is why the young people have voted against them in La Horquetta.

They will continue to vote against them, not only in La Horquetta, but all along the East-West Corridor, because that is the type of legacy they have left for the young people. They have brought it into this House as well, by ill-speaking the La Horquetta Sporting Academy, which comprises young people in La Horquetta. In their time, during their tenure, their eight years in office, you could not even walk the streets in La Horquetta. You could not even come out after five o'clock/six o'clock in the evening. When you reached home you had to enter your house and lock your gate. You had to lock your doors, because you could not come out, and it was considered a hot spot even in 2010.

6.45 p.m.

My colleague for Arima resides in La Horquetta, he is my constituent and he would also tell you that in La Horquetta the crime situation was in such a state because they had it so. They felt that you need to control the young people by keeping them in crime, by encouraging them in crime and by keeping these gangs against these gangs and this area against that area. That is a way that they controlled young people; that is how they know how to control young people, but I told them in 2010 and I will tell them again, young people have matured, they have matured and they are not foolish anymore. You cannot continue to fool them. They are grown up and you cannot continue to fool them in the manner in which you would like to fool them so that you could keep them under your control.

It is a fourth generation of voters, and it is not a voter who would vote for you because of your creed, and race, and the colour, and complexion of you. They will vote for you depending on what you have done for them. What is the legacy that you all have left there?

In La Horquetta, Madam Deputy Speaker—and Member for Port of Spain if you keep quiet and listen you will understand what I am coming with—they have four recreation grounds, and under their time—one of the questions raised earlier on with the public utility Minister, how many recreation grounds were lit in this country? None of the recreation grounds under them, in a constituency owned by them, for seven years had any lighting fixtures and facilities on them for young people. None of the recreation grounds. People could not even go out and “kick ball” because of the amount of holes and the condition of them in La Horquetta, and this is what she has come here today to chastise the young people who are making an attempt to develop themselves and to make themselves better in La Horquetta.

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Madam Deputy Speaker, this is what causes crime. It is because of people like the Member for Point Fortin and all of them on that side. That is what encourages crime in this country.

Mrs. Gopee-Scoon: Madam Deputy Speaker, 36(5).

Hon. J. Seemungal: Madam Deputy Speaker, they brought up the issue into the Parliament, not me. [*Crosstalk*]

Mrs. Gopee-Scoon: Madam Deputy Speaker, 36(5), the Member cannot be allowed to say that my colleagues and I are causing crime. He cannot be allowed to say that. Why does he not answer the question?

Hon. J. Seemungal: Just now, I will answer the question.

Madam Deputy Speaker: Member, I—[*Crosstalk*—Member for Point Fortin and Member for La Horquetta/Talparo, I am on my legs. Please! Please! [*Interruption*] There is a Motion before the House. [*Interruption*] Member for La Horquetta/Talparo, I want to ask you to stick with the business ahead, and yes, you are a little bit out of context at this time, so be careful how you are treading Minister, and continue.

Hon. J. Seemungal: Thank you, Madam Deputy Speaker, all I am doing is answering the question and the Member cannot tell me how to answer the question. The Member asked me a question, I am answering the question, and she will receive the answer.

Madam Deputy Speaker, in La Horquetta all the facilities in the area were in the same dilapidated condition and that was the reason we went and formed the La Horquetta Sporting Academy. The La Horquetta Sporting Academy was formed by myself, and not a business partner as the Member for Point Fortin alluded to. She is making aspersion that this Member of Parliament has a business in forming a sporting academy for business purposes. This sporting academy comprised of the young people of La Horquetta. For the very first time we got these people together and these young people are taking part in meaningful sports.

They are taking part in football. They are being supported by the LifeSport which this Government brought into effect under the Ministry of Sport. The Ministry of Sport supports the La Horquetta Sporting Academy, and all of this I am bringing here is because the Member asked the question, so I am answering the question, and they do not want to sit down and listen to the answer. So, the La Horquetta Sporting Academy comprised of these young persons who would like to see a better life than one of crime, and one of crime was instituted under their tenureship, because they had no hope, and in forming this—[*Interruption*]

Mrs. Gopee-Scoon: Madam Deputy Speaker, 36(5)—please sit down; I am up! [*Laughter*]

Madam Deputy Speaker: Overruled! Member, you may continue.

Mrs. Gopee-Scoon: Overruled? He is—[*Interruption*]

Hon. J. Seemungal: You had your time, and you asked a question. Listen to the answer!

Madam Deputy Speaker: Member, you may continue.

Hon. J. Seemungal: You had your time, listen to the answer I am answering to you on what you asked about the La Horquetta Sporting Academy. Sit and listen to the answer. If you do not want to listen to the answer, go up and rest yourself. [*Crosstalk*]

Madam Deputy Speaker, the La Horquetta Sporting Academy comprised of young people, where we have taken them out from the streets, taken them out from playing football on the road where they could not play on the fields because none of them was developed under the tenure of the People's National Movement—a constituency which they had under their belt when they were in Government. And we have taken these people out from the streets and we have put them now in a meaningful sporting activity.

Over the last three years they have won the eastern division cup. They are the first team in the history of the eastern division cup to ever reach 50 points. They have beaten all the major fields, the players. They have won all the cups in the leagues in their zone and now they have been promoted from their league into the super league, and that is what is hurting them. They are now playing in a higher class football and this is a team that is disciplined. For the very first time these boys would come on the field on time. There are no drugs involved in young men; there are no drugs involved in the sporting academy. They cannot even drink alcohol during their training and during the competition. They are provided, during their practice, with meals, with breakfast and lunch; some of them cannot even afford to buy lunch, but they are provided with a small stipend and they are provided with something to eat.

And these same young men are training other young persons within La Horquetta. And to now come and say and allude to the fact that Mr. Fallon Thomas—and let me deal with Mr. Fallon Thomas. Mr. Fallon Thomas was never deported from the United States. You must get your facts correct! He was never deported from the United States. You use the cloak of Parliament to bring persons from the public into Parliament and chastise their name, because they have lost an election in their heartland of La Horquetta and they will continue to lose it.

When they went down there they had a meeting and what got them upset I suspect, Madam Deputy Speaker, they had a meeting not too long ago in La Horquetta and they did not see any young people around, and I think they gave a donation also to the sport club of \$1,000 so they feel that would buy them over. [*Interruption*] I do not want to get into that, I do not know if they are trying to buy votes from now, but that is what they did.

The same sporting academy the Member for Point Fortin come and chastise here is the same sporting academy they gave \$1,000 to see if they would get some votes for the internal election. I do not know what election they have right now. But, Madam Deputy Speaker, it is a sad day when a Member of Parliament could come into this House and bring the good name of a club that has achieved all of that in the space of two years and has reached in the super league of the football competition.

So, Madam Deputy Speaker, we are here to fight crime. The Member for La Brea said, we need to join together, it is something that we on our side keep saying; that we cannot do it alone. You cannot do it alone, it is an international thing; it is a national thing where both sides join together to fight crime. The President of the Republic of Trinidad and Tobago has also said that both Houses of Parliament need to join together for fighting crime, and one of your Members comes into this House to bring the name of the same people we are trying to defend, the young people of this country, to bring the name of a good sports club into disrepute into this Parliament. It is such a sad day.

And because of those types of remarks and trying to find out and draw allusion, and draw insinuation that these clubs are akin to illegal activities—and the same Fallon Thomas, who, the Member for Point Fortin said was deported from the United States is free to travel. He is free to travel to the United States. He always goes and comes. He goes to the United Kingdom, he can travel anywhere in the world. If you are deported you come down here and you do not even get a visa ever in life. So, get your facts straight before you actually bring the good name of people into this Parliament.

Madam Deputy Speaker, I really came here to focus on the Bill and what the Bill is about, and when the Member for Point Fortin—[*Interruption*]—tries to damage and railway herself into the lives and the good work of young people, and these are young people engaging themselves in sporting activities, in positive things, away from crime, and that is what I have started doing in the constituency, to assist the good, law-abiding citizens as well as to help the young people to move them away from a life of crime, and that is what we as Members of Parliament aspire to be and we aspire to do. But they know nothing about that, this is why they could come into this good House and try to bring down the good name of the lives of young people.

And young people will listen to this debate and they would never—because of utterances like the Member for Point Fortin—support the People’s National Movement, because of that type of aspersion that they put on young people. Because they know that young people are independent thinking. They are independent thinkers, and to bring their good name into a debate by trying to find out and draw aspersion as to what they can and what they cannot do, is such a sad day.

Madam Deputy Speaker—is there any question again, Member for Point Fortin that you would like me to answer? [*Laughter*] [*Interruption*] Madam Deputy Speaker, you know what is sad again? The Member also draws allusion to my “cross purposes”—and has not even discussed what my cross purposes are about—and says that I am cross purpose with my Government and my bench. The only cross purpose I know is that I allowed my Ministry and people from my Ministry to go into every single Member of Parliament’s office to help them out. I have sent LSA in every—and I do not know if that is what she is talking about. [*Desk thumping*]

The Land Settlement Agency, Madam Deputy Speaker, for the very first time is going into every single Member of Parliament’s office, and it is such a sad day again that the Member for Point Fortin would bring the Government’s business, people’s business into the Parliament and do a good job at it. I would say to the constituents of Point Fortin, I am very sorry for you, but your Member of Parliament does not seem to want that service, so I will have to make some kind of other arrangement, if that is what she is talking about. But that is the only cross purpose that I could think about, nothing else. [*Interruption*] And she is saying, “What service?”

Madam Deputy Speaker, this Bill is to amend the Administration of Justice (Miscellaneous Provision) Bill, 2014. This Bill really seeks to amend several pieces of legislation. It amends the Administration of Justice Act, 2012; the Jury Act, Chap. 6:53; the Criminal Offences Act, Chap. 11:01; the Dangerous Dogs Act, Chap. 11:25, the Indictable Offences (Preliminary Enquiry) Act, Chap. 12:01; the Young Offenders Detention Act, Chap. 13:05 and the Police Service Act, Chap. 15:01.

Madam Deputy Speaker, this is a very important piece of legislation before us. It aims really to strengthen and improve the administration of the criminal justice system in this country, and at this moment we are all aware of the overwhelming problems that we are facing in this country with respect to criminal elements who are really moving in their numbers to disenfranchise and to terrorize law-abiding citizens of this country.

7.00 p.m.

So, I want to congratulate the hon. Attorney General for bringing this piece of legislation. The last speaker also spoke about crime, and we are using statistics of 2010 forward in determining how the murders and other crimes went down. But in 2008 the murders were 550. In 2009 it was 509 and then in 2013 it went down to 407. So it is not that we want to stick with 2010 coming forward, but the previous years look worse. We did not want them to look as bad as they are looking and as bad as they got themselves in, but it is not an avenue—crime is really nothing that we like to sensationalize like how they like to do it, Madam Deputy Speaker, but we would like to help and we want them to join to help in fighting crime, not only for their people alone but for the entire Trinidad and Tobago, to make it a better place, to make it more prosperous for our citizens.

Madam Deputy Speaker, over the last few years the People's Partnership Government has brought a number of legislation that is similar in nature to help us with this crime-fighting initiative: the Administration of Justice Bill of 2011; the Anti-Gang Bill we brought into this House, of 2010; the Bacteriological and Toxic Weapons Bill of 2011; the Bail (Amdt.) Bill of 2010 and 2013; the Constitution (Amdt.) Bill of 2011; the Cybercrime Bill of 2014; the Evidence (Amdt.) Bill again, of 2010; the FIU Bill of 2011 and the Miscellaneous Provisions (Bail and Kidnapping) (Amdt.) Bill, 2010.

So there are many pieces of legislation which this Government brought into this Parliament, all of which are geared towards the crime-fighting initiative. But it is not one that one can get a handle on overnight. It takes time; it takes effort not only by this Government, it takes effort by the Opposition as well; it takes effort by the citizenry; it takes effort by the clergy; it takes effort by everyone and it takes a complete collaboration to have proper crime-fighting measures. So this is really an all-inclusive system where, when all of us join together, I am sure we can have a better Trinidad and Tobago.

Madam Deputy Speaker, the Member, again, always in her contribution, tries to speak about what we do and what we did not do, and what we have done and what we are trying to do, but there were many initiatives. This is not really to cast aspersions on them, but there were many initiatives, even under their tenancy, that may not have worked in the way in which they wanted it to work as well. So crime is not something that you really get a handle on as you go because you will recall in 2002 they brought the Anaconda operation, and then there was the Weed and Seed operation which did not turn out well, as well. Then there was the Mastrofski plan as well. They paid about \$5.7 million for that.

Hon. Member: I think it is \$70-something million.

Hon. J. Seemungal: Okay, well \$70-something million, I am told. Then the Rudy Giuliani crime plan. But these are measures that they would have brought that did not turn out that well and there were others that they have tried and still did not turn out that well.

We are trying, Madam Deputy Speaker. It is not something that we all can say it is cast in stone and is a measure that can be used, but measures of a crime-fighting nature, as the current Minister of National Security rightfully said, are not something you want to give away to the Opposition—not to the Opposition, but the criminal elements. You do not want to give away every Monday morning what your crime-fighting measures are. Then there will be no element of surprise. There will be nothing there that we can catch them in the dark.

There are many measures that are being worked on with the Ministry of National Security and the crime fighters—defence force and the police. For instance, Madam Deputy Speaker, we have brought on a lot of traffic wardens, and we have placed them on the streets so we can take some of the police officers and bring them into the mainstream of fighting criminals. We have had the highway patrol and we have put a lot more visibility into these crime areas—the hot spot areas.

I can give you, for instance, since late 2010 to now, La Horquetta, I would say—and I would invite the Member for Point Fortin to come meet me at any point in time and walk the streets of La Horquetta. In my humble opinion it has moved away from being a hot spot—a hot crime area—to one in which it is relaxed for every single person who resides inside of La Horquetta. [*Desk thumping*] And it is because of sporting activities such as these, and police initiatives and also in organizing the constituency and creating more jobs and employment. Because fighting crime and holding the criminal is just one element of it. You want to create the deterrents; you want to equip the police officers and the forces with the necessary tools, but you also want to create employment, which we have been doing over the last few years—in creating more employment. Because if you take away the drug trade from persons, they must turn to something else to gain an income. They still have mouths to feed and children to mind and these things, but they are required now to have some type of positive jobs that they can go to.

This is an initiative that this Government has been very, very fruitful on and has been providing much employment. For instance, I will give you an example, Madam Deputy Speaker. A simple thing like having CEPEP in the constituency; prior to my tenure there were none. There was absolutely no CEPEP working in any part of La Horquetta/Talparo. And what this Government has done is brought notes to Cabinet to increase the funding so

that we can have more of these types of employment, and these are catered for persons who may not have the qualification or who still continue to go to school to acquire further education. It is really a start in which we can put some people in, in the form of employment.

So fighting crime is one, and also creating the avenues for sustainable employment is another avenue. Under the Ministry of Tertiary Education and Skills Training, for instance, they have increased the amount of persons who can access GATE funding, that is to further their education, and who can access the OJT programmes. Very soon the Ministry of Tertiary Education and Skills Training will be starting a summer programme which caters for students, in particular, from the age of 16 to 19, and they will be paying them a full stipend, putting them in some Government institutions, supervised; putting them in the private sector so that they can get this initial feel of what it is to work. This is really to create that sense that there is a better tomorrow if you continue along the education scheme.

Madam Deputy Speaker, I really wanted to deal only with one part—just one part of the set of the provisions that were brought by the Attorney General, and this is really to deal with the jury misconduct. Jury misconduct is really dealt with in Part III of the provisions brought by the Attorney General. The problem here of jury misconduct can arise in several ways, one of which is the jury acting improperly despite directions given by the judge. This can happen in several ways. The juror himself may go and research the background of the defendant himself and then seek to influence the other jurors during the course of the matter. Because in this day and age that we are living in, it is easier for a juror to research by way of the Internet, many things on the defendant himself. He can do this by also following the blogs of persons who may be following a particular case and they may not be familiar with what is happening and, again, they would look at what is happening with that defendant.

So in Trinidad and Tobago, the only part of the legislation that actually deals with this particular issue currently, of jury misconduct, is really section 28(4) of the Jury Act, Chap. 6:53. Chap. 6:53 provides—and I want to read it into the *Hansard*:

“In cases of evident necessity, such as when a juror is taken ill during any trial, or a prisoner is by illness rendered incapable of remaining at the bar, or for other cause deemed sufficient by the Judge, the Judge may, at any time after the jury have been sworn, discharge the jury.”

So, Madam Deputy Speaker, it does not speak to any penalties; it does not speak to any fines; it does not speak to any imprisonment of a juror for misconduct during the trial, and that, really, is an avenue that, again, because

of technology, because of the type of trials that we are seeing now and the serious nature of crime, and some of them, because of the length of time they actually take to come to the assizes, again, we want to make it all fair for the defendant as well. So that you would find that the jurors would not want to engage themselves in misconduct especially to render the defendant in a position where he may be at a disadvantage.

So the mischief that this really seeks is to bring into law fines and actually prison terms for persons who are found guilty. There are several jurisdictions that the researchers have sought assistance from. One of them is really the Irish Law Reform Commission Report where they looked at that report and they looked to see what they have said during that research, and the report actually said that it is a matter of growing concern that because of the amount of technology that is available now and the speed with which information can be shared, that they felt it may, in many instances, and in some, allow for an unfair trial, and the accused may be prejudiced by jurors who can actually research the background of the defendant and then try to influence, in many instances, other persons on the jury.

They have also looked at the legislation in New South Wales as well and they have looked at the Belize legislation and the New South Wales legislation. They have made provision for this offence where jurors who wilfully disclose to any persons during the trial information of the deliberation of the jury or even try in any form or fashion to influence the jury in those trials, in those legislation they have an imprisonment term of up to two years and they have some fines as well.

There is similar legislation that can be found in Belize as well, which is very similar to that of Trinidad and Tobago. It is very similar to that of our section 28, Madam Deputy Speaker, but they also have in theirs, jail terms and prison fines.

7.15 p.m.

So in this part of the Bill, Madam Deputy Speaker, the proposed section 11(2), seeks to:

“...create an offence where a person knows or reasonably believes that another person is assisting in the investigation of an offence or a witness or potential witness in any judicial proceeding and uses threats, force, bribery or any other means to either intimidate or dissuade that other person from assisting in the investigation or giving evidence or influence that other person to give false evidence, withhold true evidence, not attend court as a witness, or not produce any document, record or other object in evidence.”

And by section 11(3), it creates now an offence for that type of activity and it carries a fine of \$50,000 or imprisonment for five years.

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So, Madam Deputy Speaker, we are seeking to really create a system that will dissuade jurors from getting themselves in any misconduct, or getting themselves in activities that would then create, now, a disadvantage to the defendant during criminal proceedings. In section 11, it also speaks of persons who make immaterial threats, force, bribery. So, in section 11(7), it creates for a more serious offence where the fine in this case is \$100,000 or imprisonment for 20 years.

Madam Deputy Speaker, this is a very positive tool towards the judicial system, and it is also a very positive tool to dissuade jurors from engaging in activities that will really be prejudicial to the defendant during a trial. So really, we are trying to create the balance between the prosecution and the defendant, and on many occasions the defendants feel that they are generally at the hands of persons and maybe at the helm of the prosecution. But in this case, we are trying to even the playing field by ensuring that jurors do not engage in that type of activity that will be prejudicial to the defendant.

Madam Deputy Speaker, I want to support this Bill and I want to congratulate the Attorney General for bringing this legislation that will indeed help the criminal system in preparing that better system for making this country a better place.

I thank you, Madam Deputy Speaker. [*Desk thumping*]

Mrs. Patricia Mc Intosh (*Port of Spain North/St. Ann's West*): Thank you, Madam Deputy Speaker. I stand to make a brief contribution to the Miscellaneous Provisions (Administration of Justice) Bill, 2014.

Madam Deputy Speaker, I thought no one would speak of young people. So when the Member for La Horquetta/Talparo started speaking about young people I was heartened, but I was dismayed because his display of belligerence and his demonstration of rage was so unbecoming of a parliamentarian, that it detracted from his contribution about young people, and I sincerely hope that I would not let my emotions get the better of me to indulge in such conduct. Really, as parliamentarians, especially when we are speaking about crime, we ought not to give the viewing public and the listening public that negative impression of ourselves. The Member did cool down after and his contribution was quite good, saying all that he is doing for the young people and so, but it would be so much nicer had he not given way to that unwarranted, I feel, and undesirable demonstration of belligerence and rage.

Madam Deputy Speaker, most of the previous speakers concentrated on one end of the crime continuum. They concentrated on criminals who committed heinous crimes, or they proffered strategies of how we would

detect and solve those crimes. So a lot was said about DNA sampling and fingerprinting, and I am not going to say any more on that because it was very expertly handled in the very beginning by the Member for Diego Martin North/East and the Member for St. Joseph, et cetera, and I would not say anything on that.

Madam Deputy Speaker, I really want to talk about the Young Offenders Detention Act, Chap. 13.05. So, I want to go to the other end of the continuum because when we talk about crime we must recognize that people are not born criminals. Their criminal tendencies develop over a period of time and this usually begins in their youth, when they are young. So we have a lot of young offenders, and if proper strategies are not put in place to rehabilitate them, the possibility exists that they could become converted. As they get older, these young offenders could be converted into hard core or dedicated criminals, and this is my concern. So this is the part of the Bill I will look at.

This amendment to the Bill could be found in Part VI, which contains clause 8, which would amend the Young Offenders Detention Act, Chap.13.05 by repealing section 7(3), which will remove the restriction that the Minister must give his approval before a sentence passed by a Court of Summary Jurisdiction can be carried into effect. Madam Deputy Speaker, I would like, for the benefit of the listening public, to quote section 7(3) of the Act which says:

“No such sentence passed by a Court of Summary Jurisdiction shall be carried into effect until it has been approved by the Minister, for the period fixed by such Court or for some shorter period, and if such sentence is not so approved, the Court may sentence the offender to any punishment provided by law for the offence of which he was convicted.”

So with the passing of this Bill, under no circumstance would the Minister’s approval be needed for the court’s sentence to be carried into effect.

Now, my concern is that, yes, the court would deliver their sentence on these young offenders. The Minister no longer has jurisdiction in that matter, and I am concerned about what happens after. And the reason why I have chosen to concentrate on this Young Offenders Detention Act, Chap 13.05 is because we are witnessing so much violence and improper and undesirable conduct in our schools among our young people. Many of them have been sentenced to these correctional facilities and, as an educator, I am concerned about what happens when they are—I will say incarcerated because they have to stay there and go to these correctional facilities. My concern is that not enough is being done to address their needs and to turn them away from a life of crime and developing into hard-core criminals.

Madam Deputy Speaker, what provisions do we have for young female offenders? Our institutions are short on accommodation and short on adequate facilities for females. Where are they kept? How are they accommodated? We need a facility for young female offenders. I am concerned about their vocational and educational training. And not only females, both females and males, I am concerned about their vocational and educational training.

Madam Deputy Speaker, sometimes I feel there is a need for a special court for young offenders, just like we have the family court, because they are a special group of people, and we have to deal with them. We have to start at the beginning. We cannot wait until they develop into dedicated criminals—I call them—and then look to see how we are going to deal with them and how we are going to solve these problems which we are grappling with here now.

We have a terrible explosion of crime in our country, but it starts from when they are young, and if it is not dealt with and nipped in the bud, this is what happens—it becomes full blown. We need to move away—We are talking about the court sentencing them, but we need to move away from punishment and move towards rehabilitation. This Government has to look at developing social and community programmes for these young people that would enhance their sense of responsibility, their respect for themselves first of all, respect for others, respect for property of others, a sense of commitment to task, to achieving their goals and aspiring towards ambitions.

Madam Deputy Speaker, if we look at the statistics of young offenders, we see that most of them have committed what we call “status offences”. Status offences are truancy, breach of school rules. All of this they are being sentenced to these correctional facilities for, you know, truancy, breach of school rules. What are we doing in schools? How are we handling or managing our children in schools? Breach of school rules! They are sentenced because they were rebellious at home and their parents cannot manage them, so they look to the State or the court for assistance in managing their children.

Seventy-six per cent of boys at the St. Michael’s School for Boys are held there for status offences—these types of offences that I just alluded to. Ninety-seven per cent of the girls at St. Jude’s School for Girls—I visit there often, I know the school very well—are held there for status offences. And 9 per cent at Youth Training Centre (YTC) are for status offences. But the remaining percentages are also there for other crimes, for example, property crimes and more serious criminal offences.

Property crimes, of course, you know, the category of crime that includes among other crimes, burglary, larceny, theft, motor vehicle theft, et cetera,

arson, shoplifting, vandalism, stealing power tools and cameras and jewellery, et cetera. But what has happened is that sometimes you find, Madam Deputy Speaker, that in these correctional institutes you have people with status offences, young offenders—young people being sent there for status offences; young people sent there for very criminal offences; young people sent there for, what I just said, property crime. So, we are mixing those with serious crime with those that really need proper guidance and counselling and social welfare intervention, because in many cases, especially in the case of status offences, these young people are victims of their socio-economic conditions and we need to address that.

Now, having said all of that, Madam Deputy Speaker, I would like to refer to the Minister of Justice. I would like to quote from what he said. My research led me to the website, news.got.tt. I would like to see what he says about all of this.

7.30 p.m.

He says and I quote:

“...rights of children need to be protected, discrimination that exists in the present environment needs to be targeted and ‘we must move beyond the criminalisation of status offences...’”

You see, this is what I just alluded to. We criminalize status offences, we need to deal with these differently, and this is what he is saying:

“...and instead provide the social support and services to address the socio-economic and psychological needs of the young person in crisis’.”

He continues:

“‘Children who commit crimes must be treated differently to those who are in need of the State’s care and protection. Both groups should not be housed together...’”

And this is what is happening:

“‘...since doing so promotes the stigmatization and victimization, and criminalization of those who are themselves victims not perpetrators’...’”

So, I must say, I concur with what the hon. Minister of Justice is saying, but then, what I have to say is that he must walk his talk and ensure that strategies and provisions are put in place to rehabilitate these young offenders, and to separate those who are guilty of status offences from those who have committed more serious crimes and deal with the various groupings differently. Though with the passing of this Bill, he would have no jurisdiction over how the sentences are actually put into effect but, at least, he has within

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his authority under his purview the wherewithal to ensure, or to pursue, that strategies and provisions are put in place to separate young offenders in various groupings.

Madam Deputy Speaker, when I look at the case of Brandon Hargreaves—this was a 14-year-old boy who died at the St. Michael’s School for Boys. He was 14 years old—as we know the story—they found him in a dog cage at his home. I was wondering—he was locked in there—was he not a pupil in school? Did he go to school? Was he not missed from the school? Where were the social workers? Did no one visit his home to find out why he was not in school? Did anybody investigate to find out what was happening to him?

Where were the clinical psychologists to assess? Where are they in schools? What is the Minister of Education doing about ensuring that there are clinical psychologists who visit schools to make psychological assessments of students and to assess their needs and to address them? Where are they? Who investigated the circumstance and situation of this young man, Brandon Hargreaves? And his story is tragic. He goes to the school, and who is monitoring the operations and, you know, what is happening at these schools—the programmes that they are providing?

I understand he was a hyperactive child. Where was the supervision? Children like that are not left to play as they wish; they are not left to their devices; they get into trouble. His life might have been saved, had he had the proper guidance and the proper supervision. You see, this is where we are lacking. We threw him in a correctional institution. He really did not need a correctional institution, Madam Deputy Speaker, he needed the State’s care and guidance. He needed the care of experts, of psychologists—clinical and behavioural psychologists—and social workers. That is what he needed.

The parents needed the same care. What do we offer to parents? Rehabilitation they need themselves. What are we offering to parents? And these are things the Minister of Education and the Minister of Justice have to address because we cannot wait until we have hard-core criminals to see how we are going to put strategies in place to solve crime.

Madam Deputy Speaker, if these young offenders are inducted into some sort of community programmes, some sort of social programmes and they are made to do community work as obtains abroad in the United States—a lot of these young offenders are given community projects to participate in, to get involved in, and in doing so, they can actually become an asset to society, and stop being a menace to society. They can grow into strong citizens capable of making a meaningful contribution to society. That is what we need—well-structured programmes that should be developed where participants are

constantly monitored and assessed to determine their level of improvement, and what steps have been taken to address any quirks or shortcomings in the programmes.

We need to imbue our young people with a sense of respect for the morals and norms of society. We need to imbue within them a sense of principles and values and standards on which our society is based. Where must this all begin? You see, we have started here to discuss this at the end. We have not started with the young offenders; we have started at the criminals, when some of them become criminals. When nothing is done, they become criminals. The best place to address this is in the schools.

Madam Deputy Speaker, what programmes do we have in schools to address students' needs and to detect their deficiencies? I spoke about psychological analysis. Do we detect some of them? They demonstrate negative behaviour but some of what we call "young offenders" are really suffering from disorders like attention deficit disorder and other disorders that can be easily addressed. And we call these children "bad" and we call them "offenders", and really, we just need to address these deficiencies and they would not be in the position in which they find themselves.

In schools, we need a very comprehensive and worthwhile programme of character development. The Minister is instituting, or has instituted, in some schools, character development, which costs a lot of money. I see they have spent \$2 million to institute this. This programme is being promoted by a firm called Sash Consulting which is an affiliate, if I look at the website, Madam Deputy Speaker, of rossadvertisingcaribbean.com—this Sash Consulting. Ross Advertising is owned by an advertising executive, Ernie Ross, who is very well known to this Government, who does a lot of advertising for government enterprises like Caribbean Airlines, HDC, et cetera. He is well known to this Government—TSTT, et cetera. Some of these state enterprises have put money to support this venture. For example, TSTT has pledged \$1 million and NGC and Petrotrin have committed \$30,000 a month for the next year, and NLCB has committed \$27,700 a month to this programme.

Now, the lady who has initiated this programme has three years' experience in the field of developing young people and this is a package programme. I am all for the Minister trying to initiate and institute some sort of character development programme in schools but when you come with a package programme that the students have to view via some sort of media—TV, DVD or video, I am asking one thing: will this be an integral part of the schools' curriculum where the children are made to sit and view this? Because I understand they can view it at home; they can view it on their computers, if they can find their computers, and if their computers are

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working, because all that is said—and the Member for Chaguanas East, you can say all that you want, but as the children move up the ladder, the computers that were given four years ago, 75 per cent or more of them are not functioning.

Hon. Member: How you know that?

Mrs. P. Mc Intosh: I know that. In Form 3, about 60 per cent of them are not functional; Form 2, et cetera. That is right. Now, I have to ask: who will ensure that the students view these programmes via the DVD, et cetera? Who will ensure that?

Madam Deputy Speaker, I do not think that this is a programme that will have any positive effect on molding and developing students and would not help them to inculcate manners, et cetera. As for example, a programme which the Minister is now currently dismantling at St. Francois Girls' College where you have prominent national personalities and cultural and national icons delivering to the students, affording them interpersonal communication, working with them, giving them the opportunity to vent, and in return, giving them advice, counselling and guidance and this is not there. They are made to sit and look. Who is guiding that they look and monitoring and assessing what they look at and how they inculcate what is being taught?

So, I do not buy into this at all. But, you see, when you get these programmes from your supporters, Madam Deputy Speaker, this is what I object to, because it is this cronyism and nepotism and political patronage that is killing this country and killing our children.

Madam Deputy Speaker, where have the days gone when school began with assembly?

Mr. Peters: PNM take it.

Mrs. P. Mc Intosh: As the Member for Mayaro said “PNM tief it”. I was there in the days of the PNM when I could tell you, in schools that I taught at, from Point Fortin to central to Port of Spain, that we, under the PNM, had programmes to assist the children [*Desk thumping*] and the Member for La Horquetta/Talparo—I forgot him but I have to go back—talked about the PNM leaving no legacy. I am saying I am sure that children, young people, are looking on and saying, “What are they talking about? What nonsense are they talking about? Because the rich legacy in education that the PNM left has benefited children throughout Trinidad and Tobago; [*Desk thumping*] social programmes and education that they can be—many, many, many students that I have taught, thousands of them from deep south to north, have become professionals in their own right.

The Member for La Horquetta/Talparo made a call for us to cooperate with each other, to get along with each other, to solve crime, so we should and we must, but we cannot just go on making these comments which we know are not true. There are things that are being said in this honourable House that are certainly not true—things like “the PNM cause the crime”; that is not true. I could say many things to show that the UNC Government, and this Government, cause the crime but I will not. I can say it, I have it written, but why should I get involved in that? It would just be a tit for tat—“you cause the crime; no, we cause the crime; you cause it”—why should I get involved in that? There is a public that has become politically mature and sensible and they will adjudicate on all that we say inside of here.

Madam Deputy Speaker, I am always very, very aware that when I speak through you, I know they are listening. They meet me and they tell me that they are listening and I am very much aware of that. And, they listen to all of us, not only to me. So when we demonstrate an attitude and behaviour that they know is incorrect, I do not think it will do us any good and our country any good.

7.45 p.m.

Madam Deputy Speaker, let me get back to the days of school when we set the tone of the day in the school, when we met in assembly. [*Interruption*] I just left four years ago, Sir. It is not even four years yet since I left my school, when we set the tone of the school for the day. This is what the Minister should be ensuring—that the tone of the school is set for the day, that the children’s psyche is conditioned in a certain direction for the day, that the IRO prayer—

Madam Deputy Speaker, I cannot read the entire prayer because it will take me too long, but I must read the beginning when they praise.

“Praise be to You Almighty God, Creator of the Universe and all that is in it. We thank You O Father for the opportunity which You have given us to increase our knowledge.”

Mr. Peters: What about people who do not believe in God?

Mrs. P. Mc Intosh: May your divine grace—we all believe in God. It is the IRO prayer, the Inter-Religious Organization prayer. You might call it by different names. We are not disputing any—[*Interruption*]

Mr. Peters: What about people who do not believe in God?

Mrs. P. Mc Intosh: Well, this is what the Inter-Religious Organization, this is the prayer for schools. So you begin with this prayer. When you take God out of—[*Interruption*]

Mr. Peters: But there are people who do not want to pray.

Mrs. P. Mc Intosh: Well those who do not want to pray, will not, Sir. All right, well Member for—through you, Madam Deputy Speaker—Mayaro, those who do not want to pray will put their hands in their ears, “dey will let de stick break in dey ear” but others will pray. The majority of children pray. I have been in schools. The majority of children pray. I have not met any heathens in the schools. I have not met them and you thank God for the opportunity He has given us to increase our knowledge.

“May Your Divine Grace enable us to study hard and use what we learn for the good of our fellow citizens.”

I would not go on, but it goes on so beautifully. You start the day. You set the tone.

Madam Deputy Speaker, we have an Independence Pledge. Our children say that pledge up at St. Francois every morning. They say the IRO prayer. They say the pledge.

I solemnly pledge to dedicate my life to the service of God and my country.

I will honour my parents, my teachers, my leaders and my elders and those in authority.

I will be clean and honest in all my thoughts, my words and my deeds.

I would not go any further.

Madam Deputy Speaker, what about our National Anthem, those lovely, lofty words? At assemblies, do administrators encourage their students to sing lustily? Is the Minister ensuring that such assemblies become an integral part of a school’s culture and a school’s curriculum? That is what he should be seeing and you sing “Forged from the love of liberty”, lustily.

When I was principal, when my anthem started and I heard weak voices I stopped and I said: no, we shall begin again lustily and loudly and with conviction, not just mouthing.

Miss Mc Donald: Parroting.

Mrs. P. Mc Intosh: You do not just repeat like a parrot. You sing your anthem lustily.

Madam Deputy Speaker, what about songs that we used to sing, like “God Bless Our Nation” by Marjorie Padmore? What about that? That is what we need to bring back. When we talk about values, not southern values from the United States that this Sash Consulting is bringing. Not that! Our good local,

national values that give us a sense of patriotism and nationalism. What about “Our Nation’s Dawning” by Gene Carlton Sampson? That is why we are who we are and how we are. We have robbed the little children. We have deprived them. We have been unfair to them. What the Minister should be doing is ensuring that such assemblies become an integral part of the school’s day, at the beginning of the day, to set the tone for the day.

What about “Our Model Nation” by Mighty Sparrow? And furthermore, the “Portrait of Trinidad” by the Mighty Sniper?

“Trinidad is my land, and of it I am proud and glad but I can’t understand why some people does talk it bad...”

Lovely, lovely. Where is that? Madam Deputy Speaker, the Member for Mayaro is jealous. Because I am usurping his position he is jealous. Madam Deputy Speaker, all these songs promote a sense of patriotism.

Madam Deputy Speaker: Hon. Members, at this time I allow for a Procedural Motion by the Leader of Government Business, please.

PROCEDURAL MOTION

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Madam Deputy Speaker, in accordance with Standing Order 10(11), I beg to move that the House continues to sit to continue debate on the Miscellaneous Provisions (Administration of Justice) Bill, 2014 and to debate the amendment to section 4 of the Land Tenants (Security of Tenure) Act, Chap. 59:54. I beg to move.

Question put and agreed to.

Madam Deputy Speaker: Hon. Members, the sitting is now suspended to 8.20 p.m.

7.50 p.m.: *Sitting suspended.*

8.20 p.m.: *Sitting resumed.*

MISCELLANEOUS PROVISIONS (ADMINISTRATION OF JUSTICE) BILL, 2014

Mrs. P. Mc Intosh: Thank you, Madam Deputy Speaker. Actually, I was nearing the end of my contribution as I was beseeching the Minister of Education to make morning assembly in schools mandatory, as an integral part of the school’s curriculum, where our students would sing songs and say prayers that would promote sound values and morals, patriotism and nation building that tell us who we are, where we came from and where we are going, and help to position our moral compass in the right direction, rather than just rush into the official curriculum, because academics cannot make a child.

Rushing into the official curriculum, we must pay attention to the unofficial curriculum and set the tone for the day and put our students on the right footing and assist them in their personal and social development.

Madam Deputy Speaker, in like manner, I would like to urge the Minister of Justice to ensure that the justice system provides the necessary support systems and provisions to cater for the needs of our young offenders in such a way that they may be properly rehabilitated and become strong citizens capable of making a meaningful contribution to our society.

As I end, I should like to extend Mother's Day wishes to all our beloved mothers in our nation—[*Desk thumping*]*—not only the mothers who are natural mothers, who have the onerous responsibility of rearing the children to whom they have given birth, but also those who perform the duties of mothers to so many children—for example, teachers who do not have children of their own but perform the duties of mothers to so many children—by providing caring and guidance. But most especially, I should like to wish happy Mother's Day to the mothers of Port of Spain North and St. Ann's West and a happy and safe Mother's Day to all mothers in Trinidad and Tobago and may Almighty God bless them abundantly on this day and thereafter. I thank you, Madam Deputy Speaker. [Desk thumping]*

Mrs. Joanne Thomas (*St. Ann's East*): Thank you, Madam Deputy Speaker. I thank you for the opportunity to contribute to this Bill. I would just be brief. I just want to highlight two points. Firstly, I reflect on the icon that we in Trinidad and Tobago lost in that of Dana Seetahal. This was a woman well respected in this country.

As I speak, I just received an invitation on my phone from PLOTT, the Powerful Ladies of Trinidad and Tobago, where they are inviting everyone to have a silent gathering, whether at your home or at the savannah opposite Mille Fleurs between 12.00 a.m. and 1.00 a.m. on this coming Sunday, in recognition of this icon of a woman who our country has lost.

I look back at something my colleague from St. Joseph would have said, that the way our country is going, you feel like a prisoner in your home. On Monday I had to go to a meeting and I was actually very fearful of driving by myself to go. I asked someone to go with me because the death of Miss Seetahal has really brought a lot of fear into the citizens of Trinidad and Tobago.

I just want to refer to the Indictable Offences (Committal Proceedings) Bill, and I refer to clause 27 of the Bill. In clause 27 of the Bill, it empowers the Director of Public Prosecutions to prefer an indictment whether or not

committal proceedings have taken place. One of the first instances they refer to is that at the close of an inquest, where the coroner is of the opinion that sufficient grounds exist for making a charge on indictment against a person. I refer to the idea of the coroner and I ask the Minister of Justice this question: Is he aware of the facilities at the Forensic Science Centre at Long Circular?

Madam Deputy Speaker, I want to refer to an article in 2012, where Deanna Roberts, in an interview with pathologist Valery Alexandrov, and he had indicated that he had developed ulcerative dermatitis. In that interview—*[Interruption]*—Dr. Valery Alexandrov—he said he was even unable to hold a pen and the cause that he gave for developing this ailment was that the centre was like a concentration camp. He said the rooms are 24 square metres and the ventilation is poor. This was in 2012. At the time of this interview, the focus was on a young man by the name of Kerwyn Archibald of Rich Plain Diego Martin, who was shot and killed and the autopsy could not be performed because the facility was shut down. This boy's family, of Christian belief, believed that they must bury the person within three days and, of course, this family could not do that.

Madam Deputy Speaker, this was way back in 2012. Now we are looking at May 2014. I do not know if anyone saw the TV6 news on an item they had both on Monday and Tuesday, where they interviewed the current pathologist, Dr. Hughvon Des Vignes. He was the one that was called out to perform the autopsy on our Dana Seetahal. And in that interview, when I heard how that doctor spoke about the conditions they have to work in, I felt totally ashamed, ashamed as a citizen of this country, ashamed as a Member of Parliament.

Moneys are being spent left, right and centre and a simple thing as the place—and especially since we have so many murders now, so that Forensic Science Centre is forever busy. When I heard the way Dr. Des Vignes spoke about this Forensic Science Centre, I really, really could not believe and I really want to appeal to the Minister of Justice. He needs to give this place some serious attention, because it cannot be that Dr. Alexandrov, in 2012, indicated these same issues where they had to shut down the Forensic Science Centre and then now we have Dr. Des Vignes saying the same sentiments. Something is really wrong and the way Dr. Des Vignes spoke, it is only because of Dana Seetahal that he came out to perform this. So we really, really, Madam Deputy Speaker, we need to really give some attention to that Forensic Science Centre.

Madam Deputy Speaker, I just want to touch a bit on the Jury Act and I want to focus on the area where it says that they want to increase the age from 65 to 70.

8.30 p.m.

Now I know my colleagues, you know, they all agree that we should widen the scope to have more people take part in the jury system. But, Madam Deputy Speaker, I look—all of us in our constituencies we interact with persons who are 70 and over, and we must attest there are some vibrant 70-year-olds, and there are some feeble 70-year-olds. So you know, if it is that we are carrying this age limit to 70 years, I would really like to suggest that at least a certificate of fitness be first issued, because we all know the retirement age is 65, and not just here, but across the globe. So there must have been some thinking behind why the age of 65—*[Interruption]*

Mrs. Mc Intosh: 60.

Mrs. J. Thomas:—no, 65 well, for old age, okay? Why the age of 65, you know, was chosen? *[Interruption]* So, Madam Deputy Speaker, I really believe that, you know, to accommodate 70-year-olds, you know, that we have some level of—some certificate declaring a fitness to take part in being, you know, the Jury Act.

Now, Madam Deputy Speaker, I look then at, you know, I want to reiterate what my colleague from St. Joseph said. When you look at the line of people seeking exemptions from participating as a juror, which is long, and as an HR person, Madam Deputy Speaker, I can tell you some companies just do not let their staff take part in being a juror. Some of them even have templates done up, so as soon their employee brings a letter for jury leave, they just fill in that template with the person's name and the particulars of the person, and send it to the court.

It does us a disadvantage, because expertise that exists out there in these various businesses—the financial sector, the manufacturing sector, and so—those are the people who come to request exemptions. And you know, it is a norm, they do it all the time, and I feel that, you know, there should be some serious restrictions on just giving exemptions. It should be very rare and, you know, prove good reason to show why a person cannot be included as being a juror. So, Madam Deputy Speaker, that is one of the things, too, that I feel should be addressed.

And I am sure if the court checks, they will see the letters—they will be there on file—of the companies that, you know, do this as a habit all the time. So they can check on that and do some further investigations into why all these companies insist that their staff would not take part in being a juror.

And then, Madam Deputy Speaker, I just wanted to touch a bit, you know, on the Young Offenders Detention Act, and my colleague just went into detail.

You know, when I heard her start, I said, oh my, you know, there is nothing much that I can say again, because she went in, in great detail, you know, as regards the Young Offenders Detention Act.

While I agree with the repeal of section 73, you know, I really have some concerns as regards section 7(1)(a) and (b). Where it refers to, if you would just allow me, if I can just read section 7(1)(a) and (b) where they said:

“Where a person is convicted before the High Court on indictment of any offence other than murder, or before a Court of Summary Jurisdiction of any offence for which he is liable to be sentenced to imprisonment, and it appears to such Court—

- (a) that the person is not less than sixteen nor more than eighteen years of age, and
- (b) that by reason of his antecedents or mode of life it is expedient that he should be subject to detention for such term and under such instruction and discipline as appears most conducive to his reformation and the repression of crime,
- (c) the Court may, in lieu of sentencing him to the punishment provided by law for the offence for which he was convicted, pass a sentence of detention under penal discipline in the Institution for a term of not less than three years nor more than four years.”

The reason why I highlight this, Madam Deputy Speaker, is because I am sure, sometimes when we look at some of the crimes being committed, and when we look at the age of these people, they fall within that bracket between 16 and 18. In my mind, determining four years, you know, you just determine a maximum of four years, and you put them in a detention centre.

But as my colleague mentioned, is this detention centre—does it have programmes that will rehabilitate these children, so that when they leave, they can go back to society, instead of becoming seasoned criminals? That is what I think should be the key thing even though you are putting them, you know, in a detention centre for, as they say, a maximum of four years, we need to make sure that programmes are in place to deal with them. You hardly see anybody now—very rare you see somebody over 30 who has been accused of a crime or charged with a crime. It is always between that young age bracket, you know.

So I really—social programmes should be put in place which would deal, because as my colleague even mentioned in her whole discourse, you know, you have to look at the reason behind why some of these teenagers commit these crimes, you know. And that is why we have to look at the programmes we are putting in place that deal with the source of the problem, and at the same time, systems that would address and rehabilitate these children.

Madam Deputy Speaker, I really want to endorse what my colleague said, and let us focus in that direction. Let us focus on the why and deal with it. Madam Deputy Speaker, I just wanted to highlight those three points and I thank you for this opportunity. [*Desk thumping*]

Miss Alicia Hospedales (*Arouca/Maloney*): [*Desk thumping*] Thank you, Madam Deputy Speaker. Before I begin my contribution to the Miscellaneous Provisions (Administration of Justice) Bill, I would just like to extend condolences to the family and even friends of the deceased Senior Counsel, Dana Seetahal. She was a lecturer of mine. I was a student at the University of the West Indies studying for a master's in criminology and criminal justice, and she taught us sentencing and penal reform. She, in my estimation, was a brilliant, brilliant mind, and a person who did not hesitate to share what knowledge she would have attained over the years. She really would have contributed to the development of myself and my previous classmates as well.

Many of us—I remembered a few weeks ago, I met a classmate, who is a senior police officer, and we were talking about how, you know, we as the first crop of criminology students at the University of the West Indies, we felt so, you know, honoured to have lecturers as Dana Seetahal and even Dr. Ramesh Deosaran, you know.

So when I heard of the loss, I mean, I was really—I can tell you, Madam Deputy Speaker, I was extremely shocked, grieved, that, you know, that such a brilliant person would have had to have died that way, somebody who had accomplished a lot, you know. One of the things I will always remember her for is the fact that, despite all her accomplishments, she remained very, very humble and down to earth. Madam Deputy Speaker, it is indeed a great loss.

So on behalf of myself, my constituents and even my previous classmates, I will like to extend condolences to the family.

Madam Deputy Speaker, you know, I consider it a privilege to speak on this piece of legislation that is before us here today. I want to specifically focus on the proposed section 16(1), which indicates that:

“A citizen of Trinidad and Tobago who has been deported”—would be required to—“submit to the taking of a non-intimate DNA sample upon arrival in Trinidad and Tobago.”

Madam Deputy Speaker, when I read this, I expressed great concern because I felt that no critical thought had gone into the drafting of this part of the legislation, you know. No critical thought had gone into the fact that there are different categories of persons who are actually deported.

What this particular amendment is requiring is that all persons who are deported—it does not matter if the person is a criminal, if the person would

have been someone who was sent back because they could not provide evidence of sufficient currency, if the person probably could have gone to another country and not even remember accurately the address of the place that he or she was going to stay at, or if the person did not have anyone to pick him or her up at the airport. Madam Deputy Speaker, these categories of individuals and law-abiding citizens, for some reason, would be categorized as under one banner—criminal—Madam Deputy Speaker. I think that has caused me a little concern because, you know, there should have been some measure of distinction between the types of deportees, who would be subject to this kind of non-intimate DNA sampling.

Madam Deputy Speaker, you know, the Attorney General, and even all the Members on the other side, I sat and I tried to, you know, listen as much as I could, to see whether they would have provided a justification, you know, for this particular measure. Why should a law-abiding citizen—whose reason for being deported may be, you know, a non-criminal offence—have to be subject to this kind of measure.

Madam Deputy Speaker, the other thing that I saw, as well, in terms of the legislation was the fact that a person who—again, the deportee, the same individual, will also be subject to fingerprinting. Madam Deputy Speaker, I am saying this person did not commit a crime, the person was never sentenced, the person in no way served any time, and yet still, the person is being treated as a criminal. I really want to ask the Attorney General, you know, in his winding-up of this particular debate, where is the justice? Where is the justice? Why should law-abiding citizens be subject to this kind of measure?

Madam Deputy Speaker, the other thing I want to highlight is the fact that, there is a part of the legislation that speaks to the obstruction of justice, that, you know, persons—it indicated that the proposed section 11(2) would create an offence:

“...where a person who knows or reasonably believes that another person is assisting in the investigation of an offence or a witness or a potential witness in any judicial proceeding, and uses force, threats, bribery or other means to intimidate or dissuade that person from assisting in the investigation or giving evidence or influencing that person to provide false evidence, withhold true evidence, not attend court as a witness or not produce any document, record or other object in evidence;”

Madam Deputy Speaker, I would like to ask, you know, this particular measure really speaks to the fact that persons may come forward as witnesses, and as a result of that, they may be threatened, bribed, intimidated, et cetera. Madam Deputy Speaker, what I would like the Attorney General to tell us, when he is winding up, is whether or not this amendment proposes to give any assurance to any person who would want to come forth as a witness.

8.45 p.m.

We need to give assurance, as well, that neither limb nor life would be lost in the process. Over the years, we have heard of the horror stories, several horror stories, with respect to persons who came forward as witnesses. Some of them never lived to tell the tale because of the fact that they were not assured that they would have been protected and many of them would have been found dead somewhere across the country.

Madam Deputy Speaker, there are many persons in the criminal justice system who do not even have faith in the Witness Protection Programme that is currently established in this country. What they have said is that witness protection has failed, it has fallen apart because of the fact that it has not provided. Through the Witness Protection Programme, people are not given the assurances that they will be safe. Today, there are approximately 196 persons in witness protection and, as I said, there were many who would have been in the programme and left because they were not given assurances that they would have been cared for.

There is need for a greater level of investment in the Witness Protection Programme. I would say that more has to be done. More has to be done to give people a sense of comfort to know that if they decide to come forward to present information or to assist in an investigation, they would be protected. Their family members would be protected as well.

Recently, I had the experience of a witness in the Witness Protection Programme coming to see me. The person came out of frustration, frustration because the basic things that were needed in terms of medical treatment, with respect to food, with respect to money for basic things to look after the children, to ensure that the children remained in school, those basic things were not provided. At the time, the person came because she had an issue where she was bleeding in her eyes and all she required was a pair of glasses and despite how many appeals were made, it was never given. [*Interruption*]

Excuse me, Sir. Madam Deputy Speaker, I need your protection.

Madam Deputy Speaker: You have my protection.

Miss A. Hospedales: Despite all the appeals she made, she was not given the assistance. She indicated the horror story of getting her children into school and keeping them in school; the lack of support with respect to getting money to send them to school and all of that. She recounted those horror stories. The programme, in order for witnesses to come forward, they need to be assured that their needs would be met. They need to be assured that they would be safe and secure and if these assurances cannot be given, most times

people would not come forward.

There is need for a robust Witness Protection Programme, particularly because of the types of crimes that are being committed. People will not come forward unless they know that they will be safe; their families will be safe; their needs will be provided for. They will not come forward. That is something that needs to be given a greater level of attention. In order for us to get more people coming forward to testify, more people coming forward to assist with investigations, we need to make sure that there is a proper system in place. So that is something that needs to be looked at critically.

The one other area I want to focus on is the area of young offenders. We have not been provided with the rationale by the Attorney General, or even Members on the other side, with reference to why section 7 of the Young Offenders Detention Act is being repealed. We have not been provided with that information. Why was the Minister's approval removed before a sentence was passed by a court of summary jurisdiction? Why was that removed?

There is need for the development of a comprehensive juvenile justice system in this country. There is urgent need, not just a need, urgent need, and what currently occurs in the juvenile justice system and the juvenile detention systems is really not the ideal. When you compare our systems with the best practices in the more developed countries, it is like chalk and cheese.

When you look at YTC, my heart really cries out for the young people who are at the Youth Training Centre. The reason is that it is a miniature prison. Despite the fact that they say it is not a miniature prison, it is a detention centre, to me it is a miniature prison. When you look at the 106 inmates who are in that prison, according to the information provided in February 2013, when a child who is beyond control—approximately 6 per cent of the population at the centre at that time were beyond control and 3 per cent breached school rules—when you place children who are beyond control and children who breach school rules with a child who committed a murder—which accounts for 25 per cent of the children at YTC—or a child who maliciously wounded another person—which accounted for 14 per cent of the population in 2013—what do you expect to occur to a child who is being detained for “beyond control” or for breaking school rules? In an institution like that, what is going to happen is that there will be an exchange of information, a grooming process for criminality. Those detention centres really become breeding grounds for criminals. It is sad to say, but these centres need critical, critical attention and it is urgent.

When you look at the St. Michael's School for Boys, the children there, they are sent to that detention centre for “beyond control”, 64 per cent; for breach of school rules, 12 per cent; safe-keeping, 20 per cent; larceny, 4 per

cent. Twenty-five young males were found to be at the centre in February 2013. At the St. Jude's School for Girls, beyond control, 68 per cent; theft, 3 per cent; breach of school rules, 21 per cent; sexual offence committed against the girl, 8 per cent; and, at the time, in 2013, there were 38 young females.

These are just a few examples of the young children that are placed in detention centres, but there are also those who are before the court, who are before probation officers, community service officers, social workers, who are seeing these professionals for varying reasons. Some of them are actually restricted in terms of curfew hours and that kind of thing. There is a crisis especially when it pertains to addressing the issues with juvenile justice and juvenile detention in this country.

I happened to have read something posted by the Ministry of Justice. The Ministry of Justice, in some research article that they had, indicated that an examination of the existing youth justice system in Trinidad and Tobago reveals that, both on paper and in practice, there is no significant difference between the treatment of a young juvenile offender as against an adult who would have committed a crime. What they said is that, in some instances, young persons are served with harsher penalties than adults for the same or simpler types of offences.

They went on to say that the operation of the youth justice system in this country seems to reflect a distinctively punitive approach to youth justice where the focus is on punishment and forced training and not on the positive development and empowerment of the child who exhibits deviant behaviour. A consequence of that has been an increasing incidence of youth offending, especially involving violence.

Madam Deputy Speaker, you see, there is a need for us to review the approach that we would have used in terms of treating with juvenile offenders in this country. There is need for a softer approach; there is need for an alternative approach. The punitive way we have engaged in dealing with youth offenders is one of the reasons why we are seeing an escalation in violence.

I really hope that the Minister, the Attorney General, would have listened critically to the points that have been raised on this side and would review them and, in his winding-up, make an attempt to answer some of the issues that would have been raised and even so, to tell us some of their decisions—what they intend to do, particularly with the juvenile justice system. We would like to hear from him in terms of some of the things that they intend to put in place.

Madam Deputy Speaker, I just want to say thank you. [*Desk thumping*]

ARRANGEMENT OF BUSINESS

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Madam Deputy Speaker, in accordance with Standing Order 37(3), I beg to move that the debate on the Miscellaneous Provisions (Administration of Justice) Bill, 2014, be adjourned.

Question put and agreed to.

**LAND TENANTS (SECURITY OF TENURE)
(AMDT.) BILL, 2014**

Order for second reading read.

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Madam Deputy Speaker, I beg to move:

That a Bill to amend section 4(3) of the Land Tenants (Security of Tenure) Act, Chap. 59:54, be now read a second time.

The Bill is on the Order Paper in the name of the Minister of Housing and Urban Development. The Land Tenants (Security of Tenure) Act, Chap. 59:54 was passed on June 01, 1981. The main purpose of this Act was to protect land tenants who had houses on rented lands from being evicted by the owners of the land. Currently, there are approximately 4,000 land tenants throughout Trinidad and Tobago; and when we say tenants, we mean persons who are renting on private lands, not state lands.

The Act stipulates that where a tenancy existed at the appointed day of commencement of the Act—that is June 01, 1981—it was automatically converted into a statutory lease for 30 years. During the period of the statutory lease, the tenant has the option to renew the lease for a period of 30 years or to purchase the parcel of land at half the market value of the land.

In order to exercise the right of renewal, prior to its amendment in 2010, section 4(3) of the Act provided that the tenant was required to serve on the landlord written notice of renewal at least six months before the expiration of the original term of the statutory lease. This meant that tenants were obliged to serve notices by November 30, 2010. Upon service of the notice by the tenant to the landlord, the statutory lease was deemed to be renewed for a period of 30 years, subject to the same terms and conditions and to the same covenants, if any, as the original term of the statutory lease.

9.00 p.m.

However, Madam Deputy Speaker, my Ministry at the time, the then Ministry of Housing and the Environment, recognized the dire need to assist land tenants by allowing them more time to serve notices of renewals on

landlords since only service would have enabled them to secure another 30-year lease. In fact, Madam Deputy Speaker, the last 30-year period would have been determined in the year 2041.

The result of the passing of Act No. 10 of 2010 whereby section 4(3) of the Land Tenants (Security of Tenure) Act was amended to extend the time of notices of renewal to be served on landlords to June 01, 2011, which is the end of the first 30-year statutory lease instead of November 30, 2010—that is, six months prior to the expiration of the 30-year statutory lease.

In 2010/2011, Madam Deputy Speaker, in order to sensitize the land tenants to the requirement to serve notices of renewal on their landlords, the Ministry in collaboration with the Ministry of Legal Affairs embarked upon an extensive public relations campaign which took the form of radio and print media. We were very successful in that many land tenants across the country served the required notices of renewal on their landlords. However, many of them experienced the problem of not knowing exactly who their landlord was, the address or location of the landlord if any, and also the existence of multiple landlords for the same parcel of land. In such circumstances, Madam Deputy Speaker, service of renewal notices on the landlords was virtually impossible.

Madam Deputy Speaker, a tenant who did not serve a notice of renewal on the landlord could be evicted from the land; could lose the protection of the Act in that he or she would no longer have the option to purchase the land at half the market value or, in essence, would no longer hold the land as the statutory lessee. Such a person would now be at the mercy of the landlord, and would have to enter into some other form of arrangement to purchase the land should the landlord decide to sell.

Madam Deputy Speaker, the Ministry thus recognized the urgency to assist land tenants who, through no fault of theirs, were experiencing the problems of service. To alleviate this problem, the then Ministry of Housing and the Environment in collaboration with the Ministry of Legal Affairs collected the said renewal notices from the tenants within the stipulated time period—that is, up to June 01, 2011—based on the legal principle that the State is the residuary owner of all lands. Madam Deputy Speaker, the tenants having effected service on the State as landlord—land owner, sorry—were then able to derive the benefit of automatic renewals of their statutory leases which many are currently enjoying together with the option of purchasing the land at half the market value.

Madam Deputy Speaker, our Ministry is aware that there was not and still does not currently exist any provision for service of renewal notices on the

State in the Act, but as enunciated before, the Ministry had to implement some initiative to allow tenants to exercise their legal rights to renew their leases. The tenants having served their notices on the State, and the State having accepted same, Madam Deputy Speaker, it was now necessary to validate the initiative taken by the then Ministry of Housing and the Environment by amending section 4(3) of the Act retrospectively. In this regard, an amendment to section 4(3) of the Act is being proposed in the following form:

“(a) by inserting after subsection (3), the following subsection:

‘(3A) Where a tenant is unable to serve a written notice of renewal on the landlord under subsection (3) for any of the following reasons:

- (a) the identity, address or location of the landlord is unknown; or
- (b) there is more than one landlord in respect of the same parcel of land,

the notice may be served on the State as landlord by serving it on the Minister.’; and

- (b) in subsection (4), by inserting after the words ‘subsection (3)’, the words ‘or 3(A)’.”

The validation clause, Madam Deputy Speaker, would read as follows:

“The service of a written notice of renewal of a statutory lease on the State as landlord under section 4(3A) of the Act during the period commencing on 30th November, 2010 and ending on 1st June, 2011 is hereby validated and deemed to have been lawfully done.”

Madam Deputy Speaker, in light of the foregoing, I recommend that consideration be given to this Bill to amend section 4(3) of the Land Tenants (Security of Tenure) Act, Chap. 9:54.

Madam Deputy Speaker, I thank you and beg to move. [*Desk thumping*]

Question proposed.

Miss Marlene Mc Donald (*Port of Spain South*): Thank you, Madam Deputy Speaker, and thank you for the opportunity to join in this debate, the Land Tenants (Security of Tenure) (Amdt.) Bill, 2014. When I read the Explanatory Note, the general purport of this amendment is really to validate renewal notices which were served on the State as landlord for the period November 20, 2010 and June 01, 2011, and I have to agree with the Minister as he explained exactly what was that statutory lease, and what transpired prior to 1981, et cetera.

Land Tenants (Amdt.) Bill, 2014
[MISS MC DONALD]

Friday, May 09, 2014

Now, Madam Deputy Speaker, in order to accommodate those persons who for some reason were unable to locate their landlords—which is very important—and would have served notices of renewal on the State, what this amendment is now doing is actually validating those renewal notices retroactively, and that is what clause 5 is doing as the Minister just stated. It is amending section 4 of the parent Act and clause 6 provides for the validation of the Act and simultaneously the statutory leases.

We on this side, Madam Deputy Speaker, we have no problem in supporting this amendment as, indeed, it affects a lot of our citizens even in my own constituency. But, Madam Deputy Speaker, I have some questions to ask of my colleague, the Member for Oropouche East. You see, there was such a debate back in November 2010 and I was quite heartened when in the last debate the Minister had this to say from his *Hansard*, and I am quoting. He said:

“I would like to add that after this amendment is made, the Ministry intends to embark on a public relations and education drive to encourage all land tenants to exercise their options to purchase the land for half the market value as provided for in sections 5(5) and 9 of the Act. This would be of paramount importance since the life of this Act extends only for another 30 years”—which would be 2041, at the time he spoke.

I want to ask the Minister in his winding-up, Minister was this done? Did you come to the Parliament with any amendment? Did you carry out this public relation and education drive as you stated? Four years have passed, have you done this?

Another promise the Minister made in that debate back in 2010, he said and I quote:

“...we intend to have consultations with the affected stakeholders communities to look at a more comprehensive reform of the 1981 legislation so that persons who are unaware as to the identity of their landlord, the location, the whereabouts”—of the landlord—“they will be protected in the event that they cannot comply with the 1981 legislation...So we intend, in the new year”—and I guess he meant in 2011—“to bring an additional amendment that would seek to protect the rights of those tenants, notwithstanding this measure today...”

That is what he was talking about. I ask the Minister, again, where is this proposed additional amendment from 2010? Why I am asking that, Madam Deputy Speaker, is that I had welcomed his suggestion that he made and the promise he made back in 2010. I am looking at my constituents in Port of Spain South, more particularly, East Port of Spain, and I would share some

information with you today, and this is not only peculiar to East Port of Spain, but it is also peculiar to a lot of citizens in Trinidad and Tobago. Let me just share something here with you.

There are about 11 landowners in the Port of Spain South area: one Alice Borde who has about two acres of land, and that spreads across my constituency from Desperlie Crescent to Anisette Street; we have the Bowen lands; we have the Blackman lands taking in Marcano Quarry; we have Mc Shine lands taking in all up by Desperlie Crescent and up to Desperados Pan Theatre; we have Sorzano lands; we have the Walker lands; Pemberton lands, Boxer Hill land; Harrison Lands; and we also have Mc Carthy lands. All these landowners, Madam Deputy Speaker, they are all deceased.

So, what is the consequence of this?—because my constituents there, these tenants, they do not know who their landlords are. They cannot exercise the right to purchase—and I will tell you why—at 50 per cent of the market value. They cannot do it. So, I am asking, what is the problem now with this group of people in East Port of Spain as well as those across the country?

Madam Deputy Speaker, I look at this situation, and it could best be described as a socio-economic stagnation in that extended families would not be able to do quite a few things. They cannot approach a bank because they do not have title to their lands. They do not know who to go to to regularize the lands that they would have built on, and no longer are there wooden structures but there are now concrete structures. How do they go about getting property transferred in a legal way to these tenants?

Madam Deputy Speaker, we are all aware that a man's house is his castle, and ownership of our own home is the dream of everyone. Even if the tenants wanted to purchase the land, the legal requirement of applying to the land commission set up in the Act was not established and, therefore, we have created a vacuum there where people are unable to exercise their right of purchase.

My colleague, the Member for Diego Martin North/East, back then in 2010 in his *Hansard* had asked the question about the Land Registration Act. You see, this Act, the Land Tenant (Security of Tenure) Act was part of a larger parcel of legislation which included the Land Registration Act, and in that Land Registration Act there was a section there for the setting-up or the establishment of a land commission.

And, you see, why this is important is because this Bill was intended to deal with a problem where persons who had been renting land and built houses on them could refer now to the commission to have this thing regularized and if this is not set up—and we asked the Minister what has happened and the

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Minister said that the Land Registration Act, while enacted, was never proclaimed and, therefore, it was not operational. As a consequence, the land commission was never ever formed.

Madam Deputy Speaker, this is what the Minister said at the time when the Member for Diego Martin North/East asked: could you tell us when you will be able to deal with this anomaly in the law? And he said:

“I cannot now pronounce on this Land Commission, simply because we have to investigate what has been the problem; what has been the keep back; why, for example, that since 1981 successive governments”—could not deal with it.

9.15 p.m.

I ask the Minister here this evening: After four years, have you investigated the problem, why we cannot get this Act proclaimed? Can you tell this House what has been the keep back? Are you telling this House then, Mr. Minister, that as you said, successive governments—which would now mean not only the NAR, not only the PNM and the UNC, but now this PP Government—cannot deal with this problem?

Mr. Minister, I hope that you will be able to address these concerns because it affects a whole body of citizens in this country, East Port of Spain in particular, because as I said in that entire geographical area I have listed about 12 landowners where my constituents are unable to locate them, they cannot pay and, at least, as you said, we will need some form of protection.

Madam Deputy Speaker, I thank you. We do support it because it will affect the lives of many citizens, but I want the Minister to give an undertaking that measures will be put in place immediately to deal with the specific problem of the implementation of the Land Commission, as well as to hold consultations with communities where the landowners cannot be identified, because they too need the protection of the 1981 legislation.

I thank you. [*Desk thumping*]

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Thank you very much to all my colleagues for their support.

Madam Deputy Speaker, the Opposition Chief Whip spoke on behalf of the Opposition, and I think it was the only contribution on this matter.

Mr. Sharma: Best contribution thus far.

Hon. Dr. R. Moonilal: I want to thank the Members of the Opposition for their consideration of this matter, the importance of the matter to the national community and particularly to underprivileged persons and persons who are

disadvantaged somewhat with their property rights.

Madam Deputy Speaker, the Member for Port of Spain South reminded the House of the last occasion we met in 2010 to discuss and debate a matter similar to the matter before us this evening, and raised a few questions requiring some comments.

Madam Deputy Speaker, the issue of the communication campaign, I want to assure my colleague opposite—the issue of the public relations campaign, I want to assure my colleagues in the House and the national community, that we did embark upon a campaign on the radio, newspapers, an extensive campaign using, not only the mainstream media, but also the social media and also the smaller community-based stations, both radio and television, to ensure that the notifications and the status of the law and the requirement upon tenants are communicated to persons so affected.

Madam Deputy Speaker, I do not have it with me now, but I could easily get the list of the stations and the media and the nature of the campaign that was embarked upon by the Ministry to ensure that this message was conveyed, and it was quite an extensive campaign. However, we do recognize that in some areas in Trinidad you have some remote areas where persons may or may not be fully tuned in to electronic means of communication, and there still exists a vacuum in communicating with persons, a vacuum which in the traditional times, and certainly in times of electoral campaigns, you use the traditional medium of a microphone, a flute mic to drive through the traces and the branch traces in the rural areas, to alert people to all social functions, to alert them to all public messages and so on. That approach was also considered, so that persons would be fully informed, particularly in areas where we believe that this message needed to get to, particularly in the rural areas.

Madam Deputy Speaker, my colleague opposite also raised the issue of the consultations, and it is correct that the Ministry did embark upon a series of consultations with stakeholder communities in the settlement sector. We have had several meetings with representatives of various organizations that affect land tenants, such as the Land Tenants Association. That association has, of course, been an association that has very strong roots in the sector and has represented that group of people for a very, very long time. In fact, it was the now deceased attorney-at-law, Karl Hudson-Phillips QC, who had an illustrious career and a period of sustained service to that organization.

Today their leadership is equally vibrant and quite representative, and have had several discussions with officials of the Ministry of Housing and Urban Development to ensure that care is taken in understanding the issues facing land tenants, and in understanding some of the challenges, but also what are

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the solutions to the problems that we face in that sector. So I assure my colleague that we have had the consultative process. We have had the public relations campaign, and we have been doing that, faithful to our pledge in 2010.

In the area of reform of the law, my colleague opposite and Members are also aware that we do have a very, very clear imperative to reform all aspects of land law in Trinidad and Tobago, where such reform would lead to enhancing property rights of citizens and enhancing the way they conduct their business, vis-à-vis property.

While we did draft in 2011, or thereabouts, legislation dealing with matters pertinent to this sector, this has been the subject of several rounds of consultation. It has been at the LRC, the Legislative Review Committee, in and out for a sustained period of time. In fact, Madam Deputy Speaker, you will recall that there was a time when even on the Order Paper we listed several pieces of legislation to bring the necessary reform to the status of land law in Trinidad and Tobago. So that it actually made the Order Paper, but subsequent to that there were still challenges in the sector, which is extremely complex, and it was felt by Members of Government that further work and attention needed to be placed on those critical areas dealing with the Land Commission and other areas.

Madam Deputy Speaker, another challenge that we face, of course, is that in this area there are several Ministries with specific jurisdictions, particularly the Ministry of Legal Affairs, the Ministry of Housing and Urban Development and now, of course, the Ministry of Land and Marine Resources. So that we are engaged at this time on a collaborative basis with several Ministries, looking at the several pieces of legislation that would be required.

I am very optimistic that in the not-too-distant future the Minister of Legal Affairs and, indeed, the Minister of Land and Marine Resources and myself will be able to coordinate and come to the House with legislation that we believe is adequate and sufficient at this time, given, of course, as my colleague, the Member for Port of Spain South, indicated, the setback we have had and the decades we have had without a very serious attempt to amend the legislation and reform the legislation as it is.

Madam Deputy Speaker, the matter also touches on the initiatives undertaken by the Ministry to reform this sector and to bring greater enhanced possibilities for land tenants to exercise their rights, in an environment where they are convinced that the State will act in a way to facilitate those rights, and not in an oppressive manner, where their rights are undermined without State support. This is why in the law we determine the State as, the landowner, for

the express purpose of serving notices, to help persons who are disadvantaged.

There are particular challenges I am sure in several areas, as the Member for Port of Spain South indicated, where persons and their children, and maybe grandchildren, experience specific problems and challenges because of this, and because of the lateness in bringing the other pieces of legislation. I am sure those matters we can meet and treat with on a case-by-case basis and on a basis of specific problems.

I know that the Commissioner of State Lands and the Minister of Land and Marine Resources are working passionately on issues of regularization, for example, in several areas throughout the country. We are before the LRC on specific legislation that would bring rights to persons who have been on lands for considerable amounts of time and who, as we all know, are unable to in some cases just renovate or repair their homes. In some cases they are unable to use their property and their right to exercise any other financial options that they may have to secure loans and to secure other securities, and so on. So the Minister of Land and Marine Resources we expect, along with Legal Affairs to generate this type of progressive legislation in the very, very near future.

So, Madam Deputy Speaker, the situation as we indicated will require this amendment. We are convinced that Members opposite will support, and they have supported this measure—as they did before incidentally—since it touches and concerns several communities across the land and several areas represented, I understand, by Members on both sides of the aisle. So it is a matter that we can well look forward to for their support.

Madam Deputy Speaker, the intention, of course, is that I would also like to be in a position to give greater detail on some of the matters raised by the Member for Port of Spain South, so that on another occasion I could probably get some greater detail on some of the questions raised. So that for the record, at least, these questions have been asked and these questions have been sufficiently addressed for the public record, as opposed to simply providing information to the Member privately. It is important that the record also reflects some detailed information that the Member is asking for.

This is not a political matter, and therefore it really is not my intention to raise matters of politics as to the status of the law and the time. But I do recognize the point raised by the Member for Port of Spain South that we did come in 2010, but the commitments made concerning public relations, consultation and so on, are commitments we have kept. We have brought legislation on the Order Paper. It was felt that the legislation was not adequate at that time and we needed to do some more work. Regrettably we had to remove it from the Order Paper and get back to the workshop, as it were, the

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Legislative Review Committee, which has looked at it. I think we are increasingly near to that deadline.

I would like to move that the debate on this matter be adjourned until another occasion, so I may have the opportunity as well to add to the public record some greater information. So I beg to move that debate on the amendment to section 4 of the Land Tenants (Security of Tenure) Act, Chap. 59:54 be adjourned.

ADJOURNMENT

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Madam Deputy Speaker, I beg to move that this House do now adjourn to Friday, May 16, 2014 at 1.30 p.m., and to serve notice on that day it is the intention of the Government to debate Paper No. 1 on the Order Paper today, the Notification of His Excellency the President in respect of the nomination of Prof. Ramesh Deosaran for appointment as a member of the Police Service Commission. It is also our intention to continue debate on Bill No. 3 on the Order Paper today, a Bill to amend the Liquor Licences Act, Chap. 84:10, and other pieces of legislation. That Bill is listed in the name of the Minister of Legal Affairs.

Madam Deputy Speaker, I beg to move.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 9.30 p.m.

WRITTEN ANSWERS TO QUESTIONS

The following question was asked by Mr. Jack Warner (Chaguanas West):

Community Improvement Services Limited (Details of Contracts)

54. For the period September 11, 2013 to date, could the hon. Minister of Works and Infrastructure please state the details of each contract issued by the Community Improvement Services Limited (CISL) for infrastructural works including but not limited to:

- a) The location of the project and scope of works;
- b) The name of the company to whom the contract is/was awarded;
- c) The initial estimated cost of the project;

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- d) The final or revised estimated cost of the project;
- e) The date on which the contract award was decided by the Board of Directors;
- f) The date on which the contract was signed;
- g) The date of commencement of works;
- h) The projected and/or actual completion date;
- i) The method by which the successful contractor was selected for award of the contract;
- j) The status of the project; and
- k) The amount of money paid to the contractor to date.

The following reply was circulated to Members of the House:

a)	Location of Project: Scope of Works:	Ministry of National Diversity and Social Integration (MNDSI) new office, South Building, No. 35 Wrightson Road, Port of Spain. Outfitting of the MNDSI new office, south building.
b)	Awardee (Name of Company):	Diamond Interiors Ltd.
c)	Initial Estimated Cost of Project:	\$4,779,097.00
d)	Final/Revised Estimated cost of Project:	\$1,908,568.75 VAT inclusive of 10% contingency.
e)	Date of Board's Decision:	03-Jan-14
f)	Date Contract was signed:	17-Jan-14
g)	Date of Commencement of Works:	17-Jan-14
h)	Project and/or Actual Completion Date:	19-Feb-14
i)	Contractor Selection/Tendering Method:	Competitive tender via open (Public) tendering.
j)	Status of Project:	To date, orders for furniture and office equipment were placed and are expected to be delivered during a six (6) week period.
k)	Amount Paid to Contractor to Date:	\$1,087,884.19

The following question was asked by Mr. Jack Warner (Chaguanas West):

**Rural Development Company of Trinidad and Tobago
(Details of Contracts)**

- 55.** For the period September 11, 2013 to date, could the hon. Minister of Works and Infrastructure please state the details of each contract issued by the Rural Development Company of Trinidad and Tobago (RDC) for infrastructural works including but not limited to:
- a) The location of the project and scope of works;
 - b) The name of the company to whom the contract is/was awarded;
 - c) The initial estimated cost of the project;
 - d) The final or revised estimated cost of the project;
 - e) The date on which the contract award was decided by the Board of Directors;
 - f) The date on which the contract was signed;
 - g) The date of commencement of works;
 - h) The projected and/or actual completion date;
 - i) The method by which the successful contractor was selected for award of the contract;
 - j) The status of the project; and
 - k) The amount of money paid to the contractor to date.

The following reply was circulated to Members of the House.

The following question was asked by Mr. Jack Warner (Chaguanas West):

**Palo Seco Agricultural Enterprises Limited
(Details of Contracts)**

58. For the period from September 11, 2013 to date, could the hon. Minister of Works and Infrastructure please state the details of each contract issued by the Palo Seco Agricultural Enterprise Limited (PSAEL) for infrastructural works with such details including but not limited to:

- a) The location of the project and scope of works;
- b) The name of the company to whom the contract is/was awarded;
- c) The initial estimated cost of the project;
- d) The final or revised estimated cost of the project;
- e) The date on which the contract award was decided by the Board of Directors;
- f) The date on which the contract was signed;
- g) The date of commencement of works;
- h) The projected and/or actual completion date;
- i) The method by which the successful contractor was selected for award of the contract;
- j) The status of the project; and
- k) The amount of money paid to the contractor to date.

The following reply was circulated to Members of the House

Sunrees Road Penal- Upgrade of 500ml drainage & Ancillaiary roadworks on Right Side, Phase 1	Randy Ramtahal General Contractors Limited	\$ 1 003 941.32.	\$ 1 00. 941.32	29-Aug-13	16-Sep-13	17-Sep-13	29-Nov-13	Selective Tendering from list of Pre-Qualified Contractors	Completed	\$ 84 899.90
Jhulai Trace and Jhulai Trace Branch Road, Penal Rehabilitation of 1km of severely damaged road (phase 2)	Bri-Ann General Earthworks Ltd.	\$ 2 003 689.28	\$ 2 003 689.28	17-Sep-13	01-Oct-13	02-Oct-13	11-Nov-13	Selective Tendering from list of Pre-Qualified Contractors	Completed	\$

The following question was asked by Mr. Fitzgerald Jeffrey (La Brea):

**Toxicity Levels
(Details of Preventive Measures)**

100. Could the Minister of Health Indicate:

- a) What measures are put in place to test for toxicity levels in vegetables and root crops before they are marketed?
- b) When and where these tests were last conducted and what were the results?

The following reply was circulated to Members of the House

The Minister of Health (Hon. Dr. Fuad Khan): Currently the Ministry of Health, Chemistry/Food and Drugs Division (CFDD) Laboratory conducts tests only for micro-organisms and food additives on processed vegetables and root crops to determine toxicity levels before they are marketed. These tests are done to determine whether the vegetables and root crops conform to the requirements of the Food and Drugs Act and Regulations.

However, the CFDD Laboratory does not currently conduct tests to determine toxicity levels on raw vegetables and root crops before they are marketed. During 2013 the CFDD Laboratory acquired analytical equipment and other necessary resources to conduct the testing for pesticide residues on agricultural produce. The laboratory staff personnel are currently undergoing training and conducting tests on samples of agricultural produce to determine pesticide residue levels. This is being done in preparation for a market basket survey on agricultural produce in July 2014. The purpose of this survey is to determine pesticide residue levels on selected agricultural produce sold in Trinidad and it will involve sampling at various markets and testing of the agricultural produce.

Additionally, the legislation for controlling the use of pesticides and toxic chemicals on agriculture produce is currently being strengthened. At present, there are no Regulations controlling the use of pesticides on agricultural produce. However, there are provisions under sections of the Pesticides and Toxic Chemicals Act for the Minister to make regulations:-

- i. For controlling the use of pesticides in agriculture generally, or in particular crops or pests, and for controlling the use of toxic chemicals in agriculture;
- ii. For controlling the use of pesticides on produce during its storage or transportation; and
- iii. Prescribing the maximum permissible levels of any controlled product in any particular kind of produce at the time of marketing or sale.

The Ministry of Health is reviewing model legislation from the Caribbean (including Jamaica and Belize), for controlling the use of pesticides and toxic chemicals on agricultural produce as a basis for drafting regulations under the Pesticides and Toxic Chemicals Act. This is expected to be completed by 2015. Once these regulations are enacted, the CFDD will develop a

programme that will involve regular pesticide residue testing and monitoring of agricultural produce before it is allowed to be sold in Trinidad.

In addition to pesticide residue testing, there are plans to increase the scope of testing on agricultural produce to include heavy metals and micro toxins. The acquisition of the laboratory analytical equipment and training of personnel to perform these tests is expected to be completed by 2016.

(b) The testing of processed vegetables for micro-organisms and food additives is done routinely by the CFDD Laboratory and the results for the last twelve (12) months have not indicated the presence of any harmful levels of these substances.

I thank you.

The following question was asked by Mr. NiLeung Hypolite (Laventille West):

**Traffic Congestion
(Measures taken to Reduce)**

117. Could the hon. Minister of Works and Infrastructure state what measures are being put in place to reduce the traffic congestion on our nation's roads?

The following reply was circulated to Members of the House:

The Minister of Works and Infrastructure (Hon. Dr. Surujrattan Rambachan): The Ministry of Works and Infrastructure (MOWI) is in the process of undertaking various measures to reduce the traffic congestions on the nation's roads. Some of the major initiatives are highlighted hereunder.

MEASURES AND INITIATIVES TO REDUCE TRAFFIC CONGESTION

Implementation of New Traffic Schemes

Traffic Schemes are aimed to reduce traffic congestion, enhance pedestrian safety and improve internal accessibility and connectivity in specific areas. In this regard, it is to be noted that numerous traffic schemes are being implemented in several areas

across the country. These include road restrictions, pedestrian crossings (zebra and signalized crossings), no parking restrictions and the creation of one-way streets.

After consultations with local residents, the Trinidad and Tobago Police Service, businesses and other stakeholders, the following measures were implemented:

Areas Completed	Traffic Measure
Barataria Jogie Road	No Parking Restrictions and Roundabout circular using one-way provisions
George Earl Park – St. Joseph	Roundabout circular using one-way provisions
Tacarigua	One-way provisions
Port of Spain - Hart Street	One-way provision
Tunapuna - Back Street	One-way provision
Curepe/St Augustine	One-way provisions and No Parking restrictions during specific periods in the day

Areas Completed	Traffic Measure
St. Ann's Main Road	No Parking Restrictions
Chaguanas - Endeavour Road and Rodney Branch Road	One-way provisions and Parking Provisions
El Soccoro - Don Miguel Road	One-way provisions
St. Augustine - Wilson Street	One-way provisions

The implementation of traffic schemes is an ongoing process. Consultations and traffic investigations are continuing in various areas across Trinidad to aid in the alleviation of traffic congestion on the nation's roads.

Expansion of the Traffic Warden System

The traffic warden system was introduced in March 2011 with seventy seven (77) Traffic Wardens on the nation's roads to keep the roads clear of illegally parked vehicles, to ensure the smooth flow of traffic and to enforce traffic regulations.

In June 2013, Government agreed to the reconfiguration and expansion of the Traffic Warden System in Trinidad into four (4) regions-North West, North East, South Central and South West and subdivided into 28 districts. To date, two hundred and seventy

two (272) Traffic Wardens have been recruited and there are plans to recruit and train an additional 100 Wardens by June 30, 2014. As at January 31, 2014, approximately 6,958 tickets for various traffic offenses have been issued at a value of \$6,477,650.00.

Extension of Acceleration and Deceleration lanes along the Churchill Roosevelt Highway (CRH) and Solomon Hochoy Highway (SHH)

Acceleration and deceleration lanes are being extended on major highways and main roads. This initiative has already been introduced at all intersections including the CRH, Pasea; CRH, Macoya; CRH, Piarco; SHH, Couva and SHH, Chase Village with success.

Extended acceleration lanes have permitted vehicles to merge at higher speeds into the main traffic on the highways and conversely, extended deceleration lanes have allowed vehicles to exit earlier off the highways. Both measures have contributed to a reduction in stop-and-go traffic and road accidents.

Establishment of a National Traffic Management System (NTMS)

Deployment of NTMS Pilot

In an attempt to provide real time solutions to traffic disruptions, three systems were deployed as pilot projects between Anna Street and the Interchange at Grand Bazaar namely, the Corridor Traffic Management System (CTMS), the Traffic Signal Control System (TSCS) and the National Traffic Management Centre (NTMC). The control point of the NTMS is the National Traffic Management Centre (NTMC), located in the MOWI's Administration Building. At present, the NTMC is manned on a shift basis between 5:00 a.m. to 9:00 p.m. from Mondays to Fridays.

The major achievements to date for fiscal 2013/14 are: -

1. A total of 292 incidents were recorded in the NTMC as detailed below:

Quantity	Incident Type
55	Accident
11	Law Enforcement Exercise
38	Maintenance
67	Lane Closure
12	Fire
23	Road Work
12	Construction
74	Disabled Vehicles

2. TSCS Expansion – this system was expanded to include the Colville and Ariapita Avenue intersection in an effort to coordinate the Wrightson and Colville intersection traffic lights.
3. Travel time information was also collected and posted during the peak periods. Travel time summary information collected is summarized as follows: -

Month	Estimated Time Travel from Interchange to POS (westbound) p.m. peak (minutes)	Estimated Time Travel from POS to Interchange (eastbound) p.m. peak (minutes)
June 2013	25	36
July 2013	15	20
August 2013	21	37
September 2013	27	55

Using the NTMC, major traffic delays were identified at the Aranguez and CRH eastbound interface. A solution was developed and designs initiated.

4. The green wave initiative was achieved by coordinating all the traffic lights along Wrightson Road.

It is proposed that the NTMS be expanded to include areas along the CRH up to Piarco to the east and along the UBH/SHH up to Couva.

Utilisation of the Red Light Enforcement (RLE) System

The MOWI is pursuing the RLE automated system to detect red light violations and record identifying information about the vehicle and/or driver. This system proposes to improve safety, enhance mobility and reduce traffic congestion on our nation's roads. Violation evidence will be processed and reviewed in an office environment and violation notices delivered to the registered owners of identified vehicles after the alleged violation occurs.

The design for this system is completed and was accepted by the Ministry. Deployment of the field equipment at Dock Road commenced on September 29, 2012 and was completed by October 6, 2012. Testing, integration, data collection, monitoring and evaluation continued until the end of November 2012.

This pilot project was launched on June 6, 2013 in both the eastbound and westbound directions at the Wrightson Road and Dock Road intersection and to date a total of 1520 violations were recorded over the period January to September 2013 as follows: -

Month	Violations	Repeat Offenders
January 2013	52	25
February 2013	80	36
March 2013	233	100
April 2013	253	100
May 2013	224	98
June 2013	198	86
July 2013	189	86
August 2013	138	61
September 2013	153	70
TOTAL	1520	662

In February 2014, Cabinet approved, inter alia, the draft discussion paper, as the policy document with respect to the establishment of a legal framework for the introduction of a Red Light Enforcement Camera System in Trinidad and Tobago and that the Attorney General prepare the necessary legislation for the introduction of a Red Light Enforcement Camera System along the lines of the policy document.

Installation of Variable Message Signs and Proposal for Short Message Service (SMS) Service

Two (2) Variable Message Signs (VMS) are in operation along the Beetham Highway which provide information to commuters on variables such as traffic congestion, emergencies and expected travel times.

The Ministry is exploring the possibility of the implementation of a Short Message Service (SMS) System that would allow for mass communication of key traffic notices and emergency instructions. SMS messages will be sent to mobile phones informing of traffic interruptions thus allowing commuters the option of utilising alternative routes to reach their destination.

Provision of Alternative Access Routes

Alternative Access Routes involve the construction and reconstruction of roadways that provide an alternative route to a specific destination, reducing traffic flow from town centres. The Tarouba Link Road was one such alternative access route that was rehabilitated and completed in July 2013 which had the effect of reducing traffic congestion in this area.

The Valencia By Pass is a major alternative access route project that is currently being implemented by the MOWI to alleviate traffic congestion. Brief details on this project are as follows.

Valencia Bypass Project

The Valencia Bypass Project entails the construction of a new roadway south of Valencia that would be used by motorists to bypass the town centre. The intent of the implementation of this project is to eliminate the excessive traffic pileups that exist along the Eastern Main Road in the vicinity of Valencia. In so doing, it is expected that the delays, time lost, road user costs and air

pollution from exhaust associated with these traffic issues would significantly be reduced. The alignment is to the south of Kangalee Village but north of Aripo Savannas Scientific Reserve and runs from Antigua Road to the Eastern Main Road along the Long Stretch.

Additionally, Alternate Access Routes projects that are proposed to be undertaken by MOWI include:

Project	Location
Barrackpore to Gasparillo	Barrackpore to Ciperro Ciperro to M1 Tasker M1 Tasker to Gasparillo
Katwaroo to Clarke Link road	Vicinity of Parvati Girls and Shiva Boys High School
Mulchan Seuchan Trace Access to SHH	Orchard Gardens/Endeavour
Eastern Link Road	Starting at the existing Caroni overpass along the UBH and ending along the CRH east of Trincity
Lady Young Road/Movant Junction	Vicinity of Eastern Main Road and the PBR

Widening of Existing Roadway

The Ministry is continuing the process of identifying areas in which existing roadway can be widened in an effort to ease traffic congestion. Current projects being implemented include:

Project	Location
Port-of-Spain Access Project	Eastbound and Westbound of the Beetham Highway from Market Overpass to the Lighthouse
Dualling of the Diego Martin Highway	From Victoria Gardens to Acton Court
CRH Widening Golden Grove to O'Meara	Phase 1. Golden Grove to Macoya East – Completed. The West bound section is scheduled to commence in this fiscal year.
Arouca River Bridge B1/14	Vicinity of Trincity Mall
Reconstruction of Bridge B1/23	D'Abadie

The projects proposed for implementation in fiscal 2014 are as follows:

Project	Location
Southern Main Road Widening	Frederick Settlement to Washington Junction
Solomon Hochoy Highway (SHH) Widening	Chaguanas to Carlsen Field
Western Main Road Widening	From Powder Magazine to Western Main Road Overpass.
Wrightson Road Widening	Vicinity of Fire Services, Wrightson Road
Macaulay Access	Macaulay Overpass

Construction of New and Upgrade of Existing Interchanges

The construction of new and upgrade of existing interchanges on our nation's roads is another important measure being employed by the MOWI in an attempt to reduce traffic congestion.

One of the Ministry's flagship programmes is the Port of Spain East West Corridor Programme which is intended to improve the capacity of the East West corridor road system and alleviate the traffic congestion during peak hours.

Under this programme, the completion of Package 'C' resulted in the removal of the existing traffic lights at the Churchill Roosevelt Highway/Uriah Butler Highway (CRH/UBH) Intersection and the lights at Cipriani/Bamboo #2 providing a free flow of vehicles in all directions.

The next phase of this programme entails the construction of an overpass at Southern Main Road and the Churchill Roosevelt Highway intersection (Package D). This construction will allow the Ministry to remove the three (3) traffic lights east of the CRH/UBH intersection located at the intersection of the CRH and Valsayn North, Valpark and Southern Main Road respectively. This is expected to further reduce traffic congestion as it will have the effect of converting a further section of the CRH into a freeway. Based on the implementation schedule developed, construction is expected to commence in May 2014 and to be completed by July 2015.

Other interchange initiatives to be undertaken are as follows:

Project	Location
Chase Village	At the Intersection in Chase Village
Monroe Road Interchange	Monroe Interchange, UBH
Freeport	Freeport Interchange, UBH
Indian Trail Overpass Upgrade	Vicinity of Indian Trail Road & Rivulet Road
Maraval Access	Vicinity of Maraval Country Club

Construction of New Trunk Roads

The construction of new trunk roads is another measure being advanced by the Ministry which will assist in the reduction of traffic congestion. Major trunk road projects that have commenced to date are as follows:

Project	Location
Extension of the Solomon Hochoy Highway from San Fernando to Point Fortin	Spans from Golconda to Point Fortin. The Golconda to Debe Segment was officially opened on August 30, 2013
Dualling of CRH from O'Meara Road to Santa Rosa and Rehabilitation of Existing Roadway between Santa Rosa and Antigua Road, Wallerfield	Vicinity of O'Meara Road to Santa Rosa

New trunk road projects being proposed are as follows:

Project	Location
Princes Town to Mayaro Highway	Princes Town to Mayaro
San Fernando to Princes Town Highway	San Fernando to Princes Town
Churchill Roosevelt Highway from Wallerfield to Manzanilla	Wallerfield to Manzanilla

Conduct of Traffic Studies

The MOWI is pursuing the following studies with a view to alleviating the traffic congestion.

- Port of Spain Traffic Study – The MOWI intends to conduct a comprehensive Traffic Study to provide solutions on the impact of a variety of contributing factors to the daily congestion of Wrightson Road and the Port of Spain Business District. At present, traffic data collection is to be continued across the country. This will facilitate the Ministry and also prospective Consultants in determining solutions to traffic issues.
- Studies are currently taking place to revise the timing plans of the traffic signals along the Wrightson Road Corridor to facilitate a smoother flow of traffic.
- Active Traffic Management (ATM) solutions are being deployed as a mechanism to increase the capacity of the strategic road network, without requiring additional land acquisition or compromising safety. Methods being explored include allowing traffic to use the hard shoulder as an additional running lane during periods of peak demand, implementing control mechanisms such as moderating speed limits to smooth flow, or controlling access to the main carriageway (ramp metering).

To this end, the Ministry has awarded a contract to carry out a feasibility study and preliminary designs for an ATM solution in two phases. Phase 1 includes Wrightson Road to Churchill Roosevelt Highway from Port-of-Spain to Piarco and Phase 2 includes Uriah Butler Highway/Solomon Hochoy Highway (UBH/SHH) from the interchange to Couva. Upon the approval of preliminary designs, detailed designs will be undertaken with the possible implementation of an ATM solution over the period December 2014 to July 2015.