

HOUSE OF REPRESENTATIVES*Friday, April 13, 2018*

The House met at 1.30 p.m.

PRAYERS[MADAM SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Madam Speaker: Hon. Members, the hon. Camille Robinson-Regis, MP, Member for Arouca/Maloney, the hon. Fitzgerald Hinds, MP, Member for Laventille West and Dr. Fuad Khan, MP, Member for Barataria/San Juan, have requested leave of absence from today's sitting of the House. The leave which the Members seek is granted.

**JOINT SELECT COMMITTEE
(CHANGE OF MEMBERSHIP)**

Madam Speaker: Hon. Members, I am to advise that I have received the following correspondence from the President of the Senate dated April 12, 2018:

Dear Honourable Speaker.

Change of Membership to Joint Select Committee.

I wish to inform you that at a sitting held on Wednesday, April 11, 2018, the Senate agreed to the following Motion:

Be it resolved that the Senate agree to the appointment of Mr. Gerald Ramdeen in lieu of Mr. Saddam Hosein on the Joint Select Committee on National Security.

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

Yours respectfully,

UNREVISED

Christine Kangaloo
President of the Senate.

PAPERS LAID

1. Annual Report of the Criminal Injuries Compensation Board for the period October 01, 2013 to September 30, 2014. [*The Minister of National Security (Hon. Maj. Gen. Edmund Dillon)*]
2. Response of the Service Commissions Department to the Seventh Report of the Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities (including the THA) on an Inquiry into the Efficiency and Effectiveness on the Public Service Commission. [*The Minister of Health (Hon. Terrence Deyalsingh)*]
3. Ministerial Response of the Ministry of Finance to the Twelfth Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial year 2016. [*Hon. T. Deyalsingh*]
4. Ministerial Response of the Ministry of Finance to the Thirteenth Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial year 2016 with specific reference to the Ministry of Finance. [*Hon. T. Deyalsingh*]
5. Ministerial Response of the Ministry of Agriculture, Land and Fisheries to the Eleventh Report of the Public Accounts Committee on the Examination of the Audited Financial Statements of the Land Settlement Agency for the financial years 2008 and 2009. [*Hon. T. Deyalsingh*]

PRIME MINISTER'S QUESTIONS**Minister of National Security
(United States Court Ruling)**

Mr. Rodney Charles (*Naparima*): Thank you Madam Speaker. To the Prime Minister: Is the Prime Minister aware of information in the public domain in which the Minister of National Security has been ordered by a United States (US) Court to return forthwith large sums of moneys as well as other assets and properties allegedly taken from a US citizen?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, I am aware of what is in the public domain with respect to private matters between the Minister of National Security and others, in which case I am not talking about allegedly taken from, but a gift received from, and I make a distinction in that way. And other than that, Madam Speaker, I am aware only that there are private considerations in a foreign jurisdiction.

Madam Speaker: Supplemental, Member for Naparima.

Mr. Charles: Does the Prime Minister not think it important that in coming to decisions that he is seized of all the information relevant to the situation at hand?

Hon. Dr. K. Rowley: Madam Speaker, as far as I am aware, I am seized of all the pertinent information that is available to me and until other information becomes available, I do not concern myself with that. I have been concerned with matters relating to the Minister's involvement, and so far what I am aware of is what has been made available from the foreign jurisdiction.

Madam Speaker: Supplemental, Member for Naparima.

Mr. Charles: Is the Prime Minister stating that the information available to him at this time, that he chooses to ignore the contents and implications of that information?

Hon. Dr. K. Rowley: Madam Speaker, I have no idea which aspect of any information he is referring to and if he wants to be specific in any specific allegation against the Minister, then this is a good place to make it.

Madam Speaker: Member for Oropouche East.

Dr. Moonilal: Prime Minister, given the seriousness of the information in the public domain, do you intend to take any steps as Prime Minister and head of Government, to verify information in the public domain from a relative in the United States? [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, I am not engaged in a prosecution or a persecution. I have made all reasonable steps to satisfy myself with respect to information that cannot be refuted. If Members of this House have other information and they want to make specific allegations against the Minister, then you can make it in this House or out of this House. In this House I will hear it, and outside of this House the Minister will hear it. Until such time, Madam Speaker, I cannot take action on speculation and misinformation. [*Desk thumping*]

Allegations of Sexual Harassment (Tabling of Legislation)

Mr. Barry Padarath (*Princes Town*): Thank you, Madam Speaker. To the hon. Prime Minister: In light of recent allegations against a high-ranking official relating to sexual harassment in the workplace, could the Prime Minister inform this House whether this Government intends to table sexual harassment legislation forthwith in this Parliament?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, we are not in the process of tabling legislation at this time, but we are in the process of identifying the establishment of adequate policies to respond to this development in the workplace. This has been a problem that has been in existence for the longest while and I am very happy that my colleagues on the other side are encouraging urgency. And, Madam Speaker, as far as I am advised, there is a provision in the common law, even at this time to take action where action is required. But the Government is moving to have proper policies in place across the public sector.

Madam Speaker: Supplemental, Member for Couva North.

Ms. Ramdial: Thank you. Mr. Prime Minister, can you at this time tell us the time period before this policy is implemented?

Hon. Dr. K. Rowley: Madam Speaker, the Minister of Labour and Small Enterprise Development addressed this matter publicly in the other place recently, and I would assume that if the Member is as excited about it as she is indicating, that she would have heard the Minister of Labour answering a question in the other place put by those on the other side, and the Minister of Labour indicated that there were discussions taking place from various stakeholders to bring to conclusion in short order, a policy of this matter.

Madam Speaker: Supplemental, Member for Couva South.

Mr. Indarsingh: Thank you, Madam Speaker. To the Prime Minister: Taking into consideration that the Minister in the Office of the Prime Minister with responsibility for gender affairs issued a press release that the Government takes all matters of sexual harassment very seriously—Prime Minister, could you tell us

what your Government is doing as it relates to sexual harassment or allegations at the House of Angostura?

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, the Government of Trinidad and Tobago, insofar as matters at Angostura are concerned, the Government of Trinidad and Tobago took careful note of the Justice Rolston Nelson Report on that matter and since then I have heard nothing to refute what has been in that report, and if Members on the other side have other information, then they can make that information available. The latest on that matter is contained in the Justice Rolston Nelson Report where facts and evidence were assessed.

Madam Speaker: Supplemental, Member for Naparima.

Mr. Charles: Prime Minister, in the interim, developing legislation, et cetera, do you not think it prudent that you advise—or have you advised your Cabinet colleagues about the ethical considerations with respect to sexual harassment?

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, I need no advice from my colleague from Naparima as to what to advise my Cabinet on.

Expenditure of Public Funds (Wrongful Dismissal)

Mr. Barry Padarath (*Princes Town*): Madam Speaker, question 3 to the hon. Prime Minister, through you: In light of the public interest in the expenditure of public funds amounting to \$150,000 to settle a wrongful dismissal of a worker on the grounds of sexual harassment, could the Prime Minister inform this House whether the said matter was brought to his attention prior to the execution of a settlement by the parties involved?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, no such matter, even as misrepresented in this text or correctly placed, was brought to my attention.

Madam Speaker: Supplemental, Member for Princes Town.

Mr. Padarath: Thank you, Madam. Could the hon. Prime Minister say when was this matter first brought to the attention of the hon. Prime Minister?

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, the first time I heard of any settlement on any sum was when it was raised here as an Urgent Question in the not-too-distant past.

Madam Speaker: Member for Couva South, supplemental.

Mr. Indarsingh: Thank you, Madam Speaker. Could the Prime Minister tell us in relation to this settlement issue at the Ministry of Sport and Youth Affairs, if any advice was offered to you through the office of the Attorney General?

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: The Attorney General's office is not involved in this matter, as far as I am concerned, and no advice or contact or communication was made to me by the Attorney General or anyone in this matter.

Madam Speaker: Supplemental, Member for Princes Town.

Mr. Padarath: Thank you, Madam. Madam, to the hon. Prime Minister: Can the hon. Prime Minister say if the Prime Minister took immediate steps, same day and time to make contact with the substantive Minister, seeing he was abroad, to speak to him to get clarification of the validity of this matter?

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, I am not really clear exactly what the timeline he is talking about, but as a responsible officer of State, when this matter came to my attention in this House I immediately asked a Member of the Cabinet to communicate with the Permanent Secretary in the Ministry of Housing and Urban Development to determine what the Government was involved in there and what were the Government's liabilities. The Minister of Sport and Youth Affairs returned to the country and I spoke to him soon after he returned.

Madam Speaker: Supplemental, Member for Oropouche East.

Dr. Moonilal: Thank you very much. Prime Minister, given the nature of this matter, could you assure the national community that steps will be taken to retrieve the \$150,000 of taxpayers' money spent in this way to settle a matter on sexual harassment?

Hon. Dr. K. Rowley: Let me just make something very clear to my colleagues on the other side, that this matter is no more urgent than the allegations made when you were in Government—[*Crosstalk*]

Dr. Moonilal: But that is not the issue. We are not asking about the issues of allegations. [*Crosstalk*]

Hon. Dr. K. Rowley:—when members of the public— [*Crosstalk*] —members of the public were reporting to the media—[*Crosstalk*]

Madam Speaker: Order! Order!

Hon. Dr. K. Rowley: If “yuh doh want ah answer, tell me, yuh know.”
[*Crosstalk*]

Mr. Indarsingh: Tell us if you are retrieving the money.

Madam Speaker: Order!

Hon. Dr. K. Rowley: “Doh play no more holier than thou for me.” [*Crosstalk*]
These allegations are—[*Crosstalk*]

Madam Speaker: Prime Minister.

Member for Couva South. [*Crosstalk*] Member for Couva South—

Mr. Indarsingh: Yes, Madam.

Madam Speaker: I would not tolerate such outbursts. Prime Minister.

Mr. Indarsingh: “You tolerating everybody talking.”

Madam Speaker: Member for Couva South. [*Crosstalk*] Member for Couva South—

Mr. Indarsingh: Yes, Madam Speaker.

Madam Speaker: I would ask you to withdraw your comment.

Mr. Indarsingh: I will withdraw it, Madam Speaker.

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, this matter arose in this honourable House and it was the Attorney General who made it quite clear that the matter of the settlement and the payment of that sum of money was in the context of a wrongful dismissal by way of process. That was the issue that the Government was dealing with at the Industrial Court and if there are Members who know otherwise, then they could carry on in that way. I am simply making it clear to my colleagues on the other side that sexual harassment in public office did not start under this Government. So “doh come and play holier than thou here for me”. [*Desk thumping*]

Mr. Padarath: [*Inaudible*] Hypocrites!

Madam Speaker: Member for Princes Town, withdraw that comment—

Mr. Padarath: I withdraw, Madam Speaker.

Madam Speaker:—and please apologize. I am not allowing all of this shouting as if we are in a market.

Mr. Indarsingh: Pay back the money.

Mr. Padarath: It is true.

Madam Speaker: Member for Princes Town.

Mr. Padarath: Madam, I apologize. I withdraw.

Madam Speaker: Thank you.

Mr. Padarath: But it is true. [*Crosstalk*]

Mr. Deyalsingh: Madam Speaker, he has to withdraw it unconditionally.

Mr. Al-Rawi: This is the third time. It is true?

Hon. Member: Put him out.

Hon. Member: Oh Lord!

Mr. Indarsingh: The person who committed the act paying back the money.

Madam Speaker: Member for Couva South. Member for Couva South, I would just invite you to take a walk, control your emotions and you can return.
[*Crosstalk*]

Mr. Indarsingh: Madam Speaker—

Madam Speaker: Member for Couva South.

Mr. Indarsingh:—if you could quote the Standing Order, I am willing to comply.

Madam Speaker: Member for Couva South.

Mrs. Persad-Bissessar SC: There is no Standing Order.

Hon. Member: Take a walk.

Mrs. Persad-Bissessar SC: There is no Standing Order.

Mr. Lee: Madam Speaker, there is no Standing Order to tell a Member to take a walk.

Mr. Indarsingh: I am willing to abide by your ruling. Guide me under what Standing Order. [*Desk thumping*]

Madam Speaker: Member for Couva South, I have made a determination. It is either you abide with it or I then invoke my other powers.

Hon. Member: She named you several times.

Mr. Indarsingh: I am simply asking—

Madam Speaker: Member for Couva South, I am giving you a last opportunity to either abide by it or I will proceed under the Standing Orders.

Mr. Indarsingh: Please guide me by the Standing Orders, Madam Speaker.

Hon. Member: She named you on two occasions.

Madam Speaker: Member for Couva South, having called upon you at least three times to apologize and also to take a walk and come back and control yourself under my—

Mr. Indarsingh: I will apologize.

Madam Speaker: I am on my legs. This is not a conversation. I am on my legs. I now deem your conduct to amount to gross disorder and I am asking you to withdraw immediately from the Chamber for the rest of today's sitting.

Member for Couva South escorted from Chamber.

Mr. Charles: Primary school.

Madam Speaker: Member for Naparima, I would remind you that comments do reach here and while it may not be intended, some of the comments can be considered contemptuous. I am not going to tolerate it.

Member for Pointe-a-Pierre.

Mr. David Lee (*Pointe-a-Pierre*): Thank you, Madam Speaker. On behalf of the Member for Couva South, question No. 4 to the Prime Minister: Could the Prime Minister inform this House of the terms of reference of the recently appointed committee headed by former ambassador Christopher Thomas—

Madam Speaker: Member for Pointe-a-Pierre, I called upon you for question No. 6.

Mr. Lee: What?

Madam Speaker: I called upon you for question No. 6. That is the question under your name under the Order Paper—question No. 6.

**Gas Export Agreement
(Supply of Natural Gas from Venezuela)**

Mr. David Lee (*Pointe-a-Pierre*): Okay. Question No. 6 to the Prime Minister: Given the recent reports that the Minister in the Office of the Prime Minister met with the Venezuelan Oil Minister to evaluate the progress of the Gas Export Agreement between the two countries, could the Prime Minister inform this House when this country can expect to secure its first supply of natural gas from Venezuela?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, I spoke in general terms on this matter in this very House on a question of this nature. The documentation that exists with respect to this initiative is at a very sensitive and close to the closing stages and I am not in a position to provide any more specific information than that.

Madam Speaker: Supplemental, Member for Pointe-a-Pierre.

Mr. Lee: Just—so the Prime Minister does not have a date when we will receive natural gas from Venezuela?

Madam Speaker: Is that a question or a statement?

Mr. Lee: That is a question.

Madam Speaker: Please phrase your question—please, Member.

Mr. Lee: Could the Prime Minister state when we will be receiving—the country, Trinidad and Tobago, receiving natural gas from the Venezuelan Government?

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, I just answered that question.

**Prime Minister's Tobago Residence
(Status Report)**

Mr. Barry Padarath (*Princes Town*): Thank you, Madam Speaker. Madam, to the hon. Prime Minister, through you: Could the Prime Minister provide this House with a status report on the current phase of construction of the official residence of the Prime Minister in Tobago?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, the architectural drawings and engineering drawings are complete. Tenders were invited and they are being evaluated.

Madam Speaker: Supplemental, Member for Princes Town.

Mr. Padarath: Madam, could the hon. Prime Minister indicate to us whether or not it is still within the budget of \$5 million?

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: I could not say, Madam Speaker. Tenders are being evaluated.

**Expenditure of Public Funds
(Non-Disclosure Agreements)**

Mr. Barry Padarath (*Princes Town*): Thank you, Madam, to the hon. Prime Minister: Could the Prime Minister indicate whether it is official government policy to expend public funds to settle industrial relations matters in the public service utilizing non-disclosure agreements?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, as far as I am aware, there is no such policy in the Government of Trinidad and Tobago.

Madam Speaker: Supplemental, Member for Princes Town.

Mr. Padarath: Madam, I fixed my grammar. The question is to the Prime Minister. Could the Prime Minister say when he intends to fix his incompetent Government of sex, lies and fairy tales?

Hon. Member: What!

Madam Speaker: Member for Princes Town, I rule that out of order.

Madam Speaker: Member for Naparima, supplemental?

Mr. Charles: Thank you, Madam Speaker. If the Prime Minister says that it is not Government's policy to expend public funds to settle industrial relations matters, the public service, utilizing non-disclosure agreements, what is his response to information in the public domain that this has been used recently?

Hon. Dr. K. Rowley: Madam Speaker, my response is that I have put competent people to enquire into the circumstances surrounding this development and when that information is available, it would be addressed accordingly.

Madam Speaker: Supplemental, Member for Caroni Central.

Dr. Tewarie: Prime Minister, a supplemental on question 8. Were any public funds expended in the matter of the Minister of National Security in the court case in New York?

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, to the best of my knowledge, all conversations emanating from officials in the public in this Government speak about a private matter between the Minister of National Security and interested parties in New York.

**Ministry of Sport and Youth Affairs
(Expenditure of Public Funds)**

Mr. Barry Padarath (*Princes Town*): Thank you, Madam Speaker. Could the Prime Minister indicate whether he has communicated directly or indirectly via his Permanent Secretary on the role played by the Permanent Secretary, Ministry of Sport and Youth Affairs, involving the expenditure of \$150,000 of public funds in respect of the wrongful dismissal of a former employee of the Ministry of Sport and Youth Affairs?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, “directly or indirectly, through Permanent Secretary”—Madam Speaker, I do not know what that convolution is. I volunteered publicly—I think it was at a press conference, in front of the whole country—that what I did as Prime Minister was that I asked the Minister of Planning and Development to communicate with officials—the Permanent Secretary of the Ministry of Sport and Youth Affairs—and that is what I did. So I do not know what this convolution is about.

Madam Speaker: Supplemental, Member for Princes Town.

Mr. Padarath: Thank you, Madam. To simplify for the hon. Prime Minister: In light of the allegations against the Permanent Secretary in the Ministry of Sport and Youth Affairs in terms of collusion to cover up this matter, would the allegations against the Permanent Secretary also be investigated by the committee set up by the Prime Minister?

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, I think the Member, my colleague from Princes Town, is being “previous”, and I would just simply advise him to await the outcome of the investigation. He is dealing with a finding which I am not party to.

Madam Speaker: Supplemental, Member for Oropouche East.

Dr. Moonilal: Thank you very much. Prime Minister, given that the nature of this matter has been in the public domain and connected to a Member of Parliament and former Minister, could the Prime Minister indicate to the country what new information came to his attention that led to the swift dismissal of the Minister in the Ministry of Housing and Urban Development? [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, the appointment of persons to the Government, to the Cabinet, with Cabinet or non-Cabinet portfolio, is a matter for the Prime Minister of Trinidad and Tobago and I am not under any obligation to tell the Member for Oropouche why I came to that conclusion. [*Desk thumping*]

Madam Speaker: Supplemental, Member for Caroni East.

Dr. Gopeesingh: Hon. Prime Minister, could you indicate why you made the decision to send that to a tribunal rather than refer the matter to the Public Service Commission instead, where it is really due?

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, because I thought that it would require clarity in the event that it has to be referred to the Public Service Commission.

Madam Speaker: Member for Naparima, supplemental.

Mr. Charles: Thank you. Prime Minister, given that you have indicated— [*Interruption*—“it throw me off”. Sorry, I would not—

2018 Commonwealth Games

(Outstanding Athletes' Reward)

Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*): Thank you, Madam Speaker. In light of the outstanding performances of Dylan Carter, Michelle-Lee Ahye, and Jereem Richards at the 2018 Commonwealth Games in Australia, could the Prime Minister inform this House how the Government intends to reward these outstanding athletes upon their return?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, it is precisely to avoid questions like these and concerns like this why the Government has outlined in recent terms a comprehensive policy including a quantum and conditions for our athletes so that whenever they perform, we have a template which will be used as we go forward and it will negate this constant “wha yuh go geh dem; wha yuh go geh dem” arrangement.

Madam Speaker: Supplemental question, Member for Princes Town.

Mr. Padarath: Thank you, Madam. Could the hon. Prime Minister say whether or not Mr. Richards and Ms. Ahye were among the athletes who have complained about elite athlete funding not being available for their training?

Madam Speaker: I would not allow that as a supplemental question.

URGENT QUESTIONS**St. Mary's Village
(Demolition of Temple)**

Dr. Lackram Bodoie (*Fyzabad*): Thank you, Madam Speaker. To the Minister of Planning and Development: Could the Minister state why a decision has reportedly been taken to demolish the temple situated in St. Mary's Village, South Oropouche, which has been on that site for over 40 years?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you, Madam

Speaker. In answering for the Minister of Planning and Development, I give the following answer. The division received a complaint from a member of the public against development being undertaken on the subject site on the 16th of January, 2014. Investigations conducted in September 2016 revealed that Mr. Larry Hasmatali, one of the owners, was interviewed.

One, the temple used had been instituted for approximately 50 years and was open to the public for approximately 10 years. The existing development on site consisted of four structures: three established structures and one three-storey structural addition under construction which consists of a sub-basement, a basement and a ground floor at road level.

The three-storey structural addition was incomplete at the time of the site visit. All of the structures on the site are not conforming to applicable site development standards. However, the issue of the complaint was the three-storey structure under construction. That was the subject of the complaint.

The processes used: The division received a complaint from a member of the public against development being undertaken on the site. A letter of advice dated January 14, 2016, was issued to Mr. Larry Hasmatali and the TCPD advised to submit a plan. An application referenced T8N-1007-2016 submitted to TCPD on April 04, 2016 was refused planning permission on April 13, 2016.

The reasons for refusing “your application” as told to him, are as follows:

1. The site you propose to develop forms part of a large parcel which has not had the benefit of approval for subdivision as required under the provisions of the Town and Country—

Madam Speaker: Member, your time for responding is now spent.

Hon. T. Deyalsingh: Thank you, Madam Speaker.

Madam Speaker: Supplemental, Member for Fyzabad.

Dr. Bodoë: Thank you for that response, Minister. Can the Minister indicate whether any consultation has taken place with Pundit Hasmatali regarding an amicable resolution of this matter, in view of the fact that it is a temple and place of worship?

2.00 p.m.

Hon. T. Deyalsingh: Thank you, Madam Speaker. Madam Speaker, I will try to find out that for the hon. Member. I am unable to give that assurance at this point in time.

Dr. Moonilal: For the Minister answering this question: Do you believe it is proper, it is right to be involved for a Government in the demolition of buildings, and temples, and churches, and mosques for religious purposes? [*Desk thumping*]

Madam Speaker: Member, I rule that question out of order. Member for Oropouche West.

Illegal Importation of Livestock (Threat of Zoonotic Diseases)

Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*): Thank you. To the Minister of Agriculture, Land and Fisheries: With regard to recent reports indicating the illegal importation of livestock from Venezuela and the threat of zoonotic disease, could the Minister inform the House what measures are being implemented to prevent this activity?

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Madam Speaker, before I outline the measures, I want to say a few things. The first is to say that the risks associated with the movement of animals and meat, and meat products, have existed for a long time. In particular, the risks

associated with the movement of animals, and meat, and people, and so on, in Venezuela, is on account of proximity and is on account of the availability of the opportunity through the trade in fisheries. That has been the reason for it.

Madam Speaker, of course, there has been a heightened risk in Venezuela on account of the increased movement, and the responsibility for dealing with the patrol of the borders and the enforcement of the security on the borders rests with the Ministry of National Security. The Ministry of Agriculture, Land and Fisheries has a supportive role, a technical role to provide advice and to provide support to the Ministry of National Security, in particular Immigration and Customs. There have been six things that the Ministry has been doing and those six things are: to provide increased support to the Ministry of National Security; to increase our surveillance around the country where we have farmers operating and, in particular, the retail trade in meat; we have increased the surveillance around the country; we have increased our training to farmers; and we have also issued a higher level of material in terms of information to the public relating to the risks of dealing with live animals imported illegally from anywhere in the world, in particular, through Venezuela.

And, of course, Madam Speaker, it is well-known that the Ministry has been involved in intercepting a wide range of things including wild meat—over 1,600 kilograms of wild meat last year—and live animals ranging from two animals on a pirogue to 65 animals on a pirogue, and this is ongoing activity with the Ministry of National Security. I thank you.

Mrs. Gayadeen-Gopeesingh: Hon. Minister, has there been any confirmed case of zoonosis in Trinidad?

Sen. The Hon. C. Rambharat: Madam Speaker, there has been no confirmed

case of anything relating to the movement of animals from Venezuela. Of course, we have in Trinidad and Tobago, we have animal-related diseases already existing, but the big risk for us from Venezuela is foot and mouth disease and there is no sign of that in Trinidad and Tobago as yet.

Mr. Karim: Thank you very much, Madam Speaker. Will the Minister be kind enough to tell us, specifically from your investigation, from the Ministry, what species you all would have found crossing the border?

Sen. The Hon. C. Rambharat: Madam Speaker, there has been a proliferation of interest in our country for wild meat. So we are talking about agouti, tatou, lappe. We have had recently the presence—we have seen a video circulating on several lived iguanas. We have had livestock, small ruminants in particular, sheep and goat.

Trinidad and Tobago Coast Guard (Risks to Fisherfolk)

Mr. Rodney Charles (*Naparima*): To the Minister of National Security: Given recent reports that the Trinidad and Tobago Coast Guard lacks the resources to deploy several of its patrol vessels, could the Minister inform this House whether this development has placed our fisherfolk at greater risk on the high seas?

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you, Madam Speaker. Madam Speaker, I am not so sure where the Member for Naparima got his facts with respect to the deplorability of the coast guard vessels, but I can assure this House that the Trinidad and Tobago Coast Guard continues to deploy vessels in the waters in and around Trinidad and Tobago. In fact, for 2018 thus far, over 300 patrols have been conducted and these have yielded two confirmed drug interdictions amounting to an estimated \$300,000 so far.

In terms of serviceability, the Trinidad and Tobago Coast Guard's four fast patrol vessels, their two logistic vessels, they are all serviceable, and they are employed throughout Trinidad and Tobago based on two—one based on intelligence and one based on routine patrols along our southwestern coast, along our north coast, and in the Gulf of Paria. And in the Gulf of Paria, in fact, there are coordinated patrols between Trinidad and Tobago Coast Guard, and the Guardia Nacional and Guarda Costa in Venezuela, where we have re-established bilateral cooperation in 2016 with Venezuela. So that there are in fact patrols taking place, and that is to reassure not only our fisherfolks but those who are there whether for pleasure, craft and otherwise, within our waters of Trinidad and Tobago, Madam Speaker.

Mr. Charles: Thank you. The report is from the Institute for Defence, Studies and Analyses. I will make a copy available to you. The question is: then why it is Cedros fishermen are complaining that the Venezuelan Naval Forces are able to come into our waters with impunity to harass the fishermen; and why they seem not to be available when these incidents occur?

Hon. Maj. Gen. E. Dillon: Madam Speaker, the Trinidad and Tobago Coast Guard continues to be present in our waters, and if the Member is referring to an incident recently, the Trinidad and Tobago Coast Guard was in fact present, but we observed the rule of non-pursuit into another country's waters and, therefore, we do that—we handle that at a different level. So the Trinidad and Tobago Coast Guard, through the Chief of Defence, has assured me that the coast guard is in fact present in our waters throughout Trinidad and Tobago.

Mr. Charles: Is it the norm for a foreign power to come into our territorial waters and arrest our local citizens; and does this not amount—[*Interruption*]

Madam Speaker: Member, one question please. Minister of National Security.

Hon. Maj. Gen. E. Dillon: Madam Speaker, one has to understand that the water between Trinidad and Tobago is an observed mid-point because there is no 200 mile limit. I am sure the Member understands that. It is an imaginary line that runs between us and Venezuela, especially in the Gulf of Paria and, therefore, we observe the law on both sides of the House, and if there are any incursion then that will be done at a diplomatic level.

ANSWERS TO QUESTIONS

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Madam Speaker. Madam Speaker, today we have six questions for oral answer, we shall be answering all. And there is one question for written answer that will also be dealt with today. Thank you very much.

WRITTEN ANSWER TO QUESTION

Eximbank (Foreign Exchange Facility Details)

173. Mr. David Lee (*Pointe-a-Pierre*) asked the hon. Minister of Trade and Industry:

According to the Budget Statement 2018 in order for existing established manufacturers to qualify for access to a foreign exchange facility licensed under EximBank, there must be an agreement to repatriate a suitable amount of their foreign exchange earnings, could the Minister state:

- (a) the expected amount of foreign exchange that manufacturers are expected to repatriate in order to access this facility; and
- (b) the name of the companies that have utilised this facility during the period October 2017 to February 2018?

Vide end of sitting for written answer.

ORAL ANSWERS TO QUESTIONS**Trinidad and Tobago Mortgage Finance Company
(Details of Contracts)**

185. Dr. Roodal Moonilal (*Oropouche East*) asked the hon. Minister of Housing and Urban Development:

Could the Minister state:

- (a) the basis upon which the Trinidad and Tobago Mortgage Finance Company has been recommending specific roofing contractors and suppliers of furniture; and
- (b) the names of recommended roofing contractors and suppliers of furniture?

The Minister of Finance (Hon. Colm Imbert): I am sorry. Madam Speaker, I apologize for not paying attention. Answer to question No. 185. Madam Speaker, it has recently come to the attention of the Ministry of Finance that in or around 2013 under the previous Government, the Trinidad and Tobago Mortgage Finance Company Limited (TTMF) entered into an arrangement with American Stores to make available to its clients household appliances up to a value of \$20,000 from America Stores. It has also come to the attention of the Ministry of Finance recently that subsequent to this arrangement under the previous administration, TTMF has also entered into an arrangement with a company called General Packaging Limited Trading, as Damus Roofing Systems, to provide building materials again to its mortgage loan clients. Now that this information has come to the attention of the Ministry of Finance, these arrangements are under review to determine whether they are appropriate.

Dr. Moonilal: Thank you very much. Is the Minister of Finance aware that within

recent times TTMF has started another phase of this programme, and I am asking the basis upon which they did it when you are in office?

Hon. C. Imbert: As I indicated, Madam Speaker, under the previous UNC administration, under of the stewardship of the Member for Oropouche East, the process began with an arrangement between American Stores and TTMF. This is something that was piloted and promoted by the UNC and hidden there. We have also now discovered that this arrangement has been extended to Damus Roofing Systems. This information has just come to the attention of the Ministry of Finance and the Minister of Finance and, as I indicated, as soon as this information came to my attention I have asked for an immediate review to determine whether these arrangements which started under that hon. Member are appropriate.

Dr. Moonilal: Thank you. Is the Minister, on behalf of the Government, saying that had the question not been filed you would have been ignorant of any knowledge of TTMF doing this?

Madam Speaker: I rule that out of the order.

**Egypt Primary School
(Opening Date)**

191. Mr. Fazal Karim (*Chaguanas East*) asked the hon. Minister of Education:

Could the Minister provide the expected opening date for the Egypt Primary School at Egypt Extension?

The Minister of Education (Hon. Anthony Garcia): Thank you very much, Madam Speaker. Madam Speaker, the Egypt Primary School at Egypt Extension is currently 99 per cent completed, and final statutory approvals from WASA, Ministry of Works and Transport, the regional corporation, and the electoral inspectorate are still pending. Project activity is currently suspended due to the

non-payment of invoices. The Ministry of Education is actively seeking to identify funds in the order of \$33.6 million to meet outstanding payments, and restore the site and assets from extensive looting and vandalism. In addition, a further \$1.7 million would be required to finance the outfitting of the school. Thank you.

Mr. Karim: Thank you very much, Madam Speaker. Hon. Minister, I am just not sure whether I heard you say about vandalism, could you tell us what is being done, not only in terms of vandalism, but the potential for bushfires that could destroy two buildings in close proximity, the Oasis Egypt Primary School and the Dass Trace ECC Centre?

Hon. A. Garcia: Madam Speaker, it is interesting that the Member for Chaguanas East has asked the question about vandalism, because when we came into office one of the first schools I had the opportunity of visiting was this school. This school was without any security and this school was subject to massive vandalism that occurred during their tenure and, therefore, it is strange now that he is now asking the question about vandalism.

Mr. Karim: Thank you very much, Madam Speaker. Could the Minister indicate why after two and a half years in office you still have not placed security to prevent that from occurring? [*Desk thumping*]

Hon. A. Garcia: Madam Speaker, we are at present assessing the security needs of a number of schools. The Ministry of Education is at present assessing the security needs of a number of schools that were left unsupervised by the previous administration. Thank you.

Dr. Gopeesingh: Minister, are you comfortable after two and a half years you are still looking to assess supervision for these schools?

Madam Speaker: I am not going to allow that.

**Enterprise Police Station
(Commencement of Construction)**

192. Mr. Fazal Karim (*Chaguanas East*) asked the hon. Minister of National Security:

Further to the response to House of Representatives Urgent Question on May 31, 2017 on the identification of a location for the establishment of a police station in Enterprise, could the Minister provide an update on the expected commencement date for the construction of the Enterprise police station?

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you, Madam Speaker. Madam Speaker, the level of gang activity and a number of murders committed in the Enterprise area have been a source of great concern to the Trinidad and Tobago Police Service and this Government. Initially, a decision was made to locate a police station in the Enterprise community for a number of reasons, primarily to safeguard the welfare of the residents of the community and the citizens as a whole. In furtherance of this objective, the Ministry of National Security caused a search to be made for a suitable parcel of land for the construction of the Enterprise police station, and discussions occurred between the Chaguanas Borough Corporation and the Ministry of Agriculture, Land and Fisheries. However, this has proven to be a difficult exercise, and to date no suitable state land has been found in the area.

Additionally, the Ministry explored the acquisition and retrofitting of a suitable Government building in the area. One such building was an incomplete primary school at the Dass Trace area. However, the use of this building as a police station proved to be unsuitable for a number of reasons, including the fact

that it was designed as a school; it was incomplete and a primary school will still be needed in the area.

Madam Speaker, while we continue to look at the readily available land space, we have in place a number of initiatives that treat with the security issues in the Enterprise area. There has been established a provisional facility at Lion's Gate, a joint army patrol based at Lion's Gate, to improve the visibility of law enforcement personnel. Lion's Gate is just about walking distance, just a street away from the centre of the crime situation in Enterprise and, therefore, there is a joint army/police base that operates out of Lion's Gate. There has been increased presence, police and army presence, in the area.

Additionally, there has also been an increase in the strength of the Cunupia Police Station which is about five minutes or 10 minutes way. So there is an increased presence also within the area to supplement the joint army/police based at Lion's Gate. There has been increased both foot and mobile patrol, door to door visits take place, increased involvement in community operations and sporting activities and, in fact, there has been a reestablishment of a Police Youth Club within the area. There is in fact a development of effective community police relationship in the area, and one would realize, of course, from the time the joint army/police patrol went into the Lion's Gate area there has been in fact a reduction in the number of criminal activities in the Enterprise area.

Mr. Karim: Thank you very much, Madam Speaker. Hon. Minister, further to giving the commitment that a police station will be built and now you are indicating that there is difficulty in terms of the locations, could you tell us what are these locations, the land locations that you were looking at for the construction of this police station?

Hon. Maj. Gen. E. Dillon: Madam Speaker, the area that we were looking at, together with the borough corporation, was in fact the area near to the Dass Trace sport field in the area of the early learning centre, and at first there were—in fact in identifying the land, we first believed that it belonged to the borough corporation, and then we were told that it belonged to state land. So there were some conflicts that we were trying to sort out with respect to the true ownership of the land, based on what was told to us.

So that was the primary area we were looking at. And you would recall that we also looked at another area on the other side of the land, that again was not in the centre of activities and, therefore, we felt that the Lion's Gate area was even closer to where most of the criminal activities were taking place as a temporary measure.

Mr. Karim: Thank you very much, Madam Speaker. Hon. Minister, could you indicated what seems to be the problem after one year of acquiring a piece of state land for the benefit and the security of citizens in that area?

Hon. Maj. Gen. E. Dillon: Madam Speaker, let me say again that in terms of the benefit for the security of the people especially in the Enterprise area, a number of measures were put in place to treat with that. Not to negate the physical structure, but we have put additional troops in the area, joint army/police patrol, which in fact happens almost on a daily basis. They have been there for quite some time, and they will remain in that area to ensure the safety and security of the people in Enterprise, which they have been doing over time.

**Importation of DNA Kits
(Details of)**

193. Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*) asked the hon. Minister of National Security:

With regard to reports that the Ministry will be importing 15,000 DNA Kits, could the Minister indicate:

- (a) whether the kits were imported through a local agent;
- (b) if the answer to part (a) is in the affirmative, the name of the local agent; and
- (c) the cost per DNA kit?

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you, Madam Speaker. Madam Speaker, with respect to reports that the Ministry will be importing 15,000 DNA kits, the 15,000 DNA kits were imported through a local agent. The local agent is Western Scientific Company Limited which was selected as the referred agent.

Part (c) of the question: The 15,000 DNA kits were purchased at a cost of \$20.95 for a DNA kit, with a total cost of \$314,250. It was in fact a good price. Comparable to what we saw going on the outside, it was one of the best negotiated prices.

Dr. Gopeesingh: Hon. Minister, could you indicate whether those kits contained the necessary apparel for the person taking the sampling; to be used by the person taking the samples? Does it contain the apparel because to do these things you have to have the apparel?

Hon. Maj. Gen. E. Dillon: Madam Speaker, as far as I am aware, the DNA kits that have been purchased can do the job in terms of doing what is required with respect to taking the samples and so on.

Dr. Gopeesingh: Can you tell the House what are the constituents of that kit?

What does it contain for \$20?

Hon. Maj. Gen. E. Dillon: Madam Speaker, I am unable to tell you the chemical with the DNA kit.

Dr. Gopeesingh: Could you indicate what type of sampling these kits are going to be used for, whether the intimate sampling or non-intimate sampling; or is it buccal smear alone?

Hon. Maj. Gen. E. Dillon: They are buccal non-intimate sampling, Madam Speaker.

Firearm Trainers (Actions to Curtail)

194. Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*) asked the hon. Minister of National Security:

With regard to reports that firearm trainers are charging applicants \$50,000 for firearm training and assistance to obtain a firearm user's licence, could the Minister indicate what action has been taken to curtail this development?

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you very much, Madam Speaker. Madam Speaker, the Firearms Act, Chap. 16.01 states explicitly that:

“23. The fee for a musketry training shall be two hundred dollars for the training of a group of ten persons or less.”

According to the Firearms Act, the Trinidad and Tobago Police Service is responsible for the granting of a firearm import permit, a firearm user's licence, or a firearm user's employee certificate by the Commission of Police. There is a set procedure based on section 16 of the Firearms Act, Chap. 16.01, which gives clear provisions to obtain a firearm user's licence as follows:

“16.(1) Where a person intends to obtain a Firearm User’s Licence for the first time, he shall prior to the grant of such a licence obtain a provisional licence from the Commissioner authorising him to discharge a firearm for the purpose of training in the use of such firearm.

(5) A provisional licence issued...shall be valid for two months.

16A. Upon the expiration”—of the provisional licence—“the person who held the provisional licence may apply for a Firearm User’s Licence, and such application shall be accompanied by a certificate of competence issued by a licensed firearms instructor.”

The Trinidad and Tobago Police Service has received no report to date with respect to firearm trainers charging applicants \$50,000 for firearms, and if the Member has that information I will ask that she at least get that to the police as quickly as possible. So there is no report for firearm training and assistance to obtain a firearm user’s licence.

It should be noted that the Trinidad and Tobago Police Service has no legal instructions to monitor fees charged by licensed firearm instructors. In light of this, no investigation and subsequent action has been taken to curtail this development. However, Madam Speaker, Trinidad and Tobago police has indicated that persons can come forward with information highlighted, the abuse of fees by licensed firearm instructors which would be investigated.

**Caribbean Airlines Limited
(Total Operational Costs Incurred)**

195. Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*) asked the hon. Minister of Finance:

Given that Caribbean Airlines Limited (CAL) conducted 1,222 flights to Tobago at a subsidized cost during February 2018 to accommodate displaced sea-bridge passengers, could the Minister state the total operational costs incurred by CAL to facilitate this arrangement?

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam Speaker. Madam Speaker, the question is based on a false premise. Caribbean Airlines did not conduct 1,222 flights to Tobago simply to accommodate displaced sea bridge passengers. My understanding is that the original schedule for the month of February, for Caribbean Airlines, was 1,174 flights. As a result of the issues on the sea bridge, Caribbean Airlines put on some additional flights and the actual total of flights for the month of February to Tobago was 1,222.

As a result, Madam Speaker, if you do the maths, you will see that the difference is in the order of 70 flights. I am told that these 70 flights added an additional 5,305 seats to the air bridge, and 4,888 passengers were actually transported on these 70 flights, resulting on a load factor of 92 per cent. The cost for these additional 70 flights in the month of February was \$2.31 million, and the income from these 70 additional flights was \$1.04 million.

Mr. Karim: Thank you very much, Madam Speaker. Hon. Minister, could you indicate of these 1,174 flights, how many include the use of the 737 jets taken off international routes to accommodate the air bridge, and the cost of that.

Hon. C. Imbert: Madam Speaker, as far as I know, no jets were taken off international routes.

Dr. Moonilal: Thank you very much. Minister, could you clarify that the cost of 2-point something million dollars you said for the additional flights, does that include the cost that the Port Authority and/or CAL would have paid for PTSC or

private bus transport from Scarborough to Crown Point, and from Piarco to Port of Spain; and the cost of KFC chicken provided for stranded passengers at the airport?

Hon. C. Imbert: Madam Speaker, the original question refers to the operational costs incurred by Caribbean Airlines. If the Member wishes to get any other information, I would ask him to pose a question in the normal manner.

Dr. Moonilal: Could the Minister confirm that the cost of 2-point something million that you quoted for the additional flights would be in addition to the \$8 million to LIAT for also assisting because of the collapsed sea bridge?

Hon. C. Imbert: Madam Speaker, I sometimes wonder if Members opposite are suffering from some sort of memory loss. There was a question in this—Madam Speaker, why are they screaming—

Dr. Gopeesingh: 48(4) and 48(6), you cannot be allowed to continue to do that, Imbert.

Hon. C. Imbert: Madam Speaker, I will answer if they stop screaming.
[*Crosstalk*]

Madam Speaker: Minister of finance, I am sure with your experience you can rephrase your response, please.

Hon. C. Imbert: Thank you, Madam Speaker. In this very Parliament I was asked and answered a question about the additional LIAT aircraft which began operations in March. This question is about February. There is no relationship between a LIAT aircraft in March and Caribbean Airlines flights in February, and this is why I am speaking about memory loss.

Dr. Moonilal: Madam Speaker, could I ask the Minister if the cost of two point something million dollars that he quoted was the cost for passengers who paid for a

boat ride and got a plane ride and two free KFC boxes?

Hon. C. Imbert: Madam Speaker, I repeat, the question asked about the operational cost incurred by Caribbean Airlines. If the Member wants to know anything else, he can pose the question in the normal manner and an answer will be provided.

**CRIMINAL DIVISION AND DISTRICT CRIMINAL
AND TRAFFIC COURTS BILL, 2018**

Order for second reading read.

The Attorney General (Hon. Faris Al-Rawi): Madam Speaker, I beg to move:

That a Bill to make jurisdiction for criminal matters exercisable in a division of the High Court to be known as “the Criminal Division” and to make jurisdiction for criminal and traffic matters exercisable in a division of Summary Courts to be known as “the District Criminal and Traffic Courts” and to make provision for matters connected therewith, be now read a second time.

Madam Speaker, the number one issue plaguing our society in Trinidad and Tobago is crime. This is not the case of recentness. It is certainly not the case that crime has been plaguing our society only today. It has been the number one issue for a very long time, and successive Governments have spent collectively, billions of dollars in pursuit of grappling with the issue of crime.

Madam Speaker, it is a fact that the number one issue inside of this issue is the pace at which the criminal justice works. It is a genuine belief, it is a philosophy of the management of law and the application of sanction, that if you do the crime you should do the time, and that justice delayed is justice denied. After all, a victim who appears inside of a court and who has to go through the

harrowing experience of reliving the trauma of a crime is certainly denied justice by the delay in that process. So too, is an innocent person brought before the court, denied the vindication of name and character.

In the criminal justice system, Madam Speaker, the Government has certainly engaged in an exercise which many people may not yet understand the true value of. As a Government, we came to the country two and half years ago and we commenced the public analysis of who we are, what we are, what we are doing, how much it costs.

2.30 p.m.

We came to the honourable House, we have come to the Senate, we said the number of preliminary enquires in arrears, 29,900. We have spoken about the cost of prisoners. We have spoken to the 3,000 plus people who are incarcerated on a two-thirds, one-third basis where two-thirds of the persons who are incarcerated are in pre-trial conviction, in remand. We have spoken about cases taking about 17 years plus to come to trial. We have spoken about the criminal justice system being comprised of a number of parts and that all parts must work. So for the benefit of the listening public, permit me to put the parts into context.

A matter inside of a court, a charge inside of a court—and speaking squarely about the criminal justice arena—for that matter to be dealt with, Madam Speaker, the following elements have to be in place: we need a judge; we need a court; we need evidence; we need a prosecutor; we need a defendant; we need the police who provide the ancillary services to be there; we need the Prison Service that provide the ancillary services to cooperate; we need the forensic division which provide ancillary services to cooperate; we need the rules of court, we need the financing

arrangements and we need the laws.

Madam Speaker, it is true that in our country we have spent billions of dollars in the provision of services and structures for the Judiciary at national security, at the prisons, at forensics, et cetera, but our system, right now, involves preliminary enquiries that are never ending; 17, 18 years plus. A preliminary enquiry, of course, is where you go to the Magistracy, you are invited by the magistrate to present arguments to say that there is a prima facie case or a case which is good enough to go for trial at the High Court in the Assizes. You begin the trial in the High Court in the Assizes, from the Assizes, you go to the Court of Appeal, and from the Court of Appeal, you go to the Privy Council. And if you take, for instance, the classic example of “justice delayed, justice denied” in our country is the Piarco Airport matter, where we have been in the allegation of most serious fraud in—[*Crosstalk*] where we have been—[*Interruption*]

Madam Speaker: I would ask Members to please abide by the Standing Orders. Members are well aware of the provisions of Standing Order 47 and how to invoke it if they wish. Continue please, Attorney General.

Hon. F. Al-Rawi: Madam Speaker, I was mentioning the Piarco Airport enquiry as the example of an allegation of serious fraud in our country which is in the preliminary enquiry stage for 18 years now, yet to go to the High Court, yet to go to the Court of Appeal, yet to go to the Privy Council and perhaps back. And when citizens of our country watch that, it is typical, it is no different from someone who is on an allegation, an alleged charge for murder, who is incarcerated for 15 years or 16 years in pre-trial detention where there is a no-bail consideration under the Bail Act.

When we treat with the pace of justice there, we find that the tripping point has been failure to provide enough judicial capacity; the unavailability of courts; the unavailability of rules to govern those courts; a lack of appreciation of the case flow structures itself; the deficiencies in the prosecutorial system where 95 per cent of prosecution is in the Trinidad and Tobago Police Service, 5 per cent in the DPP's end; where defence counsel is not available because there are only 20 lawyers that control the Criminal Bar and the hundreds of cases require those 20 lawyers to be present; where forensic takes a long time. And, Madam Speaker, Trinidad and Tobago has quite properly been in a definite case of analysis paralysis, and I am going to demonstrate that by showing the work that occupied successive Governments' attention for several years in just a short while as it relates to the Bill, but permit me, Madam Speaker, to put the following matters on the record in the continuation of the strategy that we have in demonstrating who we are as a country.

Madam Speaker, the Constitution is the supreme law of Trinidad and Tobago, section 2 of the Constitution. Under the Constitution, we have the establishment of the Judiciary and the Court of Appeal. The Supreme Court of Judicature is, of course, set out under Chapter 7. Under sections 99 straight on to 109, we have the structures of the court in the Constitution. We established the Supreme Court; we established the Court of Appeal; we deal with the manner of the appointment of judges, and we redefine and reconfirm that there may be an appeal to the Privy Council of course. That is in section 109.

In Trinidad and Tobago, we are dealing currently with 48 judges in the Supreme Court, 13 Justices of Appeal including the hon. Chief Justice, 35 judges

of the High Court. Judges of the High Court are broken down across certain Divisions of the High Court. In the Family Court, there are five judges; in the Children's Court, there are two judges; in the Criminal Court, there are 11 judges; in the Civil Court, there are 17 judges. We have a creature referred to in the Supreme Court of Judicature as a Master. The Masters of the court perform certain functions which are not within the breadth of judicial function but are defined under the Supreme Court of Judicature Act, and we have 13 Masters of the Supreme Court, two of whom are acting in the Family Court. Masters are broken down across the Divisions as follows: Three in the Supreme Court, four in the Family Court and six in the Children Court. We have 45 magistrates, which, of course, are the presiding officers under the Summary Courts Act. Those magistrates sit in several magisterial districts. There are 17 Magistrates' Courts including out courts in Trinidad and Tobago.

Madam Speaker, in our current case flow, permit me to put a bit more statistical information forward and I am going from the Judiciary's publications which the last publication available is the 2016/2017 Annual Report. Matters pending at the Magistracy, as at July 31, 2017, being the most current published report, for murder, there are 549 matters; attempted murder, 266; kidnapping, 419; arms and ammunition, 6,503; sexual offences, 3,394; narcotics, 5,921; fraud, 5,594; corruption, 334; robbery, 2,887; wounding, 1,147; larceny, 2,880; offences against the person, 7,321; driving offences, 50,136, and there are several others, in total, aggregating 94,034 cases. That is at the Magistracy.

Madam Speaker, when we look to the High Court, we have a total number—before we disaggregate the sub-categories—of 1,941 matters pending at the High

Court as at 31 March, 2018. I have managed to bring those figures up to date. Murder, 301; sexual offences, 463; offences against the person, 418; manslaughter, 11; attempted murder, 14; firearms, under that realm of law, 59; dangerous drugs, 100; other, 575, and other includes larceny, forgery, kidnapping, perjury, et cetera.

So, Madam Speaker, we are talking about matters across the Magistracy, across the High Court. At the Court of Appeal, and this is important, we have 30 matters pending as at 31st of March, 2018: administering poison, 1; assault, 3; attempted murder, 2; motor vehicle manslaughter, 4; conspiracy to defraud, 3; sexual assault, 1; murder, 4. And I will come, perhaps, a little bit later or maybe even in the winding up to talk about murder and the application of the death penalty which is something that is receiving dedicated attention and which we can pointedly speak to in a while. Madam Speaker, when we look to criminal matters outstanding, as I have just referred to those matters outstanding, I am dealing only with the criminal matters so far, we are in the thousands.

But, Madam Speaker, as a country, we have seen us throwing money, more and more money behind the system but with what benefit. How quick do the matters work? Now, having come from the civil division myself, I can say with certainty that the Civil Proceedings Rules 1998, as they have been amended, as we introduced them into our system of courts, caused the backlog of cases to move down from 17 years in arrears, 15 years in arrears down to almost one year in arrears. The Civil Proceedings Rules were not met with vigour, gusto or compassion. Many lawyers suffered through the trials and tribulations of the implied sanctions in the Trincan case which the Privy Council eventually set aside, where Mr. Justice of Appeal Jamadar had said that sanctions were to be implied in

law. But the application of those sanctions caused a discipline to arrive in the civil arena where we frontloaded the civil case management so that matters were ready to start.

I am sure my learned colleague for Siparia will remember well what the Chamber court used to look like that when people arrived at courts on the day of a trial with a writ and you are calling your witness into the box to start evidence and you did viva voce evidence and your longhand wrote it out. That is gone. The case-loading in the civil court is front-end loaded. You have case management structures; you comply with civil rules; you do your witness statements as primary evidence in writing; you indicate your cross examination; you do your statement of issues; your statement of facts; you agree upon your bundles; you deal with your admissibility of evidence. And that restructuring exercise caused us to bring the backlog down from 17 years down to one.

But more particularly, it is the experiment in the Family Court which was a pilot project for 20 years. That experiment in the Family Court, for those who remember prosecuting divorces or defending divorces or dealing with children's matters, dealing with matters in open court, where a divorce was dealt with the full public gallery sitting down treating with allegations against co-respondents for adultery and abuse, et cetera, in open court. That became a thing of the past when we went to the Family Court where you can have a matter filed at the Family Court, again, in similar structure and within three weeks, you have a directions hearing and your divorce is actually dealt with on a decree nisi basis, that is your stage one basis within five minutes of being in that court; five minutes, as you well know, Madam Speaker.

You see, it was the application of common sense that was required to this arena and therefore, we took the very deliberate decision when we came into office to bring to life the Family and Children Division and we did so, Madam Speaker, by very importantly dedicating ourselves to the amendment of 19 pieces of law, by drafting the rules and regulations, by creating the Family and Children Division Courts in two separate locations. And what we did was not just to pass the law on paper, we operationalized at the same time that we estimated we could do the law in Parliament. So whilst we were in Parliament, we were building the courts, we were outfitting the courts, we were drafting the rules and regulations.

And, Madam Speaker, and coming—[*Crosstalk*] Madam Speaker, and coming out of the exercise of outfitting the courts, if my learned colleague, the Member for Siparia would like to know, a court is not just because you have built it physically or rented it physically, they must be built out and when I say built, I mean built out. You have to have chairs, you have to have IT technology, you have to have prisoners' cells, et cetera, you build it. It is not because you have rented a building that you have not built out the court, Member for Siparia, as you know.

So, Madam Speaker, coming out of the Family and Children Division, the commonsensical approach in treating with this was to employ a strategy of creating your laws. We made sure to treat with preliminary enquiries, plea bargaining, trial by judge only upon election and, very importantly, Madam Speaker, as I have demonstrated in the statistical information, we sought to treat with decriminalizing the vast majority of traffic matters because in our traffic arena, we are looking at 50,136 traffic offences. And in our amendments to the Motor Vehicles and Road

Traffic Act, in causing amendments to section 20A, B and C and in creating conditionality for road user and introducing the concept of violations in that law, we sought to now start the process of weeding out the matters.

So we now stand here, Criminal Division upon us, implementation of Family and Children Division, next on deck will be the implementation of a probate division, but in the Criminal Division, as we stand here today and as this Bill speaks to, there is a history. Madam Speaker, it was interesting in doing the preparation for this that I had to pull up the background information whilst we were drafting the Bill to understand where we were. I was quite surprised to learn that in 1996, we had a drugs and firearms Bill. It was done by the Law Reform Commission under, God rest his soul, now deceased, Mr. Justice of Appeal Guya Persaud. In that, there was a focus upon the Dangerous Drugs Act and the Firearms Act and there was the intention to create a specialist court where there would be two divisions and there would be a quickening of pace for these particular offences and things which were directly associated to them. A Bill was prepared. That Bill was never laid in Parliament.

Fast forward, Madam Speaker, to 2004. The Cabinet, in 2004, decided for the creation of a Magistracy Registrar and a Clerk of the Court. That was actually added by way of amendment into the Supreme Court of Judicature Act, but what was to flow from that never came to life and I will come to that in a short while. In 2005, there was another experiment, the firearm and kidnapping court and gun court 2005. It was the Law Reform Commission; an informal committee comprised of several persons. A Bill was prepared, again, with the intention of having declared courts, et cetera, that Bill was never laid in Parliament.

In 2006, we had a special criminal court, firearms, drug trafficking and kidnapping court. Cabinet Minute 714, 31st of March, 2006, an ad hoc committee was appointed under the chairmanship of Stephanie Daly, Senior Counsel. They produced two reports. Madam Speaker, quite interestingly, the material that I actually have here is the material that concerns the reports produced in 2006. In 2006, that material and reports which were prepared were driven into fulminations to come with a 2007 Bill. The 2007 Bill was the firearms and kidnapping court 2007 Bill. It was produced by the Law Reform Commission under Madam Justice, Jean Permannand. A Bill was created. They considered the nexus and approach from Jamaica. As we all know, the gun court in Jamaica having been established. The Bill was prepared; it was never laid.

In 2010, the LRC demonstrates that a Bill was prepared by the same name of the 2007 Bill, the firearms and kidnapping court Bill, 2010. It was exactly the same Bill as the 2007 Bill, just the year was changed. I do not know what else happened further under the tenure of my colleagues opposite when they were in Government, but suffice it to say a bill was never laid.

Madam Speaker, we then come to date now with this Bill, the Criminal Division and District Criminal and Traffic Courts Bill, 2018, and this Bill, Madam Speaker, is intended to treat with certain mischiefs:

1. to treat with the case flow management, the quickening of pace;
2. to treat with the jurisdiction inside of the court;
3. to treat with the administration of justice on the administrative end of the courts;
4. to allow for fluidity in the creation of special purpose courts;

and I propose to address those now individually.

When we look to the Bill itself, the first thing that I would ask hon. Members to look at—clause 1, of course, is the short title. Clause 2 is the commencement by way of proclamation. Clause 3, when we look to the interpretation, it is very material to note that we have dealt with the carving out of the Family and Children Court. In treating with the Family and Children Court, Madam Speaker, allow me to just remind that what we had with the birthing of this court, this court was opened, Madam Speaker, as you know, just in March of this year. But it is very interesting to note that we have had listings already and when we look to the listings, Children Court North, we have had 210 matters already filed; Children Court South, 45 matters. A total of 255 matters which are spread across criminal indictable and criminal summary matters. So we have had 255 matters already locked inside of those courts on the criminal side, both indictable and summary.

In clause 3 of the Bill, we are “excepting out” the Children Court matters. Specifically, I ask hon. Members to look at “‘criminal matter’ means a criminal offence but does not include a children matter;” And a children matter, of course, is a children charge matter, that is any offence against a child, children care matters, children drug-related matters, children mental health matters, matters not concerning a primary family issue but involving children in need of care and supervision, children protection matter or a child in court matter, any child in court matter. So we allow the jurisdiction of the Children Court to still prevail, we will treat with our youngsters in those divisions.

Madam Speaker, we bring to life in the Interpretation section as well the

Magistracy Registrar and Clerk of the Court. This causes the concept of bringing to life a very important creature. Permit me to address that now. Our Magistrates' Courts, let me put it this way, it is a miracle that our Magistrates' Courts have been in function. Prior to this Government's introduction of Criminal Proceedings Rules, analysis of case flow management, the introduction of a computerized system which we have in the Family and Children Court now being brought across into the Magistracy. Prior to the introduction of that, the Magistracy operated with magistrates and Clerk of the Peace. No computerized register for matters; no rules of court to say when matters are dealt with or not; no bring forward coordination, it is all done by manual exercise. We have thousands of people turning up every single day to hear their names called across a chain of call: Faris Al-Rawi, Faris Al-Rawi, Faris Al-Rawi. "Nine men in a row calling out yuh name til they hear yuh outside, yuh say 'Yes, Sir'" and then they back up the line, present, present, present, present. And what we have in our system is an archaic operationality of our courts.

In our Magistracy, the Clerk of the Peace acts by way of promotion. A Clerk of the Peace is somebody who is an untrained attorney-at-law, not an attorney-at-law, an administrative functionary that is graduated through the ranks but sits, quite curiously, in the Magistracy, offering legal advice against the Legal Profession Act; drafting summonses, warrants, et cetera; considering bail applications; sitting in the liquor licensing committees under the old law; cinematograph; et cetera, et cetera, pawn brokers. This Clerk of the Peace really was flying in the face of the Legal Profession Act and yet our system functioned on it on a need of necessity, a necessity basis. So when we introduced a Senior

Magistracy Registrar and Clerk of the Court, we are for the first time, Madam Speaker, causing the introduction of a properly trained legal officer sitting at the head of the administrative department of the Magistracy from the quasi-judicial side of it or judicial side of it, treating with matters that come there and then we run alongside divorcing the administrative structures. So the Clerk of the Peace who functioned to the administration of the court, et cetera, under the Chief Magistrate, we are putting the Registrar, now the Magistracy Registrar and Clerk of the Court to deal with the judicial side, and we are in Part IV of the Bill treating with the administration of the Magistracy side in a different structure under an administration department where we actually have a Deputy Court Executive Administrator as we see under Part IV. Madam Speaker, specifically, we treat with a traffic violation separately.

Now, Madam Speaker, let us put it this way. This court proposes the structuring of two divisions, two subsets of the division. Criminal Division, now sitting alongside Family and Children Division, next on deck, probate division, then the final finalization of the civil division. In this Division, we have two jurisdictions: the High Court jurisdiction and the Summary Court jurisdiction. The High Court jurisdiction, Madam Speaker, is going to be the case where we deal with the criminal side in the High Court under clauses 5 and 6. First of all, in clause 5 we, on commencement, vest the authority and jurisdiction of all criminal matters in the Division, the sittings of the court are—*[Interruption]* Yes, please.

Mrs. Persad-Bissessar SC: Thank you. You mentioned Part IV which is the administration of the Criminal Division of the High Court and the District Criminal and Traffic. This speaks to persons to be employed. How many persons do you

think—how many positions will be created? I can see you say you are putting one person in each District Criminal and Traffic Court, so if there are 17 such courts, it means 17. In total, all these various positions, how many do you envisage to carry this through?

Hon. F. Al-Rawi: Sure. I will propose because of the brevity of time left to the full completion of time to address those via my Members or in the course of wind up, but suffice it to say, the positions are being identified by the Judiciary and the PMCD of Public Admin, in the similar fashion to that which we did for the Family and Children Division. However, we do not have to create it from start as we did in the Family and Children Division. We are recasting what we have already, we are just cleaning the structures and reporting environment.

So, Madam Speaker, I am just coming to the point, we are creating the Criminal Division. The Criminal Division has two subsets. On the High Court end, we have the Criminal Court sitting. We allow for the Criminal Court to be put into locations and times as the Chief Justice will have. We allow for the Chief Justice to assign to the Criminal Court such Puisne Judges and Masters as they think fit. In the High Court division, we are using the judge, that is the Criminal Court Judge as clause 8 provides, along with the Criminal Court Master. And, Madam Speaker, let me address that right now.

What we are doing in this particular Bill and we find it now where we deal with the jurisdiction at clause 9 in particular, we are allowing for the Criminal Court Judge and the Criminal Court Master to treat with all powers exercisable by a magistrate and in allowing them that power, we are allowing the High Court end of the Criminal Division to treat with summary matters, so that we do not have to

have serious summary matters begin in the Magistrates' Court and then migrate across to the High Court where the transmission time for documents is sometimes two years for the documentation to move from the Summary Court to the High Court.

What we are allowing here, for instance, in existing preliminary enquiries is for the High Court end of it to actually hear the preliminary enquiries. We propose that the District Criminal and Traffic Courts, which is now the magistrate's end of the Division, that they treat with the less [*Crosstalk*] important matters, so that we can actually have judicial attention focused upon serious and less serious matters. Madam Speaker, the chatter is a little disturbing by my friends opposite. [*Crosstalk*] Appreciated.

Madam Speaker, when we treat with clause 9 of the Bill, I was having a conversation a while ago with my learned colleague from St. Augustine and I wish to point out that at clause 9 where we say that the Criminal Court Judge and the Criminal Court Master shall have matters including Summary Court Act including the power to hear indictable offences summarily. We are not proposing that that is to be anything other than the existing law. It means that the criminal High Court end of it can treat with indictable matters, summary matters, but very importantly, matters which are triable either way and even more importantly, this expression in the law is relative to section 100 of Chap. 4:20 which is the Summary Courts Act, which treats with indictable matters which may be treated with summarily by consent of the accused in accordance with the Second Schedule to Chap. 4:20. And that is what we call scheduled matters.

Madam Speaker, when we deal with Part III of the Bill, we are dealing with

the Magistracy end of it which is the District Criminal and Traffic Courts. What we are doing is we are proposing that the Summary Court jurisdiction, as we go through clauses 12, 13, 14, 15, 16, that we treat with those specifically as the Magistracy divisions. In clause 17, we come down to roles and functions which I will come to in a moment. But what we are doing in the Summary Courts here is we are effectively renaming our magistrates. We are renaming our magistrates so that when a magistrate is sitting in the District Criminal and Traffic Court, that magistrate is to be known as the District Court Judge. It is not dissimilar from the Jamaican district court judges, except in Jamaica, of course, they do not battle with the triable-either-way phenomenon that we have and they have lay magistrates as well which are lay district court judges, which we do not have.

3.00 p.m.

Mrs. Persad-Bissessar SC: AG.

Hon. F. Al-Rawi: When we are treating with—*[Interruption]* I have 13 minutes to do the whole Bill.

Mrs. Persad-Bissessar SC: Why are you renaming it?

Hon. F. Al-Rawi: I will come to that in a moment. The renaming of functions, I will treat with in answer.

Madam Speaker, when we are treating with district criminal and traffic court, again, we are incorporating, for the first time, the use of the Senior Magistracy Registrar and Clerk of the Court. That person is to be an ex officio Justice of the Peace and Commissioner of Oaths. That person is a person with legal qualifications. That person is no longer going to be an unqualified Clerk of the Peace. That person sits atop a Magistracy Registrar and Clerk of the Court

substructure, as is set out in clause 16; they report to the Senior Magistracy Registrar. The Senior Magistracy Registrar reports to the Chief Magistrate.

Importantly, because the functions of the Clerk of the Peace now to fall under the Senior Magistracy Registrar were not defined, we have taken in clause 17, the very careful step to define the role and function of the Senior Magistracy Registrar. That includes all the matters set out at sub clauses (17)(a) through (k), inclusive: granting of bail, witness oaths, drafting of complaints, perfection of orders, certifying extracts, being the keeper of records of a district court, supervising employees in the District and Criminal Court who are engaged in legal or quasi-judicial functions.

When we come to Part IV of the Bill, Madam Speaker, we are now taking the administrative structures and what we are doing here, the word that is to be paramount in Members' consideration is flattening. We have two separate administrative structures. High Court division, Magistrates' division. In the existing law, the High Court division will fall under the Registrar of the Supreme Court. In the Magistracy's end, we are falling under the Clerk of the Peace. In the High Court we have the regulated computerized JEMS sort of equation. That is the name of the judicial system that operates on an IT platform basis. In the Magistrates' Court, none, longhand, book, Clerk of the Peace, who turns up, who does not turn up.

In the transmission of paperwork alone, between the Magistracy and the High Court, Madam Speaker, it takes as long as two years upon the completion of a matter in the Magistrates' Court, which has to go to the High Court. The minimum period is often two years to transfer documents, because there is the

problem with transcription evidence. There is a problem with the file moving from one desk to another.

What we are saying now is that it is no longer acceptable that we have the administrative functions cleaved. We are proposing instead that there is a unification of the registry system and administrative system, and we actually provide for it under an administration department in clause 18 onward, where we treat with the Criminal and Traffic Court Administration Department comprising human resource management unit, finance and accounting unit, fines and fees unit, records management unit, court reporting unit, statistical and an evaluation unit, drug treatment court unit, criminal court IT unit, witness support unit, bail management unit, court office unit, and other units as the Chief Justice may come up with.

Madam Speaker, in clauses 19, 20, 21, we are, in those subsequent clauses, treating with the establishment of who shall be the head, as clause 19 does. We have the Deputy Court Executive Administrator being the head of departments, and permit me to stick a pin. Madam Speaker, without casting these positions in law, without being prescriptive as to the formula and structure of the administrative end, we run the risk, as has actually happened, of the public administration department coming up with terms and conditions and posts and functions, which do not fit the Judiciary, as happened in the facilities unit, where they recast structures, as happened in the reclassification of support officers. And that caused a significant problem, Madam Speaker, because we had a problem with staff retention.

What I found quite interesting, in my research I came across an 1892

Governor's Commission into the system of Administration of Justice. In 1892, in Trinidad and Tobago, the complaint there was the organizational structure of the Judiciary in Trinidad and Tobago. So, Madam Speaker, we are treating with that in clauses, 19, 20, 21.

In clause 20, we are dealing with the Criminal Division Administrator and District Criminal and Traffic Court Administrator. In clause 21, the staff of the Criminal and Traffic Court Administration Department. Clause 22, we are allowing for the court managers and Assistant Court Managers. And then we get to Part V, Madam Speaker.

Under the Miscellaneous Provisions in Part V of the Bill, we are treating with the obligation to have the Oath of Secrecy entered into by all members of staff of the Criminal Court or District and Criminal Court, prior to assumption of duty. We are also making sure that that affirmation of secrecy is done before a judge or Justice of the Peace. Why? Because perjury would apply to that. There is a criminalization if you breach your Oath of Secrecy and you can suffer jail term and fines.

The pièce de résistance of the Bill is clause 24. Clause 24 is innocuous in its structure and its language. Clause 24 provides as follows:

- “(1) The Rules Committee established under section 77 of the Supreme Court of Judicature Act may make Rules...—
- (a) establishing a special criminal court procedure for the management of case types and offences referred to in subsection (2); and
 - (b) generally for carrying this Act into effect.

- (2) The Chief Justice may, by Practice Direction, determine the case types and offences which are appropriate for the special criminal court procedure provided for in Rules of Court made under subsection (1)(a).
- (3) Rules...shall be subject to negative resolution of Parliament.

25. The Judicial and Legal Service Act is amended..."

Let me explain clause 24, Madam Speaker. What we had in the iterations of Bills, 1996, 2004, 2005, 2006, 2007, 2010; what we had in all of those Bills was the attempt to cast one court, a kidnapping, drug gun court, effectively, if you marry them all together. What would have happened if we wanted to create a specialist court to treat with fraud, a specialist court to treat with perversion of justice, corruption, Madam Speaker? This Government's focus is on follow the money. This Government's focus is upon cartel-type behaviour, is upon the tragedy that happened to the people of Trinidad and Tobago in the management of its finances. But there must be due process. And in this structure, we allow for the Chief Justice to disaggregate, from time to time, by way of special court procedure, the establishment of special courts, Madam Speaker. And I can tell you, because I have given the statistical information, that we already know that there are going to be specialist courts created in particular to deal with the most heinous crimes.

You see, it is not by mistake that we did the DNA Regulations last time. On Monday of this week, we were in the House treating with DNA Regulations because we intend to treat with the sexual offences on a fast track basis. We intend to treat with the lads and lasses in our child rehabilitation centres, those children who have offended the law and who have been identified as awaiting trial. Most of

them are now grown men and grown women who, at nine, 10, 11 and other ages committed terrible crimes and they are crying out for justice. But that is also why we introduced the election of judge only, because the lads and lasses tell us: “We rather take our chances before a judge who will see us as a child when we committed the offence”, as opposed to the grown “hard back man and hard back woman” now before a jury, where a prosecutor can persuade a jury otherwise.

And Madam Speaker, when we allow for the special court procedure, we are breaking a mould of analysis paralysis. The year 1996 to 2018, Madam Speaker, is the time frame we are talking about. And for the first, time a Government has adopted a cohesive strategy of treating with the systemic issues of our Judiciary. Because, Madam Speaker, we could pass all the laws in the world. We could hear the Member for Siparia chuckle as much as the hon. Member may wish to chuckle over it, but this Government is now, for the first time, breaking the mould of analysis paralysis. [*Crosstalk*] Member for Siparia, why are you shouting? Madam Speaker, we are for the—[*Interruption*]

Madam Speaker: Attorney General, please rise above the crosstalk and direct your contribution to me.

Hon. F. Al-Rawi: Thank you. You see, Madam Speaker, it is hard when you are treating with serious business to hear a senior Member of the Parliament chuckle. So, Madam Speaker, as thin-skinned as it may be for persons to hear the truth, the fact is, Madam Speaker, that we are breaking—[*Interruption*]

Mrs. Persad-Bissessar SC: No, no, no.

Madam Speaker: Attorney General, you have precious little time.

Hon. F. Al-Rawi: Under what Standing Order?

Mrs. Persad-Bissessar SC: You.

Madam Speaker: Please.

Hon. F. Al-Rawi: Thank you, Madam Speaker. Madam Speaker, this is a serious issue. My learned friends had their time at the wheel. We saw nothing other than section 34 come out of the preliminary enquiries abolition matter. Three times that law was dealt with. And, unfortunately, Madam Speaker, what we are treating with today, as alien as it may be to some, as difficult as it may be to others, the fact is, until you treat with the system of justice, passing laws makes no sense. Improving a fine, improving a term of imprisonment, improving a structure, having more money laundering laws, all of these things are for naught if the system does not work.

Madam Speaker, in this debate I propose to come squarely, perhaps in my wind up, on the matters that treat with murder. And I do that because we again have a system in place here now with this criminal division, which would allow a significant purpose. Madam Speaker, I am convinced that this is the correct approach to be adopted. I am convinced that with the introduction of the Criminal Proceedings Rules, case flow management, with the analysis of the structures which we are not working, with the introduction of a public defender system, with the introduction of a national prosecution agency, with the introduction of our DNA laws put into effect for the first time in 19 years, with the introduction of our analysis of where cases stand, that this is now a whole of government approach, and I beg to move.

Question proposed.

Dr. Roodal Moonilal (*Oropouche East*): Thank you very much, Madam Speaker, and thank you for the opportunity to contribute on the matter before us this afternoon. Madam Speaker, the matter before us appears to be a short, non-contentious matter of introducing courts, processes, providing for administrative structures to support new institutional developments. But Madam Speaker, I begin by stating that it is not as simple as it may appear.

And while the Attorney General is very convinced on the path that he has led us here this afternoon, there is a difference between being convinced and being convincing. [*Desk thumping*] And the Attorney General is, of course, understandably, very excited by piloting this measure, and maybe it is because of that excitement that he may have been easily distracted. But I would like to take a few minutes at the beginning to, like, the Attorney General, reflect on the context within which this matter is heard and this Bill is being brought to the House.

Madam Speaker, I agree with the Attorney General on one matter and one matter alone; that the number one issue facing this country is crime. It is, by a long way, the most significant challenge, problem, dilemma, burden, that the citizens of Trinidad and Tobago carry at this time. We have never lived in such troubling times of insecurity, of apparent hopelessness, of cluelessness, of fear. Madam Speaker, we all live in a society today where we are under a self-imposed state of emergency, where families do not come out. When they come out, they are in mortal fear as to their children returning home.

In Palmiste, San Fernando, I believe, a few nights ago, a couple came home in the evening, relatively early, at around 9.00/10.00 p.m., to be held up by gun-wielding, cutlass-wielding bandits, their car stolen at gunpoint. Thankfully no

injury to the persons.

So, Madam Speaker, I will not join the Attorney General to recite statistics on crime. In fact, I think to recite statistics on crime is becoming an embarrassment. The country knows the state we are living in, everyone. Businessmen tell you their safest moment is when they clear Trinidad and Tobago airspace. That is when they feel safe, and they can relax and walk around and enjoy, you know, the streets of another country. Because you cannot enjoy here. We do not know where we are going and it is getting worse. And it is coming home to roost. It is coming home. So, Madam Speaker, I will not get into the statistics.

But, the Attorney General did ask an interesting question. He said: What happened between 2010 and 2015? What happened? But I will tell you what happened, the now talkative Member for Moruga/Tableland. I will tell you what happened. We had the lowest rate of serious crimes in 50 years. [*Desk thumping*] Murder was going down, not going up. Anytime you turn, you see police, patrols, security. If it was not the Trinidad and Tobago Police Service, it was the citizen comfort unit. [*Desk thumping*] An elderly lady in Diego Martin reported that that citizen comfort patrol assisted here in the night when the police could not reach to her defence in a matter. That is what happened in 2010 to 2015, while we did have crime and we did have to manage that.

The Member for Siparia and National Security Ministers and others could have been seen on the streets in joint patrols. [*Desk thumping*] Anytime we instituted something, the Prime Minister and the relevant Ministers would be on the street leading, and not just leading, ensuring that the security forces were doing

their jobs. That is where we were in 2010 and 2015. Where we are today is a very difficult place. And the Attorney General may even mean well. He may even mean well to bring these matters to us today.

But, Madam Speaker, I will make some headlines first before I get into the text, and the headline news for me is: Why are you spinning top in mud? [*Desk thumping*] Why? I think persons understand the problems we face with the justice system. Since the Prescott Report of 1990 or thereabout, we have had reports upon reports, commission of enquiry in “dis and dat”. We all know the problems.

In a matter that I know about in the Magistrates’ Court, the matter was called 27 times before it being dismissed. Someone accused, the defender had to go to court 27 days, “miss work, abandon taking children to school”, 27 times, over a three-year period or so, for the matter to be dismissed. That is the problem we face. And I ask the Attorney General: Would anything that you are proposing in this business here before us help to deal with that? Would it help to deal with that? And we must take a dose of reality. Reality is like a chemical composition. You must drink some, swallow it, digest it, understand where you are. And I will begin with a few items of reality. We are all aware—many of us on this side, many, not all, have been in Government before, some more than once—of the role of the Judiciary, the role of the Executive and the role of Parliament.

I want to remind the Attorney General and others. And in preparing for this matter, Madam Speaker, we had the benefit of speaking to those practitioners in the High Court, to speak to those persons who are employed. We had the benefit of getting some research materials, and so on, elsewhere. And I ask the Attorney General, and he may have the answer, but I ask because I did not hear in the initial

contribution: To what extent was consultation with relevant stakeholders undertaken; and stakeholders that may have included the Judiciary, the Magistracy, the Clerks of the Peace in different districts, the Criminal Bar Association, the Law Association, the Assembly of Southern Lawyers? Did you consult with stakeholders? Now if the answer is yes you will tell us and you will tell us the benefits of that consultation. But we did not hear it in the initial 45 minutes.

Now, Madam Speaker, the Attorney General agrees with me that passing legislation is not all. That will solve nothing by itself. Do you know what is the problem we face today; Madam Speaker? And it is quite instructive that the Attorney General, in a nice way, he reminded us that building courts is not building courts. It was quite instructive, because when we think of building courts—because the Attorney General said they were building courts—I asked my colleague along this line I said: “What court dey build?” Then he corrected himself. He said: “We did not build anything but we outfit building.” And I believe there is a building in Fyzabad outfitted for a court and publicly linked to an official of the Government, publicly linked to an official of the Government.

There is a question now as to a family and children division of a court in St. Clair, Port of Spain. Is that also linked to a high Government official? [*Desk thumping*] Is that also? So, is the approach “rent buildings from Government officials, call it court and we build court?” That cannot be the approach. Courts, Madam Speaker, I submit the Judiciary courts, those institutions, and so on, as far as possible, we should try to construct independent buildings on property owned by the Government, owned by the people. [*Desk thumping*] Why do you spend \$500,000 a month in rent for buildings, while, if you take that money, multiply it

by three years, you can build an entire building [*Desk thumping*] and you could build for less than \$29 million they are spending on a Moruga youth facility. You could build—with a few million dollars you could build courts.

Mrs. Persad-Bissessar SC: On disputed lands.

Dr. R. Moonilal: On disputed land. I think they are stealing somebody land to put a \$29 million—but I not going there.

Mr. Deyalsingh: Madam Speaker, I rise—

Dr. R. Moonilal: Let me continue without going there.

Mr. Deyalsingh:—I rise on Standing Order 48(6).

Dr. R. Moonilal: “He started.”

Mr. Deyalsingh: Thank you very much.

Madam Speaker: Member for Oropouche East, I am sure with your experience you can use a much more parliamentary term. Could you kindly just withdraw that particular term? I am sure you can do that with ease and continue.

Dr. R. Moonilal: Madam, I withdraw that. I was already in flight on another issue. Madam Speaker, I want to remain the Attorney General that at the Hall of Justice today, the air conditioning has been down for more than a month, that judges have been forced to move matters to San Fernando Supreme Court or adjourn matters. It was brought to the attention of the authorities in the Judiciary. They are claiming that “dey doh have money tuh fix de air condition” at present, so there is no solution in sight. It has affected the delivery of justice. The air condition affects the delivery of justice. [*Desk thumping*] Today you want to set up a whole new structure and institution. The public toilets in the Hall of Justice are not working. So if you go to the Hall of Justice you have to go in Woodford

Square or somewhere else to use the public toilet. These are the real matters we face as a crisis.

What is the Court Administrator and the Deputy Executive Court Administrator going to do about that, fix the toilets? These are the real problems. Because of a lack of planning in setting up the children's court, staff from the Judiciary are being poached to provide support for the children's court today. There are judges now who face problems because their staff are leaving and they are without the critical staff as secretaries, judicial support officers, orderlies. So you are poaching away from the mainstream Judiciary. Judges and their teams are operating without critical and basic necessity such as paper, toner, ink for printers, stationery, toilet paper.

There is a memo from the Ministry of Education, they could not provide coffee and tea. Then some department of Government, North/West Regional Health Authority, said that on one ground floor people were using too much toilet paper or something like that. This is the state we are in.

So, I am coming back to the Judiciary. These are the problems they face. The staff of the High Court are demotivated because of a lack of payment of travelling allowances, jacket allowance, acting, gratuity payments, and so on. People have been waiting years for their payments of gratuity and allowances.

Mr. Deyalsingh: Madam Speaker.

Dr. R. Moonilal: Madam Speaker, I am speaking about the problems in the court.

Mr. Deyalsingh: I ask you to look at Standing Order 48(1), please?

Madam Speaker: Please continue, Member for Oropouche East.

Dr. R. Moonilal: Thank you very much, Madam Speaker. Madam Speaker, let

me continue to speak of the crisis in the Judiciary and then match it to the solution being proposed today, or the lack of a solution. [*Desk thumping*]

Madam Speaker, the San Fernando Magistrates' Court is operating on a shift system, like a junior sec. That is how they are operating today, despite the promise to sort out that problem. The San Fernando Court is being housed, the Magistrates' Court is being housed in the High Court building. So High Court matters are stalled or they cannot proceed, and so on. Most of the Magistrates' Courts do not have electronic recording devices, such as notes of evidence. Notes of evidence is still taking years to produce.

The Family Court, which the Member for San Fernando West raised as a big, you know, point of success, and so on, as the most successful project, they do not have an operational library for more than four years now. So when you examine this Bill and what it seeks to do, it seeks to create more positions, more layers of bureaucracy. It is job for the boys and job for the girls.

Mrs. Persad-Bissessar SC: On contract.

Dr. R. Moonilal: On contract, and I am coming to the nature of this in a few minutes. So they are going to create jobs for the boys, jobs for the girls by doing this.

So, how are we going to look at this business here today now? Let us go to the Bill, because I know the Member for St. Joseph really wants me to get into clause by clause. So I will do that. There is no problem with that. We are quite prepared for that approach as well. You see, Madam Speaker, we deal with traffic issues now. Let us deal with traffic offences, which is what the Bill deals with. In a fundamental sense, it appears that way. This is a Government that has a

preoccupation with traffic offences and traffic management. Maybe in another incarnation those on the other side may have been traffic cops or traffic wardens on the road, with a bright fluorescent vest or something. But they are preoccupied with that.

Since arriving into office we have had this unbelievable approach on the streets where more and more police hiding in the bushes with little gadgets and stopping the motorcars and charging them. They are in Katwaroo Trace in Penal, you know, stopping the people down there. They are by Gulf City on the main link road there. Because instead of 50 km, you might be at 55 and they then pounce upon you. And by their own admission they are now saying that revenue raising from traffic offences is a major source of revenue for this country. [*Desk thumping*]

So, you could rob a jewellery shop on High Street, break the glass at 12.00 midday, injure the people, but God forbid if you try to drive 5 km more than the limit in San Fernando. You in trouble eh. You in trouble. The problem they have is the murderers do not speed and they do not drive drunk. That is the problem. Because that is their fascination with traffic offences. You should have a fascination and a zeal to deal with murder. [*Desk thumping*] That is what you should be dealing with, with murder.

And this Government should have been looked seriously at a recommendation that came from a parliamentary JSC, Committee of Parliament, Madam Speaker, where at a particular meeting dealing with an enquiry into criminal case flow management in the judicial system, Friday, March 18, 2016, and this was the Joint Select Committee on Finance and Legal Affairs. “Ah

waiting fuh St. Joseph tuh tell me 48(1).” Madam Speaker, at this meeting, where the Director of Public Prosecutions and others appeared, they recommended, Madam Speaker, certain matters: establishment of specialized courts as a means of improving the rate for the dispensation of criminal matters. Specialized courts may include: remand court, gun court, drug court, murder court. I did not see traffic court. I did not see, [*Crosstalk*] I did not see – I did not see—

Madam Speaker: Hon. Members, I want to hear the Member for Oropouche East. Usually I do not have problems in hearing him, but I am getting a little difficulty. Please continue.

Dr. R. Moonilal: Thank you, Ma’am. I was in mortal fear you were going to say usually I do not want to hear him.

3.30 p.m.

But Madam Speaker, the JSC recommended a murder court—

Hon. Member: Correct.

Dr. R. Moonilal:—first and for most. Not a civil division of the High Court and the traffic offences division in the lower court. A murder court, if you want to speak, speak to us about that. It is murder that is terrifying and brutalizing this society. [*Desk thumping*] It is not the traffic offence that you stop all over in the countryside and picking up people and making money, it is not that. And this is a recommendation from the Parliament’s Joint Select Committee. So is the Government saying that the Criminal Division of the High Court to be so named is a murder court? No, it cannot be, [*Crosstalk*] well then change the name then, call it “a murder court”. So we will do it that way.

You see, Madam Speaker, this Bill if it was to see the light of day should

really have received greater attention and, you know, I do not want to pre-empt anything because it is a lightweight kind of Bill and maybe the Government could have asked, if they wanted, that it go to a Joint Select Committee and let us sit down and work it out and see what better could be done, [*Desk thumping*] because better must be done. It cannot be a question of renaming someone from a magistrate named a judge, someone from the Clerk of the Peace named something else. This is about renaming people and hiring more people. Let us go for some specific issues here; clause 3, I am looking at clause 3, Ma'am, (2)(g):

“a Clerk of the Peace shall be read and construed as a reference to a Magistracy”—or—“Clerk of the Court.”

So we change the name, good.

You come down here now to some—it is a muddled piece of legislation, it is muddled, it is confusing, it is convoluted. [*Desk thumping*] And I want to give a public administration perspective on this now. Now at 6(2) you can take information by conducting—

“...hearings by telephone, video conference”—and—“other appropriate electronic means.”

Just a quick question, are you really going to conduct a hearing by telephone? I suspect that you mean bail applications or something like that—do they conduct criminal hearings by telephone? [*Crosstalk*]

So, okay, then you can correct, you did not want to give way to the Member for Siparia for a question but you want to ask a thousand questions now.

Madam Speaker, at 7(2):

“A Puisne Judge or Master assigned to the Criminal Court under subsection

(1) may apply to the Chief Justice for reassignment to any other Court...”

Now you are putting into the law an application process, a statutory right of some sort, that a judge can ask the Chief Justice to get out of the criminal court. Now what is that about? Now, and a fundamental question we want to ask here and I know the Attorney General and others on that side are intolerant of critical questions, intolerant. [*Desk thumping*] When we ask critical questions, we either do not love the National Anthem—

Hon. Member: We not patriotic.

Dr. R. Moonilal:—or, yeah we do not love red, white and black, or something like that or, you know, we are being obstructionists. But they cannot understand that if they bring good legislation we will support it. [*Desk thumping*] We supported the Anti-Gang legislation in the House. I understand they went somewhere and butchered it, and slaughtered it, and betrayed the trust of the Opposition on the Anti-Gang Bill. [*Desk thumping*]

Madam Speaker, I will not go there, let me move on quickly.

A question that we ask here, a question now, and it is a simple question, if we are wrong in interpreting, the Attorney General will get great pleasure in beating his chest and correcting us.

To what extent is this type of law, suggesting that a Master undertake the role of a judge? Is a Master going to be a judge? Now judges are appointed by the Judicial and Legal Service Commission. But in this matter you get the sense that the Chief Justice will assign as he could do, but bring a Master in to hearing matters in this Criminal Court and the Master—because there is another part here which speaks about the privileges, authorities and so on of a Master.

Now again “doh” get vex because we ask a question, clarify it. [*Desk thumping*] And does a Master then get the terms and conditions of a judge?

Hon. Member: That is right.

Dr. R. Moonilal: “Doh” get vex; bring clarity not vexation. And I want to make this point in the context of something else. This is a country now where we must all admit we have had for one reason or another, we have had the Judiciary—the Judiciary has been dragging through the mud. The image in the Judiciary, the confidence in the Judiciary has been taking a beating and that is a matter in the public domain. I am not speaking to those sordid issues, all I am saying is that the Judiciary has been taking a beating and it could well be that the confidence in the Judiciary is at an all-time low.

So at the same moment the confidence is at an all-time low instead of using the Parliament through our legal and constitutional role to bring accountability, you are giving greater powers to the Judiciary to hire, to fire that by definition in our system is almost non-accountable.

There were renovations done to a building in Fyzabad. I understand hundreds of thousands, possibly millions of dollars have been spent to renovate the building of a government official in Fyzabad. We cannot ask a question because it was done by the Judiciary. They are not accountable. So we should be careful in giving further power to hire, to fire, to spend money, [*Desk thumping*] when they are not accountable.

So, the Chief Justice, whoever he or she may be, gets this power to assign to the Criminal Court persons and to remove them if they request reassignment. What could happen in our system for specific matters? Somebody may have an

interest in a particular judge hearing a particular criminal matter and they just trigger here; they say listen, I need to be reassigned, you know, I need to get out of this. Because, we have had a case, which I cannot talk about, we have had another case where someone is saying they were forced to resign and we are not going there as well. Somebody arguing that they were forced to resign and you put a clause here that that person or any other person, they can ask to be reassigned and then somebody else comes to hear a critical matter. And that somebody may be a Master, who is not a judge. This is serious. [*Desk thumping*]

Then at clause 8:

“(1) A Judge when sitting in the Criminal Court shall be known as ‘a Criminal Court Judge’.”

Well, how brilliant that could be now, what a touch of legislative magic. What is the big deal you call them a Criminal Court Judge or you call them a judge, and then they apply to be reassigned so then they cease to be a Criminal Court Judge.

Hon. Member: So, they become a civil court judge. [*Laughter*]

“(2) A Master”—while—“sitting in the Criminal Court”—will—“be known as ‘a Criminal Court Master’.”

Now you hope it is not a master criminal.

“9. A Criminal Court Judge or...Criminal Court Master shall, in addition to the powers conferred under the Supreme Court...have all the powers exercisable by a Magistrate in criminal matters under...”— the certain Act.

A Criminal Court Master shall exercise authority and jurisdiction of a Judge.

So:

“10. (1) A Criminal Court Master shall exercise all the authority and

jurisdiction of a Judge which are conferred on Masters...” [Laughter]

Now, I was reading the parts that I thought were more sensible. I am now coming to the other parts which I thought were completely ludicrous.

So you come now to the District Criminal and Traffic Court. You are renaming again. The problems which everybody knows, why do you not work with the Judiciary to build more courts, to appoint more magistrates—

Hon. Member: To appoint more judges.

Dr. R. Moonilal:—to appoint more judges? [Desk thumping] Work with them. That is the problem.

Madam Speaker, that is the problem that we all know. We all know that years now. Look at something here. One of the problems in our system is the DPP’s office. The ratio of attorneys to criminal matters in the assizes court. The following are some statistics that the DPP presented recently: In 2010, one attorney to 66 matters; 2012, one attorney to 78 matters; 2014, one attorney to 84 matters. Did it get better or worse? 2016, did it get better or worse? One attorney to 150 matters.—

Hon. Member: Oh “gawd”, wow!

Dr. R. Moonilal:—2016, while the acceptable ratio is to have one attorney to 20, 25 matters. So why do we not work with the DPP’s office? Why do you not do—you know, I am tempted to say you have a house to fix. But you have to fix a problem. Start with the little things that you can do. Fix the air-condition, let us begin there. Fix the public toilets. Then work with the Judiciary to hire more staff, to get more buildings and invest public money on public buildings. [Desk thumping] Why it is you can find 400 million, highway to Toco; 500 million for

one terminal in Tobago, that is almost \$1 billion gone, but you cannot secure some funding to build courts and then you outfit it? That is what you do.

Now, I mean, you have to open the children's hospital, we know that, but the last Government put a building called the children's hospital in Couva. It is there. *[Interruption]* I mean, apart from opening it, there are buildings that we have built when we were there. You could look around and see our legacy in infrastructure *[Desk thumping]*, you can look around and see our legacy even with police stations. I think we completed nine police stations. *[Desk thumping]* Twelve we were dealing with in five short years. Not one police station you have built. Not one court because you are outfitting. We are coming back to court, Madam.

So, the District Court Judge. Now

“13. A Magistrate when sitting in a District Criminal and Traffic Court, shall be known as ‘a District Court Judge’.”

What is the big deal of this? What is the big deal here? What will that solve? What is it we are solving by calling? *[Crosstalk]* So, somebody will get a contract to do signage for all these new buildings. *[Desk thumping]* Criminal Division and Traffic Courts.

The new name of the magistrate, the one turned to Master, the new name of somebody called a judge. You have to buy new cutlery, table, chair, glass. And then everything in this country have to be in Spanish too. So, Madam Speaker, you are wasting resources. *[Desk thumping]* If the Judiciary that spent over a million dollars to refurbish a house in Fyzabad, a building in Fyzabad, today cannot fix the air-condition, work with the Judiciary to fix the problems, the small problems. That is the message we give to you.

Madam Speaker the Senior Magistracy Registrar and Clerk, now they are creating and I heard the Attorney General talk about flattening the structure and so on. I am looking at clause 15 and thereafter. Because I am looking at 15 to 19 in one. And let me just quickly just rattle out this, now they are going to create, Senior Magistracy Registrar and Clerk of the Court. They are going to create a senior person and then a normal registrar and then they are going to create District Criminal quasi-court, Keeper of the Record, you know they are going to create positions—enormous, you know, positions because they have now court managers, deputy court managers, you will have here, incidentally a criminal and traffic court administration.

Madam Speaker: Your original 30 minutes are now spent. You are entitled to 15 more minutes, if you wish to avail yourself.

Dr. R. Moonilal: Thank you, Ma'am.

Madam Speaker: Please proceed.

Dr. R. Moonilal: Thank you, Ma'am. There are going to create Deputy Court Executive Administrator to head the Criminal and Traffic Court Administration. They are then going to create Court Managers, and then Deputy Court Managers to help the Court Managers and they are going to continue and continue. But there are some important issues to raise on these matters and had this the benefit of the Opposition, or a wider stakeholder consultation, we would not be asking these questions and we would have sort it out.

The Court Executive Administrator, how is that person appointed today? Is that by the Public Service Commission or by the Judiciary? Or the Judicial and Legal Service Commission? We are informed, this is the Judicial and Legal

Service Commission and the Chief Justice.

Now, that person appoints a deputy court administrator to deal with this entire area and they continue to make appointments. But they are saying, the person may be a public officer or on contract. Now you are going to bring in persons who have enormous power in dealing with assigning criminal matters, in dealing with the administration here. Assignment of matters; bail applications and so on; they can seal—

Hon. Member: They can unseal.

Dr. R. Moonilal:—and unseal, and Madam Speaker, you know the trouble we have been having in the public domain with this matter of sealing and unsealing. Because, hypothetically in Trinidad we could have a matter where a high Government official is involved in a private matter. He or she goes to the court in Trinidad and because this person is on contract, hired and instructed by someone else, because the Court Administrator, whoever he or she is, instructs that person, reports, the term used in the Bill is “reports” to the Court Administrator, that person could be pressured to seal matters. [*Desk thumping*]

Hon. Member: Correct.

Dr. R. Moonilal: Contrary to the public interest we might be sealing matters that involve public officials running afoul, not of the civil code, but of the criminal law as well. So, we can have predators in office, we can have criminals, fraudsters, tricksters, hoaxers—[*Crosstalk*]—I cannot even pronounce that word—and when you are on contract it means you could be fired; if you resist a high official you could get a separation with a non-disclosure agreement. [*Desk thumping and laughter*] You could find yourself working in a next area as part of a cover-up.

That is possible under this Bill, because once you are hiring people on contract—so we begin by saying deal away with this contract business.

Hon. Member: Correct.

Dr. R. Moonilal: Where persons come on contract and they are exercising such authority and they are reporting to someone who by definition is at the whim and fancy of an executive or senior officers.

Madam Speaker, and I want to make the link, because, they are saying here in clause 19 I am on, the Deputy Court Executive Administrator is to be given terms and conditions equal to those of a Deputy Permanent Secretary.

Hon. Member: What!

Dr. R. Moonilal: Now, who appoints a Deputy Permanent Secretary, is it the Permanent Secretary? A Permanent Secretary does not appoint a Deputy Permanent Secretary; it is the Public Service Commission. So why do you not go to the Public Service Commission to make these appointments as well? [*Desk thumping*] Rather than have a Court Executive Administrator who operates under the Chief Justice. I am linking this thing to show that you are producing a Bill for the concentration of power [*Desk thumping*] into any Chief Justice. Where we have in the public domain a crisis in confidence in the Judiciary, you are going to concentrate power. [*Desk thumping*] When the Judiciary is not accountable, not even to the Executive. The Executive becomes almost a postman to bring matters to and from Cabinet to the Judiciary, and you are going to give more power, non-accountable power? This is frightening. On financial matters and on dealing with sensitive matters in the criminal jurisdiction.

Hon. Member: And who they accountable to.

Dr. R. Moonilal: You have the politicization of this process where the Government, or any government in Office, can use the law to hound down political opponents in and out of Parliament, put them before the courts and then you have people there determining assignment of judges, determining bail, determining other matters, who are on contract. And given this Government's history they could be on month-to-month contracts, because we have seen this type of thing now, a month-to-month contract. This is madness of the highest order. [*Desk thumping*]

Madam Speaker, they need to relook the appointments of these senior office holders and we suggest that you look to the Public Service Commission and nowhere else. Absolutely no issue of contract officers and so on.

Madam Speaker, there are also some other matters: The Court Executive Administrator now, 22(2):

“...shall assign Court Managers and Assistant Court Managers to the Criminal Court and to a District Criminal and Traffic Court.”

Now this is interesting, I just cite it here as a bit of inconsistency. Because there is a deputy court executive administrator responsible for the Criminal Court and the Traffic Court. But yet they give the full power back to the Court Executive Administrator because if you already in this Bill, your boss is the Deputy Court Executive Administrator, why do you then give this power to assign court managers, deputy court managers and so on, or Assistant Court Managers to the higher office rather than the one that has been appointed for this?.

Madam Speaker, that was more a small issue to me. In the—and you know at 22(5):

“The Assistant Court Managers of the Criminal Court shall report to the

Court Manager of the Criminal Court and the Assistant Court Managers of a District Criminal and Traffic Courts shall report to the Court Manager of the District Criminal and traffic Court.”

There is no need to put that, in any organization you have a hierarchy of responsibility and reporting and so on. I do not think you need to put in law that an assistant report to the manager, that type of thing.

Madam Speaker, while this may have good intentions, this may really have good intentions, there is a great risk involved here. You know, I want to remind the national community that when the former administration came to the House with a Bill called the Constitution (Amdt.) (Capital Offences) Bill, 2011, I have a copy in my hand—when we came to the House with this, the then Opposition did not support that Bill, on several grounds and one I remember; they said you do not need this Bill for hanging, you can do it within the framework of the existing law. Well, we are about three years into their term of office, anybody face the gallows? How you could not do it under the existing law? [*Crosstalk*]

The other major issue here was the categorizing of murder. That has root in a report that was done—I have a next copy in my hand: The death penalty in Trinidad and Tobago, a Report on the Death Penalty whether it should be retained for offences under the criminal law of Trinidad and Tobago by the Commissioner, then I believe was Mr. Elton Prescott, SC and others, 1990, recommended categorizing murder and in our Bill 2011 we dealt with that that. That would have been one approach that you may look at.

I am told, Madam Speaker, there are about 750 persons, right now, awaiting

a trial for murder. Seven hundred and fifty persons. I wanted to believe when I heard that I heard wrong. And they are waiting what could be 12 to 15 years without bail, 750 persons. Had we been categorizing murder some of these people would have been outside given the categories that we are dealing with. That is something that the Attorney General [*Desk thumping*] instead of rejecting when we brought it, could have included, if you want to deal with this system here and you want to address the matter.

Madam Speaker there are some smaller questions just briefly to ask—as I get prepared to wind up. In the matter of traffic violations and so on, while we are all aware of what these violations would be, there was a question being raised by some practitioners that whether we are, through this process, is there an intention in the Bill to widen the criminality of low level traffic offences? And to what extent this might be an unwanted consequence of High Court traffic offences, of these matters being dealt with at a higher level?

Madam Speaker, the offences that we know, driving licence related offences, lighting offences, highway offences, neglect of pedestrian rights, traffic violations and so on, these are offences that can be dealt with at a lower level.

One suggestion that came up years ago that we could have looked at, is if you have in the lower court 40,000 traffic offences or so, you could have introduced a system of lay magistrates. The Industrial Court has that too, members of the Industrial Court are persons who are not lawyers or judges and so on. But you know they are known as “members”, some people call them judges, mistakenly.

But you could have introduced a system of a tribunal of some sort where you

create lay magistrates, retired persons from the public service, school principals, persons who have been in disciplinary environments in the police or the military or so on, defence force and create tribunals to deal with traffic offences. And you would have gotten thousands and thousands and thousands off the book. You pay your fine, you go. But you know a traffic court today in 2018 is not a traffic court that we talked about 18-20 years ago.

There was a time when we were excited with traffic court, we say nice man—we saw some show on TV, Night Court or something, and then we tried to introduce it here and discovered that people get rob in the night here [*Laughter*]

Madam Speaker, traffic court is not a beautiful concept as it was 20 years ago. Today, technology has ruled out traffic courts, you get your fine, your ticket when you break the light in the night or anywhere, it comes to your phone and you look at your phone, you see the ticket and you say listen, I do not want to pay no more money by going to no court you know, you pay one time, online.

Hon. Member: In America.

Dr. R. Moonilal: You get your ticket, you pull aside at the side of the road and you pay your ticket online. The technology is driving a lot of these processes for traffic offence violations and penalties and paying penalties and so on. So, we ought in 2018, to really do some more research policy documents and so on, to see how we can use the technology to reduce this backlog and not to contribute to the backlog. [*Desk thumping*] The intention cannot be to have a traffic court and then put a next 40,000 people before the court. That is not the intention, it is to reduce the 40,000 and not have any more. So look at the technology and see what we can do to make the technology applicable, so people do not have to go to a physical

building to pay a fine and so on. That is something we could look at.

Madam Speaker—yes, I spoke already about the gun court and the murder court and the Attorney General can tell us if this is the murder court he is proposing for us today and he just did not name it that.

Madam Speaker, the problems in the court, the Magistrates' Court in particular, known to all—, the issue for us is not institutional fiddling, it is not establishing more bureaucracy, hiring the boys and girls. Because this takes time, listen, even if you do this with good intentions and you pass this measure, you are not going to do this—This is not going to be implemented this year maybe hardly next year, you have to go through a process of hiring people, you have to go through a process of advertisements and recruitment. Well you have to get buildings for these people where the air-condition is working, where facilities are working, you have to do that.

So this will not change anything in the short term, it will change absolutely nothing. In the short term the Government ought to get their act together, and work with the Judiciary the DPP office and continue the good work that was started before, [*Desk thumping*] continue the good work. Now that we have a Minister of Public Administration and Communications who is up and about and apparently looking well, work with the Judiciary and those departments as the DPP to get places for them or to build out as Government property and do not be in a position where you have these stakeholders coming before Parliament every now and then and begging, and crying, and bawling, and groaning because they do not have toilet paper, they do not have toner for their printer, they do not have chairs and table and more importantly, they do not have critical staff which is the problem we

face. The problem we face is not a need for greater bureaucracy; it is not for name change, it is really to get precious resources in the specific areas to bring about change, Madam Speaker, I thank you.

4.00 p.m.

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Madam Speaker. Madam Speaker, it was not my intention to join the debate today, but I am only coming in now because I have some institutional memory being in this place and the other place since 2010, and it is amazing after the comedic stylings of my colleague, the Member for Oropouche East, that I have no choice but to rise and rebut some of the outlandish statements made here today.

Madam Speaker, my good friend spoke at length about the issue of Masters of the court. He scorned on the position of Masters. May I remind the hon. Member that under the Family and Children Division Bill, which was agreed to by the then Government, by us, and the Government in a joint select committee in 2016 that was agreed to. Madam Speaker, if you go to clause 3 of this Bill which deals with children's matters and what are criminal matters, they all refer to Masters and the Masters was used by name—"Masters" is there.

But, Madam Speaker, as I said, I rose because I have some institutional memory. It was the UNC then in Government, when they were trying to pass the Preliminary Enquiries Bills 1, 2 and 3, which gave rise to the whole section 34 fiasco—that fiasco called section 34—those Bills, 1, which had to be repealed. We had to rush back to the Parliament—Bill No. 2 and Bill No. 3. Do you know what they all had for preliminary enquiry?—Masters.

Mr. Al-Rawi: "Nah."

Hon. T. Deyalsingh: Masters.

Mr. Al-Rawi: No way.

Hon. T. Deyalsingh: But as Rip Van Winkle, you just woke up today to the issue of Masters, but you agreed and piloted and asked for the issues of Masters there not once, not twice, but three times. [*Crosstalk*] Madam Speaker, it was also used in the Criminal Proceedings Rules as the Attorney General will tell you. And you know what is worse? The Member for Oropouche East went on at length, ad nauseum about the role of the Chief Justice and who is going to appoint these Masters. How are these Masters going to be appointed? Let me say, Madam Speaker, the Masters are appointed under the Supreme Court of Judicature Act, the same Act, where my friends, when in Government, were going to use to appoint Masters under the Preliminary Enquiries Act, the Supreme Court of Judicature Act, which is law since 1962, the year of Independence, which gives the Chief Justice the power to do so. This is not a 2018 thing. Madam Speaker, it is absolutely amazing that the Member for Oropouche East is a lawyer. He ought to have known that since 1962 the Chief Justice can do that, and then they supported it whilst they were in Government.

And Madam Speaker, what we have to look at again is, what is the view of the Judiciary on this? The Judiciary is asking for this. The same way the police were asking for the anti-gang legislation that you had to be brought here kicking and screaming to pass, the Judiciary is asking for this. The Family and Children Division was given more judges.

Under the DPP, my friend spoke about, why do we not strengthen the DPP? The Attorney General has stood up in this Parliament, time and time again, to say

what attention this administration, under this Prime Minister, under this Attorney General, is paying to the DPP's offices. They have been given three new properties. They have been hiring across the board more lawyers and more matters are being attended to. So that is what is happening under this administration. On the issue of Masters, which my friend with a very short memory spoke about, how Masters are assigned—Act No. 20 of 1962, again. But all of a sudden, Rip Van Winkle awakes in 2018 and is questioning the role of the Chief Justice in appointing Masters.

Madam Speaker, the Member opposite spoke about the so-called hanging Bill and the categorization of murders and, as I said, I have some institutional memory, that is why I rose “to spoke”. I would advise the Member opposite to look at the *Hansard* to see—

Hon. Member: Rose to spoke?

Hon. T. Deyalsingh:—when the Member for Port of Spain South spoke on that Bill—when I rose to speak. When the Member for Port of Spain South spoke, who was then the Leader of the Opposition Bench, she gave a dissertation on that particular piece of legislation. That debate short-circuited your attempts to categorize murder. Look at the *Hansard* of the Member for Port of Spain South. I have the institutional memory, that is why I am here speaking now. [*Desk thumping*] Look at it!

But, Madam Speaker, what is amazing whenever the Member for Oropouche East stands up to speak, or any Member of the Opposition in either place, is how they are hell-bent on slowing the pace of the criminal justice system. I wonder why? The right-thinking citizens of Trinidad and Tobago need to ask themselves

why is the UNC—whether here or in the other place as we saw recently—are so afraid of legislation about follow the money? Why? Why? Why are they so afraid of any piece of legislation that will make the delivery of justice quicker? Why it is they want to stay in this moribund system where things would take a generation? And I think the right-thinking citizens of Trinidad and Tobago need to look at that.

Madam Speaker, the Member for Oropouche East spoke about where we should spend money. May I remind colleagues opposite—again, I have the institutional memory—our friends when they were in Government wasted \$30 million which could be used now to repair the same air-condition when you violated the rules of the Central Tenders Board in trying to get your four judicial complexes up. The one in Carlsen Field, never built; the one in Trincity, never built; the one in Sangre Grande never built—never, never built. Madam Speaker, \$13 million gone up in smoke. Breached all the laws of the nation, the Central Tender Board Act, breached it, and that is where we are today.

Madam Speaker, let me just—because, again, of institutional memory, the Member spoke about a property in Fyzabad, and he said we cannot ask questions. May I remind the Member, Madam Speaker that a question was asked on that property in this same place and was truthfully answered. It is answered. It is on the *Hansard* but what the Member will not tell you was that property was sourced originally by the Judiciary under your tenure, [*Crosstalk*] under the United National Congress, and now you want to scandalize it. [*Crosstalk*]

Madam Speaker: Hon. Member. Every Member who wishes to speak will be allowed an opportunity to join this debate. Any Member who is in the proper

manner seeks to invoke Standing Order 47, would be allowed.

Hon. T. Deyalsingh: You see, Madam Speaker, the truth, the truth, is what has them a little bit antsy. That property was sourced by the Judiciary under the United National Congress. [*Crosstalk*]

Madam Speaker, my friend opposite spoke about the citizen comfort patrol. Do you know who, is the biggest beneficiary of that?

Mr. Al-Rawi: Tell them. \$20 million a month, tell them.

Hon. Member: Who?

Hon. T. Deyalsingh: The contract given out to rent the vehicles, close to \$100 million a year, \$120 million a year to rent. [*Desk thumping*] Why did you not take that money and put it into the Judiciary?—\$120 million. Because it was convenient to give out a contract to rent a fleet of vehicles. That was all it was about. [*Desk thumping and crosstalk*] That was all. That was all it was about, contracts. **Mr. Al-Rawi:** Box drains and contracts.

Hon. T. Deyalsingh: Contracts, contracts. Contract to fix health centre, contract for this car, contract for that car. That was all.

Mr. Lee: Madam Speaker, 48(1). Member for St. Joseph, this is not about the Member for Oropouche East, it is about the Bill. [*Crosstalk*]

Madam Speaker: Member for St. Joseph, please proceed.

Hon. T. Deyalsingh: Thank you. Madam Speaker, I was just responding to my friend about the usefulness of the citizen comfort patrol. He gave one version, I am simply giving another version, which was, the only validation for that programme was to give out \$120 million contract a year to rent vehicles. [*Desk thumping*] That is all I am saying.

Mr. Al-Rawi: With no power of arrest.

Hon. T. Deyalsingh: The people had no power of arrest, they had no communications between them and the police. Right? Absolutely none, but that was the comfort police.

Madam Speaker, my friend, the Member for Oropouche East, wanted to know why this Government is so preoccupied with traffic offences, and he went to town on our preoccupation about traffic offences. May I remind all and sundry that when you look at criminal activity, one of the common factors is the use of a motor vehicle? The use of a motor vehicle. That is why the Attorney General brought legislation here, about the spot-speed cameras, the red-light cameras, the arches, the RFID tags on cars. So that is not a preoccupation. The Attorney General is bringing a suite of legislation to tackle crime at all levels; and cars and vans, as we saw recently, is one of the tools that criminals use. But, you know, the frivolity of the argument from the Member for Oropouche East, the comedic stylings, I mean, it is nice comedy. It is very nice comedy, but this is a serious place for serious debate, so that is why I had to rise because of my institutional knowledge to talk to some of these issues to put the record straight.

Madam Speaker, coming to the Bill itself now, on page 4 of the Bill, “The Criminal Division of the High Court”, when you look at clause 4, which speaks to:

“There shall be a Criminal Division of the High Court which shall comprise a court known as ‘the Criminal Court’.”

And a lot of the subsequent clauses: it speaks to speed; it speaks to clearing up a backlog; it speaks to giving the accused their rights to have a trial. Even though our Constitution does not say a right to a speedy trial, it just says a right to a trial.

Am I correct, AG?

Mr. Al-Rawi: Absolutely.

Hon. T. Deyalsingh: Right. But at least here you could get a trial within a time frame that preserves your human rights.

Madam Speaker. Clause 7:

“The Chief Justice may assign to the Criminal Court such Puisne Judges and Masters as he thinks fit.”

We always use this term “Puisne Judges” in our debates here, so I think the public should know that a Puisne Judge is a judge of a superior court, but inferior in rank to the Chief Justice and the Appeal Court, below the rank of a Chief Justice. So when you do that, you cast your net wider, more access to justice, and that is to be applauded.

Clause 9:

“A Criminal Court Judge or a Criminal Court Master shall, in addition to the powers conferred under the Supreme Court of Judicature Act, have all the powers exercisable by a Magistrate...”—all the powers, including summary matters.

And, again, it goes back to the same thing. We have the Piarco case going on for 18 years, two decades—two decades hanging over the reputation of this country—and in another jurisdiction two parties who were joined to this, have already admitted their liability in Miami, paid their fine, gone to jail and come back out.

Dr. Gopeesingh: Madam Speaker, (55)(1)(b).

Madam Speaker: Member, please proceed.

Hon. T. Deyalsingh: Yes. So I lost my train of thought. Yes, the Piarco case.

Others who were joined in that case, Birk Hillman—are those the correct names?

Mr. Al-Rawi: Gutierrez.

Hon. T. Deyalsingh: Gutierrez—have already paid their fines. They have already pleaded guilty since 2006, but here now, in two decades, we are still stuck in the Magistrates' Court. So the Attorney General should be complimented for doing this. Why you all get so jumpy about Piarco?

Clause 10:

“A Criminal Court Master shall exercise all the authority and jurisdiction of a Judge which are conferred on Masters under the Supreme Court of Judicature Act.”

Madam Speaker, what this would do is to expand the Judiciary, expand access to justice, and then, in clause 10(2), the Orders made shall have the authority to have the same effect as if made by a Criminal Court Judge. So you are talking about these people shall have the authority to make judgments, the power to make judgments and then binding on parties. So that is to be applauded.

Madam Speaker, other clauses of the Bill, clause 14:

“A District Criminal and Traffic Court may conduct hearings by telephone, video conference or any other appropriate electronic means.”

Madam Speaker, the Member for Oropouche East focused solely on telephone and, again, in his usual comedic styling sought to make a joke out of the whole thing. But as your colleague, the Member for Mayaro, will know who is a technology expert, it says not only telephone, because you omitted the other parts conveniently to make it into a joke. It also spoke to video conferencing, but you did not go there because that was not funny. You could not make a joke out of it.

“...or any other appropriate electronic means.”

You would not go there because that was not funny. That did not lend itself to humour, [*Crosstalk*] but he only focused on telephone because you could make a joke out of a telephone. Right? And what about the role now?

We have serious issues in Trinidad with witness tampering? Do you not think a witness to a case, for example, given a contract to build a housing project where land was valued at \$30 million, you pay \$170 million, you may have a witness to that, and this person might be afraid of being murdered or kidnapped. Because in Trinidad we have cases where you value land at \$30 million but you pay \$170 million to build a house or to build houses. Now, you may have a witness. That witness may not want to show his face in court, so the same joke he make about the telephone, he could use the telephone, or he could use a video conferencing method or any other electronic means, because there is so much of white-collar crime to tackle in Trinidad and Tobago, we have to get serious. [*Desk thumping and crosstalk*]

Madam Speaker, clause 15(2):

“The Senior Magistracy Registrar and Clerk of the Court shall be *ex officio* a Justice of the Peace and Commissioner of Oaths.”

And the hon. Attorney General, in piloting, spoke about that. This will modernize the archaic system that we have now. Madam Speaker, Part IV of the Bill, we always debate in this hon. Chamber when we pass laws, how do we operationalize things? I got it right the first time. Part IV speaks to that. But, Madam Speaker, when you look at Part IV, Part IV says:

And again, this goes directly to my colleague from Oropouche East, you just

changing names for the sake of changing names. You want to give a contract to put up signs. Joke. The Member for Siparia in crosstalk says, it is a contract to print call cards. That is the frivolity with which our colleagues opposite deal with serious matters. Right? [*Crosstalk*] So:

“There shall be established an administration department for the Criminal Division of the High Court and the District Criminal and Traffic Courts which shall be known as ‘the Criminal and Traffic Court Administration Department’ and which shall be a subdepartment of the Department of Court Administration.”

But it goes on in 18(2), and this is the part that I want to focus on a bit:

“The Criminal and Traffic Court Administration Department shall comprise:

(a) a Human Resource Management Unit;”

And that speaks to how we are going to start to operationalize this.

“(b) a Finance and Accounts Unit;

(c) a Fines and Fees Unit;”

How we are collecting fines, collecting fees and so on.

“(d) a Records Management Unit;”

How do you manage the records.

“(e) a Court Reporting Unit;

(f) a Statistical and Evaluation Unit;”

And this is the part I want to focus on, Madam Speaker:

“(g) a Drug Treatment Court Unit;”

Madam Speaker, drug crimes like everywhere else, is becoming a problem, from both the supply side and the demand side. Just by way of analogy, the United

States right now is caught up in a whole opioid crisis where young people with their children are dying in front of their children, injecting themselves with heroin, because they are so addicted and they are dying in front of their children. Drug addiction or any type of addiction—whether it is gambling addiction, alcohol, drug, sex addiction, any type of addiction—so here we are going to have a Drug Treatment Court Unit.

Madam Speaker, just to tell you how serious this issue of drug addiction is getting in the United States, if you just bear me out please. [*Crosstalk*] Well, if you will allow me—Drug Treatment Court. They are now recommending that people who are on drugs walk with the antidote, methadone, I believe. It is so bad. So what we are going to do now with our Drug Treatment Court—if we get into our Drug Treatment Court, it means we could move from a punitive system of justice to a more restorative system of justice. What a Drug Treatment Court will do, will put the onus on the offender, on the addict, to one, admit he has a problem and two, be a part of the solution.

Dr. Moonilal: Like you.

Hon. T. Deyalsingh: In choosing his treatment options.

Dr. Moonilal: As you did.

Hon. T. Deyalsingh: Sorry, Member for Oropouche East, as I did? Madam Speaker, I am not a drug addict. I would ask the Member for Oropouche East to withdraw that please.

Mr. Al-Rawi: He cannot help himself. He cannot help himself. Everything is a joke.

Hon. T. Deyalsingh: Everything is a joke for them.

Madam Speaker: Hon. Members, if we would all seek to abide by the Standing Orders, reduce the crosstalk and the banter, we would, therefore, be able to proceed with the primary purpose for which we are here. I am going to advise both sides to obtain, with respect to Standing Order 53, in terms of Members who are not speaking to please listen in silence. Member for St. Joseph, please continue.

Hon. T. Deyalsingh: Thank you, Madam Speaker. So Madam Speaker, what this Drug Treatment Unit will do, is move us from this punitive system of how we deal with addicts to a more restorative system. As I said, it will encourage offenders to be responsible, not only for the addiction, but for their treatment and help determine what are the treatment options and treatment paths going forward, because heaven knows also in Trinidad and Tobago—

Mrs. Newallo-Hosein: Excuse, 48(1).

Hon. T. Deyalsingh: But I am speaking to the drug treatment unit.

Hon. Member: “She doh understand.”

Madam Speaker: Member for St. Joseph, please continue. [*Crosstalk*]

Hon. T. Deyalsingh: Madam Speaker, I am just amazed. Part IV, 18(2)(g):

“(g) a Drug Treatment Court Unit;”

And that is what a Drug Treatment Court Unit does. [*Crosstalk*] But I do not understand my colleagues opposite. The comedy is just phenomenal, absolutely phenomenal. So what the drug treatment unit will do, it will result in people being treated more restoratively rather than punitively. It also means less jail time and more time seeking treatment. What a drug treatment unit does, it decreases the expense incurred in treating with these things judicially. The drug treatment unit also speaks about how society deals with these things, and it is married to the Drug

Treatment Court pilot. That is the linkage. There is a pilot already on the way, [*Interruption*] but if you would read and research, you would not embarrass yourself.

Madam Speaker, when we go on, in (i) they also set up:

- “(i) a Witness Support Unit;
- (j) a Bail Management Unit;
- (k) a Court Office Unit; and
- (l) such other units as may be determined by the Chief Justice.”

Madam Speaker, I want to move briefly on this Part IV, where we are dealing with the issue of traffic courts. We know that our lower courts are clogged up by traffic cases. I have said already what the Attorney General has brought to deal with the issue of, not traffic management, but traffic offences—the spot-speed camera system, the red-light camera and, hopefully, the RFID tags on licence plates. He has already brought pieces of legislation where the licensing authority will only be the one issuing licence plates and these have direct implications for the criminal justice system.

Madam Speaker, in clause 19(2):

“The Deputy Court Executive Administrator shall have overall responsibility for the administration of the Criminal and Traffic Court Administration Department and may assign staff of the Criminal and Traffic Court Administration Department to the Criminal Court or a District Criminal and Traffic Court.”

This power to assign staff, again, would have a very positive effect on how we deal with traffic offences and clear up this 40,000—AG, is it?

Mr. Al-Rawi: Fifty thousand.

Hon. T. Deyalsingh: Fifty thousand cases of traffic offences before the courts. Think about if you do that, how much judicial time you free up to look at other matters? How much police time you free up? Because for each of these offences a policeman has to go to court, a witness has to go to court. This is a phenomenal way of dealing with the backlog and the Attorney General should be heartily congratulated. [*Desk thumping*]

Clause 20, my friend, the Member for Oropouche East was talking about the quality of people—where you are getting the people from:

“The Deputy Court Executive Administrator shall be assisted by a Criminal Division Administrator and a District Criminal and Traffic Court Administrator, both of whom shall possess the appropriate training and experience as required by the Judiciary.”

So this is not job for the boys, job for the girls. These are professionals who have been trained and who have been sourced and who have the experience as recognized by the Judiciary. [*Crosstalk*] Right? This is not job for the boys or job for the girls. [*Interruption*] Are you saying you have no confidence in the Judiciary?

Hon. Member: Yes, yes.

Hon. T. Deyalsingh: That is the UNC’s position. Fine.

Mr. Singh: In the current status.

Hon. T. Deyalsingh: So the UNC’s position is that they have no confidence in the Judiciary. That is fine. The staff of the criminal court:

“The Criminal and Traffic Court Administration Department shall, in

addition to judicial officers, be staffed with an appropriate number of suitably qualified persons...”

And again, not determined by the politicians of the day as charged. But:

“...as determined from time to time by the Court Executive Administrator and shall include”—who? Hear!

“(a) public officers;”

Mr. Al-Rawi: “Nah.” **Hon. T. Deyalsingh:** “public officers”.

Mr. Al-Rawi: Say that again?

Hon. T. Deyalsingh: They shall include:

“(a) public officers; and

(b) an appropriate number of other persons engaged on contract by the Court Executive Administrator...”

But there are public officers there. Look at it. Look at it, clause 21:

“(a) public officers;”

Madam Speaker, under Part V on “Miscellaneous” as I come to a close, the Attorney General was speaking about the importance of clauses 24 and 25, where he said that the Rules Committee established under section 77 of the Supreme Court of Judicature Act may make the rules.

Madam Speaker: Hon. Member for St. Joseph, your original 30 minutes of speaking time are now spent. Do you intend to proceed?

Hon. T. Deyalsingh: Madam Speaker, if I could resume after tea?

Madam Chairman: Okay. So that hon. Members, it is now 4.27.49, I think it is a convenient time for us to take the suspension. We will resume at 5.00 p.m.

4.28 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Madam Speaker: Member for St. Joseph, you have 15 minutes of extended time, if you wish to avail yourself of it.

ADJOURNMENT

The Minister of Health (Hon. Terrence Deyalsingh): Yes, thank you, Madam Speaker. Madam Speaker, if it so pleases you, I beg to move that this House do now adjourn to a date to be fixed.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 5.01 p.m.