

HOUSE OF REPRESENTATIVES

Monday, September 09, 2019

The House met at 1.30 p.m.

PRAYERS

[MR. DEPUTY SPEAKER *in the Chair*]

**LEAVE OF ABSENCE**

Mr. Deputy Speaker: Hon. Members, I have received communication from Mr. Fazal Karim MP, Member for Chaguanas East, who has requested leave of absence from today's sitting of the House. The leave which the Member seeks is granted.

FIREARMS (AMDT.) BILL, 2019

Bill to amend the Firearms Act, Chap. 16:01, brought from the Senate [*The Attorney General*]; read the first time.

Motion made: That the next stage be taken later in the proceedings. [*Hon. F. Al-Rawi*]

Question put and agreed to.

PAPERS LAID

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Agricultural Development Bank of Trinidad and Tobago for the year ended September 30, 2016. [*The Minister of Finance (Hon. Colm Imbert)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Agricultural Development Bank of Trinidad and Tobago for the year ended September 30, 2017. [*Hon. C. Imbert*]
3. Audited Financial Statements of East Port of Spain Development Company Limited for the financial year ended September 30, 2013. [*Hon. C. Imbert*]

4. Annual Audited Financial Statements of Clico Investment Fund for the financial year ended December 31, 2018. [*Hon. C. Imbert*]
 5. Consolidated Audited Financial Statements of the National Gas Company of Trinidad and Tobago Limited for the financial year ended December 31, 2018. [*Hon. C. Imbert*]
- Papers 1 to 5 to be referred to the Public Accounts (Enterprises) Committee.*
6. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Environmental Management Authority – Environmental Trust Fund for the year ended September 30, 2013. [*Hon. C. Imbert*]
 7. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Environmental Management Authority – Environmental Trust Fund for the year ended September 30, 2014. [*Hon. C. Imbert*]
 8. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Environmental Management Authority – Environmental Trust Fund for the year ended September 30, 2015. [*Hon. C. Imbert*]
 9. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Environmental Management Authority – Environmental Trust Fund for the year ended September 30, 2016. [*Hon. C. Imbert*]
 10. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Environmental Management Authority – Environmental Trust Fund for the year ended September 30, 2017. [*Hon. C. Imbert*]

11. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Environmental Management Authority – Environmental Trust Fund for the year ended September 30, 2018. [*Hon. C. Imbert*]
12. The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Fair Trading Commission for the year ended September 30, 2018. [*Hon. C. Imbert*]
13. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the National Agricultural Marketing and Development Corporation for the year ended September 30, 2012. [*Hon. C. Imbert*]
14. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the National Agricultural Marketing and Development Corporation for the year ended September 30, 2013. [*Hon. C. Imbert*]
15. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the National Agricultural Marketing and Development Corporation for the year ended September 30, 2014. [*Hon. C. Imbert*]
16. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the National Agricultural Marketing and Development Corporation for the year ended September 30, 2015. [*Hon. C. Imbert*]
17. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the National Institute of Higher Education

- (Research, Science and Technology) for the year ended December 31, 2012.
[*Hon. C. Imbert*]
18. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the National Institute of Higher Education (Research, Science and Technology) for the year ended December 31, 2013.
[*Hon. C. Imbert*]
19. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Public Transport Service Corporation for the year ended September 30, 2013. [*Hon. C. Imbert*]
20. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Public Transport Service Corporation for the year ended September 30, 2014. [*Hon. C. Imbert*]
21. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Regulated Industries Commission for the year ended December 31, 2015. [*Hon. C. Imbert*]
22. Annual Report and Consolidated Financial Statements of the Central Bank of Trinidad and Tobago for the year ended September 30, 2018. [*Hon. C. Imbert*]
23. Administrative Report and Audited Financial Statements of the Betting Levy Board for the period July 01, 2016 to June 30, 2017. [*Hon. C. Imbert*]
24. Administrative Report and Audited Financial Statements of the Betting Levy Board for the period July 01, 2017 to June 30, 2018. [*Hon. C. Imbert*]
- Papers 6 to 24 to be referred to the Public Accounts Committee.*
25. Report of Central Bank of Trinidad and Tobago on Insurance and Pensions for the year ended December 31, 2017. [*Hon. C. Imbert*]

26. Annual Report of the Taurus Services Limited for the financial year ended September 30, 2018. [*Hon. C. Imbert*]
27. Annual Administrative Report of the Trinidad and Tobago International Financial Centre Management Company Limited for the year ended September 30, 2018. [*Hon. C. Imbert*]
28. Ministerial Response of the Ministry of Finance to the Seventeenth Report of the Public Accounts (Enterprises) Committee on the Examination of the Audited Accounts, Balance Sheet and other Financial Statements of the Export Centres Company Limited for the financial years 2008 to 2011. [*The Minister of Planning and Development (Hon. Camille Robinson-Regis)*]
29. Response of the Office of Procurement Regulation to the Sixth Report of the Joint Select Committee on Finance and Legal Affairs on an Inquiry into the Implementation of the New Public Procurement System. [*Hon. C. Robinson-Regis*]
30. Ministerial Response of the Ministry of Finance to the Eighteenth Report of the Public Accounts (Enterprises) Committee on the Examination of the Audited Financial Statements of Caroni (1975) Limited for the years ended June 30, 2010 to 2018. [*Hon. C. Robinson-Regis*]
31. Ministerial Response of the Ministry of Finance to the Nineteenth Report of the Public Accounts (Enterprises) Committee on the Examination of the Audited Financial Statements of the Cocoa Development Company of Trinidad and Tobago Limited for the years ending September 30, 2014 to 2016. [*Hon. C. Robinson-Regis*]
32. Ministerial Response of the Ministry of Finance to the Twenty-First Report of the Public Accounts (Enterprises) Committee on the Examination of the Audited Financial Statements of the Trinidad and Tobago Free Zones

- Company Limited for the years ended September 30, 2012 to 2017. [*Hon. C. Robinson-Regis*]
33. Ministerial Response of the Ministry of Trade and Industry to the Twenty-First Report of the Public Accounts (Enterprises) Committee on the Examination of the Audited Financial Statements of the Trinidad and Tobago Free Zones Company Limited for the years ended September 30, 2012 to 2017. [*Hon. C. Robinson-Regis*]
34. Ministerial Response of the Ministry of Agriculture, Land and Fisheries to the Nineteenth Report of the Public Accounts (Enterprises) Committee on the Examination of the Audited Financial Statements of the Cocoa Development Company of Trinidad and Tobago Limited for the years ending September 30, 2014 to 2016. [*Hon. C. Robinson-Regis*]
35. Ministerial Response of the Ministry of Planning and Development to the Sixth Report of the Joint Select Committee on Land and Physical Infrastructure on an Inquiry into the Establishment of Systems for the Maintenance of Drainage and Roadways. [*Hon. C. Robinson-Regis*]
36. Ministerial Response of the Ministry of Planning and Development to the Fifth Report of the Joint Select Committee on Finance and Legal Affairs on an Inquiry into the Waste Management policies and initiatives of the State (with specific focus on solid waste). [*Hon. C. Robinson-Regis*]
37. Ministerial Response of the Ministry of Health to the Fourth Report of the Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities (including the THA) on an Inquiry into the Regulation and Licensing of Medical Doctors by the Medical Board of Trinidad and Tobago. [*Hon. C. Robinson-Regis*]

38. Ministerial Response of the Ministry of Health to the Tenth Report of the Joint Select Committee on Social Services and Public Administration on the Inquiry into the Potential Benefits of Traditional, Complementary and Alternative Medicine in the treatment of Non-Communicable Diseases affecting the Trinidad and Tobago population. [*Hon. C. Robinson-Regis*]
39. Response of the Service Commissions Department to the Sixth 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 of the Teaching Service Commission. [*Hon. C. Robinson-Regis*]
40. Ministerial Response of the Ministry of Works and Transport to the Twenty-Fourth Report of the Public Accounts Committee on the Examination of the Audited Financial Statements of the Port Authority of Trinidad and Tobago for the financial years 2008 to 2011. [*Hon. C. Robinson-Regis*]
41. Ministerial Response of the Ministry of Works and Transport to the Seventh Report of the Joint Select Committee on Land and Physical Infrastructure on an Inquiry into the Public Transport Service Corporation with specific focus on the Public Bus Service and Maintenance of Buses. [*Hon. C. Robinson-Regis*]
42. Ministerial Response of the Ministry of Social Development and Family Services to the Seventh Report of the Joint Select Committee on Land and Physical Infrastructure on an Inquiry into the Public Transport Service Corporation with specific focus on the Public Bus Service and Maintenance of Buses. [*Hon. C. Robinson-Regis*]
43. Ministerial Response of the Ministry of Education to the Seventh Report of the Joint Select Committee on Land and Physical Infrastructure on an

- Inquiry into the Public Transport Service Corporation with specific focus on the Public Bus Service and Maintenance of Buses. [*Hon. C. Robinson-Regis*]
44. Ministerial Response of the Ministry of Energy and Energy Industries to the Tenth Report of the Joint Select Committee on State Enterprises on an Inquiry into the operations of Lake Asphalt Trinidad and Tobago (1978) Limited, and to determine its effectiveness at fulfilling its mandate. [*Hon. C. Robinson-Regis*]
 45. Ministerial Response of the Ministry of Labour and Small Enterprise Development to the Twelfth Report of the Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities (including the THA) on an Inquiry into Occupational Safety and Health Compliance within the Public Service. [*Hon. C. Robinson-Regis*]
 46. Administrative Report of the National Institute of Higher Education (Research, Science and Technology) for the fiscal year 2015/2016. [*The Minister of Education (Hon. Anthony Garcia)*]
 47. Administrative Report of the National Energy Skills Center for the fiscal year 2015/2016. [*Hon. A. Garcia*]
 48. Administrative Report of the Youth Training and Employment Partnership Programme for the fiscal year 2015/2016. [*Hon. A. Garcia*]
 49. Administrative Report of the University of Trinidad and Tobago for the fiscal year October 01, 2016 to September 30, 2017. [*Hon. A. Garcia*]
 50. Administrative Report of the Ministry of Community Development, Culture and the Arts for the fiscal year 2015/2016. [*The Minister of Community Development, Culture and the Arts (Hon. Dr. Nyan Gadsby-Dolly)*]

51. Annual Report of the Industrial Court of Trinidad and Tobago for the period September 14, 2016 to September 15, 2017. [*Hon. C. Robinson-Regis*]
52. Annual Report of the Strategic Services Agency for the year 2018. [*The Minister of National Security and Minister in the Office of the Prime Minister (Hon. Stuart Young)*]
53. Annual Report of the Criminal Injuries Compensation Board for the period October 01, 2016 to September 30, 2017. [*Hon. S. Young*]
54. Administrative Report of the Ministry of Planning and Sustainable Development for the period October 2012 to September 2013. [*Hon. C. Robinson-Regis*]
55. Annual Report of the National Information and Communication Technology Company Limited for the period 2017 to 2018. [*Hon. C. Robinson-Regis*]
56. Annual Administrative Report of the Evolving TecKnologies and Enterprise Development Company Limited for the year ended September 30, 2016. [*Hon. C. Robinson-Regis*]
57. Annual Administrative Report of the Evolving TecKnologies and Enterprise Development Company Limited for the year ended September 30, 2017. [*Hon. C. Robinson-Regis*]
58. Administrative Report of the Trinidad and Tobago Creative Industries Company Limited and its Subsidiaries for the year ended September 30, 2015. [*Hon. C. Robinson-Regis*]
59. Administrative Report of the Ministry of Works and Transport for period October 01, 2012 to September 30, 2013. [*Hon. C. Robinson-Regis*]
60. Annual Report of the Environmental Management Authority for year 2013. [*Hon. C. Robinson-Regis*]

61. Annual Report of the Environmental Management Authority for year 2014. [Hon. C. Robinson-Regis]
62. Annual Report of the Environmental Management Authority for year 2015. [Hon. C. Robinson-Regis]
63. Annual Administrative Report of the National Maintenance Training and Security Company Limited for year ended December 31, 2016. [Hon. C. Robinson-Regis]
64. Civil Proceedings (Amendment) Rules, 2019. [The Attorney General (Hon. Faris Al-Rawi)]
65. Criminal Procedure (Amendment) Rules, 2019. [Hon. F. Al-Rawi]
66. Criminal Procedure (Amendment) (No. 2) Rules, 2019. [Hon. F. Al-Rawi]
67. Maintenance (Amendment) Rules, 2019. [Hon. F. Al-Rawi]

**JOINT SELECT COMMITTEE REPORTS
(Presentation)**

The Minister of Community Development, Culture and the Arts (Hon. Dr. Nyan Gadsby-Dolly): Mr. Deputy Speaker, I have the honour to present the following reports:

Human Rights, Equality and Diversity

Treatment of Child Offenders

Eleventh Report of the Joint Select Committee on Human Rights, Equality and Diversity on the Follow-up Inquiry into the Status of the Implementation of the recommendations of the Third Report of the Joint Select Committee on Human Rights, Equality and Diversity into the Treatment of Child Offenders.

Child Prostitution and Child Pornography

Twelfth Report of the Joint Select Committee on Human Rights, Equality and Diversity on the Sexual Exploitation of Children in Trinidad and Tobago with specific focus on Child Prostitution and Child Pornography.

**Public Administration and Appropriations Committee
East Port of Spain Development Company Limited**

Dr. Lackram Bodoé (*Fyzabad*): Thank you. Mr. Deputy Speaker, I have the honour to present:

Seventeenth Report of the Public Administration and Appropriations Committee on an Examination into the expenditure and internal controls of the East Port of Spain Development Company Limited.

URGENT QUESTIONS

**Fyzabad Anglican Secondary School
(Commencement of Remedial Works)**

Dr. Lackram Bodoé (*Fyzabad*): Thank you, Mr. Deputy Speaker. [*Desk thumping*] To the Minister of Education: With regard to the dilapidated main building at the Fyzabad Anglican Secondary School which housed approximately 420 students, could the Minister state what remedial works are planned and when they will commence?

The Minister of Education (Hon. Anthony Garcia): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, following an inspection of the school by officials of the Ministry of Education, members of the school PTA, the school principal and other stakeholders in August this year, it was determined that the level of deterioration that was observed required an expert assessment of the condition of the building. Concerns were mainly focused on the upper floor and the Ministry of Education approached the Chief Designs Officer of the Ministry of Works and Transport for a structural evaluation and recommendations.

The Ministry of Education is awaiting the report from the Chief Designs Officer in order to arrive at the appropriate remedial measures to be undertaken.

Works will be undertaken as soon as this report is delivered to the Ministry of Education. Thank you very much. [*Desk thumping*]

Dr. Bodoë: Thank you for that response, hon. Minister. Minister, can you indicate what sort of time frame you anticipate that this report of the Chief Designs Officer will be available to you?

Hon. A. Garcia: Mr. Deputy Speaker, we are hoping that we are in receipt of that report before the end of this week. As I said before, as soon as that report has been received by us, we will commission work on that central block of the school. Thank you.

Dr. Bodoë: Thank you, Minister. Minister, can you indicate if the Ministry intends to use the building? There is a vacant building next door to the school that belongs to Heritage Petroleum that is currently unoccupied. Can you indicate whether any consideration would be given for the use of that building on a temporary basis?

Hon. A. Garcia: Mr. Deputy Speaker, it all depends on the report that we obtain from the Chief Designs Officer of the Ministry of Works and Transport. If, according to the report, that central block is unsuitable, then we will look at alternatives. But again, we have to await the report from the Chief Designs Officer. Thank you very much.

**Couva West Secondary School
(Resumption of Classes)**

Mr. Rudranath Indarsingh (*Couva South*): [*Desk thumping*] Thank you, Mr. Deputy Speaker. To the Minister of Education: Given that classes have been disrupted at the Couva West Secondary School on a daily basis, since the commencement of the new school term, could the Minister inform this House when will classes be fully resumed?

The Minister of Education (Hon. Anthony Garcia): Again, thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, at the Couva West Secondary School, there are two major problems that have been identified. One is the low water pressure that prevents water from going up to the tanks and, two, numerous underground leaks that keep propping up from time to time, and this was as a result of poor design plumbing works by the previous contractor.

In spite of this, Mr. Deputy Speaker, extensive plumbing repairs were carried out at this school during the July/August vacation period. Repairs on four major underground leaks were completed by the contractor that was assigned to the job by MTS, and as late as yesterday the contractor was surveying the premises and the report that we have received is that all is well for school to resume fully from today. Thank you very much.

Mr. Indarsingh: Thank you very much, Mr. Deputy Speaker. Mr. Minister, are you aware that classes were dismissed today at 10.30 a.m. this morning, and another leak was discovered on the school premises this morning?

Mr. Deputy Speaker: And the question is?

Mr. Indarsingh: Mr. Deputy Speaker, I am asking the Minister—he said that school will resume as of today—I am asking the Minister if he is aware that another leak was discovered this morning on the school compound, and is he aware that classes were dismissed today?

Mr. Deputy Speaker: Right, fine. Minister of Education?

Hon. A. Garcia: First of all, let me correct the statement. I did not say that school will resume, which will give the impression that school was not in session. Our responsibility at the Ministry of Education is to ensure that we provide access to an education for the nation's children and we have been doing everything possible in spite of some of the problems that we have been experiencing.

As I indicated just now, at Couva West Secondary the major problem is the poor plumbing works that were done by the previous contractor. This has resulted in leaks popping up from time to time and I am not surprised to hear that another leak popped up today. The contractor is on site and I am sure he will be doing everything to ensure that a proper water supply is given to the school. Thank you very much. [*Desk thumping*]

Mr. Deputy Speaker: Member for Couva South, Couva North had her hand up. Would you give way?

Ms. Ramdial: No, no, not me.

Mr. Deputy Speaker: Okay, proceed, Couva South.

Mr. Indarsingh: Thank you, Mr. Deputy Speaker. Mr. Minister, are you aware that this is your fifth year as the Minister of Education? [*Desk thumping*] And in addition to that, did you deliberately deceive the national community by saying all schools would be opened effective the beginning [*Desk thumping*] of this academic year?

Mr. Deputy Speaker: You care to comment, Minister of Education?

Hon. A. Garcia: Mr. Deputy Speaker, first of all I was very careful in my statement to the media not to say that all schools will be opened. In fact, if you are honest, you would know that we identified five schools that were experiencing problems and that is the truth.

Secondly, I am not aware that I have deceived the population. I would never do such a thing. Thank you very much. [*Desk thumping*]

**San Fernando General Hospital Mortuary
(Measures to Address)**

Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*): Thank you, Mr. Deputy Speaker. To the Minister of Health: With regard to reports indicating that the mortuary at the San Fernando General Hospital is dysfunctional due to faulty

refrigeration equipment, could the Minister indicate what urgent measures will be taken to address this situation?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, may I first start off by sincerely apologizing to the families who were affected by this very unfortunate incident? I do sincerely apologize to them.

The South West Regional Health Authority has confirmed that one of its refrigerators at the San Fernando Mortuary was not working for one day due to the malfunction of one of the breakers that supports the chiller fans at the mortuary located at the San Fernando General Teaching Hospital. As of Monday, September 2019, at 9.00 a.m. the following day the chiller services were repaired and services have in fact returned to normalcy as of Monday, September 02, 2019. Thank you very much, Mr. Deputy Speaker.

Mrs. Gayadeen-Gopeesingh: Hon. Minister, is it true that some bodies were unrecognizable by family members because of the state of decomposition?

Hon. T. Deyalsingh: Mr. Deputy Speaker, I cannot comment and I think, for the benefit of the families concerned, we all have a responsibility to treat with the issue in a very sensitive matter. To be having that brought to the Parliament, as you have described, I think, does not lend itself to the dignity of this centre. I have apologized to the families. The South West Regional Health Authority has in fact reached out to the families to put all the necessary counselling services in place. But I think the way you are trying to phrase it is below the dignity of this honourable House. Thank you very much, Mr. Deputy Speaker.

Dr. Bodoë: Thank you, Minister. Minister, in view of that unfortunate incident, can you indicate whether the authority has put in place any contingency measures should such an occurrence happen in the future?

Hon. T. Deyalsingh: Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, the electrical system at the San Fernando Hospital is about 60 years old. Your fault, my fault, NAR fault, UNC fault, PNM fault; attention should have been paid to that electrical system 40 years ago, 40 years ago. This Government, about three months ago, approved a Note for \$30 million, \$30 million, in 2019. Your fault, my fault, UNC, NAR. It does not matter. We take responsibility to fix problems. So, the total upgrade of that electrical system, after Cabinet approval of \$29 million, it is a two-year project. It is a massive project which is to begin in the new fiscal year. In the interim, we are shoring up the electrical system and hopefully these things would not happen again. We are trying our best. But as I said, 40 years ago this should have been attended to. Your fault, my fault, NAR fault, UNC fault, PNM fault. It does not matter. Thank you very much, Mr. Deputy Speaker.

Mr. Deputy Speaker: No, supplemental questions have expired. It is two per question.

ANSWERS TO QUESTIONS

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, there are eight questions for oral answer. We will be answering seven of those questions. We are asking for a two-week deferral of question No. 254.

With regard to the written responses, there are four questions for written answer, we will be answering three and we are asking for a two-week deferral for question No. 242. Thank you.

WRITTEN ANSWERS TO QUESTIONS

Petrotrin Bullet Payment (Details of)

233. Mr. Rodney Charles (*Naparima*) asked the hon. Minister of Finance:

With regard to the Petrotrin bullet payment on the US \$850 million bond due in August 2019, could the Minister state:

- a) the type of financing;
- b) the source of the financing;
- c) the interest rate for the financing; d) the repayment period for the financing;
- e) whether this financing facility was conjoined with payments for Petrotrin retirees;
- f) if the answer to part (e) is affirmative, the total amount financed; and
- g) the impact of this financing facility on the total foreign debt and the debt to gross domestic product ratio?

**Chaguanas Borough Corporation
(Staffing Details)**

243. Mr. Ganga Singh (*Chaguanas West*) asked the hon. Minister of Rural Development and Local Government:

With regard to staff at Chaguanas Borough Corporation from November 28, 2016 to June 30, 2019, could the Minister provide:

- a) the number of contract (from October 01, 2017 to June 30, 2018 only), daily rated, monthly rated and civil service establishment positions hired; and
- b) the number of persons dismissed, retrenched and separated either voluntarily or involuntarily?

**Maternal Mortality and Perinatal Mortality Rates
(Details of)**

247. Dr. Lackram Bodoie (*Fyzabad*) asked the hon. Minister of Health:

Could the Minister provide the maternal mortality and perinatal mortality rates from 2009 to 2018?

Vide end of sitting for written answers.

ORAL ANSWERS TO QUESTIONS

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

Tobago Jazz Festival 2019 (Total Revenue Generated)

254. Further to the response provided to House of Representatives Question No. 232 on June 26, 2019, could the hon. Minister of Tourism state the total revenue generated from Tobago Jazz Festival 2019?

Question, by leave, deferred.

Mr. Deputy Speaker: Member for Fyzabad.

Siparia West Secondary School (Cross-functional Team Mandate and Expected Outcomes)

244. Dr. Lackram Bodoë (Fyzabad) asked the hon. Minister of Education:

Could the Minister provide the mandate and expected outcomes of the cross-functional team that was appointed to treat with the current problems at the Siparia West Secondary School?

Mr. Deputy Speaker: Minister of Education.

The Minister of Education (Hon. Anthony Garcia): Thank you very much, Mr. Deputy Speaker. A cross-functional team comprising officers from the divisions of School Supervision, Curriculum and Student Support Services was set up with a mandate to conduct an assessment of the Siparia West Secondary School's operation and address the gaps identified with the aim of restoring a school culture that is conducive to teaching and learning.

Based on the assessment conducted, the team developed an action plan to target the following areas:

1. Support for leadership and governance at the school through coaching and mentoring for the principal, vice-principal and middle management in all areas of school operations. This was initiated during the July/August vacation period and is ongoing.
2. Review of the safety and the security measures outlined in the school discipline plan to enhance the supervision of students and address incidents of indiscipline. The protocol for entry and exit of the compound and the block supervision have been effected for the new term.
3. The conduct of professional development of staff in areas such as classroom management, identifying students at risk, behaviour management strategies, conflict resolution and mediation during the school year.
4. Improvement of the curriculum delivery and assessment focusing on the clinical supervision, adapting schemes in all subject areas and utilizing alternative assessment strategies, subject action plans for each department to be implemented and monitored during the term.
5. Reduction of student absenteeism through the introduction of various activities such as clubs and review of the prefect system; and
6. Strengthening of stakeholder engagement by including parents in making decisions that affect their children by their participation on school-based management team meetings.

Mr. Deputy Speaker, the support of the cross-functional team will continue in the new term and it is expected that the above measures will:

1. Promote a positive school culture conducive to learning and teaching;
2. Improve classroom management and the curriculum delivery;

3. Reduce incidents of indiscipline; and
4. Increase students' attendance.

Thank you.

Mr. Deputy Speaker: Supplemental, Member for Fyzabad.

Dr. Bodoë: Thank you, Minister. Minister, can you indicate whether you intend to have a report from this cross-functional team to assess the effectiveness and how soon you would want that review done or expect that review?

Hon. A. Garcia: Yes, that is a very appropriate question and I am very happy to answer. We have already started receiving reports. This cross-functional team was put in place towards to the end of last term, and before the end of the third term we received the first report. Thank you.

Oil Tanker Explosion (Status of Investigation)

245. Dr. Lackram Bodoë (*Fyzabad*) asked the hon. Minister of Energy and Energy Industries:

With regard to the oil tanker explosion in Penal on June 4, 2019 that resulted in one fatality, could the Minister provide the status of the investigation into this matter?

Mr. Deputy Speaker: Member for La Brea.

The Parliamentary Secretary in the Ministry of Energy and Energy Industries (Ms. Nicole Olivierre): Thank you, Mr. Deputy Speaker. The Trinidad and Tobago Police Service and the Trinidad and Tobago Fire Service were the first responders and conducted their investigations which included the collection of evidence as well as interviews with affected persons. The Occupational Safety and Health Agency also conducted an investigation with interviews and site visit. The Ministry of Energy and Energy Industries met with representatives of Massy Energy Petroleum Resources Limited, as well as two other employees of TCSL on

June 04, 2019, and signed statements were collected.

In addition, the Ministry of Energy and Energy Industries conducted a site visit of the area where the incident occurred, and witnessed the sampling of the residue inside the tank that was collected by an independent third party for further testing. A report with the Ministry of Energy and Energy Industries preliminary findings has been prepared. The report will be finalized upon receipt of the final reports from Massy Energy and the Trinidad and Tobago Fire Services.

Mr. Deputy Speaker: Supplemental, Member for Fyzabad.

Dr. Bodoë: Thank you, Member. Minister, can you indicate whether any form of compensation has been given to the affected family?

Ms. N. Olivierre: As I indicated, once we have finalized our report, then any determinations of that nature would be contemplated.

Mr. Deputy Speaker: Supplemental, Member for Fyzabad.

Dr. Bodoë: Thank you. Can you indicate at this point whether any OSHA standards have been breached in this particular incident, or were breached?

Ms. N. Olivierre: When we finalize the report we would determine if any new measures need to be put in place to prevent incidents of this nature from occurring in future. We do take our regulatory role very seriously and we try to adopt any lessons learned from incidents such as this.

Mr. Deputy Speaker: Supplemental? Proceed, Member for Fyzabad.

Dr. Bodoë: Thank you, Member. Can you indicate when you expect a final report because this incident took place on the 4th June and of course, it is of public importance?

Ms. N. Olivierre: The Ministry has already completed its report. We are just waiting on submissions from Massy Energy and the Trinidad and Tobago Fire Services to complete our report.

Mr. Deputy Speaker: Member for Fyzabad, next question.

**Standard/St. John Trace/Ackbar Trace in Fyzabad
(Reduction and Management of Flooding in)**

246. Dr. Lackram Bodoie (*Fyzabad*) asked the hon. Minister of Works and Transport:

In anticipation of the impending rainy season, could the Minister provide the list of the works completed to date to reduce and manage flooding in the Standard/St. John Trace/Ackbar Trace and other areas in the district of Fyzabad?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan):

Thank you, Mr. Vice-President. Mr. Vice-President, in anticipation of the impending rain—

Hon. Member: Mr. Deputy Speaker.

Sen. The Hon. R. Sinanan: Sorry. Mr. Deputy Speaker—sorry—in anticipation of the impending rainy season, the Ministry of Works and Transport embarked on an aggressive desilting programme which started with three phases, accumulating 350 projects. This has been extended to a fourth phase where we would have increased the number of projects to close to 400. This was divided into four areas: the north, south, central, and the east.

In the Fyzabad area, which falls in the southern part, there were 65 projects earmarked for the southern area. In Fyzabad itself there were nine projects, eight of which have been completed. The final project should be completed within the next two weeks.

A listing of the nine projects are:

- The Cunapo River from Standard Road to Chatoor Avenue to the Siparia Road Fyzabad. Cleaning and desilting rivers for a distance of 3500 metres; completed.

- Duck Pond River downstream, La Fortune Pluck Road Woodland to the St. John's Gate at St. John's Branch Trace Avocat. Cleaning and desilting river for a distance of 2,000 metres; completed.
- Rio Negro River, downstream of the Ackbar Trace Community Centre to the to St. John's Branch Trace Avocat. Cleaning and desilting river for a distance of 2,000 metres; completed.
- Titu drain downstream of the community centre, Harris Village to St. Johns Village South Oropouche. Cleaning and desilting river for a distance of 1,000 metres; completed.
- The Moolai River and tributaries downstream of the Fyzabad Guapo Road to the Cunapo River. Cleaning and desilting river for a distance of 3,000 metres; completed.
- Mahaut River downstream of the Mon Desir Road to Farm Road. Cleaning and desilting river for a distance of 2,300 metres; completed.
- Silver Stream River downstream of the tennis court Mon Desir to downstream of the bridge of the Southern Main Road Dow Village. Cleaning and desilting river for a distance of 3,000 metres; completed.
- The Timit River downstream of the bridge of Silver Stream Road to Mahaut River. Cleaning and desilting river for a distance of 1,500 metres; completed.

Mr. Deputy Speaker, the final project there is the desilting of the St. John River downstream to the St. John's Gate to the Godineau River. That should be completed within the next two weeks. Thank you.

Mr. Deputy Speaker: Supplemental, Member for Fyzabad.

Dr. Bodoë: Thank you for that response, Minister. Minister, can you indicate or give us a status update on the actual sluice gates at the St. John's Trace? The repair

of the sluice gates?

Mr. Deputy Speaker: I am considering that to be a totally—is it directly related Minister of Works, directly related?

Sen. The Hon. R. Sinanan: Mr. Deputy Speaker, the sluice gates are different from the desilting programme.

Mr. Deputy Speaker: Right, well I would not entertain that question then.

Sen. The Hon. R. Sinanan: However, there is a—

Mr. Deputy Speaker: Member, no, hold on. The question must be directly related to the answer that would have been given, right. So I just wanted that clarity. So, I will—another supplemental?

Dr. Bodoë: Yes.

Mr. Deputy Speaker: Okay, proceed.

Dr. Bodoë: Thank you, Mr. Deputy Speaker. Minister, are you satisfied that the works that you have outlined are going to be sufficient to prevent any flooding in that area that has occurred last year and year before?

Sen. The Hon. R. Sinanan: Mr. Deputy Speaker, I cannot guarantee that there will be no flooding. These areas are low-lying areas and with all the efforts that were made to desilt the watercourses, we have to accept the fact that flooding is as a result of the capacity of the watercourses and the volume of rainfall. So, we would have done our best in maintaining and cleaning the watercourses, but there is no guarantee in these low-lying areas in the rainy season that, you know, we will avoid the flooding in some of these areas.

Mr. Deputy Speaker: Supplemental, Member for Fyzabad.

Dr. Bodoë: Thank you, Minister. Minister, in addition to these works which are routine, does the Ministry have any additional plans to address that perennial problem of flooding in addition to the routine cleaning and so on?

Sen. The Hon. R. Sinanan: Mr. Deputy Speaker, this country would have spent hundreds of millions of dollars on studies and so. There are several studies for east, west, north, and south Trinidad. What the Ministry is doing at this point in time is working with the CAF, the Andean Development Bank, but we are actually putting forward to the Cabinet very shortly, an operational plan, using all these studies that were at the Ministry to come up with an operational plan to address flooding in the short, medium and long term, which includes the Fyzabad area. Thank you.

Mr. Deputy Speaker: Oropouche West.

**Postponement of Lithotripsy Services
(San Fernando General Hospital)**

249. Mrs. Vidia Gayadeen-Gopeesingh (*Couva West*) asked the hon. Minister of Health:

Given the lack of electricity in the old block of the San Fernando General Hospital and the continuous postponement of lithotripsy services, could the Minister indicate the rationale for lack of urgent action to address with this situation?

The Minister of Health (Hon Terrence Deyalsingh): Thank you very much, Mr. Deputy Speaker. The lithotripsy services at San Fernando General Hospital commenced on 01 October, 2018, under this PNM Government. For the period October 01, 2018, to 25 April, 2019, there were 262 lithotripsy procedures performed. Due to voltage fluctuations the engineers at the facility advised against the continued use of the equipment as it might have compromised both the equipment and patient safety.

As of 03 July, 2019, works and repairs were conducted on the electricity supply which is now stable and reliable. As a result, the lithotripsy service has been restored and is fully functional since July 2019. Thank you very much, Mr.

Deputy Speaker.

Mr. Deputy Speaker: Supplemental, Oropouche West.

Mrs. Gayadeen-Gopeesingh: Hon. Minister, up to recently there was some postponement. My question is: Can this lithotripsy services now be moved to the children's hospital instead of that beautiful hospital being used as a drugstore?

Hon. T. Deyalsingh: Thank you very much, Mr. Deputy Speaker, thank you very much. Mr. Deputy Speaker, it must be noted that during the period 2010 to 2015 when the member of Parliament for Fyzabad was the CEO—was the Chairman, and the Member for Barataria/San Juan was the Minister of Health, the C-arm from the lithotripsy machine was removed and sent to the urology theater—removed. In 2013, do you know how many services were performed under the chairmanship of Fyzabad? Eight. Eight. Do you know how many were performed in 2014? Ninety eight. For two years, for two years, Member for Parliament for Fyzabad and Barataria/San Juan did 106. We have done in nine months, 262, I said? One hundred per cent increase over what Fyzabad did, eight in 2013, 98 in 2014.

You must check with your colleagues before you ask these questions.
[Crosstalk] So, the lithotripsy services—

Mr. Deputy Speaker: Minister of Health, one second. Minister, Minister.

Hon T. Deyalsingh: Sorry.

Mr. Deputy Speaker: Oropouche West, you asked your question, you are getting an answer. You will have—hold on—Minister of Health, hold on. You will have the opportunity again for an additional supplemental, rest assured. Proceed.

2.15 p.m.

Hon. T. Deyalsingh: And I look forward heartily to another supplemental because there is much more to say. So let me repeat: In 2013, you performed eight. In 2014 you performed 98. Two years, because you moved the C-arm from there—but you

were the chairman of the board and the Member for Barataria/San Juan was the Minister of Health. You are holding me accountable now. We have bought a brand new lithotripsy machine because the old one had reached end of life and the last board did nothing, did nothing, knowing that the machine was coming to end of life. Your fault, my fault, PNM fault, UNC fault, NAR fault, it does not matter. We are here to fix the problems that we inherited. So we bought a new machine, and we are also upgrading the entire electrical system at San Fernando Hospital which should have been done 20, 30, 40 years ago. *[Interruption]* So that is what we are doing, and we have done a hundred per cent more lithotripsy services in nine months than UNC did in two years.

Mr. Charles: Standing Order 55(b), I have heard that—*[Inaudible]*

Mr. Deputy Speaker: Member, please, please.

Hon. T. Deyalsingh: So maybe I need to repeat it, having been disturbed. In 2013 they did eight. Eight, single digits. We have done 262 in two years. *[Desk thumping]* It needs repeating, thank you very much, Mr. Deputy Speaker.

Mrs. Gayadeen-Gopeesingh: Hon. Minister, are you aware that the buck stops with you and you are not supposed to be blaming the Member for Fyzabad?

Mr. Deputy Speaker: Member—

Mrs. Gayadeen-Gopeesingh: Are you aware of it?

Mr. Deputy Speaker: Okay. *[Crosstalk]*

Mrs. Gayadeen-Gopeesingh: Are you aware of the question? Is he aware that he is in charge?

Mr. Deputy Speaker: I would not entertain that question. *[Crosstalk]* Member for Oropouche West, next question.

**Certificates of Comfort
(Arrangements for all Squatters)**

250. Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*) asked the hon. Minister of Housing and Urban Development:

In light of the recent decision to award squatters of Crown Trace, Enterprise, certificates of comfort, could the Minister indicate whether similar arrangements would be made to facilitate other squatters throughout Trinidad and Tobago?

The Minister of Housing and Urban Development (Hon. Maj. Gen. Edmund Dillon): Thank you very much, Mr. Deputy Speaker. The Land Settlement Agency, which falls under the purview of the Ministry of Housing and Urban Development, was created under the State Lands (Regularisation of Tenure) Act, Chap. 57:05, to implement the provisions of the Act in Trinidad, whereas the Tobago House of Assembly is the body responsible for state land in Tobago. Squatters in occupation of lands prior to January 01, 1998, were given until October 27, 2000, to apply for a certificate of comfort.

Applicants who met all criteria are processed and issued with a certificate of comfort. Distribution of certificates of comfort by the Land Settlement Agency have been taking place over the past 20 years, Mr. Deputy Speaker. The LSA is committed to continue distribution of CoCs to eligible squatters throughout Trinidad. Squatters in Crown Trace, Enterprise are part of this ongoing exercise, Mr. Deputy Speaker.

Mrs. Gayadeen-Gopeesingh: Hon. Minister, how many applications for certificates of comfort are yet to be processed?

Hon. Maj. Gen. E. Dillon: Mr. Deputy Speaker, there are thousands of applicants for CoCs and they are being processed by this Government right now. As a matter of fact, I will even go so far as to say that this is the first Government who have moved people from certificates of comfort to statutory lease. It has never been

done before. [*Desk thumping*] There is a three-step process, to move from certificate of comfort to statutory lease and deed of lease. It is the first time, in the history of Trinidad and Tobago by this Government that we have moved people from certificate of comfort to statutory lease, Mr. Deputy Speaker.

Mrs. Gayadeen-Gopeesingh: Hon. Minister, how many statutory leases, which you call deed of leases, were issued and I will ask the next question after.

Mr. Deputy Speaker: You can provide that information Sir? Go ahead, proceed.

Hon. Maj. Gen. E. Dillon: Certainly, Mr. Deputy Speaker. As I said, we have moved people from certificate of comfort to statutory lease, we have so far issued 35 statutory leases, because it is a slow process, and unless the people—if you understand the process well, unless you have paid, you understand, you have a time line, right, you do have a time line. So that we are processing—and again, I will boast, it is the first time any Government has moved from certificate of comfort and the last administration they issued several certificates of comfort but never moved people to statutory leases.

Rivers and Natural Watercourses in Couva (Details of)

253. Ms. Ramona Ramdial (*Couva North*) asked the hon. Minister of Works and Transport:

Could the Minister provide the number of rivers and natural watercourses that were cleaned and desilted in Couva during the 2019 dry season?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, again question 253, the Ministry would have embarked on an aggressive de-silting programme in the central area where the Couva constituency falls. One hundred and seven de-silting programmes were undertaken in Couva. Eleven of these projects took place and the 11 areas are the Couva River from the Carli Bay Road to Carli Beach, Couva;

Orange Valley main drain, Waterloo; the La Cuesa River upstream to Joyce Road; Agostini Settlement main drain and tributaries, Southern Main Road to Perseverance Road; Sonny Ladoo main drain, Mc Bean, Couva; Siewdass main drain, Preysal River, Preysal, Couva; Roystonia and tributaries, Southern Main Road, Freeport; Mandillon River from Solomon Hochoy Highway to the Southern Main Road and the Powdharie River, Preysal; and the Factory Road and tributaries to the Honda River. Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker: I will now refer to question 251 and I will call on the Member for Oropouche West.

**San Fernando North Community Centre
(Reasons for Cost Overrun)**

251. Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*) asked the hon. Minister of Community Development, Culture and the Arts:

With regard to a report on the completion of the San Fernando North Community Centre at the cost of \$16.8 million, could the Minister indicate the reasons for the estimated cost overrun of \$9 million?

The Minister of Community Development, Culture and the Arts (Hon. Dr. Nyan Gadsby-Dolly): Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, the question itself is misleading. There were no cost overruns on the original building works and the cost of the completion of the San Fernando North Community Centre, it is not 16.8 million as stated in the question. The approved contract sum for the completion of the centre was \$15,864,795.88 inclusive of the original contract sum as well as the cost of constructing a retaining wall which is added to the scope of works after the original contract sum was finalized plus value added tax.

Mrs. Gayadeen-Gopeesingh: Who was the contractor that was awarded this contract? [*Crosstalk*]

Mr. Deputy Speaker: Please, AG hold on, hold on. Minister of Community Development, Culture and the Arts.

Hon. Dr. D. Gadsby-Dolly: Thank you, Mr. Deputy Speaker. I do not know that the name of the contractor was included in the original question scope and therefore, if another question is filed we can answer that kind of question as coming now.

Mrs. Gayadeen-Gopeesingh: So I will take it you would not know also whether it was sole select, would you?

Mr. Deputy Speaker: I will not entertain that question. I will not entertain that question. Hold on one sec. Members, under oral questions as identified by the Leader of the House, question No. 254 has been deferred for two weeks and under written questions, question No. 242 has also been deferred for 2 weeks.

STATEMENT BY MINISTER

Budget 2020 Presentation (Proposed Date)

The Minister of Finance (Hon. Colm Imbert): Thank you, Mr. Deputy Speaker, I wish to announce that Budget 2020 will be read on Monday the 7th of October, 2019.

FIREARMS (AMDT.) BILL, 2019

The Attorney General (Hon. Faris Al-Rawi): Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, I beg to move:

That a Bill to amend the Firearms Act, Chap. 16:01, be now read a second time.

Mr. Deputy Speaker, we come before the people of Trinidad and Tobago in this House of Representatives to complete the work begun in the Senate on the 2nd of July, 2019. This Bill before us, the Firearms Act, Chap. 16:01 as it is proposed to be amended, is 28 clauses in length. It proposes a renovation of the law which is

needed at this point in Trinidad and Tobago's societal context, in its progress as a country and certainly in terms of the improvement of our laws within the meaning of that phrase and concept as captured in section 53 of the Constitution where we assemble to make laws for the peace, order and good government of our country.

Mr. Deputy Speaker, the legislation to be amended is the Firearms Act, Chap. 16:01. The firearms laws of Trinidad and Tobago were in effect first codified on March 22, 1909, when we had the Firearms and Ammunition Ordinance, Ch. 30, No. 5. Back then the sole mission was effectively to define and distinguish the terms "rifle" versus "gun". The proposal that a licence ought to be in respect of individual firearms and that a certificate of fitness be a requirement for the issuance of firearms.

It really was in 1970 that the modern law began to take shape and in 1970 on the 2nd of November, 1970, there was a significant consideration of the firearms law and it was in fact codified by an Act of Parliament, No. 44 of 1970. Since then we note that there have been 11 amendments, this being the 12th proposed amendment, but when you look at the history of amendments, the firearms legislation really found itself coming into centre focus when the society as a whole had to take note of the state and condition of the country.

Mr. Deputy Speaker, in coming across the readings of the reports of the 1976 Constitution and in looking at the 1973 report in particular, Trinidad and Tobago was then described as a society wrestling with a scourge of arms and ammunition. That was in 1973. In 1973 the writers of the report that preceded the Constitution of 1976, took the view that Trinidad and Tobago was in difficulty. I said that, Mr. Deputy Speaker, as we stand now in 2019 to say that our society as a whole has been grappling with a situation of arms and ammunition for quite some time.

In 2011, the then Government presided over by the Member for Siparia took to an increase in fines and penalties of approximately 50 per cent and the Firearms Act as it was amended in 2011 came interestingly with two other legislative proposals coming then into the law. Firstly, the amendments to the bail legislation and secondly the amendments to the anti-gang laws—introduction of anti-gang laws. Back then there was unanimous support certainly provided by the then-sitting PNM Opposition that anti-gang laws should be a feature of our laws and that bail amendment should find themselves such that you as an accused would be prohibited from accessing bail under certain circumstances and conditions; no bail for 120 days and then consideration after one year.

In that particular period of time, Trinidad and Tobago as a society found itself statistically dealing with information which feeds into this debate. I will say, Mr. Deputy Speaker, that this law as we come now really proposes a few basic things. First of all, we propose to introduce a tiered system of treatment of offenders. We propose in the several clauses before us to treat with how one is to be managed in a summary and indictable circumstance in the breakdown on first offence, second offence and third offence.

Secondly, Mr. Deputy Speaker, in treating with that improvement of how you treat with first offence, second offence and third offence, we improve by way of penalties, a serious treatment, now added to take you on the indictable procedures. No fines permitted and if you are on a third occasion—in certain circumstances which I will come to when I get to the individual causes—we are asking the Parliament to set the tone via section 53 of the Constitution that you shall be considered as having subjected yourself to natural life imprisonment. The third that we do, Mr. Deputy Speaker, very importantly is that we introduce into law for the first time ever in this country, the offence of trafficking in firearms to

be found but by the insertion of a new section 9A as it was proposed to be inserted by clause 6 of the Bill.

The last thing that we do, Mr. Deputy Speaker, is to ensure that we suggest to the Judiciary via this debate, via the tool of *Pepper v Hart*, how we are going to treat with the application of the Interpretation Act and in particular I am referring to section 68, 69 and 69A of the Interpretation Act, Chap. 3:01. That is the general purpose. It is incumbent upon me to state that this general, legitimate aim that we pursue is to be grounded in a proportional consideration. We are looking at the proportionality and therefore the constitutionality of this law. And I intend, Mr. Deputy Speaker, in speaking and demonstrating the proportionality of this law to demonstrate what Trinidad and Tobago is dealing with, why we as a society must introduce law of this kind. And therefore demonstrate not only a legitimate aim and that the measures that we seek to add to treat with this issue are proportionate and rationally connected to that aim. But also, that we do not go too far in treating with this law in such a way as to be deemed to be breaking the proportionality, or excessive or arbitrary in the prescriptions of law.

That, Mr. Deputy Speaker, I do for the aid of interpretation in the event that this law should find itself subject to criticism before the courts of Trinidad and Tobago. I am setting out the case for the constitutionality of this law. Mr. Deputy Speaker, our Constitution is a unique Constitution. In the Commonwealth Caribbean, Jamaica and Trinidad and Tobago both have the three-fifths aspects of treatment. In Jamaica it is two-thirds by way of special majority; in Trinidad and Tobago it is three-fifths by way of special majority treatment.

But Trinidad and Tobago stands unique in its constitutional measure. We are the only Commonwealth country that has the special majority qualification in section 13 of the Constitution as it is circumscribed or prescribed by a requirement

that it must be suitable to a democracy such as Trinidad and Tobago. In other words, we are the only jurisdiction in the Commonwealth that allows for our courts to strike down a law passed with the requisite special majority in the circumstance of the section 13 language. There has not yet been a test case on the section 13 interpretation of proportionality and constitutionality by the highest court of the land which is the Privy Council that is certainly something which would help to settle our law.

But this law and this statement of our constitutional prescription, therefore requires us to demonstrate where Trinidad and Tobago is on the specific purpose of what firearms represent to our country, what is the risk, what is the establishment of dangerousness and what is the prescription that the courts ought to consider in the round, in particular as to whether it is constitutional to provide the mechanism of natural life imprisonment as a maximum sentence and not minimum sentence or mandatory sentence. And in particular, whether the modern penological theories as to offender management and in particular the context of rehabilitation alongside retribution, punishment and dissuasion should ought to find itself.

So, let us dive into the state and condition of Trinidad and Tobago. Let us set the record of the legitimate aim and the rational connection with this law. Mr. Deputy Speaker, the first thing that I do is to state obviously that we are treating with the firearms legislation. Trinidad and Tobago is an island surrounded by 360° of water. In that 360° radius around us, as we move along our boundaries, our radius only allows us to touch a circumference in very individual ways; direct interception, coast guard surveillance, radar surveillance.

But certainly, Mr. Deputy Speaker, with the failure to introduce and to put into operation that which Trinidad and Tobago acquired in the period 2009, and I refer specifically to the offshore patrol vessels, in the cancellation of that contract,

Trinidad and Tobago's waters were left wide open and exposed in addition as I am sure the Minister of National Security will speak to it, to what happened to our security and intelligence mechanisms in that period. What is the short result and statement of that? There has been an uptick in firearm possession, in firearm detection, in the number of cases before the courts, but there has also been the introduction of very dangerous forms of firearms and I refer particularly to automatic weapons, Mr. Deputy Speaker.

Let us look at this, Mr. Deputy Speaker, and let us look at the most important indicator of the most heinous crime, and that is murder. In Trinidad and Tobago, as the Crime and Problem Analysis Branch of the TTPS has reported to us, reported firearm related murders for the period 2015 to 2019—I will focus on that period—there have been 1,679 firearm related murders in that period up to the 21st of June, 2019.

When we look at it against reports gang related murders and we look at it against gang related murders committed with firearms, it is noticeable, if I take the district of Port of Spain alone. For 2015, there were 80 firearm related murders; 2016, 54; 2017, 62; 2018, 60; 2019, as at June reported this year 34. When we compare that against gang related murders committed with firearms I am able to tell you, Mr. Deputy Speaker, gang related murders with firearms were 91 per cent of the figure in 2015. Sixty-four per cent of the figure in 2016, 59 per cent of the figure in 2017, 71 per cent of the figure in 2018, and 73 per cent of the figure in 2019 as we count. So I am jumping to gang-related homicides with firearms and the statistical number of murders committed by firearms.

Mr. Deputy Speaker, hence my reference to the trilogy of laws in the period 2011 in particular, bail amendment, anti-gang and firearm amendments that three came together. We as a Government were not privileged to have the support of

bail amendments, or anti-gang amendments, or indeed firearm amendments as easily as my colleagues had support by a then Opposition, but we are here today treating with this law. Let us look at the statistical information for persons charged in the period 2009 to 2019, a 10-year period.

Mr. Deputy Speaker, 2009 there were 390 people charged; 2010, 382; 2011, 425; 2012, 420; 2013, 465; 2014, 585; 2015, 691. In other words, a steady increase in firearms found and seized in the period 2010 to 2016. 2015, I said 691; 2016, 765; 2017, 1064; 2018, 988; 2019 as found today 212, for a total figure of 6,387, what does that say? Put quite simply, the Trinidad and Tobago Police Service has been finding and detecting more firearms evidencing that they are doing more work and being more successful and also perhaps that there are more firearms in the jurisdiction.

Mr. Deputy Speaker, what is interesting in this particular statistical pullout from the CAPA at TTPS, Crime and Problem Analysis Branch, is that sub-machine guns and machine guns as a feature, only if I look at the figure, sub-machine guns for the entire period 2009 straight up to 2016, there were zero finds and detections. 2017, 23; 2018, 14; 2019, 6 for a total of 43. Machine guns have been with us for some time: 2009, 7; 2010, 8; 2011, 7; 2012, 6; 2013, 12; 2014, 18; 2015, 23; 2016, 16; zero for 2017, zero for 2018, zero for 2019. So, Mr. Deputy Speaker, there have been firearms, sub-machine guns, machine guns as a feature, sub-machine guns in particular smaller compact weapons finding themselves as features in our landscape right now.

Mr. Deputy Speaker, in the reports of firearm offences in the 10-year period 2009 to 2019, there have been 17,363 firearm offences, 11,168 for robberies, 2,6321 for woundings and shootings, and in that 10-year period for murders 3,472. Are the figures much different? Mr. Deputy Speaker, 2015 there were 340; 2013,

320; 2017, 337; 2016, 351; 2019, 195. The numbers are there regardless of whether as my friend for St. Joseph said, PNM, UNC, NAR, pretty much, Mr. Deputy Speaker, firearms have been around in the form of the tool of choice in committing crimes, certainly murders in our jurisdiction for quite some time.

Mr. Deputy Speaker, when we look to the figure for arrests, arrests under the positions we have a significant uptick in arrests, certainly in anti-gang, we now have arrests under the Anti-gang Act. We have arrests under the Dangerous Drugs Act, Anti-terrorism Act, Trafficking in Persons Act, kidnapping, serious detection of crime rates. Mr. Deputy Speaker, if we take the detection rate from 2009 to 2019, the figures are as follows year on year: 17 per cent, 16 per cent, 19 per cent, 17 per cent, 18 per cent, 23 per cent, 23 per cent, 24 per cent, 2016; 31 per cent, 2017; 34 per cent, 2018; and currently 28 per cent 2019.

In other words the detection rate is going consistently up but, Mr. Deputy Speaker, I am bound to ask what does that mean for the average citizen in Trinidad and Tobago? Do we feel a sense of security knowing that more firearms are being found, more offences are being detected, the police are harder at work, matters are before the court? Does that help our society to wrestle with this problem as we rebuilt the structures in treating with law and order and justice? Because, Mr. Deputy Speaker, I do intend in my wrap-up to spend quite a bit of time on connecting that structure together to demonstrate how the system is improved. But, Mr. Deputy Speaker, the submission today is that this law is necessary because firearms are a feature of fear and certainly a feature of criminality in our country.

Mr. Deputy Speaker, I said in the Senate that I do not often refer to newspaper reports but I am going, as I did then, to now refer to them in this House, because it gives us a little bit of a litmus test in what our news is certainly recording. I do believe, Mr. Deputy Speaker, that sometimes our news is not best

for Trinidad and Tobago. I note, for instance, in the United States of America there has been upward of 124 mass murders for the year in that country. Let me repeat, upward of 124 mass murders for the year, murders with more than four people. And that that is a feature that is definitely under-reported in that jurisdiction.

I note that in Jamaica the figure and the news coverage is also under-reported notwithstanding the sense of there being in reality a limited state of emergency or a state of emergency in certain Parishes in Jamaica. But this is Trinidad and Tobago and perhaps we are not too far off the Roman Colosseum where that kind of news sells faster than anything else. This is our democracy. *Daily Express*, “Schoolgirl shot in PoS stable in hospital”, Gyasi Gonzales, June 18, 2019, “...11-year old girl shot...”. *Daily Express*, “Boy bawls for murdered mom gunned down on the street”, June 18, 2019, “A mother of three executed at the side of the road in Santa Cruz”. *Daily Express*, “Bel Air Restaurateur attacked, robbed at gates to home”, Susan Mohammed, June 19, 2019, “...beaten, robbed large quantity of”—cash. *Daily Express*, “The ‘buck’ Pundit has been shot”, Susan Mohammed, June 20, 2019. *Guardian*, Cops seize gun ammo in central raids by Rhondor Dowlat.

2.45 p.m.

“Guard murdered heading to first day of work”, Trinidad *Guardian*, June 13, 2019. “Security guard shot dead at Woodbrook casino”, again, CNC3 coverage, Rhondor Dowlat. *Guardian*, “Criminals switching to military weapons, Senior Cop”, by Shaliza Hassanali, Wednesday 20 February, 2019. Mr. Deputy Speaker, “High-powered weapons seized at Port of Spain port”, LoopTT:

“...series of high-powered weapons...”—13 May, 2019.

Mr. Deputy Speaker, “Drive-by shooting in Cocorite”. And then we get, Mr. Deputy Speaker, to an interesting piece from the United States Department of

Justice, Northern District of Georgia, Wednesday 30 May, 2018, “Defendants sentenced for illegally purchasing 36 guns and smuggling them from Georgia to Trinidad and Tobago”.

Not often I bring newspapers as an aid but I want to demonstrate the rationality of the section 13 conversation, Mr. Deputy Speaker. What does the Judiciary tell us? The Judiciary tells us that there are 44,000 cases in arrears at the Magistracy and that is at July 31, 2018, their last reporting date. Of that 44,000-odd cases, 11,000-odd are for summary offences and roughly 33,000 straight for indictable offences. Arms and ammunition, there are 7,045 cases pending. When we look to the number of first hearings at the Magistracy, we are looking at 477 in the period 2015 to 2018. When we look to matters disposed for the same period, 4,636. When we look to time for disposition, we are seeing a disaggregation of most matters under three to five years, but there are certainly matters above 10 years. Mr. Deputy Speaker, what I am referring to here, put in summary form, is that the Judiciary has certainly taken this task in terms of its pursuit of this crime in the thousands, but that the rate of discovery of firearms in our society by far outstrips the judicial throughput, Mr. Deputy Speaker.

So, Mr. Deputy Speaker, let us get to the Bill, let us get to further aspects of the law. We in Trinidad and Tobago, Mr. Deputy Speaker, in this Bill are proposing that we amend several of our sections, that we amend sections 2, 6, 8, 9, 10, 11, 12, 13, 13A, 13B, 14, 15, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and section 40 of the Firearms Act. And in that, Mr. Deputy Speaker, in particular, we are moving away from the prescriptions if we look at section 6 of the Firearms Act. We are looking at moving away from the manner in which the law treated with possession of a firearm without lawful excuse.

And we are saying, the current law which says on summary conviction you

are exposed to a fine of \$15,000 and imprisonment for eight years, and the current position where you are exposed to on conviction for indictment, on indictment, to imprisonment for 15 years, that that is simply inadequate for Trinidad and Tobago.

Secondly, we are saying that an offence ought not to attract as low a penalty as a fine of \$75,000 and 15 years or 20 years in the event that there is a breach of a more serious aspect of possession, if you are not an authorized officer in possession of prohibited weapons.

So, Mr. Deputy Speaker, the current law does not provide a disaggregation of how you treat with a first-time offender, a second-time offender, a third-time offender. The fines at summary level, are very low, the term of imprisonment, very low and, Mr. Deputy Speaker, the maximum sentence that we see in the current law is 25 years in the Firearms Act. In this Bill, Mr. Deputy Speaker, we therefore have to wrestle with the fact that the sentencing that this Parliament is allowed to suggest; not to dictate, not to breach the separation of powers principle, not to interfere with the section 5 rights in particular in respect of due process and trial and fairness, et cetera, but the sentencing aspect in our laws for firearm possession, most deadly possession, are at \$15,000 and eight years on the summary level.

Listen to this. In our country we treat with penalties under the Financial Institutions Act, penalties under the Securities Act and penalties under the Insurance Act as follows. Listen to this one. Contravention of regulations under the Financial Institutions Act. Listen to this. If an individual contravenes the Regulations, meaning subsidiary legislation, here is what they are exposed to: \$5 million in fines, five years' imprisonment, \$500,000 daily for a continuing offence. For a company, \$5 million, five years' imprisonment. Company itself, \$5 million, \$500,000 daily, continuing offence. Failure to disclose an interest, administrative fine \$125,000, criminal penalty, \$500,000. Under the Securities Act, failure to

disclose an interest, \$500,000, two years. Under the Insurance Act, \$600,000, two years. I have just taken the example to show that under our financial legislative measures, we treat the breach of a regulation with by far more severity than we treat with the possession of a firearm, the use of firearm. There was no treatment for trafficking in firearms, whilst we have our citizens locked in their homes and afraid of their own society.

Mr. Deputy Speaker, when we go to another rational aim for this law, it is noteworthy that our law is guided in terms of the judicial consideration of sentencing, we are guided by two aspects, number one, the statute which says what the maximum penalties can be and number two, the sentencing guidelines that the court suggests are to be considered when prescribing a sentence, judicial officer in any case.

Mr. Deputy Speaker, the Judiciary of Trinidad and Tobago produced a Sentencing Handbook in the year 2016. And I would like for the record to give you an example with the following caveat. It is a usual consideration that defendants who find themselves before the court and who plead guilty at the earliest opportunity may be considered and in most instances are considered for an early discount of one-third of any sentence that they may have been exposed to. Secondly, judicial officers also tend to offer a rebate in terms of time spent in pre-trial custody. Thirdly, in looking at the characteristics of the defendant, the potential for rehabilitation, et cetera, persons who find themselves before the court for sentencing, for firearm related sentences, have resulted as the Judiciary sentencing guidelines tell us in black and white in the Judicial Education Institute published book, publication of the of JEI of T&T, in following examples.

In the case of *Charles, Fournillier, Waldron v PC Ashby*, a Magisterial Appeal in the year 2000, convicted of armed robbery, sentenced to five years'

imprisonment. In the case of *Floyd v McDowell*, we saw three years' imprisonment, hard labour. In the case *Phillips v Bernard*, Court of Appeal, Magisterial Appeal 176/99. We see here robbery, firearms, violence, threats to kill, five years imprisonment, hard labour. In *Mootilal v Paponette*, three years' imprisonment, hard labour. *Kendell Welch v Caesar Jordan*, five years' imprisonment. *Nicholas Williams v Kieve Thompson*, a 2011 case, possession of firearm, et cetera, we are looking there, three years' imprisonment, hard labour for possession, six months' imprisonment, possession of ammunition, et cetera. Tyrell Taylor, 2010 judgment, possession, firearm, et cetera. We look here, three months' imprisonment with hard labour, Mr. Deputy Speaker.

What we have seen inside of the judicial sentencing approach is that because our law operates by virtue of sections 68, 69 and 69A of the Interpretation Act, such that when a law prescribes a penalty in terms of a fine or in terms of a number of years of imprisonment, the Interpretation Act and the judicial sentencing tells us that that is the maximum sentence that may be prescribed. Our laws, if we look to particular to the case of Barry Francis, have frowned upon minimum sentencing, where you tell a defendant by virtue of statute that you are—if you commit an offence you are guaranteed to serve a minimum of a certain number of years, in that case 25 years. Those laws have been frowned upon by our courts and certainly by our Court of Appeal which settled the law applying the Suratt principles.

But what is very interesting and I recommend to hon. Members, is a particular case coming from the Caribbean Court of Justice. It is an appeal from the Appeal Court of Barbados, CCJ Appeal No. BBCR2017 of 004 and that was delivered on the 2nd of May, 2019. May I ask, Mr. Deputy Speaker, what time I end in full time?

Mr. Deputy Speaker: At 3.10 p.m.

Hon. F. Al-Rawi: Thank you, Mr. Deputy Speaker. I will quickly add this to the record and that is full time, Sir. Yes?

Mr. Deputy Speaker: Full time, full 45.

Hon. F. Al-Rawi: This particular case looked at what is the consequence of entering an early plea of guilt; what is the meaning of life imprisonment; what is the discount for entry of an early plea; whether one had to have the dangerousness of the accused established; the factors that a judicial officer ought to consider in looking at life imprisonment; what the aspects of sentencing should include, retribution, punishment, deterrents and certainly rehabilitation; and very importantly, they looked at a number of Trinidad and Tobago decisions. And I want to refer particularly to the case of Naresh Boodram and it is to be found at paragraphs 51, 52 and 53.

Effectively, this court, the CCJ, in looking at Trinidad and Tobago jurisprudence, noted that theoretically, notwithstanding precedence, looking at penological objectives, that the law was effectively all over the place, that judicial sentencing was such that you could not with precision have a benefit as to what one is likely to have in certain circumstances and necessarily so, because the Judiciary ought to have the latitude under the Constitution to consider its case by case management and what is appropriate in each individual circumstance. But they looked at “times changing” at paragraph 52 and that many a global trend have suggested that in moving away from death penalty, certainly as *Pratt v Morgan* has applied in our case, that we are seeing life sentences coming in. But they noted in particular that in Trinidad and Tobago the range of incarceration for life imprisonment as it is defined in our laws, certainly coming out of the jurisprudence in the Barry Francis case, which is a dangerous drugs case where life imprisonment is used, we have, Mr. Deputy Speaker, CCJ telling us in Trinidad and Tobago, the

range of incarceration is 15 to 25 years. So when we see “life” stated in legislation, “life” in Trinidad and Tobago is 15 to 25 years. And Mr. Deputy Speaker, it is certainly the case that sentencing must always and quintessentially so, remain a judicial function that is to be strictly preserved by a Parliament.

3.00 p.m.

Mr. Deputy Speaker, having laid down a few of the markers, let me turn quickly to the familiar content of the Bill, because there is a lot of it that is effectively an applied formula in the circumstances of the Bill. Let me say, Mr. Deputy Speaker, immediately, I will jump to clause 6, which is the insertion of a new section 9A, and what we are saying in this law, if we look at clause 6, Mr. Deputy Speaker, the Act is amended to insert a new 9A. We are introducing trafficking of firearm or prohibited weapon. We are saying:

“A person who has in his possession two or more firearms or prohibited weapons is deemed to have the firearms or prohibited weapons for the purpose of trafficking the firearms or prohibited weapons, unless the contrary is proved, the burden of proof being on the accused, and such person commits an offence and is liable—

- (a) on summary conviction...fine of one million dollars and to imprisonment for fifteen years;...
- (b) ...on indictment for a first offence...twenty years;...
- (c) ...on indictment for a second offence...twenty five years; and
- (d) ...indictment for a third...imprisonment for...life.”

Stick a pin.

“Life” is defined in this Bill in clause 2 as meaning the natural life of a person. Why have we done that? In cognizance of the decision in *Alleyne v The Queen*, which is the case I referred to in the CCJ matter, it is necessary for

Parliament to define its intention that life should certainly no longer be at its maximum level, 15 to 25 years. Life is intended as an upper maximum ceiling limit to mean the natural life of the person.

What does this law say? This law says if you are found with a firearm and another firearm—two firearms—you are in possession and brought before the courts and you are convicted on a third occasion for two firearms—bear in mind section 5 of the Firearms Act says, “possession is possession without lawful excuse”, you have a defence—your animus is there, it must be tested. If you are convicted on a third occasion, the Judiciary now has the fighting chance in looking at the needs of the population to prescribe natural life imprisonment.

This law is intended to cause people to think twice. You know that you are lucky enough to be out with liberty, released from your three years or six months that you may have gotten on first or second occasion, you find yourself before a court with two firearms, not one, you should be with the fear of God Almighty in your soul, that you are not brought before a court and convicted on a third occasion, Mr. Deputy Speaker.

Mr. Deputy Speaker, it is this same approach that we approach the amendments to clause 3, where we look at section 6 of the Act, which is the basic possession offence. Again, we go summary, indictment first offence, indictment second offence or any subsequent offence—an indictment on a second or subsequent offence—taking us right down into the summary and indictable management of a significant increase in penalties, up to \$1 million, imprisonment for 15 years, then 20 years, then 25 years but, Mr. Deputy Speaker, we are saying to all persons now enjoying liberty, lucky enough to be walking the streets of Trinidad and Tobago with a conviction under their belt and out, this law is intended to send a message from the Parliament via section 53 of the Constitution,

to tell you, you need to be afraid that you are not caught with this particular position and convicted.

Mr. Deputy Speaker, it is very important to note that we are managing the offences again, similarly, as I have described for section 6 amendment via clause 3 for section 9 amendment in clause 6, the introduction of a new 9A, in all of these clauses that we go further, in clause 7 onward, we are again marrying up the treatment of first offence, second offence, and third offence. Mr. Deputy Speaker, permit me to say that when we use the term “deemed to be in possession for the purposes of trafficking”, we are engaging in a reversal of burden of proof.

I wish to assure hon. Members that section 5 of the Constitution is the section which allows us to not offend the law and, certainly, the Constitution by allowing for the reversal of burden of proof. That is to be found in section 5(2) of the Constitution where you are deemed to be innocent until proven guilty. However, that does not prohibit the law from being exercised, such that you have a burden put upon you to discharge. I will remind that that burden upon the accused to be discharged is dealt with on a balance of probabilities basis. It then returns to the prosecution for proof beyond reasonable doubt to be considered in these circumstances, again, rooting the concept of constitutionality in clause 6 which is the introduction of a new section 9B, Mr. Deputy Speaker.

Mr. Deputy Speaker, we are very careful inside of this law to preserve the ability for reasonable excuse, lawful excuse, but what we do say inside of this law, Mr. Deputy Speaker, is that the law needs to be amplified, because as our Interpretation Act prescribes, we are and must be cognizant of the fact, that the statement of offence—be it by way of penalty in terms of fines or by way of terms of imprisonment—those are maximum statements of the law, Mr. Deputy Speaker, for a judge to decide in another circumstance.

Mr. Deputy Speaker, I must say this law is not a standalone law. It is not intended to be a magic bullet. It articulates with a wide range of processes and laws that we have purchased as a Government for the benefit of the people of Trinidad and Tobago. Just today, the hon. Members will take notice that we amended the Civil Proceedings Rules, the Criminal Procedure Rules—the Criminal Procedure Rules again and the Maintenance Rules. The rules allow for processes to happen. It is this Government, under this Prime Minister, that recognizes that this Parliament, upon its vacation, as is imminent, that this Parliament would be re-purposed for the civil courts of Trinidad and Tobago, leaving the Hall of Justice to be amplified away from 10 courts for the criminal matters to 31 full courts and 34 Chambers. This Government, under this Prime Minister, will have the ability to have 65 functional spaces for criminal matters. [*Desk thumping*]

Mr. Deputy Speaker, I want to be bold to say that the last time this form of amendment of process and of capacity was seen, was in the early 1980s when the Hall of Justice was opened, and Mr. Deputy Speaker, it makes brilliant sense of having achieved the renovations of the Red House, having moved the Attorney General's Office out of Cabildo—re-purposed that building for the purposes of the Parliament; allowing the criminal courts to now expand into the Criminal Division, which we brought as a Government; allowing for the expansion of the Judiciary, which we brought as a Government; moving the Judiciary from 32 judges in numerical capacity up to 64—from 12 Justices of Appeal up to 15—in allowing for the expansion of the courts, as our Cabinet is continuing to consider that exercise, Mr. Deputy Speaker, this Bill is connected to the process reform, to the capacity reform, it works alongside the anti-gang legislation. Very importantly, it works alongside the anti-bail provisions.

And, Mr. Deputy Speaker, I note for the record, and I congratulate the police

and the Judiciary, that three persons were recently arrested under the anti-gang law and had previous offences, charges, and have been denied bail. This law is already in effect, Mr. Deputy Speaker. This law, this Bill, is intended to allow the people of Trinidad and Tobago a fighting chance. It is not just the replication that we saw in previous governments, in particular, that which occupied office in the period of 2010 to 2015 where we ticked the box on laws—

Mr. Deputy Speaker: Member, you have two more minutes.

Hon. F. Al-Rawi:—and instead of operationalizing the laws by the creation of courts, by the creation of capacity, by the creation of bodies, instead of doing that, we focused only on numerical equivalent of laws. Mr. Deputy Speaker, in the weeks ahead, as we unveil what has already been implemented and purchased to the people of Trinidad and Tobago in the context of law and order, we are confident that this country is finally headed into the right direction, because processes had to be implemented and capacity had to be built at the same time that we were dealing with the legislative improvement.

Mr. Deputy Speaker, I look forward to the debate. I welcome comments that will come from my learned colleagues opposite and on this bench, and I beg to move. [*Desk thumping*]

Question proposed.

Mr. Rodney Charles (*Naparima*): Thank you, Mr. Deputy Speaker. Listening to the Attorney General this afternoon, one would get the impression that in Trinidad and Tobago everything is hunky-dory, that we have no murders, that crime is down, that our prisons are not overcrowded and gangs do not control our territory, everything is working well. Mr. Deputy Speaker, I want to say from the onset that while we will support this Bill, this is the Firearms (Amdt.) Bill, 2019, we are of the view that, once again, we have been summoned to debate a Bill which by any

stretch of the imagination cannot be described as the most important instrument that will have a measurable impact on improving our lives or advancing our democracy or taking us inexorably on a path to First World status or dealing decisively, manifestly and measurably with the task of reducing crime.

Mr. Deputy Speaker, it is all a charade to give the impression that this Government is tough on crime when they fully well know that they cannot tell us with a straight face, how this Bill will measurably reduce crime and in what time frame. [*Desk thumping*] They cannot do this, Mr. Deputy Speaker, because in order to be effective you have to find the guns and those using the guns to commit crime.

Mr. Deputy Speaker, our crime detection rate is under 30 per cent. We were told by the hon. Attorney General this afternoon that for 2019 the detection rate is 28 per cent. If we take out from this figure those criminals who commit crimes of passion and who subsequently hang themselves or give themselves up and if we subtract those foolish enough to do such a thing as driving the vehicle of the person they murdered, then the real detection rate is under 20 per cent. So this Bill will have no measurable impact on 80 per cent of gun-related offences. Guns will continue to arrive from South America and Venezuela through our porous borders and guns will continue to be the weapons of choice for most serious crimes, and no one knows how many guns there are in Trinidad. Mr. Deputy Speaker, we are in uncharted territory.

But worse, why we ask on the eve of local government elections and general elections, are we not debating campaign finance reform? Why are we not taking steps to fully implement the procurement legislation that would prevent the nonsense that is taking place with successor companies of Petrotrin and the travesty of the infamous contract to build a number of homes at a cost of 485

million?

Mr. Deyalsingh: Mr. Deputy Speaker, Standing Order 48(1) please. **Mr. Deputy Speaker:** Overruled. [*Desk thumping*]

Mr. R. Charles: Thank you, Mr. Deputy Speaker. Why are we not debating the complete abolition of the archaic, antediluvian, abhorrent and repressive Sedition Act? Those are the things that are important to the citizens of Trinidad and Tobago. [*Desk thumping*] In the Explanatory Note of this Bill we are informed inter alia that:

“The purpose of the Firearms (Amendment) Bill, 2019 is to create the offence of trafficking in firearms or prohibited weapons”—and most importantly—“to increase the penalties throughout the Act and in some instances to provide increased penalties for first, second and third”—offences.

Mr. Deputy Speaker, in clause 5, in clause 6, in clause 7, in clause 13, (a), (b), (c) and (d), in clause 14, in clauses 19 and 23, (a) and (b), in all these clauses we see maximum penalties which specify, and I quote:

“on indictment for a third or any subsequent offence to imprisonment for...life;”

And to make sure that judges have no discretion, we read in section 2A that:

“‘life’ means the natural life of a person;”

I am quoting here. We see, for example, for not having a Firearm User’s Licence and possessing guns or ammunition on summary conviction for a first offence one is subject:

“to a fine of five hundred thousand dollars and to imprisonment for fifteen years;”

These increases in penalties will, for most poor inner-city youth, lead to lengthy

terms of imprisonment, especially where little discretion, it appears, is given to magistrate and judges.

I ask the question, Mr. Deputy Speaker, what if a grandmother happensto have a wayward relative who hid a gun at her home and the gun is discovered by the police? What happens if one placed a gun together with a white powdery substance near one's water tank? Mr. Deputy Speaker, this is based—this Bill is based on the premise that our crime will somehow, by magic, be resolved by locking up more and more of our inner-city males for longer and longer periods and literally throwing away the key—out of sight, Mr. Deputy Speaker, out of mind, Government by abandonment. A Government utterly disconnected from the children of its voter bank. Where, Mr. Deputy Speaker, is the judicious balance between more and more draconian laws and well-conceived sociocultural and economic efforts to reduce the allure of guns, gold, bling—

Mr. Lee: Mr. Deputy Speaker, 53(1)(e) please. I am being disturbed.

Mr. Deputy Speaker: Again, Mr. AG, again please, have your discourse with your team at hushed tones, please. Proceed.

Mr. Al-Rawi: May I raise Standing Order 46(6), please? 48(6), forgive me.

Mr. Deputy Speaker: 48(6)?

Mr. Al-Rawi: 48(4) and (6), the improper motive that my learned friend is raising. It causes me deep distress, Mr. Deputy Speaker. Perhaps you may wish to reflect on what the hon. Member has said.

Mr. Deputy Speaker: Proceed.

Mr. R. Charles: Thank you. And I will repeat: Out of sight, out of mind, Government by abandonment. [*Desk thumping*] A Government utterly disconnected from the children of its voter bank. I will say it here and I will say it again. [*Crosstalk*]

Mr. Lee: Mr. Deputy Speaker, 53(1)(e) please.

Mr. Al Rawi: And I rise while you are considering on 48(4) and (6), Mr. Deputy Speaker. This kind of whistleblowing, Mr. Deputy Speaker, dog-whistle blowing. [*Crosstalk*] I take offence—

Mr. R. Charles: Just read the Standing Order. [*Crosstalk*]

Mrs. Persad-Bissessar SC: Let Mr. Deputy Speaker rule.

Mr. Deputy Speaker: Members please, please. Chief Whip, you referred to 53(1)—

Mr. Lee:—(e), silence. [*Crosstalk*]

Mr. Deputy Speaker: All right. Again, Members, according to Standing Order 53, while the Member is speaking, we are supposed to have silence. Again, AG and your team, the running commentary that could create a disturbance to the Member for Naparima while he is speaking. And with regard to 48(4) and (6), I overruled. And, again, Member, I will give you some latitude. Continue and I will be able to rule later on. Proceed.

Mr. R. Charles: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker: Before I rule and, again, address the Chair. Right? Address the Chair.

Mr. R. Charles: Thank you, Mr. Deputy Speaker. It seems as if some people in here cannot take the truth, cannot take the fact. [*Desk thumping*] They cannot take the fact that not everybody will be silenced by their bullying, Mr. Deputy Speaker. [*Desk thumping*] Mr. Deputy Speaker, soon—and I am speaking specifically to the draconian legislation and the fact that fees, sorry—penalties have been increased significantly, which will lead to what could be described as mass incarceration. I am speaking of the impact of this legislation on our prison services—if this Government has its way, we will soon have the largest prison population in the

world.

According to the World Prison Brief, Trinidad and Tobago with 292 persons incarcerated per 100,000 citizens, ranks embarrassingly high at 37th in the world among 222 countries and dependencies with the largest prison populations. That is where we are today, at number 37th in terms of world prison populations. Compare the high ranking with the embarrassingly low position of 105 among 190 economies in terms of the ease of doing business according to the World Bank Annual Ratings. So when it comes to the bad things like prison population, we are way up there and when it comes to the good things like the ease of doing business, we are very low in global rankings. [*Desk thumping*] That is the kind of thing when I talk about misplaced priorities, this is an example.

Mr. Deputy Speaker, the United States has the world largest prison population with 655 persons per 100,000. Countries with fewer prison populations than Trinidad and Tobago include Dominica, 289; Martinique 217 per 100,000; Singapore, 199; Venezuela, 178. Jamaica which has similar sociocultural characteristics like Trinidad and Tobago, Jamaica only has 138 persons incarcerated per 100,000. We have doubled that, more than doubled that. Norway, 63—and I will speak to Norway later—and India 33 per 100,000.

Mr. Deputy Speaker, while we are frantically passing a suite of not well-thought-out laws to jail more and more of our young people, the United States, Norway, Germany and others, who are more enlightened, are doing exactly the opposite, Mr. Deputy Speaker. In Germany, given the experiences with the Holocaust, they treat prisoners as human beings. We lock them up and we, if possible, lock them up for life, and if we have the authority, we lock them up for the remainder of their natural life.

Mr. Deputy Speaker, US President Trump has signed recently legislation

that trimmed mandatory minimum sentences and expand the credit for inmates who participate in programmes meant to prepare them for life after prison. Let me repeat that. US President Trump has recently signed legislation that would trim minimum sentences and expand credit for inmates who participate in programmes meant to prepare them for life after prison. If President Trump who some describe as racist, is actively taking steps to reduce the mass incarceration of mainly black Americans, how can we describe the actions of this PNM administration as evidenced by this Bill that is before us?

Mr. Deputy Speaker, Federal inmates in the United States—and I am just showing you the difference—“we into lock up” and we have a hierarchy of laws and a hierarchy of penalties ending up with life, the rest of your natural life. Federal inmates in the United States who participate and I quote here:

Evidence-based recidivism reduction programmes—

Let me read that again.

Evidence-based recidivism reduction programmes—these are programmes to reduce prisoners returning into prison after they have been released—would earn credits to leave prison more quickly and sentence reforms will trim future mandatory minimum sentences for drug crimes and let prisoners sentenced under the old crack-cocaine rules petition for reduced sentences.

So, we are talking in the States about reduced sentences and we are talking in Trinidad, and we are talking here today about increased sentences and increased penalties. That is the disconnect between best practices globally and what we are doing in this Parliament and in Trinidad and Tobago. So while the United States and other enlightened jurisdictions are taking steps to reduce prison populations and recidivism rates, this PNM administration is hell bent on bringing to Parliament a suite of legislation to increase fines and deny bail and, in effect, lock

up more and more of our citizens.

Mr. Deputy Speaker, I will make the point, we are here like robots coming to Parliament ever so often, every nine years or so—we came in 2011, and we are here in 2019. So we come ever so often to increase penalties, unthinkingly doing the same thing over and over. It is as if we are operating with no brains. So in 2011, we increased it from whatever it was to a hundred thousand dollars. We come here today to increase it from a hundred thousand dollars, and I hear the figures are not specific—I will get to that later—to 500,000 and in the next five years we will come again repeating the same exercise robotically, and I will talk about that a little later.

In 2011, we did exactly what we are doing today, that is, increasing penalties in respect of the existing Firearms Act. The Firearms (Amdt.) Act of 2011, in clause 7 reads as follows—this is the 2011 Act. It says and I quote:

“Section 8 of the Act is amended by deleting the words ‘twenty-five’ and ‘five’ and substituting the words ‘forty’ and ‘eight’ respectively.”

That is what they did, our predecessors did in 2011. They came and they amended the Bill by deleting and adding.

Dr. Rowley: Who is your predecessor?

Mr. R. Charles: Today, eight years later, we are dragged here to amend the same section 8 as follows and I quote:

“Section 8 of the Act is amended by deleting the word—

- (a) ‘forty’ and substituting the words ‘two hundred and fifty’; and
- (b) ‘eight’ and substituting the word ‘ten’.”

I suspect, Mr. Deputy Speaker, in 2025 or thereabouts, if the country loses its brain and elects the incompetent Members across to floor, we will be here again to increase the draconian and punitive measures in the vain hope that they will serve

as deterrents to crime.

Mr. Deputy Speaker, the late Lloyd Best, my guru, used to say ad infinitum that the problem with our PNM leadership is that they think arithmetically and they do not think in terms of—do not apply the principles of trigonometry or algebra.

Dr. Rowley: And calculus.

Mr. R. Charles: And calculus. Thank you very much. [*Laughter*] I know that those on the other side operate arithmetically when they call us in large part merely to increase the penalties of various firearm offences to—[*Crosstalk*] Mr. Deputy Speaker, I seek your protection. The noise is overbearing.

Mr. Deputy Speaker: Again, please. Member, once you address the Chair, I think we will be able to minimize that. You were just in discourse. You were just in discourse. But, again, Members, AG and your team, please.

Mr. R. Charles: Thank you, Mr. Deputy Speaker. I know that those on the other side are operating arithmetically when they call us in large part merely to increase the penalties of various firearm offences to accommodate inflationary factors. How much did it cost to bring us here today—gasoline, meals, parliamentary staff, security—300,000, 400,000? Did it ever occur to those on the other side that all that is required in the circumstances is to add a formula to the Bill, possibly in the form of accompanying regulations that would, at the discretion of the Minister of National Security—whoever he may be—and subject to negative resolution of Parliament increase the penalties in line with inflationary realities as specified by the National Statistical Institute. This could be done by predetermined individuals as is done with increases in gasoline prices at gas stations. We do not have to be called out to Parliament to debate every time petroleum prices are changed at the pump. It is routine and what we are doing here today is routine stuff, and routine stuff, I am told by my mathematically-inclined colleagues, are subject to—

Mr. Deputy Speaker: Again, Members on the Government side, again, hushed tones or silence please. I am getting a distraction. Proceed, Naparima.

3.30 p.m.

Mr. R. Charles: Mr. Deputy Speaker, I am told that routine actions are subject to algorithmic solutions, right?

Mr. Deputy Speaker, this brings me to another of my concerns regarding this Bill. And it is that the data does not show definitively that increasing penalties for gun-related offences will lead to measurable reductions in gun crimes. I want to repeat that. My concern is that the data does not show definitively that increasing penalties for gun-related offences will lead to measurable reductions in gun crimes.

The hon. Attorney General provided statistics in the Senate and he did today, which showed an increase in gun-related crimes over the last decade. What he did not demonstrate was how the 2011 increases are specified in the Firearms (Amdt.) Act, 2011. What he did not demonstrate was how the increases as specified in the Act led to measurable reductions in gun-related crimes which would justify the increases in this Bill. And, Mr. Deputy Speaker, how did he come up with these new fines or the increased incarceration figures? Did he use inflation? Did he dream them up as when we play “Whe Whe” and we dream? I am told that 10 is “monkey” and 36 is “donkey”—I do not know if it was related to dreams. Or were they conjured up by “vaps”. We need an explanation as to justify why you increased it from this to \$500,000, and you could give us the inflationary factors and justify it so the same level of deterrents that existed in 2011 would exist today.

Instead, in the Senate he provided data which were not properly disaggregated to support the argument. Instead, he spoke about increases in gun-related offences. He confessed—and this is in *Hansard*, 24th of June, 2019, page 130. I quote:

“We are noticing certainly that there is a prevalence now of firearms actually found and seized of hundreds of high-powered weapons on the streets of Trinidad and Tobago.”

Later down on page 131, speaking in the Senate about firearm-related offences, confesses that there were 1,059 firearm offences in 2015; 1,185 in 2016; 1,600 in 2017; and 1,552 in 2018, and he went on to say and I quote:

“And that, Mr. Vice-President, demonstrates that reports of firearm-related offences are on the ascendancy.”

What he failed to demonstrate was that these increases in firearm-related offences occurred because the fines were too low. It appears therefore that guns abound unmindful of the legislative sanctions. In respect of gang-related murders using firearms, the hon. Attorney General told the Senate that there were 1,679 reported firearm-related murders for the four-year period up to June 2019. And in the four-year period up to June 2019, it is estimated that there were 639 related murders, again centered on firearms.

Where, I ask, where is the empirical evidence that passage of more and more laws as was done in 2011, resulted in significant and measurable decreases in firearm-related offences. You see, you can bring data that is global and justify anything. You could say crime is on the increase and therefore we need to pass any law related to crime. What is required is for you to show the data, to show empirically that if we pass this law it measurably will reduce gun-related crimes by 10 per cent in two years. If that is done we have no argument, we will have to support it as we will be supporting this Bill. But we have to hope, we have to hope that they know what they are doing and that when they say pass this legislation, it will solve crime. We know it will not. And I can tell you we can come here for the next six months and we can look to see whether the crime has been reduced, and I

think I know what the answer would be.

Mr. Deputy Speaker, if draconian measures in our context were ever to lead to a decrease in murders, then we would expect that hanging, hanging which is the most draconian of all punitive measures, would lead to significant reductions in our murder rates. We would expect that hanging would lead to reduction in the murder rates but this is not so. And one could say like, murder rate—one gets the impression like they “aint afraid” to die. The fact that we have hanging in Trinidad and Tobago does not factor into the decision-making of young criminals. Yesterday, I heard the Democratic presidential hopeful, Kamala Harris, saying on MSNBC that the death penalty is not, given her experience, it is not a disincentive to criminals. She also said that passing of harsher and harsher laws does not serve the needs to reduce crime in the United States. And she should know since among other things she was the 32nd Attorney General of the State of California from 2011 to 2017. And she is saying that what we are doing here today will not measurably reduce crime. Again we ask, where is the empirical evidence to prove the passage of more and more draconian laws will lead to measurable reductions in crime?

So when we read in clause 5 that section 9—which deals with offences relating to selling or transferring firearms or ammunition—of the Act is amended, and it states:

“in subsection (1) by repealing paragraphs (a) and (b) and substituting the following:

- ‘(a) on summary conviction for a first offence to a fine of five hundred thousand dollars and to imprisonment for ten years; or
- (b) on conviction on indictment for a first offence to imprisonment for twenty years;
- (c) on conviction on indictment for a second offence to imprisonment

for twenty five years;

- (d) on conviction on indictment for a third or any subsequent offence to imprisonment for life.’;”

Mr. Deputy Speaker, if death by hanging is not, and in our context has never been a deterrent to criminals as evidenced by ever increasing annual murder rates especially under this PNM administration, why would the less draconian “imprisonment for life” be different? Mr. Deputy Speaker, we are informed by the mighty Stalin that sufferers—and there are many under this PNM—sufferers do not care about country, sufferers do not care about town, sufferers only care about where “de next meal coming from”.

In other words, sufferers think short-term horizons and they think with immediacy. I suspect, Mr. Deputy Speaker, that many inner-city youth who see their brothers and sisters dying daily, and who I am told do not expect to live beyond 30 years, will not be able to process the difference between 20 years in prison or 25 years, or life in prison, like “sufferers” they are concerned with what is in front of them and surviving on a day-to-day basis. They know—and this is why in passing legislation we “doh” sit in an ivory tower and legislate for the citizenry. We put ourselves in the minds of the citizens and say how would this law affect them, would it act as a deterrent or would it be totally ignored?

Mr. Deputy Speaker: Hon. Member, your initial 30 minutes have expired. You have an additional 15. Do you care to avail yourself?

Mr. R. Charles: Thank you very much, Mr. Deputy Speaker.

Mr. Deputy Speaker: Proceed.

Mr. R. Charles: If today a gang leader tells an inner-city at-risk youth that he must kill, and if he does not obey he will be killed, with that mind-set 20 years in prison is a moot point for him. Mr. Deputy Speaker, it is important for us to look at

the historical context of this Parliament and its previous iterations. We note that whether it is the anti-gang legislation, the Bail (Amdt.) Bill, 2019, or this Bill to amend the Firearms Act, one detects an uncomfortable or disconcerted emphasis on punishment as opposed to crime prevention and rehabilitation. And I do not want anyone to say that I am saying we should be soft on criminals. I am saying that we should balance it. We should have a nuanced approach that is equally punitive but also at the same time stops the treadmill of poor inner-city youth heading to the prisons.

Punishment, Mr. Deputy Speaker, was the methodology of control used by our colonial powers. We see it in the Sedition Act and we witness it in the predecessor Legislative Council, the LegCo. And we ask: Where is the post-colonial frame of reference, given that we are now dealing not with subjects out there, but we are dealing with our equals who may be suffering through no fault of their own through accident of birth? Through deficiency of upbringing; through inadequacy of parental guidance or the vagaries of persistent poverty. And I say that if we were to put ourselves in the mind-set of the poor, and if we did not have parents, and a community and teachers who cared for us and guided us, there but for the grace of God would be all of us in this Parliament.

We are fortunate and because we are fortunate there is a responsibility on us not to jail, not to lock-up, not to throw away the key because we are putting them away for the rest of their natural life, but to equally balance it with a concern to stop the pipeline. William Hardin Burnley, *The Slave Master of Trinidad*, in 1825, in a former iteration of this House insisted—and you see the same mentality, the same frame of mind. He insisted that the planter—and I quote here from the book, page 27, written by Selwyn Cudjoe:

He insisted that the planters needed to exercise their domestic jurisdiction.

He was saying that in a Parliament, in a legislative council just like we are here today. And I suspect a hundred years from now people will be saying, “but how come a PNM administration could only have thought in terms of lock-up and jail for life, when they had experiences like Norway, and Germany and the United States to tell us that this is not the best way forward”. He said:

He insisted that the planters needed to exercise their domestic jurisdiction by which a master is authorized to punish his slave without the intervention of the magistrate. He argued that women should also be flogged. The only question is whether it should be done decently.

And by that he meant with their clothes on or with their clothes off. That is the level of the mindset of punishment. He said:

The power is essential to the system, Burnley opined in the legislative council. So, 200 years ago they discussed the power of the whip where our great, great, great grandmothers were to be flogged, and today in a successor Parliament we are debating jailing for life of the great, great, great grandchildren of those slaves. We have not moved forward and we will not move forward under this PNM administration.

Mr. Al-Rawi: Mr. Deputy Speaker, I rise on Standing Order 48—

Mr. Hinds: Me too.

Mr. Al-Rawi:—(4) and (6). Mr. Deputy Speaker, that has crossed the line, surely. [*Crosstalk*] For this law is not geared against black people. You categorized this law as only against the children of slaves.

Mr. Deputy Speaker: Member, please, please, please. [*Crosstalk*] Members, members. [*Continuous crosstalk*] Thank you, Members. Member for Naparima, I would like you to withdraw, retract and say it however differently for me please. [*Desk thumping*]

Mr. R. Charles: Thank you very much, Mr. Deputy Speaker. It would seem—
[*Crosstalk*]

3.45 p.m.

Mr. Deputy Speaker: Hon. Prime Minister, please. You will have the opportunity to enter the debate as soon as possible. Member for Naparima.

Mr. R. Charles: Yes, thank you. You asked me, Mr. Deputy Speaker, to rephrase.

Hon. Members: Withdraw.

Mr. Deputy Speaker: Members, please. I will like you to withdraw, retract and say it differently or you can move on, after you would have done it.

Mr. R. Charles: Right. Thank you, Mr. Deputy Speaker. It would seem that in the—

Mrs. Persad-Bissessar SC: Withdraw.

Mr. R. Charles: I withdraw—

Mrs. Persad Bissessar SC: And retract.

Mr. R. Charles:—and retract.

Mrs. Persad-Bissessar SC: And then go again.

Mr. R. Charles: And, Mr. Deputy Speaker, all I wish to say—

Mr. Deputy Speaker: Wait, one second. Member, listen. I have given you the opportunity to withdraw, retract accordingly and move on. There is no need to explain to me as the case may be. Because again, I have upheld the Standing Order as raised by the AG, so proceed accordingly. But make the statement, I still need to hear it.

Mr. R. Charles: I withdraw and retract.

Another concern is the rate at which illegal firearms are appearing on our streets. It is something to be concerned about. Before we think about discussing

this legislation, we must have a plan to stop or significantly reduce the entry—
[*Crosstalk*]

Dr. Gopeesingh: Bad behaviour emanating from the other side.

Mr. Deputy Speaker: Member for Laventille West and Member for Couva South, if you all need to have a discourse, you all are free to exit the Chamber accordingly. Other than that I will give you all the opportunity to enter the debate as soon as you all catch my eyes. Fair enough? Right now it is Naparima's turn. Kindly proceed.

Mr. R. Charles: What is the fear? We are discussing rationally and yet there is the noise and the persistent rumours. We are saying that before we think about this legislation we need to develop a plan on how to stop or significantly reduce the entry of illegal firearms into our country. [*Desk thumping*] The *Newsday* of February 21, 2019, reported, quote:

“Some 8,154 illegal firearms are circulating in Trinidad and Tobago, according to estimates by the Strategic Services Agency...”

So there is a plethora of arms.

Mr. Deputy Speaker: Members for Laventille West and Couva South, the next time I have to stand and to converse with the both of you all, I will ask you all to exit the Chamber. Laventille West, Couva South. Proceed.

Mr. R. Charles: The *Trinidad Guardian* reported on August 12, 2019, that eight persons were arrested at a birthday party in Diego Martin after police seized two firearms and a quantity of ammunition hidden in a cooler, and I could read hundreds of examples I have here. With the amount of illegal firearms entering the country through legitimate and illegitimate ports, it acts as a reminder of how our unguarded borders are, and the ease of access to gain firearms. Should we not be directing our attention to reducing the inflow of guns, rather than incarcerating low

level gun operatives?

On July 21, 2019, *Loop TT News* indicated five high powered firearms and a cache of ammunition were discovered along the Icacos Beach by South Western Division Task Force. This type of high powered weaponry we have entering the country, almost every serious violent crime and the vast majority of murders are committed using illegal weapons. So before we start to discuss and implement this piece of legislation, we need to fix existing problems. Our first step should be aimed at reducing and eventually eliminating the number of illegal firearms entering the country, and to do so we need to be more protected and guarded.

The second concern I have is why is there such an emphasis on longer sentences and life sentences? Instead the focus should be on prison reform and prison rehabilitation. There are significant costs to keeping persons locked up. Instead we should be putting effective systems and opportunities in place to steer prisoners onto paths that reintegrate them into civil society, especially with many of our youth being charged for possession of guns and ammunition.

The question we ask: Who pays for the cost of mass incarceration? What are the hidden costs to societies of fathers in prison for life with children growing up fatherless? What are the hidden costs of an incarcerated person for life? Yesterday on MSNBC there was this programme— [*Interruption*]

Mr. Al-Rawi: Mr. Deputy Speaker, I rise on 48(10).

Mr. Deputy Speaker: Overruled.

Mr. R. Charles: It was said on MSNBC that the worst thing you could do is imprison someone for life, because he has no incentive to behave himself in prison. None of the programmes to dis-incentivize criminal activity in prisons he would listen to, because he knows that whatever he does, he is in prison for life. Furthermore, we feel that by imprisoning persons we are reducing crimes. Hits are

called from our prisons. So when we put them for life, it does not necessarily mean that there is going to be a reduction. Our focus should be geared towards aftercare rather than life sentences since youths are the highest risk for convicted gun and gun-related activities.

An article published on the US-based website, The Conversation on June 15th—[*Interruption*]

Mr. Al-Rawi: I rise on Standing Order 44(10).

Mr. Deputy Speaker: Mr. AG, with four minutes to go in the Member's discourse— [*Crosstalk*] Members please, please, please. I will overrule at this time.

Mr. R. Charles: It said that rehabilitation is a smarter approach rather than locking up people for extended periods. It said, and I quote:

“Increasing prison sentences does little to deter criminal behaviour. Longer sentences are associated with higher rates of re-offending. When prisoners return to their communities, as the vast majority inevitably do, the problems multiply.”

Mr. Deputy Speaker, we will support this legislation. You know why? You know why? [*Laughter*] Because they hope, given their incompetence and their inability to deal with crime, with bringing a suite of legislation that will have no effect, that they would be in a position to blame us on this side. So we are showing them—we are showing them that they are incapable of solving crime. They cannot with a straight face tell us that this legislation will measurably reduce crime.

Mrs. Persad Bissessar SC: We are giving them the chance.

Mr. R. Charles: We are giving them the chance to show the country that they are incompetent, that they cannot perform. It is only old talk and “zessing”, and you cannot run a country by old talk. At some stage you have to come to the country

and say the murder rate is down by 10 per cent annually. If you cannot do that, then demit office, call election and let us turn to the loving embrace of the United National Congress, under the leadership of Kamla Persad-Bissessar. Let us return.

And I want to tell Trinidad, there is hope for Trinidad and Tobago. Do not dismay, as the *Bible* says, “In my Father’s house there are many mansions, and if it were not so I would have told you.” Let us return to the good ole days of the United National Congress. I thank you.

The Minister of National Security and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Mr. Deputy Speaker. I start my contribution by respectfully, through you, reminding the population who are looking on, exactly what this debate is about. This debate is a debate about amending the firearms legislation, and there is not a single sane person, right-thinking person, or civic-minded citizen of Trinidad and Tobago, who will support the proposition that there is not a problem with crime related to the use of illegal firearms in Trinidad and Tobago. So we start with that.

The second thing I would like to say is, as the Member of Parliament for Port of Spain North/St. Ann’s West, which is an area that the Member for Naparima on a number of occasions, when reading his pre-prepared speech, referred to “inner-city youth”, and the racial dog whistles that were taking place from the Member of Naparima, referring to my constituents as descendants and members of the slave population. We reject all the racial dog whistling taking place. [*Desk thumping*]

Before getting into the meat of the debate, Mr. Deputy Speaker—
[*Interruption*]

Mr. Deputy Speaker: Caroni East, again. Caroni East, you will be given the opportunity to enter the debate. Fine?

[Dr. Gopeesingh rises]

No, no need to comment. No, Member, Member, no need to comment. Hold on. No need to comment. You will have the opportunity to enter the debate. Proceed.

Hon. S. Young: Thank you, Mr. Deputy Speaker. You see, thankfully the population of Trinidad and Tobago does not have a short memory. And thankfully the population of Trinidad and Tobago looked on very carefully at what happened last week, at the start of the week, when on that same screaming UNC platform they introduced, in the most naked of forms, race into the conversation taking place, and it had to be beaten down—*[Interruption]*

Mr. Lee: Mr. Deputy Speaker, 48(1).

Mr. Indarsingh: Mr. Deputy Speaker, 48(1).

Mr. Deputy Speaker: Excuse me, Members. Overruled. Proceed.

Hon. Member: “Allyuh open de door.”

Hon. S. Young: Thank you very much, Mr. Deputy Speaker. You see, there was a lot of screaming and shouting taking place about not wanting to confront the truth, but the population will decide what is the truth. And I am marking the ground here unfortunately on the 9th of the 9th in 2019 in this august House, that once again the first speaker from the Opposition saw it fit to blow the dog whistle, following the Leader of the Opposition last week on a UNC platform, blowing the racial dog whistle. Having said that, to remind the population what we are here to deal with today, Mr. Deputy Speaker—*[Interruption]*

Dr. Gopeesingh: Mr. Deputy Speaker, I rise on 48(4) and (6). He mentioned the Leader of the Opposition “bringing race on the platform”. This is not the place. *[Crosstalk]*

Mr. Deputy Speaker: Members, please. Members.

Dr. Gopeesingh: How can we have improper motive— [*Desk thumping*]

Mr. Deputy Speaker: Member, please. Members, hon. Members, you all are bringing the Deputy Speaker into the debate on too many occasions. I have made the necessary jottings accordingly, and when you raise on the particular Standing Order I will so rule. No one will go against what I have said here today. All right; overruled. Proceed.

Hon. S. Young: Thank you very much, Mr. Deputy Speaker.

On a weekly basis, as the Minister of National Security, I meet with the heads of our security services. One of the persons that attends on a weekly basis is the Commissioner of Police, Mr. Gary Griffith and one of the presentations that we look at on a weekly basis are in fact the statistics driven by data and also by intelligence when deciding how to tackle the incidences of crime. As at last week Friday, the 6th of September, 2019, unfortunately, the murder toll in Trinidad and Tobago for 2019 rested at 366 murders too many. Out of those 366 murders that were recorded as of the 6th of September, 2019, 297 of the murders were committed via the use of illegal firearms. So to repeat the point, as at the 6th of September, 2019, in Trinidad and Tobago of 366 recorded murders, 297 were committed using illegal firearms. Therefore, firearms were used to commit 81 per cent of the murders to date as at last week Friday.

It is the responsibility of us the legislators to determine what we can do, what are the steps that we can take in passing legislation?—because that is the power we have. The power we have sitting here as the 41 Members, elected Members of the House of Representatives, is to come here to debate and to pass legislation aimed at making Trinidad and Tobago a better place. Today the legislation that we are here to debate is legislation aimed at the phenomenon of illegal firearms.

I would get to the concept of shooters, to use the layman's language, and the concept of persons who are repeat offenders using illegal firearms, and the havoc that they are wreaking on our society here today, and why we as legislators, all 41 of us here, have a responsibility to do what we can through the passage of law. And I accept, there is no one single act, not a single act that can be done by anyone that would eradicate crime or bring crime in a downward spiral the way any civic-minded citizen would like. But the power we have as elected Members of Parliament, each and every one of us, is to pass legislation that may assist those who are charged with the responsibility of tackling the scourge of crime.

I start at the outset by saying this legislation here today is as a result of consultation with the Trinidad and Tobago Police Service and our intelligence agencies, and they are the ones who sat with us and said this will have a deterrent effect on crime. So all of the screaming and the shouting and all of the suggestions as to incarcerating persons, et cetera, have no merit, because you see, I struggle to understand what was being suggested.

We are faced with 297 murders as at last week Friday being committed by the use of illegal firearms, over 80 per cent of the murders in Trinidad being committed by the use of illegal firearms, and surely it cannot be suggested by anyone in this House, or any right-thinking or civic-minded citizen of Trinidad and Tobago, that it is better to have persons utilizing, using, walking around, carrying illegal firearms out there than incarcerated and off of the streets. That cannot be the suggestion, and if that is the suggestion we reject it outright.

You see, let us start with the concept of a firearm, Mr. Deputy Speaker. The single and sole purpose of a firearm is to kill someone. There is no other purpose of a firearm other than to kill someone. So if you accept that the purpose of a firearm—and I am hearing the Member for Siparia saying to injure someone—so if

you accept that the purpose of this firearm is to injure or murder someone, to kill someone, you need to address it. And I would also add very quickly that the examples being utilized of the United Kingdom, Norway and Germany are the most ridiculous concepts I have heard in a long time, [*Desk thumping*] for the single reason that those jurisdictions do not face the scourge of the use of illegal firearms.

Anyone who has travelled to the United Kingdom would understand immediately—and I remember when I was sent off to school there many moons ago, being surprised that the police officers did not even carry firearms. And you know why? Because in the United Kingdom there is not the availability of illegal firearms. There are specialist firearm units in the United Kingdom where only specialized officers who are trained to use firearms carry firearms. Not so in Trinidad and Tobago. Down to our municipal police, unfortunately, have to be armed with firearms. And you know why, Mr. Deputy Speaker? Because of the risk that they face, and the availability of illegal firearms now unfortunately in Trinidad and Tobago is the reality of the situation.

I am not here today to say how the firearms came in, during what periods of time, because the reality of what we are dealing with here today and what we have to address today is: What are we going to do about it? And when I use the word “we”, it is the collective “we”, the 41 of us here elected from Tobago to Trinidad to deal with the scourge of the use of illegal firearms.

I want to use some statistics, if you will permit me, Mr. Deputy Speaker, to carry home the point and to let persons know exactly what we are facing in Trinidad and Tobago and the reality of the scourge of illegal firearms. To sit here and listen to those screaming, “Tell us about statistics, tell us about comparatives”, the truth is that the law enforcement officers, and I applaud them today, going out

there on a daily basis night and day, taking the risk, putting their lives at risk to keep us safe, we are focused. And I use the collective “we” because I want to stand with the law enforcement officers in tackling crimes. They are focused on taking illegal firearms off the streets, but in no jurisdiction is that an easy one.

And just to finish the point, in Norway there is no availability of illegal firearms. The same thing in Germany. They simply do not face, those jurisdictions do not face the use of illegal firearms by the criminal element. The normal citizen walking on the streets in those three countries are not at risk of being hurt by the use of illegal firearms. So let us get to reality.

The monthly comparative of firearms found and seized from January 1st to August 31st in 2018/2019—I will not get into the monthly, what I would say is at the end of August 31, 2019, police had seized 549 illegal firearms, compared to 691 last year. I pause on this point to drive home the types of illegal firearms being used. Because as I stood in the other Chamber, the other place, I made the point that no longer is it old revolvers or homemade shotguns being utilized by the criminal element out there. God forbid any of us in here face or stare down the barrel of what the criminal element has out there.

The average firearm, handgun, being used by every criminal out there is Glock, a very sophisticated weapon that never jams. The Glocks that they are using can carry 15 plus one, 16 rounds, but what we are seeing is the use of extended magazines carrying up to 33 rounds. A simple variance of a Glock can turn it into an automatic from a semi-automatic handgun. This is what we the citizens are facing. So to stand here and say that the only reason this Bill is being supported is because you want to see the Government fail, is very—you want to see incompetence, and you want to see not performing, and you want to see failure. That is not a reason. The reason we must support the legislation is because the

reality that our citizens are facing is the criminal element has access to the most sophisticated types of firearms.

The two speakers before me spoke about the use of semi-automatic and assault rifles, AR-15—AR-15s do not come from Venezuela. Glocks do not come from Venezuela. So all of the old talk and the narrative and the continued propaganda that this is a problem from Venezuela, it is not. Before coming here a short while ago, I had a meeting with the Deputy Commander of US South Comm., Lieutenant General Flynn. One of the things we discussed was the assistance in fighting the trafficking of illegal arms.

Yesterday I was privileged enough, due to the post that I currently hold, to accompany the Chief of Defence Staff of Trinidad and Tobago and 119 of our Trinidad and Tobago Defence Force officers to Nassau, Bahamas. When I met with the Minister of National Security there and his Chief of Defence Staff, a big part of my conversation with the Chief of Defence Staff of Bahamas, was, he explained to me is the 100,000 miles in the archipelago that they have to patrol, and it is impossible, once you are an island, to secure your borders. And, they discussed the proliferation of illegal firearms. So the illegal firearms, the AR-15s and the Glock, I want to tell everybody here, come from North America. They do not come from Venezuela. Yes the AK-47s and other firearms do, but this false narrative being spewed out there, that it is only from South America, is false. So we need to tackle it.

The concept of a shooter—there was a recent incident where a criminal element was terminated, was murdered by another criminal element, right there in the west at a KFC outlet. And you know what information was brought to me afterwards, Mr. Deputy Speaker? He was under investigation for 47 murders; 47 murders with the use of illegal firearms. Because, you see, you can either have a

legal firearm, you are licensed by the Commissioner of Police, or illegal, and all of the criminal element—well let me retract that, because it depends on how you define the criminal element. A lot of the criminal element are carrying illegal firearms. So that is what this legislation is here today about and one of the greatest deterrents, as has been told to us by the Trinidad and Tobago Police Service, is to increase the fines. It is also to take away the fines and increase the sentences.

So, again, this false narrative about incarcerated en masse, I want to put it to the population this way: The only people who stand the risk of being incarcerated under this legislation are those carrying illegal firearms. The whole conversation about incarcerating someone potentially for the full course of their natural life, it is only if they are convicted for the third time with an illegal firearm. So let the population understand that a person who is convicted once for an illegal firearm, convicted twice for an illegal firearm, and then caught and convicted a third time for an illegal firearm, can only be a repeat offender, can only be a person who is a criminal element carrying around an illegal firearms to kill people. And therefore it makes abundant sense to send a signal to those types of people, not confined by race whatsoever. At least we on this side do not see it that way.

We on this side when preparing law and when carrying out our duty, I can say without fear of contradiction, do not see race. [*Desk thumping*] We see right and we see wrong. You do not hear us on platforms or in Parliament talking about persons by their race. I take umbrage to that as a citizen of Trinidad and Tobago. And the legislation we are here debating today is to deal with the criminal element. The only one who stands the risk of being incarcerated for the rest of his or her natural life is a criminal who for the third time—the third time—has been convicted by a competent court of being found in possession of an illegal firearm. And what is wrong with that? Is that a person we want out amongst us in society?

You are caught once and convicted, you are caught twice and convicted. The third time you are caught and convicted, yes, stay in prison. I stand by that. [*Desk thumping*] I think that is the right legislation for Trinidad and Tobago at this time.

You see, Mr. Deputy Speaker, in the same statistics used by the Commissioner of Police, we deal with murders, we deal with shootings and woundings, and we deal with illegal firearms found and seized. I want the people of Trinidad and Tobago to understand what we have done for this year up to the 6th of September. From the 1st of January to the 6th of September, 2019, 557 illegal firearms seized; 7,309 rounds of ammunition seized for this year. Last year at this time, 12,776 illegal rounds of ammunition. That is enough for a small militia, enough for a small army. So that is what this legislation is targeting here today, and there is nothing wrong with that and I strongly suggest that the sentences we are proposing, which only are invoked upon conviction, are proportionate. They are proportionate today to deal with what it is we have to deal with.

You see, my friends from Couva South and Couva North recently had to face something in their constituency with fishermen. And you ask the families of those fishermen, and the same fishermen that you want to protect and that you want us to protect, “us” meaning the “State”, it is illegal firearms. They did not jump off or had been thrown off their vessels because the men said to do so. It is because the criminal elements are utilizing illegal firearms, and that is what we are facing out there.

4.15 p.m.

So if we catch the criminals with the illegal firearms let us throw the full brunt of the law. Yes, let them be lost in prison. There is nothing wrong with that, because they have taken away our liberty. They have taken away your constituents' liberty, the ability to be able to walk the streets, to go out in their

vessels, to do whatever it is they need to do on a legal basis and that my colleagues is what we are being called upon here today to address. [*Crosstalk*] This is nothing to do about race; this is nothing to do about your side and our side. This is the responsibility each and every one of us here today as legislators have, the oath that we all took, without fear or favour, without ill will or malice to stand up for the law-abiding citizens of Trinidad and Tobago and to pass this legislation without the rhetoric.

It is to stand up and do it without the rhetoric because, you know, at some stage, as politicians we have to be—[*Interruption*]—rhetoric—we have to be responsible and you have to step out of the old school, old talk and pelting mud and slinging mud and step up to the plate to do what is right for Trinidad and Tobago. [*Desk thumping*] And I want to suggest today is that day. Today is that defining moment because we all in here know what we are fighting with the illegal firearms out there. And the concept of shooters is real, the concept of the repeat offenders being held with firearms is real.

I will breach confidentiality and say this here now in the Parliament to share amongst my colleagues. Within the last few weeks, dealing with a number of deportations something struck me and it upset me at the heart and at the core and I am going to deal with the Judiciary shortly. There were persons picked up with illegal firearms, illegal ammunition and narcotics, illegally. Those persons were taken to court, they pled guilty, so they did not want to waste judicial time. They were held with illegal arms, ammunition and drugs—

Mr. Deyalsingh: Illegal.

Hon. S. Young: Illegal. And you know what they did, what the magistrate did? You know what was the fine put on these people?—\$5,000 for the illegal narcotics and \$7,500 for the illegal arms and ammunition. If you do that, colleagues, we

cannot call upon the law enforcement officers out there who are putting their lives at risk, morning, noon and night, to go and fight the criminal element. That is the signal that the Judiciary is sending. And I do not buy this thing about sentencing guidelines, because at the end of the day you know there is a discretion and unless the Judiciary joins with us in [*Desk thumping*] fighting crime we are going to get nowhere. And the best we can do without trampling on the separation of powers, the best that we do is what we are doing here today colleagues. Because this is not mandatory sentencing, but what we can do as legislators is send our signal to the Judiciary here today that this is the area, this is the stratosphere of sentencing you should be looking at because this is the reality of what we are dealing with.

This combined with the Bail (Amdt.) Bill that you supported that is now being utilized now as the Bail (Amdt.) Act is going to make a difference. And it is not right, I will put it that way, to ask to see the statistics now, because the statistics come after the implementation of the law. So that is a facetious argument to make. It will come after [*Crosstalk*] and to giggle and to smile and to do whatever, today what we are being called upon is to step up for the people of Trinidad and Tobago and the law-abiding citizens who are faced with the barrels of the illegal firearms and the dangerous effects of the illegal firearms out there.

Another statistic I would like to put to the people of Trinidad and Tobago is that we look at the breakdown of murders by motive and right now murders by motive fall into the following categories: unknown, gang-related, altercation, domestic violence, robbery, revenge, drug and other. And as at the 6th of September, last week Friday, out of the 366 murders, 123 were cleanly categorized as gang-related; 57 revenge; and 58 drugs. And I respectfully suggest that those three categories are the criminal gang element. And when you add it up it is 230 out of 366 murders. So 63 per cent of the murders are clearly gang-related in

Trinidad and Tobago. And we need to send a strong signal to them, Mr. Deputy Speaker, send a strong signal to the criminal element who are repeat offenders, who think it is okay for them to pick up the illegal firearms and go out there to commit their crimes. And a robbery turns into a murder, 45 of them for the year, because we know now that the criminal element has no value for life whatsoever, none.

And this is the signal that we have to send to them, respectfully, Mr. Deputy Speaker, that if you want to take up an illegal firearm and take the risk and go outside there, we the legislators in here are telling the Judiciary this is the level of sentencing we think should be applicable. And if you do it three times and you are convicted on the third time, yes, spend the rest of your natural life, because there is nothing that you are doing out there. You have had two previous opportunities to reform your life and I also want to correct something, because the prison service is being done a disservice in here when you hear the contribution of the Member for Naparima.

The prison service has been working very, very hard at the reform and the rehabilitation and in fact you have been seeing it for the first time highlighted to the extent that it has been. You saw recently with their art exhibition, their reading, the various programmes they are trying to push, Mr. Wayne Chance and his Vision on Mission. All of these are the types of things we should be encouraging and we should be highlighting, because he is right, we do need to provide restorative justice in the system and rehabilitation for reintegration. But today this is not what this is about because today the natural life is when you are found and convicted for the third time with an illegal firearm, three strikes and you are out—

Dr. Rowley: You are in.

Hon. S. Young: You are in where you should be. [*Desk thumping*] And that is, Mr. Deputy Speaker, this Government's position with respect to those who want to carry out a life of criminality and walk around with their illegal arms and ammunition.

Serious crimes for 2019. Again, let the country understand what we are dealing with, Mr. Deputy Speaker. Mr. Deputy Speaker, as at the 31st of August, 2019, 364 murders, woundings with firearms and other weapons and shooting with firearms, 468; and I pause here. For 2019 as at the 31st of August, woundings with firearms and other weapons and shootings with firearms, 468, compared to the year before, 529. The Member for Naparima said at the end of his contribution, tell us about a drop in murders of 10 per cent—and we will aim for it.

Mr. Deputy Speaker: Hon. Member, your initial 30 minutes has expired. You have an additional 15 minutes, right? So we will go to 4.30 p.m. and then we will conclude after we resume at tea.

Hon. S. Young: Thank you very much, Mr. Deputy Speaker. I will actually try and wrap up. Mr. Deputy Speaker, I want the population to listen carefully to this. What we have implemented in the last year has reduced the number of woundings with firearms and other weapons with shootings with firearms by 11½ per cent; from 529 to 468. So, do not stand here and chastise the law enforcement officers, the intelligence officers, the defence force officers who are working hard to reduce it because they are reducing it. Let the population know we are heading in the right direction despite what “Duppy” and others may want to say, we are heading in the right direction. [*Crosstalk*] Possession of firearms and ammunition, serious crimes—[*Interruption*]—I have not identified who “Duppy” is. If somebody wants to claim the title “Duppy”, do it. [*Crosstalk*] Serious crimes, Mr. Deputy Speaker, possession of firearm and ammunition dropped by 26.5 per cent. The possession

of firearms and ammunition in the past year has dropped by 26.5 per cent, from 913 to 671.

So, Mr. Deputy Speaker, what I would like to say as well is that persons arrested and charged between the 1st of January to the 31st of August, 2019, for murders, 39. Is it enough? No. Are we pushing harder to have more successful arrests and charges? Yes. But 154 persons were arrested and charged with wounding and shooting. Mr. Deputy Speaker, perhaps the most definitive statistic for this afternoon, for the year 2019 up to the 31st of August, 816 persons were arrested and charged with possession of firearm and ammunition. And those are the people that we are sending the signal to, that if you walk around with illegal arms and ammunition we are increasing the sentencing for you. [*Crosstalk*] And that is—"Duppy", you had your chance. [*Laughter*] You made a mess of it. You are a mess. You should not be here.

Mr. Deputy Speaker: Again, Member, [*Crosstalk*] again, Chief Whip, Chief Whip—

Mr. Lee: Yes, Sir.

Mr. Deputy Speaker: Right. In terms of—what is the concern?

Hon. Members: "Duppy".

Mrs. Persad-Bissessar SC: Offensive language.

Mr. Lee: The Minister is using offensive language.

Hon. Members: To whom? [*Crosstalk*]

Mr. Deputy Speaker: Members, please. Members, please. Please. Again, Chief Whip, Leader of the House, all right, again, do not bring the Speaker's Chair into the concern of your personal concerns, please. So I need to be clear. [*Crosstalk*] Proceed.

Hon. S. Young: Thank you very much. And, Mr. Deputy Speaker, as I wind up

my contribution I would like to place on the *Hansard* and on the record that this legislation and the intent of this legislation is only to deal with the criminal element of society and that is how we see it. This legislation is aimed and targeted specifically and surgically at that element of society who engage in criminality and want to walk around with illegal arms to harm people. Whatever race, whatever creed, whatever religious persuasion they may be, that is how we see the world on this side. And I take great offence, take great offence to any suggestion otherwise and a categorization of jailing more and more young people from the inner city. That is not what this legislation is about. [*Crosstalk*] And he is still pursuing it. [*Crosstalk*]

I also reject outright, Mr. Deputy Speaker, we reject outright on this side that the proposed fines and sentences are too high, because what we are currently facing as citizens of Trinidad and Tobago and what you are facing on a daily basis as you open your newspaper and you see another citizen slain and quite a lot of them may be engaged in criminal activity, but by the use of illegal firearms, over 82 per cent through the use of illegal firearms. The only power we have in here, colleagues, is to pass law and to pass law that is always speaking and law that is directed at dealing with the scourges that society is feeling and having to deal with and that is what we are here dealing with today.

And lastly, there was a comment made that was the most offensive comment and that hard, eh, because there were a lot of offensive comments. But the most offensive that the PNM administration could only think of locking up people and throwing away the key. I reject that outright. Those who should be locked out, that is the criminal element, will be locked up. Those who are to be locked up who are the criminal element, this administration will do what we can to ensure that they are behind bars. Be it white-collar crime, be it the gang leaders, the persons

who are engaging in gang activity and despite all of the provocation by the Member for Naparima who comes here with the most disgusting of comments, because that is his nature, having come from bowels that is all that he can do, that is all that he can do. With those few words, I shine the spotlight on the Member for Naparima, let the population—

Mr. Charles: 48(4).

Hon. S. Young:—look at the Member—

Mr. Charles: Disgusting.

Hon. S. Young:—for Naparima and see who he is—

Mr. Charles: Insulting.

Hon. S. Young:—what he is and how he has become what he is. And, Mr. Deputy Speaker, we on this side ask that this legislation be passed today to fight the scourge of illegal firearms. [*Desk thumping*]

Mr. Deputy Speaker: Member for Naparima, again, you were not on the floor to debate. I would just like you to retract the statement that you made shortly. Yeah, the disgusting—

Mr. Charles: I retract whatever I said. I retract whatever I said.

Mr. Deputy Speaker: Members, it is now 4.30 p.m., at this time we will break for tea and we will resume at 5.00 p.m., where, well I see Member for Caroni Central, so again on the Opposition side.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Mr. Deputy Speaker: As we resume after tea I recognize the Member for Caroni Central. [*Desk thumping*]

Dr. Bhoendradatt Tewarie (Caroni Central): Thank you very much, Mr. Deputy Speaker. I take this opportunity to make a few points, to say a few words on a Bill

to amend the Firearms Act, Chap. 16:01 which is now before us today. I listened to the Member for Port of Spain North/St. Ann's West and he indicated as we all know that this legislation is really to deal with illegal arms and many of the 28 clauses in the Bill are focused on increasing the penalties. And he made the point that amending the firearms legislation is because guns are a problem in Trinidad and Tobago. I think that is generally known. I think we know that we do have this particular problem.

The Member used some numbers which reinforce the case and he then went on to talk about the dog whistle. And I would not speak to that because I really want to say that, I mean, that is something in a society like ours we should really try to avoid. I do not think it helps anyone when we create the conditions for that kind of uncertainty and tension and more than that the insecurities that it raises. And I do not think it is a wise thing to do for Members who lead the country and sit in the Parliament.

He talked about the fact that 297 people who were killed, of the 366 people murdered up to three days ago, this month, were in fact killed with illegal weapons. And he asked the question, what can we do? Because our job he says is to pass legislation and it is up to other authorities to do the rest. But I say to him in a way, you know, it is like the issue of elections in a democracy. You have elections, let us say in our system every five years, and elections are an essential part of democracy, it is critical to it. But in between the elections there are so many things you have to do, so many institutions you have to support, so many things need to happen for that democracy to really be working and to be alive and so on. And so it is with this issue of passing the legislation. Although we passed the legislation it is important that the Government, once the legislation is passed and it is proclaimed, do the things that are necessary with the institutions under its control

to make sure that the job is done.

So that the point I am making here is that it is not the legislation alone, the Executive does have a role in this matter once the legislation is passed and he raised the issue of the Judiciary, which I will deal with in a minute and he said that this legislation was in fact done with consultation with the police service. He said that the purpose of a firearm is to kill someone. I do not quite agree. I mean, people do have legal firearms in order to protect themselves and their property and they would only kill in an extreme circumstance. So I think it is important to understand, I think he was talking within the notion or within the framework of the criminal element, that when someone in the criminal community takes up a handgun or any type of gun that it is really for the purpose of murder.

And he also talked about shooters, he mentioned the particular case, which I think this is the second time he has mentioned this particular issue, of this person who was a shooter, who I cannot remember if he said the shooter was killed or the shooter killed somebody, but he said that that particular shooter had been alleged to have committed 47 killings. And he asked the question, what are we going to do about this? And he used that as a justification for the Bill.

He said, "I want to stand with police officers in this", and he mentioned the 549 illegal firearms seized so far this year. I have no problem with that except to say that I think we know that part of the problem may very well be with a very small group or perhaps individuals within a police force that by and large enforces the law and tries to do a good job, that there are some people who basically the information is both informal and formal, all right, are sometimes aligned with criminal elements. I do not know what a Glock is, I have heard the word and he talks about the fact that some of these guns come not from South America but from North America. And I was glad to hear him say that there are talks with the US to

work on a collaborative strategy to deal with illegal guns because wherever the guns come from, the point is that once they get here we have a serious problem, because you have all these illegal firearms all over the place and he talked about The Bahamas.

I was surprised in looking, in preparing for this to see that Bahamas was one of the countries with the highest number of murders per capita together with Trinidad and Tobago and of course Jamaica. And he mentioned that particular issue and I just want to remind the Member for Port of Spain North/St. Ann's West that when the hon. Member for Siparia was Prime Minister of this country, she sought through the United Nations to get the Small Arms Secretariat in Trinidad and Tobago. We did not win, another country edged us out and they got the Secretariat. But the whole purpose of that was to deal with this issue of the movement of small arms and I remember the hon. Member when she was Prime Minister of this country actually argued the case that many of the guns that come into the country, because we were not producers of guns, come from outside and that a significant part of that came from North America and elsewhere.

So I would ask the Government, you know, we are signatories to this matter, we did not get the Secretariat, it is true, but perhaps we can establish, do our part so to speak to make us part of that community with the signatures that are necessary in order to put into place the things that are important to be part of this protection against small arms coming into the country with other countries so that we can get our side of the bargain fixed.

I want to say also that, you know, recently we had the problem in Carli Bay, I am not going to speak on that issue, but I do want to say that some time ago when the Member for Point Fortin was the Minister of National Security we had an incident in which a hand grenade was found somewhere on the shores of Carli Bay.

And the person who had a bag, nobody knows whether the bag had hand grenades in it or something else, because the bag was never found, was able to get on sea and escape and nothing happened. Nothing was followed on that, we do not know what happened, but what we do know, and they may not be connected at all, is that many months later, over a year later you had a situation in which a pirogue was stormed, a boat was stormed and a number of people, the fishermen Carli Bay actually executed.

So that you have a situation in which you know a number of things have been happening and there is no question that there is an escalation, that there is a kind of moving from one situation to an even deeper situation and there is indeed cause for worry and that is why we are supporting the legislation. I do not think the Government means—they were very mean to my colleague the Member for Naparima, he was expressing his point of view as he is entitled to do, as a Member of the Legislature speaking his piece on a Bill, and he was articulating his position and as you would expect in the cut and thrust of the contribution he would make political statements. But there is nothing wrong with that and there is no reason to chastise or try to insult the Member for Naparima on that count. But I was saying that the thing gets worse, it gets deeper and there is no question in my mind that we have got to deal with this particular problem now of guns on the street so to speak.

Now, something the Member for Port of Spain North/St. Ann's West, and remember he is Minister of National Security, something that he said sort of set me thinking. He was talking about the fact that there have been wrong judicial decisions. That is to say, under-sentencing. The fact that the sentences that were meted out from the Magistracy were not equal to the crime that was committed. He felt that they got away too leniently. And he talked about the fact that you need a parliamentary intervention, a parliamentary nudge in order to let the Judiciary

know where basically it should be targeting its sentencing.

5.15 p.m.

Some of us, in reading the legislation, would say that perhaps the Parliament is telling the Judiciary how it should decide in a particular instance, let us say when somebody has a three-time conviction for the carrying of illegal weapons, that they get this sentence for the rest of their life, for instance. And I am simply going to ask the question—I am not casting any aspersions and I am not making any allegations of this kind—does the Government feel that they need to intervene through Parliament in this way because either members of the Judiciary might be scared in a situation, for instance, in which they might be under threat by criminal elements, which is something I think that would be worrisome, and it is not something that we should treat very lightly because it has happened in other countries? And the second thing, is the legislation and the fact that we determine by legislation what the sentence should be, is that one way of the Government using the Legislature to protect the Judiciary if perchance it might be, or members might be under threat?

I raise it because these are important considerations for a democratic country and these are important considerations for crime and criminality, and these are important considerations for the separation of the jurisdiction of legislature on the one hand, Judiciary on the other and the Executive, of course, being the third part. Now, this Bill is about trafficking and firearms or prohibited weapons, and throughout the Bill there is an increase in penalties. There are about 28 clauses and I think about half of them have to do with the increase in the penalties for the crimes, whether first crime, second crime or third crime. So the focus is illegal firearms and weapons and heavier penalties. Now, from my point of view, and certainly on this side, we have no problem with flagging illegal weapons. There are

too many killings, Mr. Deputy Speaker, with guns. There are too many illegal guns and there are too many weapons around floating freely in the society. We feel that some of these heavier penalties, however, are extreme, like the one that has to do with putting away someone for life, because that really is until “yuh dead”. And the question we have to ask ourselves is whether we want to impose that kind of penalty on anybody for any crime. All right? To rot in jail until “yuh dead”. So we flag that issue and we raise it, but we go along in principle that the second or third conviction for possession of a gun or crime, or involvement of a crime involving a weapon, warrants a heavier penalty since such a person is a problem citizen and a threat to personal security and also to peacefulness in the society.

Now, I have some numbers here but I will not quote them again, Mr. Deputy Speaker, because they were used by the Members opposite. I think the AG quoted some numbers and he probably has more accurate figures than I do because I would have gotten them from some source, perhaps earlier than he did. And the Minister of National Security would also have up-to-date figures so I will not quote it. Suffice it to say that all the data that is available, those articulated here and the ones that I have, tell us that we have a problem with illegal guns in the society and that we have to find a way to clean it up. Now, it is not just Trinidad and Tobago that is a problem. This is so in The Bahamas, as I just mentioned. It is so in Jamaica and it is a problem that has to be addressed. Obviously, any government, any Parliament, any society, any citizen in the country, would like to see guns and other illegal weapons off the street. Any society that is law-abiding and wants to have peace and security would want to see gun-toting criminals, especially repeat offenders, out of the community and understand that this logic of wanting to keep them away from members of the society who want to go about the business of living, is not unreasonable.

So, in principle, as I said, we support, on this side. We supported the Bail (Amdt.) Bill although we had reservations on the human rights side, for the same reason, which is that we know crime is a problem; we know the population wants a solution and, therefore, we felt it was important to support that. We know that we need to deal with crime. We need to get criminals off the street and out of the community. And the question in our mind—which is why we hesitate and why we give critical support—is really: are strong laws and heavy penalties really a deterrent? I mean, that really is the fundamental question.

And I want to make the following points which are, first of all, that strong laws are good but they are not enough. Secondly, harsh penalties may be in order, given the circumstances, but they are not enough, and addressing the issue of possession of an illegal firearm is important and the AG says it was the first time that we were making this a particular issue in a Bill before this House. I believe him. And I want to say that even that is not enough. I have before me here, which I put together—my staff put together—the Bills that have been brought to this House related to crime. I will not read them but there are 38 Bills that have been brought to Parliament in this Session. Eleven have been proclaimed. Nine have been assented to. Nine are at the first reading stage, three at the second reading stage. One has lapsed. One is in the form of a committee report which has not yet been debated, and three, because they were flawed laws, were defeated. But crime continues. The number was given to us by the Member for Port of Spain North/St. Ann's West, 366, as up to today. So the murders continue and we have had a number of Bills that deal directly with the issue of trying to curb crime, Mr. Deputy Speaker.

Now, 38 Bills were introduced and I outlined how they are divided up, but we had the Anti-Gang Bill, the Bail (Amdt.) Bill, the plea bargaining Bill, the Trial

by Judge Alone Bill, the Anti-Terrorism (Amdt.) Bill, the Proceeds of Crime Act, the Indictable Proceedings, the unexplained wealth, and yet the murder rate is 366 today. So if legislation alone could curb crime, we would be in a better position [*Desk thumping*] because look how many laws have been brought here. Look how many laws we have passed, and look at these particular laws—nine of them that I just called that are directly targeted to deal with the question of curbing crime and dealing with the murders, and we are still in the same position. So, clearly, legislation by itself is not enough. That does not mean that we do not need legislation. That does not mean that we do not need laws and strong laws, but legislation by itself is not enough and I want to impress that on the Government because it is important that they take that into account.

So legislation alone is not the answer. Why? Because there is the issue of detection rate. I will not go into that. The AG said something about that. My colleague from Naparima said something about that. I would not go into it. But the point is that we have a problem with the detection of crime in the country and that is a problem that must be addressed and solved. We have a problem with the conviction rate. So it is not just the legislation, because with the legislation you have to “ketch dem” first and you have to convict them. So the detection rate is an issue. The conviction rate is an issue, and the law can only be applied when a crime has been solved and the perpetrator convicted. Not so? That is the situation.

Now, on a previous occasion, Mr. Deputy Speaker, the Attorney General shared with us that there are 211 known gang leaders in Trinidad and Tobago and he shared with us that there are approximately 2,500 known gang members in Trinidad and Tobago. I would suspect that many of the illegal guns on the street are owned, possessed or under the control of these 2,711 people who themselves are known perpetrators of crime, even if some of them have not been convicted.

Okay? And I am going by the numbers that have been shared with us in this House. Now, if these are known facts, that we have 211 gang leaders, that we have 2,500 people who belong to gangs, if these facts are known to the Government, known to the police and the forces of law enforcement, should the issue of 211 existing functioning gang leaders not be addressed? I mean, I take that as a common sense question to the population that might be listening here. Would it not be reasonable to say that if you have 211 gang leaders known to the authorities at different levels in this society, in the structure of power within the society and in law enforcement, would it not make sense to deal with these 211?

And I ask the question: Can 211 people not be managed and contained and caught in the gangland or criminal activities that they conduct? It is a reasonable question to ask. If it is 211 of them, and you know who they are, where they are, the demographics if it, you know the geography of it, it is possible to, you know, know the movement, the logistical arrangements that are involved, I mean, is there not something that can be done? What about the 2,500 gang members? Can the issue of 2,500 known gang functionaries not be addressed? Twenty-five hundred people constitute a fairly large number. That is true. But there must be some calculated strategic set of initiatives that can be put together to address such a known fact which can then be deployed for results.

I wonder, Mr. Deputy Speaker, how many of the 211 identified gang leaders are in jail, and how many are free. That is an important question. How many of the 2,500 gang members are in prison, and how many are free? Does knowing these facts, for instance—how many are imprisoned; how many are free, which I am sure the Minister of National Security knows or can get the breakdown of if he asks for it—does knowing these facts make a difference in the way we should approach these matters? And I think they should. The Government often talks about

evidence-based policy. They talk about statistics as being important for action. These basic statistics that we have here, of how many gang leaders, how many gang members, “who in jail, who not in jail”, are those things not critical for solving the problem?

What I am saying, Mr. Deputy Speaker, is that if you zero in on the 211 fiercest known gang leaders and the 2,500 or so, known gangsters, rather than have a diffuse reactive strategy that is not well managed—I say not well managed because the murders continue—chances are that you might be able to make life safer for the 1.4 million of us who live in this country and try to live a peaceful life. Do you not think, Mr. Deputy Speaker? I mean, however smart, however mobile, however ubiquitous 211 people might be, it is still a small number in proportion. And 2,500 is larger, but it is still proportionately small, even though we are a small country of 1.4 million.

I mean, what is happening to surveillance which can be lawfully done? And I mention, “lawfully done”. What is happening to intelligence? What acts on the intelligence on criminals, crime and criminal behaviour? Who acts on these? Who investigates? Is it effective? Is it anticipatory enough as it is supposed to be? It is preventative? Is it pre-emptive? Is that not what intelligence-gathering is for? Why is intelligence not leading to a higher detection rate? Why is intelligence not being converted into evidence fast enough? How many more laws do we need to charge known criminals for crime? And why is the conviction rate so weak? Who builds a good case? Who prosecutes on the evidence? Why does it fall apart? Do these harsh penalties, Mr. Deputy Speaker, not depend on intelligence? Do they not depend on investigation, on evidence, effective law enforcement, detection, charging somebody, building a case, prosecuting the case, securing a conviction? Is that not what the intelligence is for? Are these necessary steps which precede

sentencing being effectively addressed?

Mr. Deputy Speaker: Hon. Member—

Dr. B. Tewarie: Yes.

Mr. Deputy Speaker: Your initial speaking time has elapsed. You have an additional 15 minutes. Do you care to avail yourself?

Hon. Members: No.

Dr. B. Tewarie: I would like to, yes.

Mr. Deyalsingh: You do not have to.

Mr. Deputy Speaker: Proceed.

Dr. B. Tewarie: Many shots are called in prison, Mr. Deputy Speaker. That is why I said, you know, criminals are both inside and outside. Are we dealing with that particular issue? Some argue that elements of the prison service are compromised. Is that true? And can it be dealt with? Some argue that elements—a small number of them—of the police service are compromised. Is that true, and can it be dealt with? Some argue that the political directorate—some elements—might be compromised. Is that true, and can it be dealt with? If there is complicity in any of these three areas: the prison; the police; the political directorate—and I have no doubt that in each of these three instances it would have to be extremely small—but if there is any complicity, is it identifiable and manageable? And if it is manageable, does the will exist? Will it be managed? Is the system that supports criminal conduct and criminal activity going to be addressed? And if so, how? And if so, when?

Mr. Deputy Speaker, you cannot have effective law in a dysfunctional system. A dysfunctional system has to be fixed before the law can be effectively applied. [*Desk thumping*] Beyond the law there is the issue of justice too. Four years have passed, the Remand Yard has not gotten any better. A prisoner can rot

in the Remand Yard before his case is heard. The Remand Yard jail time can exceed the penalty time, if he is found guilty. If he is innocent, excessive unearned jail time is a high price to pay. The delays in the court system is the cause of the problem. Four years, no progress unclogging the courts. Justice delayed, we say, is justice denied. Is that not what we say? The dysfunctional court system, now mired in controversy after controversy and the less than happy Judiciary is continuing as part of the problem in the country, and this severely undermines the process and system of justice, Mr. Deputy Speaker.

Even in civil cases, you can die before your case gets heard. And when you have a criminal case with lawyers not appearing, prosecution not ready, delays and postponements of one kind or another, the justice system is dysfunctional and prone to justice denied. It may well be, too, that the bail system itself promotes criminality and crime, Mr. Deputy Speaker, and this must be known to everyone in the justice system. But nothing is done. When a criminal-type secures a bailer, where does he eventually get the money to settle the bailor? And I do not want to get into who is a professional bailor in these types of cases. Why do we perpetrate such a system when we know what consequences are and will be? But we passed the no-bail Bill so maybe in certain instances this matter will have been taken care of.

So how do we manage the guns? I want to say that the guns that we are talking about in this law are the guns on the land right here in Trinidad and Tobago already. They are not the ones coming from outside. And I want to say that if you want to deal with that you have to seek Customs and Excise and Immigration as your border security, and you have to empower them, and you have to make sure that you have the honest officers and systems, and the systems of scrutiny to allow them to play that role. Do you know that while there are inlets and unmanned

coves all over the country—because we are an island and we have the coast—most of the guns that come out, come through Customs and Excise? They come through what is supposed to be the legal process. Okay? And what about Immigration? How do the criminals get in here to do their business, to conduct their meetings and to organize their business?

And we are going to make—we have to have, what you might call, these joint forces working together: the police, the army, the coastguard, the customs, the Immigration. We have them in Cedros; we have them in Chaguaramas. But how effectively do they work? And if they do not work, then we have to find a way to make them work, these joint endeavours where the various forces allow us to do something. And why are they not working? Is there some kind of interference, including, possibly—I am asking, I am not accusing anybody of anything—political interference in the process? Because it is a legitimate issue to ask in a democracy and in a situation in which, in spite of all the laws that we have passed, we do not seem to be getting anywhere. And I want to ask the question: Are we doing the right thing with Customs and Excise when we are trying to join it with BIR in a system which will make it a revenue-collection agency rather than a force that can deal with the protection of your borders? And we have to think through these things carefully. Sometimes the decision you make one way costs you another way, and you have to think about a country. You cannot just think about the income.

So I just flag that. This is not the time for that kind of debate, but I want to say that if that is not part of your border security and your control, and you do not have joint endeavours under security, as you try to have in Cedros and Chaguaramas, but not working the way that it is supposed to—and we should have many more all over the country—then we have a problem.

And I do not understand. I mean, this is just an aside, but I saw we sent 100 soldiers to The Bahamas and I want to express my sympathy for their situation, and I really, really, support the need for Trinidad and Tobago to help. I remember former Prime Minister Christie saying at a meeting that I was at, that if the sea water level in The Bahamas were to rise by one foot, two-thirds of The Bahamas would be under water. And that shows you what climate change and sea level rise, and so on, not to mention the storm, which must be part of that whole scenario, in the way that it just laid on top the islands, that is what is happening. But I want to ask this. We have 12 boats in the coastguard. The Bahamas is 700 islands. Thirty of those islands are inhabited by people, they have populations on them. I would have thought that the natural thing to do was for the coastguard to go up to The Bahamas.

Hon. Member: Not with those boats “all yuh” have.

Dr. B. Tewarie: Those boats came from China and they came from wherever they came through across the place.

Hon. Members: No. [*Crosstalk*]

Dr. B. Tewarie: They travelled the open seas, Mr. Deputy Speaker, and there is no excuse. I am asking the question: If you are going to navigate 30 islands of human population on which so many people have probably perished and some are probably wounded and just lying there begging for help, do you not think that the boats would be important for this? So I would say that we need some type of joint border control. I want to ask them to rethink the bringing together of BIR and customs in that way to make it a revenue-generating agency and to think about the issue of national security more, and they can always find a formula to get the money from taxes, or whatever it is that they want to do. I think you have to spend a lot more time and thought on these issues. Why do we not establish a maximum

security Remand Yard and put the courts in there so that we can deal with some of things; the solution to some of the problems right there, rather than moving prisoners up and down? [*Interruption*] We are in opposition now and we were in government, it is true—

Hon. Member: And did not do it.

Dr. B. Tewarie: But whether or not we did it, that is not the point. You are in government now. It can be done.

Mr. Deyalsingh: Oh. You have all the ideas now.

Dr. B. Tewarie: We have a lot of ideas.

Mr. Deyalsingh: “You bright” now.

Dr. B. Tewarie: “We always bright.” [*Crosstalk*]

Mr. Deputy Speaker: Hold on. One second. Okay, again, Members—

Mr. Deyalsingh: I apologize.

Mr. Deputy Speaker:—I have given you all a little leeway. Again, please, the crosstalk across the Chamber, and Member for Caroni Central, please address the Chair.

Dr. B. Tewarie: Mr. Deputy Speaker, you know I have been doing that. I just got distracted for a minute. The office of the DPP also, Mr. Deputy Speaker, is a critical area. I know that the AG mentioned some time ago that they were doing something with that. I hope that that is proceeding apace. If we got that, I think it would make a big difference. The Forensic Science Centre, I do not have enough time to go into that, but all I would say is that there is a technology deficit; there is a knowledge deficit; there is a capacity deficit and a management deficit, and these things need to be resolved. All right? How many minutes do I have again?

Hon. Member: One.

Mr. Deputy Speaker: Hon. Member, you have about four more minutes.

Dr. B. Tewarie: Four more minutes. Thank you. I want to raise just two other issues, Mr. Deputy Speaker, and I will raise them quickly. I had hoped to spend a couple of minutes on them but I will raise them quickly. One is the issue of legal guns and the way of giving out or dispensing legal ownership of guns. So I would say, Mr. Deputy Speaker, together with something that deals with illegal firearms in the country, I think there has to be a lot of clarity, transparency, openness and precision on the issue of the issuance of legal guns to people in the society. I feel it is very important to make that very clear distinction between legal and illegal firearms and to have it very clearly indicated to the country how and when and why and wherefore, et cetera, you get the legal guns in the country and you dispense that to people who deserve to have them in the society because of the things that they do, the way they conduct their business, et cetera.

5.45 p.m.

The final thing I want to raise is the issue of the school system, Mr. Deputy Speaker. The school system, as we know, is a feeder to criminal activity in some instances.

Hon. Members: What?

Dr. B. Tewarie: In some instances. Okay?

Mr. Deputy Speaker: Please, Members.

Dr. B. Tewarie: Yes—and it is a feeder in this sense which is that when you have a situation in which somebody—I am just dealing with one individual now—drops out of the system, the secondary school system, or somebody does not pass their CXC thing, the question then arises: What does that person do? The person then becomes—poor fellow at that age, because what you are dealing with, you are dealing with 15, 16 or whatever, he becomes an easy target to basically be recruited by gangs. So I feel that part of the solution to this problem must be a

comprehensive solution which targets the school system as a system, and which identifies school by school what kinds of specific interventions need to be made in order to arrest this tide—

Mr. Deputy Speaker: Member, you have two more minutes.

Dr. B. Tewarie: Eh?

Mr. Deputy Speaker: Two more minutes.

Dr. B. Tewarie: Okay—that could arrest this tide of the potential for dysfunctionality. I think that would be a very good thing in this society for instance. You know, I went to your constituency the other day, Laventille West, and I saw that NESC has an institution there, and when I asked the guys about it, they told me, “Look, that place was never opened you know, because people cyah come here from all over because they cyah cross the boundaries”. So you see you have a problem. You have the school there but you have a problem of dysfunctionality because it cannot work, because you cannot even cross the boundaries to go to the institution that would give you a skill.

So I believe this issue of school and managing the school, and basically bringing parents and teachers and community people together in order to save the children in the school, that is a critical factor in dealing with the long-term issue of crime in order to give these young people the opportunity to build a life, to get a decent education or a skill, and to be able to engage the economic and financial system in a reasonable way.

Mr. Deputy Speaker, I thank you for your patience and I am very happy to have had the opportunity to contribute. [*Desk thumping*]

The Minister in the Ministry of the Attorney General and Legal Affairs (Hon. Fitzgerald Hinds): Thank you very much. Mr. Deputy Speaker, you see why I have to regard my friends on the other side, the UNC, as always being persistently

hypocritical? You heard the Member for Caroni Central telling us about the school and the university is sometimes a feeder system for criminality. I agree with him sometimes, especially when those who seek to get into med school were not allowed to get in with some of the best grades, [*Desk thumping*] and especially when the community centres and the youth camps that were established to deal with some of these young people were callously shutdown when those who were in office and pontificating for us now. They are persistently hypocritical. That is my way of saying extremely so.

Mr. Deputy Speaker, the Member for Caroni Central also very, very casually told us that we need to improve the criminal justice system. I will take just a moment to remind him—as the Attorney General said in his contribution today—in a very short while we would have established 64 new criminal courts—you can call it that. The best thing since 1981—31 criminal courts, and the balance masters' courts to treat with preliminary, interlocutory, peripheral, criminal issues leading to trials. A simple move of the civil courts from the Hall of Justice on Knox Street to the Waterfront—this Tower—when the Parliament moves out in January after wonderful expenditure and forward-thinking—

Mr. Al-Rawi: Cost savings.

Hon. F. Hinds:—cost savings—that is being done. So your recommendation is otiose.

Dr. Tewarie: When we see it.

Hon. F. Hinds: And as well, more judges, more masters—not when you see it—already appointed in place. [*Desk thumping*] Criminal rules in place. I went to the Hall of Justice last week to witness, much to my absolute satisfaction as a taxpayer, when I saw what the Judiciary—and I compliment them because there are some people in this society who believe they could profit politically and

otherwise from destabilizing, and traumatizing, and demonetizing the value of some of our institutions including the Judiciary. I sat as a member of the public; I was acting Attorney General, but I sat there and I saw them roll out an e-platform—whether it is court mail, we pay, CourtPay—a series of applications of modern technology—as the Minister of Health will tell you, technology, the application of it to quicken, to improve, to remove indignity, all of that achieved by the Judiciary, and they must be complimented and held up to the highest praise rather than denigrated and trying to bring down that institution as another arm of the State, the triumvirate in the State, for political and other purposes.

So I just want the Member for Caroni Central to know all of this is happening and, as I said, your recommendations blow in the wind. Done!

Dr. Tewarie: All is well.

Hon. F. Hinds: A retired coast guard officer, living in Canada, about three years ago persistently called this Member of Parliament for Laventille West—having come out of my own constituency—telling me that based on what he is seeing in Canada, and seeing internationally, we need to improve our firearm laws and the penalties to make it more severe. Because he, as a citizen, had an easy sense, coming out of my own constituency, coming out of this Trinidad and Tobago, that firearms were a major problem. He called me persistently.

When he learnt—I told him something was coming—that this Bill was before the House and he saw my colleague present this Bill, the Attorney General in the Senate, he called me back and he was more than elated. He was very, very thankful. He wanted to see more severe sentences, “he getting it”; he wanted to see some more firearm offences, “he getting it”. And his was not alone. He was really—and this is why I was attracted to him and it because he was representing a view held by a large cross-section of the people of Trinidad and Tobago. I will tell

you this. In the United Kingdom—they talk about the United Kingdom—when the police get a report of a crime taking place, an abduction, a kidnapping, or any such thing—I can tell you this, I studied criminology there—and they only hear that a firearm was involved, they come with a SWAT, they come with a special team. They use their intrusive cameras watching the criminal or criminals inside the building. They use the best technology and they will take it down. That is how they respond to it.

United States had a man who did not use firearms but he bombed the World Trade Centre, and they went inside of Pakistan and put an end to that. Societies must protect themselves from external aggression and internal aggression. The measures that we produce today for the consideration of this House are a direct response internally to an ongoing, a persistent and subsisting problem.

In this, as you would have heard, we are creating a new offence of trafficking in firearms. The presumption being if you are held with more than one, you are deemed to have it for the purpose of trafficking, akin to what we do with drugs. In this country you have over 1,000 grams of marijuana or narcotics—well, marijuana in this case, cocaine is a little less, I think one gram or something like that, I cannot remember immediately but the principle is the same—you will be charged for possession for the purpose of trafficking and we reversed the burden. It is up to you to demonstrate to the court that you were not about to traffic.

Mr. Al-Rawi: One kilogram.

Hon. F. Hinds: One kilogram in the case of cocaine. Thanks—

Mr. Al-Rawi: Five hundred metres.

Hon. F. Hinds: Thank you very much. And as well, if you are within 500 feet of a school you will also be charged, recognizing that the school must be a sacred place and to protect the children from your greed and your wickedness as you seek

to make money.

We have increased all the penalties and we did so on a scale if you like, on a tiered basis, first offence, second offence, third offence, and if you had convictions for those. And as the Minister of National Security, and as the Attorney General emphasized, the public must know, contrary to what Naparima—place without water—had to say.

Hon. Member: Snake.

Hon. F. Hinds: You see? You see how they are—they, Mr. Deputy Speaker—yes, “he calling Snake name” for me again here today. The same Member for Naparima who stood up here today talking about what we are doing for the so-called—how did he call it?—inner city, a concept that he would have heard about in the United States and England, “is black people children” he was talking about, and he was presenting his argument here as though it is only “black people children” committing crime. And if we follow him, and respond to him, we will have generated further hostility in the society. So we will reject him, we reject the UNC and their snide racism in this country. [*Desk thumping*] Not even that will help them when the next election comes. We are going to beat them in the East, beat them in the West, beat them in the North, beat them in the South because we [*Desk thumping*] stand on principle.

Mr. Lee: 48 (1).

Hon. F. Hinds: That is what we do.

Mr. Lee: 48(1), Mr. Deputy Speaker.

Mr. Deputy Speaker: Overruled. Proceed.

Hon. F. Hinds: I thank you very warmly for your protection against Mr. Lee. He is a very good jolly fellow, you know. A good horse, but you are in the wrong stable. But he could stay right there. The sentences improved up to \$1 million.

Listen, they helped criminals. They go and search an apartment in—what is the name of the apartments there by Roxy?—

Hon. Members: One Woodbrook Place.

Hon. F. Hinds:—and found a criminal there with over a million dollars. Money is no big thing when they are selling these drugs, and their pills, and they are trafficking guns. One million dollars. The AG complained and the Minister of National Security complained. Sometimes when the magistrate or the court finds them guilty, they are fining them \$2,500. The fellas walk down St. Vincent Street laughing. “They gone and buy 10 more.” After the police spent months of investigation, gathering intelligence, and the Member for Caroni Central is asking, “How do you not convert intelligence to evidence”? The police do it sometimes, and some of their friends go in the court and find every legal opportunity, as lawyers do, including yours truly when the occasion arose.

But we increased the sentences, 25 years, \$1 million, and up to life imprisonment, and we say “natural life”. I will come to that very shortly. What is the problem? I think by now the problem is well known. The guns, the weapon of choice for the criminals in this country. It generates more fear than anything else. A man has a cutlass he has to be within arm’s-length of you to use it, but he can stay from across the street, a drive-by killing. And as a result, out of the Joint Select Committee on National Security my colleagues will tell you we pressed the SSA, that intelligence gathering institution. Another one like the Judiciary that the UNC sought to denigrate recently by bringing a man called Dennie. So now the word “denigrate” and the word “Dennie” are coterminous. [*Desk thumping*] It brought them to shame, synonymous and coterminous. We brought them to the book. We pressed them under the former director, George Robinson, and they worked hard, and they put a very intellectually, arguable, and forceful analysis of

the illegal firearm assessment in the country. I was very impressed, and they assessed that we had about 8,000. My anecdotal information from speaking to police officers, speaking to criminals, watching the statistics, tells me that there are more, but even if we say 8,000, that is too much for this nation to bear. Every one of them carrying hundreds of rounds can deliver hundreds of rounds and create mayhem. Assault rifles. When they went to Las Cuevas the other—

Mr. Deputy Speaker: Hon. Member, one second. Minister of Finance, please. Silence, hushed tones. Proceed.

Hon. F. Hinds: People, communities are in fear. I picked up a little fella the other day to take him to a drug store in Port of Spain, and I was approaching a certain street in my constituency and the youngster went berserk. Insisted that I must not pass there. It was then—I know about the borderline, you know. The man got to the point of pulling my hand off my steering. “Carry on real bad.” “Don’t pass there” because he knows the danger. He perceives a certain danger. Street by street, neighbourhood by neighbourhood, people, children are traumatized. A mother told me two weeks ago that every time her son hears something like a gunshot, “down mummy, down mummy, down mummy”, in her house, in a bedroom, as if they are in Beirut, as if they are on the West Bank. Right here in Trinidad and Tobago, so we know what the problem is.

The police are working hard. They are collecting firearms, but the numbers appear to be overwhelming and we have to do something. This is one of the solutions that we prefer, a legislative solution in the first place. You would have heard the Minister speak about a border protection solution because we do not manufacture these guns here. They are coming in, and the public must note, Mr. Deputy Speaker, that right there in Brazil, South America, which is next to Guyana—and Guyana is a stone’s throw away from us—right here there are eight

international gun manufacturing firms operating in Brazil and they make guns every single day—promoted by the gun lobby in the United States and otherwise—like biscuits, but unlike biscuits they do not get dunked, and consumed, and disappear.

Once that steel, that metal is produced with lethal power, it can last for 40, 50, 60 years. If you put a firearm down and never used it for 70 years, it still has lethal power. So these guns, mass-produced, are somewhere in the world—physical things—and many end up right here in Trinidad and Tobago. We know what the problem is, and some of it is generated outside of Trinidad, but like The Bahamas, like Barbados, like St. Lucia and St. Vincent, small island as we are, or islands, we have a problem and we have to deal with it. We have come to this Parliament today seeking the support for these measures in our genuine attempt to deal with it, Mr. Deputy Speaker.

The Member for Naparima, he demonstrated today what I would call “rum shop, Grey Goose economics”, you know. That man got to the point—the Member for Naparima, he got to the point of telling us today that the fines are—it was intellectually duplicitous.

Mr. Al-Rawi: Vapid.

Hon. F. Hinds:—vapid. Rapidly vapid. On the one hand he told us the sentences are too severe, and two minutes later he was quoting some commentator who was saying sentences are too low. I just could not believe it. I felt embarrassed for the Parliament of Trinidad and Tobago and the young people listening to us. Duplicitous in the extreme. He got to the inane position of telling us that the fines are too severe; \$1 million, \$250,000, \$500,000, “he calling them out”. He told us no, it should be like COLA. It should be pegged to inflation—

Mr. Deyalsingh: And gas.

Hon. F. Hinds:—and gas price. And if the economy is strong and things go well, you raise the fine, and if the economy goes down you reduce the fine. That is what the Member for Naparima told us here today, Grey Goose economics, and I know where he got his advice. I know where he got his advice. I was absolutely flabbergasted. I was flabbergasted.

As the Minister of National Security correctly told us, these young men with these firearms are creating mayhem and trauma including recently on the sea, and we have as a society—and this Parliament has a duty to respond to them. We do not believe that it is about jailing people, but you have to put especially somebody who had one conviction for guns, two convictions for guns, three convictions for guns, that person does not deserve a place among us unless he or she is rehabilitated. They pose a danger and that is what the jail is for. As a former AG said, “Jail eh make to ripe fig”. But on the other hand, in 2011, you know what—and he is talking about mass incarceration, another concept that he assumed from the United States, the Member for Naparima; mass incarceration. We are now trying to pass the Bill. We have about 3,000 people in the Remand Yard. He is talking about mass incarceration, inciting the people into ignorance—

Mr. Deyalsingh: “Dem lock-up” 8000 in a state of emergency.

Hon. F. Hinds: Yes, but they went down the road, they announced a state of emergency under the same anti-gang law. They went to Nelson Street. They encouraged—because the evidence—police officers have told that—“dem doh lock-up nobody”. “We doh lock-up nobody either.” But the police have said publicly that they encouraged them to go to Nelson Street and start, and they picked up Atiba and others. Thousands of people. They picked up 245 so-called gang operators and they had to release—this country—every one of them and pay millions of dollars for the conduct of the United National Congress, and now

coming to tell me about mass lock-up. When we are saying if you commit one, two, third, and you get three convictions, then we put you in jail for a long time, and the average citizen of this country who he pretends he is speaking for supports this position.

I told you about the coast guard officer who called me for years, speaking on behalf of many people in the society. They want to see the Parliament, the country, respond to these criminals in a serious way. Our solutions have to do with creating opportunities as we have done and continue to do. Opportunities in terms of technology, tech voc training; opportunities in terms of job creation particularly when the economy was buoyant. Today every country in the world is struggling to keep afloat given the international economic circumstance that afflicts us all, but I do not know, like they want blood out of stone. Our solution is in skills training, and the Minister of National Security was quite right. I have long lists and the last time we had a debate here, I was quoting some long lists of programmes taking place inside of the prison for the benefit of the inmates [*Desk thumping*] allowing them to participate in events, religious activities, all kinds of vocational, saleable skills, development programmes, academic programmes, life skills. All kinds of things happening. Instead of getting here and speaking glibly, and emptily, and misleading the public on false information, I urge the Member for Naparima to take two minutes, come out of the cemetery, go to the prison, speak to the Commissioner and learn what is happening there, rather than come here and like Dennie, denigrate the thing. [*Desk thumping*]

Hydroponics, concrete pots and fountains, ducks—all these are what they call vocational programmes—upholstery, tailoring, masonry and tiling, woodwork, electrical, COSTAATT music programme—“oooh”—film making, hydroponics, grow box, welding, plumbing, electrical, woodworking. All of those things for

males and females. Even in the Remand Yard, adult literacy training and the list goes on, and I am very well prepared to make it available for a fact check to the Member for Naparima if only he will come out of the cemetery.

Mr. Deputy Speaker, one of my colleagues on the other side, I think it was the Member for Naparima, he told us that—no, I think it was the Member for Caroni Central—that since hanging is the law and that is the greatest deterrent to crime—

Dr. Tewarie: I did not say that.

Hon. F. Hinds: Well, it was my friend—yes, it was the gentleman from Naparima. Caroni East is a little more sensible than that. Mr. Deputy Speaker, the Member for Naparima said that since hanging is the ultimate sentence it should be a deterrent. With hanging laws you should not have any crime. Not so much murders at any rate. Well, he did not take note of the fact that we have been unable, because of the operations of law, to hang anybody here. So while it might be the law, it has not been carried out for a very long time and they know the difficulties in so doing, and therefore, his argument falls by the cemetery in “Duppy” style.

Hon. Member: Amen.

Hon. F. Hinds: It falls by the cemetery.

Mr. Deputy Speaker, in the 1950s and '60s and so, since then a life sentence in Trinidad and Tobago meant 15 to 25 years, and there was if you recall, about a 15- or 17-year moratorium on the death penalty back in those days. In 1984, there was a hanging; some time after that there were a couple more. About 10 persons or 11 persons went a Friday into a Saturday morning. In 1993 we had the *Pratt v Morgan* judgment, a case out of Jamaica, where the Privy Council effectively underscored the point that a life sentence meant 15 to 25 years. About 65 persons

in Trinidad and Tobago, if you recall, were pardoned following *Pratt v Morgan* because their circumstances fell within the remit of the dictates of *Pratt v Morgan* having spent more than five years since their conviction in custody, and that fact led to their sentence being commuted to life. And so they were pardoned and they were sentenced to “natural life” by the courts of Trinidad and Tobago.

Another group—cannot remember the number—the court looked at the matter again and ordered that they serve 75 years. In a case called *Lendore*, the Court of Appeal and the Privy Council said that all of those persons—the two groups that I have just described—their sentences had to be remitted to the Mercy Committee for the Mercy Committee to review those sentences for reconsideration. Because once you impose a sentence that did not take into account both the retributive and the restorative or rehabilitative component, or philosophy, then that made it unconstitutional, and therefore, the sentence must reflect that.

So now that we have put “natural life”—as the Attorney General—as a sentence for three convictions for firearms and more, specifically in the Bill, at the end of the day it is not only the legislation, but the courts and their interpretation of this law is what will eventually decide how the thing would settle, but the Parliament’s intention is very clear, made pellucidly so by the Attorney General in his contribution. And, of course, in the circumstances, the Mercy Committee which is part of the constitutional arrangement for the application of the death sentence—because after the man is convicted, he has the right to appeal to the Court of Appeal, and then the Privy Council, and then he has two petitions to two international bodies, and then he has the Mercy Committee, and any slip up along the way, in time or in legal technique, he has another bite at the cherry. He walks away pretty easily because we are up against powerful intellects coming out of Europe, England, more particularly, which have abolished the death penalty. That

remains our final court of appeal, and they impose, if you like, without apology, that philosophy on the islands of the Caribbean and other parts of the world that would like to carry out the death penalty. That is the reality of it.

I heard the Member for Caroni Central tell us today with pride, that when the Member for Siparia was Prime Minister—God forbid, that was the worst time in the history of Trinidad and Tobago. But when she was the Prime Minister she negotiated and tried to get the secretariat for some small arms international arrangement in Trinidad and Tobago. Similarly, she and the then Prime Minister Panday, negotiated for the headquarters of the Caribbean Court of Justice which is now situate on Charlotte Street in Port of Spain, and having so done, what happened? They went into Opposition, and as soon as they did, in typical UNC fashion, they abandoned the whole project on the Caribbean Court of Justice, and today we cannot get their support in order to access the full jurisdiction of that court for whatever it is worth to us.

So the UNC is duplicitous and dangerous, and they are supporting—they told us that they are supporting these measures today. I want the population to understand, I am not ascribing any mal-will to them, but it is possible that this gleeful support for these measures today is only because it does not require a special majority.

If it did, maybe, maybe, their attitude may have been predictably different but we are thankful for their support on this occasion. And when I say “we”, I do not mean we the Government, I mean we the people of Trinidad and Tobago who find ourselves at the hands of the criminals running rampant in this country. [*Crosstalk*] That is what I mean.

6.15 p.m.

Mr. Deputy Speaker: Member, one second. Member for Naparima, you

continuously shout across the Chamber, continuously, please. Proceed.

Hon. F. Hinds: A spirit has no form. [*Laughter*] Thank you very much, I could not resist that especially when I see a bad spirit, Mr. Deputy Speaker. [*Interruption*] I am sorry.

We have made reference to section 6 because we are amending section 6 of the Firearms Act and in clause 3, we are amending section 6. Just for the benefit of those who listen to us, section 6 of the Firearms Act actually says and I quote:

“(1) Subject to section 7, a person may purchase...”—a person may purchase—“acquire or have in his possession a firearm or ammunition only if he holds a Firearm User’s Licence with respect to such firearm or ammunition.”

And sub (2) says:

“Notwithstanding any law to the contrary, a person may not have in his possession any prohibited weapon...”

—which I might tell you is defined as:

- “(a) any artillery or automatic firearm;
- (b) any grenade, bomb or other like missile; or
- (c) any weapon of whatever description or design which is adapted for the discharge of any noxious liquid, gas or other thing;”—

Mr. Deputy Speaker: Member, your initial 30 minutes have expired. You have an additional 15. Do you care to avail yourself?

Hon. F. Hinds: Most certainly.

Mr. Deputy Speaker: Proceed.

Hon. F. Hinds: I would like 55. [*Laughter*] Most certainly. And it goes on:

- “...any prohibitive weapon unless he is, and is acting in the capacity of—
- (a) a police officer;

- (b) a member of the Defence Force;
- (c) Director...Forensic Science Centre;”

—or any designate under him.

- “(d) any scientific officer designated by the Director...”

—as I said.

- “(e) a Customs officer; or
- (f) a prison officer.”

And that section goes on. So what we are doing here is amending that section and we are going to be including in there for firearm possession and prohibited weapons, which I have just described, the tiered sentencing in terms on summary conviction for a first offence, a fine of \$500,000 and imprisonment for 15 years; on conviction on indictment, meaning in the High Court as opposed to summary in the Magistrates’ Court for a first offence to imprisonment for 20 years, and three, on conviction on indictment in the High Court for a second or any subsequent offence for imprisonment for 25 years and for prohibited weapons, we would have done the same. As I said, we are here introducing a tiered system so depending on the gravity of your conduct as recorded in the police records and in the court records, you will be sentenced accordingly. A very fair system.

But the Member for Naparima got up here today complaining on the one hand about the severity of the sentences. But the same Member for Naparima and the Members of the UNC, when they get on their “for-rum” when the time comes, they criticize the Government for crime ad nauseam. We are legislators, we are not police. We are not head hunters, we cannot go hunting down people. We are legislators and we are doing what is our responsibility. We have come here to deal with this, but they do not want the murders and they do not want sentences to deal with the murders and the gun runners. That is the duplicity, the split-tonguedness,

the deception of the UNC of which I speak.

Mr. Deyalsingh: “Ah Dennieism.”

Hon. F. Hinds: “Dennieism”. I like it.

Now in 6(5), in that section I read, in subsection (5), there was always a “tiering”—when I say, T-I-E-R-ing, my word, my concoction—a bifurcation because in that section, section 6(5), let me just tell you quickly:

“Notwithstanding subsections (3) and (4), a person who has at least two previous convictions for an offence under subsection (3) or (4) and who is charged with an offence under any of those subsections, shall be tried on indictment and is liable on conviction for the offence to imprisonment for life.”

That is already in the law. So we already had the principle of saying if you had more than one conviction, we will not do you in the Magistrates’ Court, we will send it to the High Court and there you will face the possibility of a life sentence with the implications, as I have explained it, in the law a while ago. So we are only doing that which already existed which they lived with for 11 years, because they were in Government from 1995 to 2001 and then unfortunately, they were in Government again from 2010 to 2015 and three months. Down to the wire they went and “dey eh touch that at all”.

We have linked these amendments, as you would have heard, to the Bail Bill, so the firearm offences will mean when you are arrested and charged for these offences that we are dealing with here today, it will affect your right to bail in the way we have passed some time ago, and of course, if you do it in collusion with other people, meaning you have gangs, two or more persons, then you could be charged as well under the anti-gang law. We have done all that we possibly could do as legislators and the Minister of National Security is doing all that he could do,

leading the troops, leading the police, leading the defence force, the forensic science people, working definitive—and I want to compliment the Minister of National Security, [*Desk thumping*] because we are in some rough times and as my colleagues on the other side correctly pointed out, this is not unique to Trinidad and Tobago. The AG quoted statistics showing mass killings in the United States and the prevalence of firearms, all kinds of things. We are just a victim of the affairs of the world, the vagaries of human life in this time. So we are doing all that we can do.

So, Mr. Deputy Speaker, we are amending—after section 9, we are creating the offence of trafficking and I have explained that in passing earlier, I need not detain us with that.

Mr. Deputy Speaker, I too would like to make a comment, as did the Minister of National Security, on the question of sentencing. The AG explained, and I could repeat it for the benefit of those who are not immediately familiar, section 69 of the Interpretation Act demands that the court will look at maximum sentences. We cannot put minimum sentences, you cannot tell the court—we have three arms of the State, this is the Legislature, you have the Executive or Government and you have the Judiciary. In the interest of an observation of the concept of the separation of powers, we cannot tell the Judiciary what sentence to apply. Similarly, we cannot tell the police who to lock up, whether sedition law or not and the DPP, you cannot tell the DPP how to assess a legal brief in front of him and what side of the equation, prosecution or not, he comes down on. But the UNC deceptively tries to give the people the impression that “we lock up” somebody for sedition. That is how it is done. But I would like to say in passing, Mr. Deputy Speaker, that it is really demoralising—I have spoken to many police officers who we urge to work very hard and some of them give their best efforts

out there, most of them I would suggest, and then after doing all the things that the police must do, “dey catch the culprit finally with the gun and they bring him to court” and he gets a pat on the wrist. It is extremely demoralising.

And I take this opportunity from this arm of the State, the Parliament, to say to the Judiciary, whether High Court or whether the Magistracy, that we need you to join with the rest of the society. We do not expect you and I know you do not stay in any ivory air-conditioned tower. You need to understand that this is what the society wants. We are doing our part, we are putting it in law and we have established in accordance with section 69 maximum sentences but we do not expect—a magistrate could sentence a person for up to 10 years and no more, that is what the law says. So you can fix that especially for repeat offenders. Nobody can dictate to you what to do, Mr. Magistrate, Madam Magistrate, or judge, but we are urging you in the public interest to consider the needs of the society and as another arm of the triumvirate to work with us, work with the society to rid us of this burgeoning and pressing problem of the use and the prevalence of firearms in the society to the detriment of us all, including the best among us.

So, Mr. Deputy Speaker, having said those few words, I commend these measures forcefully to my colleagues on the other side and on this House. I, from an intellectual standpoint, from an emotional standpoint, support every comma, every dot, every line, every concept, every bit of the historical understanding of our circumstances that supports this legislation and therefore, on behalf of the people of Laventille West, I pledge my support in a vote for these measures and urge my colleagues who represent people to do similarly.

I thank you. [*Desk thumping*]

Dr. Surujrattan Rambachan (*Tabaquite*): Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, in a sense you know, having listened to my colleagues on the

other side, sometimes there is great difficulty in where to start especially as there is a great temptation to respond to some of the very poisonous kinds of statements that are made and accusations that are made against Members of the United National Congress. Mr. Deputy Speaker, let me put on the record eh, as a Member of this Opposition, I consider this Opposition to be a responsible Opposition. [*Desk thumping*] The Opposition understands its role in governance, it understands its role in defending the rights of citizens against criminals and the Opposition is committed to doing that which is right in order to bring about justice, fair play and an environment in which the laws will be so constructed as to defend the citizens of this country.

But if laws are construed or laws are brought before this Parliament that we find are not in keeping with what should be decent laws on behalf of all citizens, then we also have a right to oppose that and to present amendments and debate them here or to take them to some other place, as the Attorney General in his comments said at the beginning, that if it has to be taken to the court, he was saying that, you know, he was making preparation in his statement in that regard.

Mr. Deputy Speaker, I would just like to say something to my honourable friend from Laventille West. You know, karma is something that does not always bite sweet. Karma can be very bitter and karma does not only involve action, physical actions. Karma also involves the intent behind your words and your thoughts and the results, what we call in the Hindu tradition, the *phal* of karma, the fruits of karma can be very, very bitter and it also comes from the way we use words to denigrate and bring down people, and it will be well advised as someone with the level of intelligence that you display and that you have to be very careful how you use words against people.

Mr. Deputy Speaker: Hon. Member, address the Chair, please.

Dr. S. Rambachan: Yes, thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, you know one of the injustices that a person can do to himself or to herself is to claim success simply because another person has not been successful. In other words, there is no success but you claim success because you say somebody has been unsuccessful, and that is what I have been hearing for four years in a large way from Members on the other side. I do not want to go and talk about what is there to say and not to see but all I want to say, Mr. Deputy Speaker, all I want to say is that we got to be very careful when we throw stones at others in that kind of way.

Mr. Deputy Speaker, if there is anything that we should have gathered from the Nigel Henry poll was the fact that we are facing a very weary and very tired population who are fed up of what they see in this Parliament of people trying to win points over each other rather than trying to win for the benefit of Trinidad and Tobago. [*Desk thumping*] I am very serious about this. Ninety-four per cent of that poll is telling you that crime is a serious problem and it is more than a serious problem: 38 per cent say it is a crisis, 46 per cent say it is a major problem, 94 per cent, that is almost 100 per cent of your country telling you that the major issue in the country is crime and we should not be here trying to win points by denigrating my friend here from Naparima and calling him names and what have you. What we should be doing is trying to ensure that we win for Trinidad and Tobago; [*Desk thumping*] that if we place names and labels, it will be upon the criminal elements in the country and not about people's representative.

My friend for Naparima, the worthy Member, he is making a contribution in his own right as he sees fit [*Desk thumping*] and he is doing it decently, [*Crosstalk and laughter*] he is doing it with vigour, he is doing it with courage and he stands up and speaks with the courage of his conviction and there is nothing wrong in

that; [*Desk thumping*] nothing wrong in that. Similarly my friend from Laventille West stands up and speaks with the courage of his conviction. The Member for Port of Spain North today spoke with the courage of his conviction and I admire that but I also admire my friend from Naparima [*Desk thumping*] for standing up to speak, Mr. Deputy Speaker.

Mr. Deputy Speaker, I want to also say that reference was made on several occasions to the fact that—especially the Member for Port of Spain North/St. Ann's West and really that is good, congratulating and supporting the defence force, the regiment, the police and so on. I want to tell you that the United National Congress is also in full support and admiration of the efforts and sacrifice that our worthy police officers make from day-to-day in the country and the defence force. [*Desk thumping*] Mr. Deputy Speaker, I saw the work of the defence force in 1990 when the coup took place and when we were all seeking shelter at Camp Ogden and I know how the defence force works because I used to accompany members of the defence force when they went to visit installations across the country at that point in time and I saw it. I saw how they stood to the defence of this country and we on this side of the House, we recognize and respect them for what they do and we pray every day for their welfare and well-being and that of their families.

Mr. Deputy Speaker, let me remind that we were the ones in the People's Partnership who gave \$1,000 per month more as a supplement to their wages. [*Desk thumping*] Let me remind that we were concerned about the families of police officers who would lose their lives while fighting for the defence of citizens in this country and we proposed the \$1 million in compensation for them. [*Desk thumping*] Let me also remind about the hundreds of vehicles and other equipment that were made available to the police service in particular when we were in office.

So we care also, we are concerned also about the welfare and well-being and we want to put on record our admiration, our respect and our gratitude also to the police service. [*Desk thumping*]

I am very happy to note that in that Nigel Henry poll, under the command of Captain Gary Griffith, now Commissioner, that the police have risen eight points in terms of the trust that the people have in the police. When Mr. Gary Griffith was appointed, I said this country needed an operational leader because leaders do different things at different times in the development of a country and I believe I am being proven right that he is being a good operational leader and very soon, perhaps, we will be seeing him as an inspirational leader also in terms of what he is doing. So I congratulate him because as the report says, that is the only bright spark that we could have seen in the Nigel Henry poll. But the country is weary of fruitless discussions and arguments in the Parliament and they want to see something done that will rise to their defence. [*Desk thumping*]

Mr. Deputy Speaker, you know, one of the sad things about the debate this afternoon is the way in which we seem to revel in distractions. We are experts it seems in trivialities and irrelevances in peripheral issues. People are dying as a result of gun violence every day. There is no doubt in the minds of anyone that we need gun legislation, stronger legislation. In my own constituency two weeks ago, a young man by the name of Kristian Sirjusingh, a very promising law clerk at Richard Sirjoo & Co. was shot in a bar. He did not do anything wrong. He just went there to celebrate with his father a birthday and his life was snuffed out by people who shot indiscriminately after they even robbed him of his wallet.

Mr. Deputy Speaker, so do not think that we do not understand the extent of this problem. Only two nights ago, I was robbed of \$22,000 in tools from my site at 3.57 in the morning. I understand it. One of my workers was robbed at

gunpoint after he collected his salary a couple of months ago. My son was robbed in Rituals where he sat there with his computer and they put a gun to his head and took his computer about a year ago. So I understand it and I understand the need for strong legislation. I understand also that this is a country in which if there are not strong consequences for errant action, there is not going to be any result.

But I also understand that when criminals see a Judiciary as divided as it is, they lose confidence not only in the Judiciary but they grow in confidence that nothing will happen to them and it is time that the Judiciary, which has been criticized here for the kinds of fines that it imposes, they look within and they begin to solve their own problems so that the criminals do not feel, that listen, they can just get away with anything that they can get away with. I too am disturbed at times with the level of fines that I see being imposed upon people who are on gun charges. But when the Member for Port of Spain North/St. Ann's West spoke about that, I asked myself a question, to be fair to the Judiciary and the Magistracy: Are there mitigating circumstances that might cause them to impose a certain level of fine rather than another level of fine? So I do not know. But I think that someone has to speak and let the population understand that what the Government is saying are low fines are being imposed as they are being imposed.

Mr. Deputy Speaker, the Members of the Government, the Government speakers so far, they may find some hollow victory by accusing us on this side of using and introducing race. That is never the intention of the United National Congress. But I want to ask: Is this going to save lives? The cost of the human capital lost to this country by the number of persons who lose their lives to gun violence, especially young promising people, cannot be calculated. Every time a person is killed by a gun, national potential and the potential for human contribution to national development is destroyed every time that happens, so this

country is losing, losing, losing, losing, by whenever a person is destroyed.

You see I want to say again, the generality of the population is not interested in race. They are not interested in accusations about who is or who is not using race. I do not think they are interested in that. Mr. Prime Minister, the generality of the population is weary of leaders and institutions not taking the kind of action that will protect them and their families. That is their concern. If race were a factor in elections, I tell you, as politicians seem to be screaming about, the NAR would not have won 33-3. People had to cross every racial line in order to create a landslide victory like 33-3. The People's Partnership would not have won with the landslide and the constitutional majority that it got in 2010 and Mr. Panday would not have won in 1995 and again, in 2000, five years later, if people were voting race in this country. The people are more intelligent about what they vote for in this country and more and more people are voting on two things. They are voting on the issues in the country and they are voting on the capability of a leader or leaders to deal with their issues. [*Desk thumping*] So I do not see the race factor. People are interested in who can deal with the challenges the people face, with the people's issue and the number one issue is crime. And I want to say I support the legislation and I support the fines, though they sound hefty. My main problem has to do, of course, with the matter of being jailed for natural life; that is my main issue.

Mr. Deputy Speaker, to me, the real question in this country needs to be answered in this debate and it has not been tackled. The hon. Member for Port of Spain North/St. Ann's West did not think it was an issue but I will ask the question, and the question is: How are criminals getting the guns? How are they getting the guns? Somebody has to be supplying the guns. Somebody has to be bringing in those guns in the country. Where are the gangs getting guns from?

Where are they getting guns from? My friend, the Member for Caroni Central, made the point that it has to do with intelligence gathering. I want to just say to my esteemed friend from Toco/Sangre Grande that we are not talking about— [*Crosstalk*] No, no, the Member kept saying and mentioning that intelligence and evidence are two different things. I am just talking at this stage about intelligence gathering in relation to a question: Where are the guns coming from and who is bringing them in? [*Desk thumping*] Who are the players bringing them in? That is what we have to find out. Where are they getting the guns? We cannot stem the tide of illegal guns if we do not know the source of the guns. [*Desk thumping*] We must know the source of the guns. And where is the intelligence to be obtained?

There are particular three areas in south Trinidad in Oropouche that the community keeps telling you who has the guns but yet the police are not finding the guns, and yet you are hearing gunshots every night in those areas. Right or wrong, Dr. Bodoë? You are the MP, you know what I am talking about. But yet the police are not finding the guns and yet Member for Toco/Sangre Grande, you are hearing the gunshots every night and the community telling you and calling the names of the people who have the guns. Everybody knows. So one source has to be the members of the community and therefore it has to deal with what kind of trust exists between the police and the people. Do people really trust, for example, Crime Stoppers to call in and say, this is where I think guns are? Why are people not calling—or maybe we do not know—calling Crime Stoppers to give that kind of information? Why? It is trust and that is why I say that I am happy to see an 8 per cent change in trust between the police and the community. Hats off to Commissioner Griffith for that. So the trust between the people and the authorities has to be developed and the question is: How do we develop that trust? That trust has to be developed by police officers going into the communities and befriending

the community, and to me, that is not happening with the rapid rate that it needs to happen.

You know, I was sent a picture recently eh, interesting little picture. My niece had twins and as she got home, two days after, they sent me a picture of the community police knocking on the door and going in to welcome the two new babies into the community. That, to me, was very touching and the policeman is holding this one-month-old baby in his arms. We hear about the community policing but do we see them on the ground and if so, why not? So you cannot build trust by simply calling for trust. Trust is built by reaching out with your hand.

Trust is built by reaching out with your words. Trust is built by the assistance you give to people and the hope that you bring to people by going into their communities. You have got to build trust, otherwise you are not going to get information and when people trust you then they are going to speak to you. So that gap has to be closed.

6.45 p.m.

You know, the other area—I do not know how it is being used or whether it is being used—is the information you can get from incarcerated people, from prisoners. You know, do we use the plea bargaining legislation with them, in order to get the information that we need to get? You know, bargaining in terms of relief, sentencing, what have you. But there is a wealth of information that is available in there that should be useful.

The third area is: How are we infiltrating suppliers? How are we infiltrating suppliers? What strategies do we have to infiltrate suppliers? Here I am talking about illegal guns. What kinds of relationships exist, for example, between our country and other countries or treaties that we are using? Okay?

Attorney General, you mentioned from the newspaper the Georgia case where 36 guns were smuggled and sold in the country and the people were picked up there. Now, I do not know to the extent to which Trinidad was involved in the prosecution of those people, but I think a lot more of that has to be done. Are we in constant communication, as we should be, with the authorities in order to do that? I mean, people were convicted, for example, of wanting to blow up some gas line by the airport in New York. Right. To what extent was that information picked up our intelligence compared to the US intelligence picking up that information? And if they could pick it up, why could it be that we are not picking it up? Is it, Mr. Attorney General, that we do not have a properly functioning exchange of information system or processes between what we consider to be the main source?

The Member for Port of Spain North/St. Ann's West, he said that it is a fallacy to think that the guns are coming only from Latin America when the biggest source of guns is in the United States. Well if that is true, what are we doing and what kinds of conversations are we having, Mr. Deputy Speaker, with the authorities in the United States?

We have had situations where guns came in from the United States in crates of plywood. If you remember, in 1990 I believe it was or 1970, the guns came in, in plywood. In 1990, in a crate, it came in. Are guns still coming to this country the same way? Are we examining barrels at the port, Mr. Attorney General? Which is where—it was barrels that they used, those guys from Georgia or Atlanta, to send the guns into Trinidad. Are we doing that examination?

What is the state, may I ask, of the scanners at the ports? What about the four scanners, the mobile vehicle and cargo inspection system scanners that were donated by the US Customs and Border Protection in April 2018? Are they

working? Are they up?

Hon. Member: Yes, they are up.

Dr. S. Rambachan: You sure?

Hon. Member: Yes, they are.

Dr. S. Rambachan: Okay. Well, I am glad to hear that, because I know two that are in Point Lisas and the two in Port of Spain—

Mr. Imbert: They are up and running. I commissioned that a year ago. A year ago I commissioned that.

Dr. S. Rambachan: So the objections that were made by the PSA, and so on, about possible health complications are all thrown out?

Mr. Imbert: All done over a year ago.

Dr. S. Rambachan: Very good. What I would like to suggest to the Minister of National Security and the hon. Attorney General is that we need—

Mr. Deputy Speaker: Hon. Member, again, through the Chair, right.

Dr. S. Rambachan: Yes, Mr. Deputy Speaker, sorry about that. We have to develop specialists in intelligence gathering. We need specialists, developed specialists. Just like you have medical specialists, I think we need specialists in intelligence gathering in this country. I think that is where we are failing; in intelligence gathering. And then maybe the Government ought to look very, very squarely into this matter of specialists, a specialist aspect of the police service.

Now, while the hon. Prime Minister just said that the scanners are up and working and what have you, there was a joint select committee that met in February of 2019 on the prevalence of illegal firearms and what—one of the statistics I read in that report was only 33 out of 227 containers were scanned per day. Now if you have 227 containers moving through the port and you are only scanning 33, you are scanning about 15 per cent of the containers. That is random

selection. So is it possible that what is happening is that we are not really scanning, doing the kind of detailed scanning that we need to do in order to be preventative?

Because you will recall, at Caribbean Bottlers I believe it was, somewhere up on the highway, after the container came out and they were opening the container then they found drugs in the container and what have you. How many other containers like that have gone through? So it is good to say that we have the scanners up, but if we are only scanning 33 out of 227, Member for Laventille West, through you, Mr. Deputy Speaker, that cannot be right. Some things are slipping through the fingers. So you know, Member for Diego Martin North/East, it is not just good to celebrate that you have installed. You have to talk about what the results are, and are we getting the effectiveness that we want in terms of all of this?

Mr. Deputy Speaker, so I want to reinforce my point that we need to infiltrate suppliers. We need to develop our information exchange, especially with the United States. And we need to deal with a specialist set of officers in intelligence gathering. That to me requires a different kind of training.

Now, Mr. Deputy Speaker, there is a study that was done from about 130 studies in 10 countries that was titled: What Do We Know About the Association Between Firearm Legislation and Firearm-Related Injuries? And it was published in *Epidemiologic Reviews* in February of 2016, led by Dr. Julian Santaella-Tenorio. And as I said, it examined the findings from 130 studies from 10 countries published between 1950 and 2014. So you looking at 64 years of publications. And they found that laws that restrict access to and govern the use of guns are associated with reductions in gun-related deaths, lower rates of intimate partner homicide and reductions in the unintentional gun-related deaths of children.

So there is no question about strong legislation. Strong legislation is necessary.

Now, yes, there are people who are going to argue and say the fines are very high, but these are not usual times in this country. These are unusual times, and it cannot be business as usual. The situation in this country is not one only where the criminals are fighting criminals or gangs are fighting gangs. Innocent people are losing their lives in the crossfire. People are shooting indiscriminately in the streets, and we have an obligation here in the Parliament to pass laws in order to send the strongest message out there that we do not like it so because the population also do not like it so, and this is the place where the laws have to be passed. So when my honourable friend for Naparima got up and said we will support this legislation and everybody seemed surprised, that is because he was doing the responsible thing for a responsible Opposition, the United National Congress. [*Desk thumping*]

The main concerns, of course, Mr. AG, was the proportionality. And, you know, throughout the Bill, as you have said, you propose to increase penalties throughout the Act and create the offence of trafficking in firearms or prohibited weapons, that is section 9A. But, you know, when I examined these increased offences, compared to other jurisdictions, in my own mind, I felt they were disproportionate. Now, I am not suggesting that you are going to change it. I am just placing on the table here my own estimation of it, in terms of proportionality. I would give you an example. For example, possession of a firearm without a Firearm User's Licence in the proposed Bill has been increased from 15 years to 20 years on conviction on indictment and to 25 years for a second offence.

Now, in the UK, the same offence carries a 10-year sentence, and in Canada the crime comes with a minimum penalty of one year for the second offence and a maximum penalty of 10 years in prison. Now, we are speaking here about natural

life. So it is research like this that forces me to ask the question whether it is proportional, a word I happen to have learnt from you. It seems to be a very favourite word of the Attorney General.

Now, the manufacturing or shortening of a firearm carries a term of imprisonment on conviction of two years in Australia and seven years and/or a fine that is not prescribed on indictment in the UK. But in our neighbouring Dominica, a person who is convicted of this offence may be sentenced on summary conviction to a term of imprisonment not exceeding 10 years, and on conviction and indictment to the imprisonment of a term of not less than 20 years. Now, though the proposed Bill—and I could be wrong on this, AG, you can correct me—seems similar in nature to Dominica's, with a term of 15 years and a fine of one million for the first offence—

Mr. Deputy Speaker: Member, your initial speaking time has elapsed. You have an additional 15. You care to avail yourself?

Dr. S. Rambachan: Yes, Sir.

Mr. Deputy Speaker: Proceed.

Dr. S. Rambachan: [*Desk thumping*] And a fine of one million for the first offence in the proposed Bill, with an escalation to the remainder of an offender's natural life for a third offence. There is a stark difference between 20 years and the remainder of an offender's natural life if that offender is 20 or 30 years old. Of course, I heard several of my colleagues on the other side speaking about the natural life, in terms of the third offence, and giving the Magistracy some kind of, well the Member for Laventille West, he said that the Judiciary, sorry, will have to interpret it and find balance in the law. Well, I wait to see how that will be.

But you know there was a famous case, *Hinds v The Queen*, which you know about, and in that case, the removal of the usual discretion of the court to

consider mitigating factors, or to utilize alternative sentencing options to deal with an offender are defining features of mandatory sentencing legislation. Now, you know, Mr. AG, through you, Mr. Deputy Speaker, that governments worldwide have tended to regard fixed or minimum penalty provisions as a means of addressing community concerns that sentences handed down by the courts are too lenient when sentencing offenders. But, there is little evidence, Mr. Deputy Speaker, that mandatory sentences act as deterrents.

And the question has to be asked is whether they constrain the exercise of judicial decisions, whether they can have an impact on the charging decisions that are within the remit of the police and prosecutors, and contradict the principles of proportionality within the judicial system? And furthermore, mandatory sentencing, could it dissuade an offender from pleading guilty, resulting in increased workloads for the courts? Those are some questions that, you know, I want to ask.

But, I think that one of the things that I want to raise in the little time that I have here is this matter in the Caribbean where we have considered the legislation of a mandatory sentence with *Hinds v The Queen*, where the Privy Council was asked to decide if sentencing powers can be transferred from the Judiciary to an Executive body. And it was found that due to the principle of separation of powers implicit in the Constitution, Parliament had no power to transfer the discretion to determine the severity of punishment from the Judiciary to an Executive body, the majority of whom were, perhaps, not qualified to exercise judicial powers. So the question I ask is: How can a mandatory sentence, legislated by Parliament, offering no judicial discretion, sentence an offender to imprisonment for the remainder of his natural life?

Now, on Thursday 28 March, 2019, at a post-Cabinet conference, the

Minister of National Security, when speaking about the increased penalties of this Bill, was quoted saying well, three strikes and you are out. Now, this reference to the three-strikes system presumingly is well known in the laws of California. But numerous studies have shown that the three-strikes law does not serve as a deterrent to most potential reoffenders. And the implementation of that law has caused a tremendous increase in the size of California's prison population, resulting in millions of dollars going to feed prisoners. You made a reference once to say it is \$29,000 a month for a prisoner, or \$27,000 a month for a prisoner instead of vital institutions being served like schools, firefighters and infrastructure. So, this is a matter that, again, I want to raise.

Now, we have to ask the question—there were lots of other things I wanted to talk about—but we have to ask the question as to how licences for guns are being given in this country. And currently, in Trinidad and Tobago, an application for a Firearm User's Licence is simple. All that is required is a certificate of character issued by the Commissioner of Police, a certificate of competence, Mr. Deputy Speaker, issued by a licensed firearm instructor and two pictures. Nowhere in this process do we ask if the person is psychologically fit to handle a firearm.

In New Zealand, police carry out assessments of the applicant and the applicant's home that include checks for firearm storage, security and social arrangements and interviews two referees.

Mr. Al-Rawi: Thank you hon. Member, Just to assure you, because it is not in the legislation, but you have to have a psychological assessment. If you are married, your spouse must agree. They do site visits. They ensure the storage of the weapon. And then it is open to objections as well. But it is not contained in the laws that you would have read there.

Dr. S. Rambachan: All right, thank you.

Mr. Al-Rawi: And eye tests.

Dr. S. Rambachan: Thank you. So in New Zealand, I am just going to tell you what I found in the New Zealand bit. The police carry out assessments of the applicant and the applicant's home, just like you are saying, they include checks for firearm storage, security and social arrangements, interviews two referees of whom one was a partner or a parent. I think that is important. An applicant could be considered not fit and proper to be granted a firearm licence if he or she has been the subject of a protection order, has shown no regard for the Arms Act or Arms Regulations, has been involved in substance abuse, has committed any serious offence or any crimes involving violence or drugs, has committed a series of minor offences against the Arms Act, has been affiliated with a gang involved in violence, has been involved in acts or threats of matrimonial violence, and has exhibited signs of mental ill health, has attempted to commit suicide or other self-injurious behaviours. Now, such stringent standards are what I would like to see in this country. Because we would ensure that only responsible citizens are entrusted with lethal firepower.

Trinidad and Tobago has a gun problem, but we also have a problem with legal firearm holders, you know. The story of murder/suicide using guns is all too familiar. Just in March 2019, a hunter who killed his schoolteacher wife, before turning the gun on himself unsuccessfully, had to be sent to the St. Ann's Psychiatric Hospital for mental evaluation. Could this tragedy have been avoided if we had required and instituted psychological testing before entrusting a person with such lethal force?

In my own constituency this kind of preventable tragedy has occurred. There is a guy by the name of Christopher Lalchan was shot and killed by his wife. I

know the family personally. The news at the time alleged that there was domestic abuse in the household. This is something that the competent psychological exam could flag. Or, do we bring in people every two years or every three years who have firearm licences to make them go through the process of evaluation? People change. Human beings change. Conditions change. You know, are spouses notified that the other spouse has a gun?

Mr. Al-Rawi: Must give consent.

Dr. S. Rambachan: Must give consent. So that is important. So, Mr. Deputy Speaker, these are some of the issues that I wanted to raise. But I want to ask the question: Are we at the point of no return? And I do not think so. I am an eternal optimist and I think that any situation can be changed around. Situations are created by human beings and human beings also have the potential to change around their situation. And we must not at all seem to say that the criminals are defeating us. We must always be one step ahead. And that is why I am talking about intelligence gathering and specialist training.

Mr. Deputy Speaker, despite what the AG has said about current regulations for civilian gun ownership, we face a perpetual challenge to limiting the flow of illegal guns. With porous borders, nearby countries like Venezuela, Brazil, Dominican Republic, that brim, as it were, with a readily available supply of firearms and ammunition, it is no wonder that it is a challenge to detect and stop the flow of illegal firearms into this country. But it has to be stopped. It has to be stopped.

You know, there was a joint report by the United Nations Office on Drugs and Crime and the Latin America and the Caribbean Region of the World Bank reports also that weapons manufactured or otherwise available in South America are smuggled through Venezuela, Suriname and Guyana to Trinidad and Tobago

via fishing vessels and private pleasure boats. That was the report. “So it have tuh have big people in this.” Let us face it. I ask: How are the gang members getting the guns? They do not have the capital to finance it. Somebody is providing it. And the report also notes that other countries with armed instability such as Haiti, Nicaragua and Guatemala are also suppliers of illegal arms. The economic crisis in Venezuela, I will say boldly, is further causing stress to the situation and bringing in arms and drugs.

Anthony Maingot, Caribbean and South American security expert, based at Florida International University in Miami, on Thursday 29 August, 2019, in the *Sunday Guardian*, a few days ago:

“...said the former Venezuelan president Hugo Chavez regime distributed tens of thousands of Chinese AK-47 assault rifles to their partisans ‘and much of this was now for sale by the Guardia Nacional which had been thoroughly corrupted.’”

Maingot continued, stating that:

“...although most of the large-scale cocaine trafficking was done by small planes and luxury yachts, there is still much guns-for-cocaine trade occurring in the areas of Cedros and Icacos and the islands of the Bocas.”

The statistics given by the AG showed, through the police, 85 per cent of murders are gun related. But do we have this kind of forensic investigations? What is the quality of forensic investigations? What is the state of the Forensic Science Centre? Recently we heard four new pathologists being hired. But is it just the pathologists or the technicians who really go into crime solving to really know what is happening that is important, so we can really pick up? You know, sometimes you look at the movies and you see the detailed scanning that is done on a body and what they come up with and they find the killers, CSI. So I think we

have to have efficient technology. I will say so, that I do not think we have sufficient technology, or our technology is inefficient at this stage.

You know, the criminologist, Dr. Randy Seepersad, believes that as the crime goes up detection rates go down. And that is why he suggests that heavier penalties are useless, and he does not really—he seems to suggest that these heavier penalties would not work. And what he said, I want to quote him, Mr. AG, through you Deputy Speaker:

The Government constantly plays on the public's mind—

Mr. Deputy Speaker: Member, you have two more minutes.

Dr. S. Rambachan:—by increasing the severity of punishment but this makes no difference unless the certainty of punishment is there.

—which was the point my friend from Caroni Central was making. You have to catch them first, as the Member for Naparima said. You have to catch them first.

There should be serious consequences to committing a crime but there is no certainty that criminals will be arrested. Therefore increased penalties would not deter them. What we have to have is enforcement of the law when they are caught.

Mr. Deputy Speaker, we must improve our technologies, including ballistic testing, micro marking, which will allow you to track a weapon back to the manufacturer to determine who purchased the weapon in the first place.

Mr. Deputy Speaker, I think that we can defeat the criminals. I think we can defeat the criminals. I think we are going to defeat the criminals, Mr. Deputy Speaker. Ninety-four per cent of our population are in a state of stress; stress that they should not be suffering from. They are the decent citizens who are being held behind bars in their homes by less than 1 per cent of this population, and we need to do something about it. I support the Bill, and despite the matters of

proportionality, we have to support this legislation in order to move this country back to decency and to protect our citizens. I thank you, Mr. Deputy Speaker.

[Desk thumping]

The Prime Minister (Hon. Dr. Keith Rowley): *[Desk thumping]* Thank you, Mr. Deputy Speaker. I just want to make a brief intervention because, Mr. Deputy Speaker, if you have been in this House as long as I have been, you might also want to ensure that when you leave here, the record will accurately reflect your presence and your involvement. And that is the main purpose why I join this debate.

I want to say to my colleague from Tabaquite and even my other colleague from Caroni Central that your contribution today was a good attempt at damage control. The damage *[Desk thumping]* was done when our colleague from Naparima opened the batting. And I want to say that it is because you understand what he has done why both of you entered the debate and spoke the way you did. *[Desk thumping]*

My colleague from Tabaquite said all the right things, all the right things, providing that he was speaking in a vacuum. But I would not sit here and allow what Naparima did today to go unchallenged.

Mr. Deputy Speaker, I want to draw my colleagues' attention to a development that took place in this House in 2004, in May 2004. By that time my colleague from Naparima must have been jumping up and down all over the place like an animated toy. But he was not a Member of this House. And if he would only cool himself, maybe he would not do what he does in here, which is to perform for an audience of one and be so offensive in doing it. There are 18 of them overthere, Mr. Deputy Speaker, and he is the one that persistently takes the position that he will be offensive. There are 17 others of East Indian descent. They do not behave so. But

he takes on the challenge. And I have said before, I am a black man in this country and I would never be afraid to say I am a black man or speak of myself as an African. [*Desk thumping*] And, of course, we are a nation of many races, and maybe if we speak about race more and not be offensive and disagreeable about it, we would make some progress.

He came here this evening and his entire thesis came out of copying what he saw in North American discourse and text, and he was reading all kinds of things. I hope he did not write it himself. Somebody wrote that for him. And he came here and he spoke at length about, you know, incarceration levels and comparing us with the United States and comparing us with Germany and England. Let me just say one thing to my colleague from Naparima, we are Trinidad and Tobago. [*Desk thumping*]

The problem that the United States has about incarceration levels, which they are dealing with right now, in fact it is a major, it is a major item of discussion in the current presidential debate and there is a debate, it think it is Wednesday night, and there was one, a huge town hall a couple days ago. The United States, a nation that is how many hundred years old?

Mrs. Robinson-Regis: Over 200.

7.15 p.m.

Hon. Dr. K. Rowley: This election campaign going on right now, one of the main issues on the American national agenda on national television, and candidates specializing in that as their wedge subject, “level of incarceration”. You know why, Mr. Deputy Speaker? It is not because their country is overrun by firearms in the hands of every punk. It is not because their country is unsafe from one end to the other. They have huge crime problems in cities like Chicago and elsewhere. But the reason why the jails are full they are admitting now, the presidential

candidates and their surrogates are admitting now, that in the United States people were being sent to prison because of the colour of their skin.

Mrs. Robinson-Regis: Exactly.

Mr. Imbert: That going on long time.

Hon. Dr. K. Rowley: And they are admitting now, you see white men on television saying that things that were done by white people passed virtually unattended, but if black persons had done the same thing they get incarcerated for it. That is what they are now fighting in America as a presidential debate issue. That is not the situation in Trinidad and Tobago. Nobody in Trinidad and Tobago gets sent to jail for the colour of their skin. [*Desk thumping*]

With respect to the use of drugs, Mr. Deputy Speaker, in the United States they are now admitting across the country, particularly in some areas of the country, a disproportion of black people get sent to jail for the use or sale of drugs whereas in other parts of the country people who have a different skin colour do not get sent to jail. That is their issue. So to come here today and try to compare our problem with the American problem, you are fooling no one.

Mr. Al-Rawi: Inner city.

Hon. Dr. K. Rowley: Mr. Deputy Speaker, in Trinidad and Tobago, the reason why this Bill is before us today and the penalties are as they are is because our problem, and I am not going to spend one minute trying to convince anybody that we have that problem, because everybody in Trinidad and Tobago knows that we have that problem. There is proliferation of firearms in our society, driven by the drug trade and it has endangered us on every street, in every community, and every one of us is at risk.

As a matter of fact, our colleagues on the other side are hoping that the election be called because their pump is primed to talk about the murders in our

society, 80-odd per cent of those murders committed by firearms, none of which were made in our country, comes from on the outside. And you heard it today, they get up and ask, they want to know where the arms are coming from. I distinctly recall my colleague from Port of Spain North came here one day with the whole list of the firearms and gave us all the countries from which they have been coming and the bulk of the supply comes from North America.

Mrs. Robinson-Regis: Yeah.

Mr. Al-Rawi: Correct.

Hon. Dr. K. Rowley: That was done in this House. So do not come here and ask the question again if you were not paying attention, as if we do not know what we are doing.

But let me get to the main point. The Member for Naparima came here today and made a presentation that these draconian measures in this Bill, and surprisingly enough he started off by saying he is supporting the Bill, and then proceeded to trash it from beginning to end in the context that these draconian measures are aimed at black people and their slave grandchildren in the inner cities. And he was appealing to black people in this country, trying to tell them that this Government is passing laws that will incarcerate them.

Mr. Deputy Speaker, the UNC is not only saying so in the Parliament, you know, they sent the Member for Naparima to put that on the Parliament record today on live television. That is what they are talking to black people on the ground in Trinidad and Tobago today as their election campaign and that is dangerous in this country. So when he came here today and made that presentation and his colleagues now come across and start saying, "Well my colleague from Naparima, he was passionate and that is how he talks". I do not care how he talks, is what he says that matters.

Mrs. Robinson-Regis: Exactly.

Mr. Hinds: Yes, Sir.

Hon. Dr. K. Rowley: And let me tell you the history of this. In 2000, when violent gun crimes were largely confined to the greater Laventille area and maybe one or two other areas in this country, the UNC was in office and saw that problem growing and knew that it required attention because the source of the problem was identified. You know what they did? They invited the World Bank to do a study of the problem, and there was a World Bank report of 2000 that addressed the problem.

Let me tell you what the World Bank said in that report. The report was a 90-odd page document commissioned by the UNC to look at the problem that we are dealing with here now in its infancy. Let me quote, Mr. Deputy Speaker, from the document and it was—the document that, “Trinidad and Tobago Youth and Social Development: An Integrated Approach for Social Inclusion”. Let me repeat that, Mr. Deputy Speaker, “Trinidad and Tobago Youth and Social Development: An Integrated Approach for Social Inclusion”. That was the UNC commissioned document done by World Bank experts, and hear what they said, and it quotes:

“...the youths of poor urban neighbourhoods in Trinidad and Tobago face multiple challenges due to the characteristics of the environment in which they live...have shown a high degree of marginalization, defined in terms of exclusion from the social and economic development...

Youth of African descent are particularly vulnerable in this regard.”

That is what the World Bank study said, a study commissioned by the UNC. That was 2000.

Lo and behold, Mr. Deputy Speaker, they lost the election in 2001. This work entered the medium-term policy of the Government of Trinidad and Tobago.

By 2004 the medium-term policy was speeding on this, and this particular work, and this particular phrase, and these particular recommendations were included in the medium-term policy of the budget presented by the PNM. It passed through this House with full support. The budget passed this House, went to the Senate. When it went to the Senate, the UNC operatives in the Senate raised an alarm and the alarm was that the recommendation of that report, of their own study, simply because it made mention to youth of African descent who are particularly vulnerable, the recommendation to deal with it which had caused a pilot project to be initiated, because they did not only commission the study, they initiated, consequent upon the study's recommendations, a pilot project to deal with these African youths who were losing their way and moving towards criminality and non-productivity in Trinidad and Tobago and posing a danger to the wider society. It is in the World Bank report. The pilot project was done. We in the PNM Cabinet were now feeding on to that for a programme to respond to this inner-city Afro-Trinidadian males who were simply not doing anything serious except gravitating towards crime, criminality and violence in this country.

In the Parliament—at that time I was Minister of Housing—I happened to have gone to the Senate to take part in the debate and met the UNC breathing flames, accusing the PNM of racial discrimination by putting in the medium-term policy framework the language of their own report; language of the report that they commissioned which fed a pilot project that they financed. By the time they got to the Opposition, as is common with the UNC, when they are in Government they take a position and when they are in Opposition they take one diametrically opposed. And when my colleague from Laventille West today mentioned the Caribbean Court of Justice, that is just the most classic one. But, the same *modus operandi* happened here.

So, I went to the Senate, and, as a Minister of Government, I heard them attacking the Government, accusing the Government of racial discrimination for wanting to follow on to their own work on the World Bank report. So I knew what they were talking about. I entered the debate and I supported the document of the medium-term policy on this matter making the case for the State to continue to intervene to try to suppress this misbehaviour and degradation of the Afro-Trinidad inner-city males. Mama, who tell me to do that? Man, they breathe fire, they breathe flames and as they as customary today, they accuse me all manner of evil. So vociferous were the UNC's spokespersons in the Upper House that those in the Lower House caught on too and before you know it, Mr. Deputy Speaker, by the news cycle the next day the Government was under tremendous attack from the UNC's spokespersons on *Hansard* and in the media about racial discrimination.

Mr. Deputy Speaker, if you want to get the whole detail of this story, go to the *Hansard* of Friday, May 07, 2004, and read it as much as you can. And it is all there on *Hansard*. You see, the Government at the time decided—two of my colleagues decided—that the thing to do, because of the behaviour of the UNC, the thing to do was to back away from what was published and passed in this House. Back away from the content of the medium-term policy which had passed here in this House and had gone on to the Senate and take the position that reference to African males was a misprint and I was left standing alone facing the fangs of the UNC and I was accused of racism, I was accused of discrimination, I was accused of all things. And, Mr. Deputy Speaker, I just stood my ground and said one of these days the truth will set all of you free. [*Desk thumping*]

Of course, that intervention killed the project, it rubbished the World Bank's work and the inner-city African males who at that time were confined to looking for gun in Laventille Hill, on top there, St. Barbs and over pale they now cover the

whole of Trinidad and Tobago. So this evening, my friend from Naparima comes here as the knight in shining armour, wheel or no wheel, to speak on behalf of the Africans in the inner city who these draconian measures are meant to deal with and reading out all kinds of inappropriate rubbish that other countries are doing that we should do rather than have stiffer penalties for persons who are caught three times with gun crimes.

So my colleague from Tabaquite he just was comparing these measures with other measures elsewhere. I want to ask him, the term of imprisonment that you mentioned, like the 20 years and the 10 years from the other countries, is that for their third offence or their first offence?

Hon. Member: He does not know.

Hon. Dr. K. Rowley: That is a first offence, maximum sentence on their first offence. This Bill is saying if on the first time you do it, that is accident; second time you do it is purpose; third time you do it is habit and if it is a habit of yours you stay in jail. [*Desk thumping*]

So “you coming” to compare apples and oranges, right. Somebody’s first time sentence two years. Who the devil gives a person two years in jail for a firearm in this world and in this country? They get two years in Australia. You know why? Because gun crimes are so few and far between that they could afford to be like that. In Finland, in Norway, in Germany gun crimes are few and far between. In our country the first item of news virtually every day is somebody decide to shoot somebody and the gun is available, and the criminality is available, and the murder is present among us. So do not compare us with Germany and Australia. We have said if. We are—

Hon. Member: The third offence.

Mr. Deputy Speaker: Mr. Prime Minister, address the Chair, please. Members,

please.

Hon. Dr. K. Rowley: I would because I do not want to go over there, right. Mr. Deputy Speaker, when he spoke about two years for the offence he was speaking about a first time offence. There is no third—let me not waste time on that. Anyway, the point—you will not distract me, right.

So, Mr. Deputy Speaker, we had this intervention with a dog whistle from the Parliament to the Africans, hold on with your gun, hold on with your third and fourth offence, I am coming to defend you, because the PNM Government is passing law in the Parliament to incarcerate you. Every law we pass in this Parliament applies to every citizen of Trinidad and Tobago regardless of race, colour, creed or class. [*Desk thumping*] And the damage that he was trying to do today was to separate one group of people, telling them from the Parliament floor that the law that is being passed here today is aimed at you the children of slaves. Disgraceful conduct if there was any. [*Desk thumping*]

And then my friend from Tabaquite, he understood exactly what had happened. So he gets up—

Hon. Member: Damage control.

Hon. Dr. K. Rowley:—and he is doing damage control. And he makes a beautiful speech about how none of us are about racism, we should not talk about race in that way, this is not about race. Where did Mr. Dennie come from? [*Laughter*] Where?

Mr. Al-Rawi: Who put him on the stage?

Hon. Dr. K. Rowley: And I seem to recall—has he resigned as deputy leader from the UNC?

Mr. Al-Rawi: No.

Dr. Rambachan: I am not the deputy.

Hon. Dr. K. Rowley: All right. Senior, mentor of the UNC, mentor. He is the mentor of the UNC. A man appears from nowhere, because I do not think anybody except people who were dealing in garbage, those who were dealing in garbage and those who were at the SSA, which is a secret organization here, knew anything about Dennie. It was the UNC who found a fella called Dennie, put him on the UNC platform and choose a target. And hear the target they chose.

The target they chose is a person from Tobago what grew up without any knowledge of racial discrimination as part of this country. I am from Mason Hall in Tobago. I know nothing about racial discrimination. As a matter of fact, my best friend in school was the son of a Trinidadian Indian who came to Tobago as a public servant and never “come back” for good reason. And the first child he made in Tobago was called Winston, Winston Harrylal, he was my best and my bosom body, right. Go read my book and you will see the story how both of us nearly miss our Common Entrance Exam because his father’s new car “broken de morning taking both of us to the exam”.

So I did not know anything about racial discrimination until I came to Trinidad. And then, of course, I got into public office. My record will show, Member for Naparima, I ran a department, a head of a department in the University of the West Indies. I ran a state company. I ran Caroni (1975) Limited. I ran a number of Ministries in this country and not even you in your wildest dream could come truthfully and say that I have been unfair to any person on the basis of anything, especially because of their racial complexion. But the UNC finds Dennie, puts him on a platform to say that the Prime Minister instructed him to fire Indians from the SSA. And nobody including the mentor of the UNC, nobody—

Hon. Member: Nobody.

Hon. Dr. K. Rowley:—saw it fit to say but that does not sound right.

Mrs. Robinson-Regis: Exactly.

Hon. Dr. K. Rowley: That is not Rowley's record. And all I could say to my friend from Tabaquite this evening, I would have respected you more if you had made the same speech you made here this evening when you heard about Dennie. [*Desk thumping*] Not a word. Dennie appeared like Hurricane Dorian in Trinidad meaning to flatten us, destroy the fabric of this country, tells school children in Presentation College, in Carapichaima and in Sangre Grande that there is a Prime Minister in this country from the PNM who gave instructions that Indians should be fired. Not a word from any of you but you coming here this evening to do damage control for Naparima who has been most offensive and putrid—. [*Desk thumping*]

We understand, we understand exactly what you are about, and there is something in politics—the greatest value in politics, greatest currency in politics is credibility. You have to have credibility, if you have no credibility, your words mean nothing to anybody. No credibility. So to come here this evening and say we are not racial, we are not this. Who put Dennie on a platform? Am I to understand that he just walk—he was passing by and heard that the Monday night forum was taking place and rum was sharing and he go on the platform and talk. He was brought on the platform—

Mr. Deputy Speaker: Member, one second. One second, Member. Member for Naparima, I spoke to you already. Please, proceed.

Hon. Dr. K. Rowley: He was brought on the platform by the official authority of the UNC to drive a wedge between the Africans and the Indians in this country. [*Desk thumping*] And all of you who stay silent, all of you who stay silent on that outrage, you have proved it, you have proved it and you thought you were going to profit by it. But my grandfather taught me that ill begotten action bears no fruit.

[*Desk thumping*]

But let me get back to their behaviour in 2004. So here I was, abandoned by my colleagues, standing on the document that was published in the budget document passed and gone to the Senate, they raised an outrage and you think they satisfied with talk only? They moved a Motion against me.

Hon. Member: What? Again?

Hon. Dr. K. Rowley: Second Session of the Eighth Republican Parliament, Private Motion, elimination of discrimination of all forms, filed by the Member for St. Joseph. And who was the Member for St. Joseph then? Cast your mind back.

Mr. Al-Rawi: Assam.

Hon. Dr. K. Rowley: No, it was not Yetming? 2004?

Mr. Hinds: Yes.

Hon. Dr. K. Rowley: Eh.

Mrs. Robinson-Regis: Yeah.

Hon. Dr. K. Rowley: When they have their dirty work to do, they do not do it themselves. They get people like Naparima and others to do it. [*Desk thumping*] He filed a Motion accusing me of racial discrimination, Member for St. Joseph, and the preamble, and they interpreted their own work, your know, as racism on my part:

“No person shall be refused admission to any public institution on account of religious persuasion, race, social status or language of such a person...”

So that was the foundation and then in the Motion they go on to say:

“Whereas the hon. Member for Diego Martin West...”

I was named in the Motion, you know.

“Whereas the Member for Diego Martin West and Minister of Housing has publicly affirmed that policy of racial and gender discrimination as”—and

listen to it—“as contained in the *Social and Economic Framework 2004* policy document, notwithstanding its deletion as an ‘Errata’.”

So my colleagues, out of fear from the attack deleted the document as an errata. But I stood by it, because I believe in it. [*Desk thumping*] So they filed a Motion, they filed a Motion accusing me in 2004 of racial discrimination as contained in the social and economic framework of 2004 policy document. That is the history of this Parliament, Member for Naparima. So when you come here this evening to come and read nonsense about trying to play champion and blowing dog whistle for black people children of slaves in Laventille that is the history. When there was a time to do something in 2004 that is was the UNC did. You should be ashamed of yourself. [*Desk thumping*]

And let me tell all of you once again, Mr. Deputy Speaker, for the benefit of all of them on issues of race and religion, I am not afraid to engage it, because I have been decent all my life.

Mr. Al-Rawi: Hear, hear. [*Desk thumping*]

Hon. Dr. K. Rowley: I heard my colleague this evening again talking about what wonderful support he gives, oh he has for the police of Trinidad and Tobago. Again my friend from Tabaquite, I only wish that when the UNC comes out and says that somebody was charged by the police under the guidance of the DPP that you should have come out and say I have confidence in the police and what they have done is police work based on evidence that they think they have gathered that the DPP asked them to charge people and it is not the Government that caused the police to do something underhand. If you so have respect for the police when the police charge somebody, you talk about Australia and Germany and elsewhere, you feel that in England and Germany and Australia when the police charge somebody the Opposition comes out and say the Government who instruct the

police to do that? If you so respect the police as you said here this evening, why did you not come out and say I respect the police then and that is police work, go and answer your charge in the court house, eh, you know, and you gratitude for the police. What gratitude? By accusing them of being a Government handmaiden and doing things that are wrong, arresting people because election coming. That is the UNC's position today, that people are being charged in Trinidad and Tobago because elections coming. So "doh" come in this House in my presence, or our presence, and talk about you have respect for the police and you love the police. [*Desk thumping*] What you have done and when you talk about people not having confidence in the police—

Mr. Deputy Speaker: Member for Laventille West, please.

Hon. Dr. K. Rowley:—people not having confidence in the police, if you tell them that the police take instructions from the Government to lock up people, why should they have confidence in the police? You are destroying the very confidence we are trying to build in the police by telling our children and those who do not know better that people who run afoul of the law, granted that you do not like the law, but if you do not like the law well change the law. But do not go and tell them that the police is acting on the Prime Minister's instructions, because the truth is I heard about it just like you and maybe sometimes after you, because I did not know Marlene Mc Donald was going to get arrested. But one month before she was arrested the Leader of the Opposition could have called her to her office and tell her she was going to be arrested.

Hon. Members: Whoa.

Hon. Dr. K. Rowley: So do not come here and point fingers at the Government. I as Chairman of the National Security Council, as Prime Minister of this country, I did not know that the police was on to Marlene Mc Donald.

Firearms (Amdt.) Bill, 2019 (cont'd)
 Hon. Dr. K. Rowley (cont'd)

2019.09.09

Mr. Al-Rawi: Siparia did.

Hon. Dr. K. Rowley: But the Member for Siparia did and she—

Mr. Deputy Speaker: Hon. Member, one second. At this time I would like to take the procedural motion. Leader of the House.

PROCEDURAL MOTION

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

Thank you very kindly, Mr. Deputy Speaker. Mr. Deputy Speaker, in accordance with Standing Order 15(5), I beg to move that the House continue to sit until the conclusion of the matter before it.

Question put and agreed to.

FIREARMS (AMDT.) BILL, 2019

Mr. Deputy Speaker: Hon. Prime Minister, you have your additional 15 minutes. You care to avail yourself? Proceed.

Hon. Dr. K. Rowley: [*Desk thumping*] Thank you, Mr. Deputy Speaker. As I was saying, they like to jump up and encourage bad blood in this country. So the bad blood about the Government being involved in police business, I did not know that a member of my Cabinet was the subject of that investigation that had proceeded so far to a warrant being issued and my colleague was taken into custody. I was like everybody else in the country, took me four days, or whatever it was, Thursday to Sunday, to find out the details of what was going on as head of the Government and as head of the National Security Council. The police did their work in such a closeted way.

But the DPP instructed the police and it was handled that way, but I could tell you for all the implications of that, the Leader of the Opposition knew and was so confident in her—oh, sit down.

Mr. Lee: Mr. Deputy Speaker, 48(1), please.

Hon. Dr. K. Rowley: So confident—

Hon. Member: The truth shall set you free.

Mr. Deputy Speaker: Overruled. [*Desk thumping*]

Hon. Dr. K. Rowley: So confident was she, so confident was she in the information she had that as Opposition Leader she called my colleague to alert her to tell her that she was to be arrested; and that was not the first time, eh. I as Prime Minister of this country I had to intervene and tell that same member, Marlene McDonald, to turn down an offer of Silk from the government of the day.

Hon. Member: What?

Hon. Dr. K. Rowley: Yes. She and Member for Oropouche were going to take Silk—[*Crosstalk*—yes, Oropouche East. Yes, they were taking Silk. I had to tell my colleague—[*Crosstalk*]

Mr. Deputy Speaker: Prime Minister address the Chair, please.

Hon. Dr. K. Rowley: I had to tell my colleague—

Mr. Lee: On a point of order, 48(1), and where is the relevance to the Bill that is before us?

Hon. Dr. K. Rowley: I will tell you the relevance.

Mr. Deputy Speaker: Okay. One second, Mr. Prime Minister, one second. Again, Mr. Prime Minister, again tie it in with regard with the Bill and—

Hon. Dr. K. Rowley: Mr. Deputy Speaker, I have rope, I have twine, I have thread, I could tie it.

Mr. Deputy Speaker: Proceed, Sir.

Hon. Dr. K. Rowley: I am pointing out the behaviour of the UNC and as they make accusations against this Government that they are in fact, they are in fact the ones that we should be careful with. Accusations about the Government being involved with the police work—

Mr. Charles: 48(1), which clause does that relate to? [*Crosstalk*]

Mr. Deputy Speaker: Again, overruled. Proceed but tie it in Mr. Prime Minister.

Hon. Dr. K. Rowley: I am talking—I have entered this debate to deal with the credibility of the UNC—[*Desk thumping*]*—credibility of the—*

Mr. Charles: What does the credibility of the UNC with the debate that we have today?

Hon. Dr. K. Rowley: You would not understand it—[*Crosstalk*]

Mr. Deputy Speaker: Members, order, order. The Prime Minister has entered the debate, please. Silence as we continue. Proceed.

7.45 p.m.

Hon. Dr. K. Rowley: I did not disturb any of them you know, and you cannot defend. You have made enough damage. As far as I am concerned, my colleague from Naparima has disqualified himself from this debate. [*Desk thumping*] You cannot jump to the defence of the Member for Siparia and others, you know. I am stating facts here and credibility. It is because we have credibility that I as leader could have told my colleague, you do no such thing and you take no Silk from them, unless it is a silk twine to hang themselves.

Mr. Speaker, I heard this evening, Oh, fulsome praise for Gary Griffith separating him from the police service and from governmental actions. I want to repeat for this House and for the nation that Gary Griffith was a member of a previous government of a different political party fired from that government, that was voted into office by this Government in this House—

Mr. Imbert: And they said no.

Hon. D. K. Rowley: And when the vote came up in this House, he said this evening he knew that what we wanted was an operational police officer, and you vote for Stephen Williams against Gary Griffith? You remember that? Or you

were not here? You did not vote? [*Crosstalk*] So, Mr. Deputy Speaker, I say no more about that, but if you want to know about it, look the Motion here. Go and read this Motion. Find out how come a Member for Diego Martin West could have been the subject of a Motion of racial discrimination at a time when we were seeking to intervene in the killing fields of Laventille, where the same people he got up today to talk about—the children of slaves, black people in the inner city—could have been and still need to be guided away from crime and criminality. But those who have chosen crime as a way of life, they must be treated differently, Mr. Deputy Speaker. [*Desk thumping*]

I simply want to say, Mr. Deputy Speaker, at this time, that we the people of Trinidad and Tobago, we have done what we could for the people of The Bahamas, because there are times when we are more than ourselves and when it says, “There but for the grace of God go I”. I remember that earthquake, that 6.9 earthquake, and as the earth was shaking beneath me, I was wondering if that was our day. But, of course, Mr. Deputy Speaker, we have been spared, and notwithstanding what it has cost us, I saw the bill today for those hundred soldiers in The Bahamas for three months—for one month, sorry, for one month. The full cost to us for doing that, and we are currently—Trinidad and Tobago is currently in the Grand Bahama, in a situation that none of us expected to be in where the territory has virtually been destroyed, law and order becomes the next challenge where people without anything, their behaviour can become quite distressing.

Our soldiers are well trained and they have done this before. I have had the opportunity in another place, another time, to work with our defence force abroad. In Haiti, I was there when they were in Haiti. I was there with them when they were in Montserrat. I worked with them in St. Vincent on the volcano. In Dominica they were there, and on every occasion, Mr. Deputy Speaker, our men

and women in uniform have made us proud outside of Trinidad and Tobago. [*Desk thumping*] And I have no doubt that as they wear—

Thank you, Mr. Deputy Speaker. [*Desk thumping*]

Mr. Prakash Ramadhar (*St. Augustine*): Thank you very much, Mr. Deputy Speaker. There is no winner in the one race in this world, and it is the discussion on race.

Mr. Deyalsingh: Tell Naparima that.

Mr. P. Ramadhar: We have descended this Parliament away from a very important bit of legislation that deals with the security and safety of our nation and the people who live here. It has been said, and I shall repeat it, that the first weapon drawn in war is the tongue, and we must be very, very careful as we speak about issues over which we may have little control. We have flippantly dealt with one of the most dangerous and explosive topics that one could in a society that is so bereft of hope, a society that is so filled with tension and stress and anxiety, and I add a word of caution, Ladies and Gentlemen of this Parliament and of this nation, be very careful of what you speak and what you perturb.

If that beast is unleashed in this nation, in an environment as I have described and for much greater things, where criminality is the order of the day, where arms and ammunition are found on every street corner, where grenades are available, where there is hatred for all sorts of things, then those who have spoken those words that have unleashed that beast, must be held accountable. And I remember that nation of Rwanda, where many years ago, two tribes living together in one nation, but because some started using language of discrimination against another and, of course, there will be a retaliation where persons were seen as less than human or without credibility, they were started to be called cockroaches and signals were sent—we call it here “dog whistling”, but here it is more open.

In our Parliament today I am hearing these things about racist intent on a debate on firearms and ammunition? Inelegantly, we navigate a most jagged edge that could rip us apart. I ask us to stop now. When on a political platform, you have the issue of persons who speak divisive statements, whether it is about fire all the Indians, or Calcutta ship. And I say these things not that I want to inflame the issue, but to show that no one is beyond failure. But we must take cognizance now that leadership requires us to go to a higher level because the stakes are so much higher than each and every one of us. Today I heard about the history of the villainy that was poured onto the present Prime Minister. That is the history but I ask, what is our future? Do we fuel this thing or do we put it to rest? [*Crosstalk*] And you could point fingers each and every way.

Mr. Deyalsingh: Talk to Naparima.

Mr. Deputy Speaker: Members, please, the crosstalk across the floor, please. I will not tolerate it. Proceed.

Mr. P. Ramadhar: I am most grateful, Mr. Deputy Speaker. You know, when Mahatma Gandhi said that if “an eye for an eye” if we should do this, about who did what and who point who and who “chook who in who eye”, we end up all being blind. Let us remember these very sage words as we proceed, because we are in a very, very volatile society where an election is imminent. There will of course be persons who do not have the interest of the country at heart, but only to hold political office, and it does not matter that whatever they earn at the end of it, that the rule is a burnt state, a state without any cohesive force, where the society is—[*Crosstalk*] Mr. Deputy Speaker, I ask your protection again. They find this funny, because they have not rioted yet.

Mrs. Gayadeen-Gopeesingh: Exactly.

Mr. Deputy Speaker: Okay, Member. Again, Minister of Finance and Member

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for Tabaquite—Tableland/Tabaquite—

Mr. Indarsingh:—Moruga/Tableland.

Mr. Deputy Speaker: Moruga/Tableland, sorry. Please, please. No disturbance please.

Mr. P. Ramadhar: Tabaquite and Moruga, close somewhat, but miles apart in the way they conduct themselves. [*Desk thumping*]

Mr. Indarsingh: Oh yeah.

Mr. P. Ramadhar: So, Mr. Deputy Speaker—

Dr. Francis: That is really a compliment.

Mr. P. Ramadhar: Absolutely, if you wish so. Could we now get back to the people's business? And today we are debating what some may wish to describe as important legislation to increase penalties for the most heinous of offences with the use of firearms, because it is without doubt—I do not know that anybody could argue that firearms now dominate the criminality of our country. Indeed, only on Saturday night, outside of the Freeport Police Station, a person was gunned down and murdered, and I do not need to regale you with the horrific crimes of the past.

The Attorney General in his most elegant way has already described some of the most horrid scenarios, where state witnesses are shot with impunity, where their child sees and is crying—I saw that on TV—for his mom. They were walking home in Santa Cruz. It was only a few months ago, a graduation, and this child lost his mother because that woman might have been brave enough to cooperate to say that I will give evidence.

In Curepe, the constituency that both I and the Member for St. Joseph share, a landmark, an iconic historical area for doubles, in the junction, you have executions with high-powered rifle whether it is AK-47, AR-15s or what. When you hear that throughout this land, not only have we moved from handguns, but to

military-level armour and armoury, bullets that could pierce two-inch steel. What are we really dealing with? So I agree, Attorney General, I want to tell you, it may not have the effect you wish but, at least, let us all try to do something and send a message that we are all very serious about this country's future.

So that to have criticized the Member from Naparima, he was making some very important and reasoned points. [*Crosstalk*] Hold on, let me just finish please. You see, if you condemn everyone that nothing they say is of value, well then you have discriminated against him in the worst possible way. You have taken away his humanity and his dignity that he has no right to speak, because you have labelled him, that he is less than human and that he is racist, whatever it is? No. He has a right and there were some very good points, [*Desk thumping*] maybe not the ones you want to hear. For fear that I would inflame a response, I will not go into the points that he has raised. [*Crosstalk*] Well, I will do so on another point.

But let me just say this, Mr. Deputy Speaker, that in this Parliament there seems to have developed this belief—and I heard it fall unwittingly, I hope, from the lips of the Prime Minister that they have credibility. And what, nobody else has? So when emailgate was unleashed on this nation that was credible? [*Desk thumping*] And I felt the pain of that. And he laughed at me when I came into the Parliament and I spoke and I said when that happened I cried, because I knew this country would never have been the same again whether it was true or not. Whether what Dennie said is true or not, the country will not be the same. When they said Calcutta ship, whether it is true or not, the country would not have been the same again.

And that is the responsibility of those who seek power, not as a tool to help but as a weapon to destroy those on the other side so they will retain power, and that is why this country is in a very, very dangerous position, not just from the

guns and ammunitions on the streets, but from the words of those who have an audience, who have the airplay, the newspaper coverage, and for those who believe that these are our leaders, you have to be really cautious in this time that we must be that calming effect, oil on troubled waters. That is what this nation needs. It needs a balm, not a bomb. It needs healing, not throwing salt in wounds. We need love, not hate. We need kindness, not anger. We need understanding of all things most, and that is why I build to this point that we are all imbued with different levels of experience. Maybe some may call it different levels of intelligence, but it may be education and wisdom that no two persons are identical. No, we are not and that is why it is always important to listen. You may not at first understand. You may not at first agree, but in that you may find a point that you could positively disagree with and certain things that may help you change your mind as you proceed.

I did not know crime had colour. I did not know that we should now determine who is pulling the trigger other than the fact that who is pulling the trigger is the person who should be prosecuted and given the full extent of the law. And if it is that there are certain persons who fill that category of criminals, then it is they, and the only divide I want to see in this country is between good people and bad people. Because look, this is very personal to me. My mother was shot some years ago in a robbery at our business in Freeport, and I grew up never knowing anything about racial discrimination. I ate from neighbour's pots of different races and of different tastes, different pots, really. Two bandits came in and, well, I had told my family if ever something like that should happen do not look at that person, turn away, create no threat to them and let them take and go. My mother sat on a chair, put her head down, and as they were leaving, two of them, one turned and fired a shot into her back. But by the grace of God it hit the

back of the chair, diverted and became only a flesh wound. That was an intent to kill her for no other reason.

I do not know what race they belonged to. I do not know where they came from. What I can tell you is that those persons deserve the highest penalty according to law. And if it is that a message is to be sent today that we should increase the penalties, well then so be it. Let us try that because I am not unaware of the other actions that are to be taken and have been taken to create a tapestry, a fabric that will cover us in some level of safety, many of which—and you know this selfishness to say that everything happened in the last three or four years. The hon. Attorney General and the Minister of National Security will tell you that when they came into office they met a lot of the programmes that will now bear fruit already.

[Mr. Imbert yawns audibly]

I think the Minister of Finance has a gaseous problem.

Mr. Indarsingh: He is preparing the budget. He is preparing the budget.

Mr. P. Ramadhar: There is a problem with gas, I am sorry.

Mr. Indarsingh: Excuse him.

Mr. Imbert: I have gas?

Mr. P. Ramadhar: That many of the things that they are now bearing the fruit from had been planted long before they came into office and that is a fact. So, you know, let me move a little bit, sometimes to set the record right. The Partnership Government is hit left, right and centre about what?—dismantling the security apparatus, cancelling the OPVs. Let us today spend a few minutes, probably less, to put that myth to rest. OPV is an offshore patrol vessel. The ones that had been ordered, if I recall, were no less than 60 metres long, close to 200 feet.

Brig. Gen. Antoine: I am listening to you.

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Mr. P. Ramadhar: But listen and stop talking. Right? Two hundred feet long, designed for open waters. These are patrol vessels for not island states as much. These are for those nations of larger size that—

Brig. Gen. Antoine: No. [*Laughter*]

Mr. P. Ramadhar: For the often fired Member of the Parliament, I will listen to—[*Crosstalk*]

Mr. Deputy Speaker: Again, Members. No. Members, hold on. Again, thecrosstalk across the floor. Member for D'Abadie/O'Meara, you will have the opportunity to join the debate. Right now it is St. Augustine. Please.

Mr. P. Ramadhar: Thank you. Clearly a lack of discipline from a military officer.

Brig. Gen. Antoine: Will you give way?

Mr. P. Ramadhar: I will not at this point in time. So, Mr. Deputy Speaker, an OPV is a very large vessel. What was the cost of this thing? Anybody remember? Attorney General, you remember the cost? A couple billion dollars? A couple billion dollars for one boat.

Brig. Gen. Antoine: Nonsense! Nonsense! Three. [*Crosstalk*]

Mr. P. Ramadhar: Whatever the cost was, I want to tell you this—[*Laughter*]

Mr. Deputy Speaker: Silence.

Mr. P. Ramadhar:—the country could have ill afforded to have continued with that purchase for several reasons, one of which was this, that the contract date for delivery had been missed on several occasions. They were to have ensured—

Maj. Gen. Dillon: One was on the way. One was on the way. [*Crosstalk*]

Mr. Deputy Speaker: No, no. Members. Members, please. No, no. Hold on. Member for Point Fortin, you will have the opportunity. All right? You will have the opportunity, but right now it is St. Augustine's turn. Please, please.

Mr. P. Ramadhar: And you know, if I am to be corrected, I will be grateful for it, but I recall that even whether it was on its way or wherever it was, they could not get the gun to shoot straight. [*Desk thumping*] If it is that we were misled in national security where I was a member of the National Security Council, then so be it, but it is a matter of record that we were told that the guns could not have been fixed to shoot straight and a decision had to be taken. [*Crosstalk*] Could I have your continued protection rather than this very puerile effort to distract me?

Mr. Deputy Speaker: Go ahead.

Mr. P. Ramadhar: So that we had the OPVs that were to be brought into this country that were really designed and whoever—we were told that they were designed for patrols on 200 miles offshore or beyond. But what happened in this nation—and I filed a question which was not approved for the Minister of National Security to give this country the information as to how many naval vessels were actually purchased and provided in this country from 2010 to 2019, and I will await that information from him. But we were told that most naval vessels, sorry—of the boats that were bringing in guns and drugs were pirogues, fast boats, and that there was a system with the radars with blind spots, and that they would see pirogues shooting in from short distance, not from the United States, not from England, not from Barbados, but within the gulf and the south coast. Member for D'Abadie/O'Meara, you will agree with that, and there was no capacity to deal—

Brig. Gen. Antoine: Will you give way?

Mr. P. Ramadhar: I will give way.

Brig. Gen. Antoine: Mr. Deputy Speaker, the offshore patrol vessels were designed by Trinidad and Tobago to be platforms for various missions. For instance, the situation that is happening in The Bahamas—

Mr. P. Ramadhar: I would have given way for a question. [*Crosstalk*] I will

want injury time.

Hon. Members: You gave way. [*Crosstalk*]

Mr. Deputy Speaker: Members, one second. Member, Member, you gave way to the Member. Go ahead, proceed and—

Dr. Francis: Go ahead Antoine, talk.

Brig. Gen. Antoine: So, therefore, for a disaster management mission, you could have put a company of soldiers, 119, a company of soldiers, and sail them to The Bahamas with all their equipment, with vessels, tents, et cetera, so that they can be self-contained to assist the people of The Bahamas or any other Caribbean island. That is one mission. You could put a helicopter on board to do search and rescue missions where the vessel can be anywhere in the Caribbean Sea and extend the range in terms of helicopters. They were designed as a platform.

In terms of the weapon system, one weapon on the first vessel could not synchronize at high speed and in rough weather where the weapon would fire constantly on a target. That was all, and it was fixed. These vessels are now in Brazil called the “Trinidad Class Vessels” working for the Brazilian and other navies in the world. [*Desk thumping*]

Mr. P. Ramadhar: I want you to celebrate him proving my point. The OPVs—

Ms. Ramdial: Exactly, yes. [*Desk thumping*]

Mr. P. Ramadhar: The OPVs were for international missions, going to The Bahamas, protecting Brazilian border, and I am making the point, Mr. Deputy Speaker, they could shout how much they want, be dishonourable as they wish to be, but the truth remains that our shores, [*Desk thumping and laughter*] having regard to our relationship, I am minded to but I will not. Mr. Deputy Speaker, because it was thoroughly wasted from the other side, thoroughly wasted. [*Desk thumping*] So the Member for D’Abadie/O’Meara has proven the point. These

were ships, when there was a belief in the nation that Trinidad and Tobago must lead the region with something of a royal navy, so anything you had, the OPVs are out there, when our shores were left unattended from the south coast, the east coast and certainly the west coast in the Gulf of Paria where the clear and present danger—[*Crosstalk*—be quiet a minute now, please. Yes, and I am coming to the helicopter now which you crashed.

So that when our Gary Griffith, our Minister of National Security and at one time the advisor on national issues came up with a plan to get fast interceptor boats instead so that we could go after these pirogues up into the Caroni River, into the Nariva River and all of the other tributaries flowing into our oceans, because the complaint that we got from national security officers—from the police, from the coast guard, from the army—is that these fast pirogues were excluding any capture by what assets our country had then. So a decision had been taken to buy fast interceptors. So we run them in the gulf, run them on the ground. [*Desk thumping*] And let us not forget this is the Gary Griffith that belonged to the COP, belonged to the People's Partnership and how they take claim for all of the work that he did with us. [*Desk thumping*] It gets even better. Part of his platform, my friend—you know, sometimes they stand on a platform they do not even know what they are talking about—

Hon. Member: Like you.

Mr. P. Ramadhar:—because the platform that we had—

Brig. Gen. Antoine: You out of your league like you.

Mr. P. Ramadhar: Of course, of course. But those who know little will speak lots and you, Sir, now I understand why we have had a failure in national security. You were what?

Mr. Deputy Speaker: Again, Member for St. Augustine, address the Chair,

please, otherwise I will not be able to protect you. Address the Chair. [*Crosstalk*]

Mr. P. Ramadhar: It might be uncharacteristic, but what is happening in this country, we need uncharacteristic responses from our people because the platform that we had put in place, Mr. Deputy Speaker, when crime was on its way down, was that we had the helicopters connected with the fast patrol vessels together with the 800 vehicles that we put on the roads so that we had vehicles on the land, [*Desk thumping*] we had boats on the water and we had helicopters in the air and we triangulate. And I want to tell you this. Just this week—and I am grateful, I saw the helicopter flying again somewhere in central.

Ms. Ramdial: They get money for fuel?

Mr. P. Ramadhar: Yeah, I saw it, and they were flashing lights and everything else. [*Crosstalk*]

Ms. Ramdial: Finally.

Mr. P. Ramadhar: Mr. Deputy Speaker, is either we have a Parliament or we have a playground. [*Crosstalk*] You know, my days in this Parliament are very numbered and I want to ensure—

Mr. Imbert: Yes, you are right.

Mr. P. Ramadhar: Yes, it is. I want to ensure that whatever I say is of national value or at least something like that. [*Desk thumping*] So that if we are to return to a state where we can protect our borders, it takes land, sea and air. I heard the Minister of National Security make an astounding statement that the AR-15s and the Glock did not come from South America. So do you know exactly where it came from, how it came, when it came? Just like all the gang leaders you all knew. [*Desk thumping*] Every day we are regaled in the country in which we live of stories of persons coming from South America with stash—

Mrs. Robinson-Regis: Mr. Deputy Speaker, Standing Order 48(6), please.

[*Crosstalk*] We knew all the gang leaders.

Mr. Deputy Speaker: Members, please. [*Crosstalk*] Again, Member, just slightly rephrase what you just said in terms of imputing improper motives with regard to the gang leaders and stuff and so on like that.

Mr. P. Ramadhar: Listen, it never crossed my mind that you were befriending them, you know. I am speaking about the Attorney General when he spoke about anti-gang that we knew who they were. [*Desk thumping*] Do not take basket like that. Like your Prime Minister, when he hear that, who? Not Naparima. I am sorry.

Mr. Deputy Speaker: One second. St. Augustine, do not take basket—that statement is for who?

Mr. P. Ramadhar: That is for the Member who raised the objection, because I never for a moment suggested that they were controlling—

Mr. Deputy Speaker: Okay. Member. Member, I would like you to rephrase and move on please.

Mr. P. Ramadhar: I am saying now, how could you possibly have assumed that I suggested that you are befriending the criminal gangs? I never said that. I never suggested that, my statement, and it shows you now, how dangerous it is an innocent word can be taken and distorted in one's mind because of what is there. So we have to be real careful with that.

Mrs. Robinson-Regis: Standing Order 48(6), please.

8.15 p.m.

Mr. Deputy Speaker: Again Member, I do not want the explanation. I just want you to retract the statement and rephrase and move on.

Mr. P. Ramadhar: I apologize. I want to apologize too because it never was my intent. All I am saying is that knowledge was said to have been had as to who the

gang leaders and gang members were. That is the point I am making. But I was also on the point that you should not take basket, like the Prime Minister when he was told that an offer of Silk was made to who? Oropouche East and the Member for Port of Spain South.

Mrs. Robinson-Regis: Standing Order 48(6), please. [*Crosstalk*] Yes, but who is he talking about?

Mr. Deputy Speaker: Again, Member, Member, Member for St. Augustine, if you are quoting the Prime Minister please quote it correctly based on his statement.

Mr. P. Ramadhar: I am saying that is so unreal and unrealistic, that he should not have fallen so easy prey to such loose language, that is all, for a Prime Minister. [*Desk thumping*] And he should be properly advised by his legal advisor, who I know is shirking a little bit, because he must know that at least to get Silk you must have 10 years practice and a distinguished career at the Bar. And if it was Oropouche East that was being referenced, I think he was called to the Bar in 2010 or thereabouts, I assume. So that is the point I am making. So immediately one must be able to ferret out real from the unreal, and leaders have a higher duty to ensure that they do not fall and take basket. That is the point. [*Desk thumping*]

Mr. Indarsingh: And ability.

Mr. P. Ramadhar: You know, I admire the eloquence and articulation and the ability to debate of the hon. Prime Minister, but when he came to the Parliament with the emailgate, with the most outlandish allegations and references to murder and potential conspiracies to those things, he fell for that, because it was a convenient untruth? It could have thrown a government on its face. People would have marched in the streets and this country could have burnt.

Mrs. Robinson-Regis: Standing Order 48(6), please.

Mr. Deputy Speaker: Again, Member, just tie in your point quickly to the debate.

Tie in your point to the debate.

Mr. P. Ramadhar: Tying in the point to the very issue that the hon. Prime Minister raised about how careful we must be and the credibility issues. And that is why when we come now to debate, and I am hearing the issue that all these guns did not come from South American countries. If the Minister of National Security is certain that they did not come from South America, how certain is he to know where they came from? Because the OPVs—back to your favourite thing D’Abadie/O’Meara—200 miles out, you have no pirogues out there, you know. It is either big cargo ships coming in, and I cannot imagine they stopping each and every cargo ship to search it. I really cannot. It was the People’s Partnership Government that triggered the installation, and I could imagine some level of hindrance to the implementation of—*[Interruption]* I am not one here to produce industrial language, but you seem to be inching up towards it—the issue of scanners on the ports. It was the People’s Partnership Government that started that whole thing. *[Desk thumping]*

Mr. Deputy Speaker: Member, your initial speaking time has elapsed. You have an additional 15 minutes. You care to avail yourself?

Mr. P. Ramadhar: Absolutely, and maybe some injury time too please.

Ms. Cudjoe: No. “Injure yuhself!”

Mr. P. Ramadhar: My gosh, I am being threatened on this side from Tobago.

Ms. Cudjoe: “Yuh injured yuhself.”

Mr. Indarsingh: Tobago West, we will have none of that.

Mr. P. Ramadhar: Oh, I see. I tell you this Parliament is getting more and more difficult for any level of reasonableness to survive. So that, Mr. Deputy Speaker, we need now to be real, to be truthful and to be non-political on these issues. As I said, crime has no colour. Crime has no—what should I say?—geographical area.

Crime is everywhere. It comes in every colour and it comes in all kinds. And if I may offer a word of advice, we do not have to solve every single crime, you know. We just need to take the top three in each of the three main and most difficult categories of murder, drugs, corruption, and laser focus our attention, the law enforcement, and do the investigation. If you take down the kingpins first, a chilling message is sent throughout the nation that if we want you, we shall get you, because the State must be bigger than anyone or any group. I repeat that: The State must be bigger than anyone or any group, and the resources of this country have been great, but the use of it is sometimes frittered away in all sorts of unreasonable directions.

So in terms of murder—the Member for Caroni Central, I think we should really look at this *Hansard*, because in that statement is a checklist of the things, the questions that need to be asked and the answers given, and if we proceed with those answers to fruition then we will see, like the Attorney General wishes to have a better Trinidad and Tobago, where crime is under control, where the good people have a sense of a future and a hope that their Government—and a government does not only include those who hold the office, but the Government in a sense in Trinidad and Tobago is all of the Parliament working in their interest.

So back a little bit to the Bill itself. I have dealt with the fast interceptors and the need and the OPV and that myth that has to be sunk. Firearm User's Licence—Attorney General, could I have your ear on this one. We are at war, good versus bad. It is without any question that the criminals or those who have ill will can access illegal firearms with the slightest of effort and a little bit of cash. It is now used as a bartering commodity from those persons who come from South America with little other than their guns and ammunition. These are the things that we hear on the streets, and wherever there is smoke there may be some fire.

We do know there is a correlation in the last several years, as was said by the Attorney General, of the high powered rifles, high powered machine guns coming into this nation that are now being captured, and we congratulate the efforts of the police officers to do so, but they have come from somewhere. We need now to investigate, as I said, the kingpins, send a chilling message. But in that interim—and a couple of months ago we saw two things in one week. In the constituency of Couva South, in a jewellery shop that I know, bandits went in—the Member for Princes Town is very well aware and familiar with it—and thankfully the security guards were left alive at the end of that and one bandit was dead.

In south, I think it is in the constituency of Oropouche East, a supermarket owner in his bed at 2.00 or 3.00 in the morning is accosted by gunmen who had beat his son with a gun on his head, and came into his bedroom. He fortunately had a licensed firearm—

Mr. Mitchell: Bones.

Mr. P. Ramadhar:—and used it then. San Fernando, right, Bones, good man, good, good man.

Hon. Member: He is a PNM.

Mr. P. Ramadhar: Then something is wrong with him. [*Laughter*]

Mr. Indarsingh: You cannot verify that.

Mr. P. Ramadhar: And what happened then is that at the end the bandit was dead, and the licensed firearm holder was alive and his family intact. I make this point—and I know the present Commissioner is doing much to increase the flow through of applications and successful grant of Firearm User's Licence, but we need to do much more. We need to do it much more quickly and more efficiently. And I agree wholeheartedly that all the tests that are necessary, psychological and all the social examinations need to be conducted. I want to suggest, Attorney

General, that our Firearms Appeal Board be converted into a firearms board, to take away the burden from the Commissioner of Police himself who has to sign off on these things.

I know the incorruptible Commissioner may have heard these allegations, but I get it on a regular basis, that if you want a Firearm User's Licence in this country, you pay up to \$100,000 now to get it, and I want that investigated, please. I know the Commissioner himself will not countenance any of that, but in that system, and even if there is no truth in it, let us have some clarity on it so that we put that issue to rest. So that when bandits come and they figure that there is lamb to the slaughter, let them know there is a response. I am not one to violence but I am one to self-defence. And I always tell juries when I do address them in courts, that it is always better to be judged by 12 than to be carried by six, because these are life and death situations. In the middle of the night, men's wives and daughters are raped in their presence and they too are murdered at the end in their defence. Hapless, defenceless, and we need to have a response that criminals know that we are not going to take this lying down. We are not just going to take it quietly, that we are at their mercy. No, we are not.

It was said in this country, in fact by Tabaquite, that the problems that we face in this country are man-made. I agree with him. The Prime Minister referenced national disasters like hurricanes and earthquakes, those are things we have little control over. But this is a great and beautiful nation, because when we had our floods in St. Augustine and throughout the south, I saw people come from south with food, and I saw people from the north go to the south with boats, and I saw the country lift itself to help. But the man-made problems, those are the ones—and I think Caroni Central said it—that if man creates a problem then man can create the solution.

Attorney General, I congratulate you in making this effort. In terms of the sentencing, I really hope that it works together with other things, that we could make this country a safer and a better place.

Mr. Deputy Speaker, I cannot leave this matter unattended, when it was suggested for a moment by the hon. Prime Minister that the police have political ambitions or political leanings. Nobody has ever said that all of the police—nobody could ever say that—that all of the police are liable to political directory. But I would tell you from the history of this nation that there are many examples where the police have acted to a political end. In 2000—Member for Pointe-a-Pierre, you remember when people were traumatized throughout the length and breadth of this country when an election was imminent that they were to be prosecuted and charged, arrested from their homes for voter padding? Because that was a fear that was put. That dog whistling or whatever, it was a real thing in the country, where people were afraid to go to vote. That if they went to vote, word was set on the ground and in the air that if you go to vote under certain circumstances you will be arrested. And a team of lawyers, Chaitram Sinanan, deceased, great man that he was, and a small team, we went through this country and we defended each and every one of those persons. Not a single conviction, except for one from Barataria who pleaded guilty, and I think she was from the constituency of Laventille West. When she said to the court that she changed her address to San Juan/Barataria to vote there, because she is PNM. That is a matter of record.

Now, this thing about voter padding, and I just used that one example, I know my time is very limited, is that in the investigation—

Mr. Deputy Speaker: But Member, I want you tie it also to the Bill. Tie it into the Bill.

Mr. P. Ramadhar: I am just answering the very bald statement made by the hon. Prime Minister about political interference in police business. Because in those cases I had sight of a police station diary log, where two senior officers conducting the investigation paid several visits to Balisier House during that period. I want to also say—*[Interruption]*

Mrs. Robinson-Regis: Standing Order 48(6), please.

Mr. Deputy Speaker: Again Member, as I said, tie it into the Bill and in terms of the terms that you are using, please.

Mr. P. Ramadhar: That is the point. I am responding to statements made. *[Desk thumping]* So let us not broad brush the police and say—nobody has suggested that, but to suggest that there are not pockets that will favour one or the other. It was said here that the Leader of the Opposition knew in advance of the arrest of Port of Spain—what is the natural insinuation from that? What was the natural inference from that? So let us be fair in this Parliament. When you want to say things you could infer what you want, when we say it Standing Orders. *[Desk thumping]*

If it is you think you are going to silence everybody in this country, you are up for a big, big mistake. *[Desk thumping]*

Mr. Indarsingh: Battle lines are drawn.

Ms. Cudjoe: Standing Order 48(6), that is imputing improper motive, to silence everybody. *[Crosstalk]*

Mr. Indarsingh: You are bullying the Speaker to make a ruling.

Mr. Mitchell: Why do you not keep a discreet silence?

Mr. Deputy Speaker: Could I rule now? Again, Member for St. Augustine, in terms of the reference of the term with silence, please. You are clear on the point? In terms of the reference and the terminology that is being used, please.

Mr. P. Ramadhar: Thank you very much, please. Like the criminals would not silence us, democracy must be kept alive by the ability of each and every one of us to speak our minds, not only because you agree with what the other person is saying, but especially when you have to disagree with them, otherwise there is no improvement in a society. So that the biggest point here is that this beautiful country, that has everything going for it, except the right people in the right places, we have the most beautiful lands, we have water in abundance, fertile grounds. We could grow anything we wish here. Our rivers, when they were not polluted, were filled with fishes, the Gulf of Paria, fed us fully. The most beautiful scenery, the most intelligent people, Arima, the brightest minds in this world have come from this nation.

The one thing that the recipe lacks for greatness, is a unifying force above and beyond the politics. A unifying force that connects us with our present into our future, and not just take the bitterness of our past. Too many of us believe that we must regale ourselves with the history of discrimination or negative experiences, that we may have felt the pains of all of those things and carry it into the future. Put that baggage down please. We are on a brink of utter failure and utter devastation, where the oil industry has been decimated, when people are being laid off by the hundreds and by the thousands, when homes are being sold, mortgages are being called in. All the signals are very, very negative for our future. Let us really now understand—

Mr. Deputy Speaker: You have two more minutes.

Mr. P. Ramadhar:—thank you very much, Mr. Deputy Speaker—that we can fix this thing. Sometimes, you know, many of us go to churches, temples, mosques, and we participate in wonderful sermons and messages, and when we leave we do not understand that we must take those learnings, the wisdom from all those great

books, from the lives of Mahatma Ghandi, Nelson Mandela, Martin Luther King. Not just to recommend it, but to live it and emulate it. Let us do these things, and Trinidad and Tobago can and will be saved.

I thank you very much, Mr. Deputy Speaker.

[Mrs. Newallo-Hosein rises]

Mr. Deputy Speaker: One second, Member. Chief Whip, your colleague from Cumuto/Manzanilla stood up, and we have been going one on either side. *[Interruption]* Listen, hold on, Members I need no help, I have my notes. We have been going one on either side. Am I to recognize her, Mr. Chief Whip?

Mr. Lee: Please.

Mr. Deputy Speaker: Right, proceed.

Mrs. Christine Newallo-Hosein (*Cumuto/Manzanilla*): Thank you, Mr. Deputy Speaker. Before I get into my discourse, I want to thank my colleagues on this side, starting with the Member for Naparima, Member for Caroni Central, for Tabaquite and for St. Augustine, for the excellent debating skills that were displayed here this afternoon. *[Desk thumping]*

Mr. Deputy Speaker, I cannot go on until I respond to the hon. Prime Minister. I want to say that on this side we have a history of allowing freedom of speech, so much so that we have supported democracy, that when—because many Members on this side belonged to NAR, and when NAR won with a 33, it would have been two, the Prime Minister at the time indicated there must not be a silent Opposition, *[Desk thumping]* and refused—because at the time there was a call for a recount, and the Prime Minister, Mr. ANR Robinson said no, we will not recount. There must be an Opposition. I must say from then back onward to this day, we have had on our side the history of protecting our democracy. *[Desk thumping]*

The hon. Prime Minister indicated to the Member of Parliament for Naparima that the Prime Minister is convinced that the Member is not convinced that the Prime Minister does not know what he is doing.

[Interruption—cell phone sounds out]

Mr. Deputy Speaker: The Member with that particular device, please ensure it is on silent.

Mr. Indarsingh: I apologize.

Mrs. C. Newallo-Hosein: So here it is I want the hon. Prime Minister to know that it is not only the Member of Parliament for Naparima who is convinced that the Prime Minister does not know what he is doing, the entire country is convinced that the Government and the Prime Minister does not know what they are doing in this country.

The Prime Minister indicated that he wants to be credible, but after emailgate, A&V Drilling, Petrotrin, I do not think anybody would believe anything about Silk for the Member for Port of Spain South, or worse yet that our political leader contacted her a month before she was in fact arrested.

Hon. Members: Oooh! Now you walk into it!

Mrs. C. Newallo-Hosein: So there is no credibility.

Mr. Deyalsingh: You should have stayed away from that.

Mrs. C. Newallo-Hosein: And so I declare it is nonsense, Mr. Deputy Speaker.

Mr. Deyalsingh: Ask Princes Town, he was there. *[Crosstalk]* Princes Town was there.

Mr. Deputy Speaker: Members, please. Member for St. Joseph, please.

Mrs. C. Newallo-Hosein: Mr. Deputy Speaker, I do not plan to stay very long in this debate. A lot of my Members have already articulated some of my views, but it is really without a doubt that there can be no argument against any measures

being implemented that are meant to stem the violence being committed by and with the use of guns, nor can citizens continue to live in fear, their daily lives cut short as they hurry home from work.

But I just wanted to really address certain points, and perhaps ask some questions. Maybe the hon. AG can answer them. The Member for Laventille West indicated, in responding to the Member of Parliament for Tabaquite, that there is restorative justice because of the fact and the words that “they are put in jail”, and they would get whatever in jail. He went on to say as a matter of fact they are taught, they are given lessons and they have certain activities that they partake in. I do not think that the Member for Laventille West is aware of what is restorative justice. It really is something that emphasizes an equal concern for crime victims and offenders, while de-emphasizing the importance of coercion. It also seeks to focus on the harm done to persons and relationships, rather than on the violation of a law.

So I think it is important for the Member for Laventille West to understand what is restorative justice, so that when the Member is going forward, in putting forward plans and policies for his Government, that he would understand the difference between throwing somebody in jail and hoping that they reform themselves, as opposed to putting something in place to bring about restorative justice.

There is an issue that also I want to raise in this Bill, and it is a matter of whether—and perhaps the AG could assist me with this—if we are going to have a three-tier system, where is the parole Bill, where is the sentencing commission? I know a Member on our side spoke about the forensic laboratory, but what about the exhibits that must require a certificate of analysis? And as we are all aware, these certificates take years to generate just for the matter to start. So how long

would it take for any matter to really proceed with all these matters still being unresolved?

Then we have a matter where a large cache of guns and ammunition disappeared from the forensic laboratory some years ago. So my question is: How do we deal with this? We are putting all these laws in place. We are not against it, as you would have heard, Mr. Deputy Speaker. We all support the Bill. We want the Government to be successful, but we are asking the questions: How do you deal with all of these matters that are outstanding, and you are bringing a Bill without the proper—ummm—ummm—without the proper Bills. You do not have the Bills, you do not have the sentencing commission and so forth. So you do not have that in place as yet.

Mr. Mitchell: The supporting mechanisms.

Mrs. C. Newallo-Hosein: Precisely, the supporting mechanisms. So then we have the social justice aspect. Social justice is something that I am really concerned about here, and I am going to explain why. I am going to relate it to the Bill. Social justice is the equal access to wealth, opportunities and privileges within a society. Social justice is the overarching societal concern about what is right and wrong, and fair and unfair. Social justice is justice that follows the principle that all individuals and groups are entitled to fair and impartial treatment. Social justice attempts to prevent human rights abuses, and social justice is based on notions of equality and equal opportunity in society.

Now, there are similarities between criminal and social justices. Criminal and social justices have similarities because—[*Interruption*] I am coming to it.

Mr. Deyalsingh: Mr. Deputy Speaker, respectfully, Standing Order 48(1), please.

Hon. Member: This is excruciating.

Mrs. C. Newallo-Hosein: I can tie it in.

Mr. Deputy Speaker: Member, again, I will give you the opportunity to tie it in quickly please.

Mrs. C. Newallo-Hosein: I am wrapping up shortly, and I will tie it in. Because criminal justice is actually a subset of social justice, and social justice is about determining what a society deems fair, unfair, right and wrong. Criminal justice is about applying these social ideals to criminal activity as a society defines it in criminal law.

Mr. Deputy Speaker, if we go to possession in Part I, possession, sale, transfer and use of firearms and ammunition in 5, it says in this part:

“‘acquire’ means hire, accept as a gift or borrow;

‘transfer’ includes let, hire, give, lend or part with possession.”

It says in (2), in:

“...any prosecution for an offence under this Part or Part IV, a person who—
 is proved to have had”—in his possession—“or under his control...
 ...anything”—whatsoever—“in or on which is found any firearm or
 ammunition,

Shall”—until the contrary is proved—“be deemed to...”—have been—“in
 possession of such firearm or ammunition...”

So we understand that, right?

Now we come to the Bill, and I heard the hon. AG—and hon. AG, through you, Mr. Deputy Speaker, I will give way for the AG to answer this question—the hon. AG indicated that 9A will be inserted, and he gave a brief synopsis. He said there is a reversal of burden of proof. So in other words, it does not conflict with our Constitution where you are considered to be innocent until proven guilty, but we have this being put here. It says in 9A:

“A person who has in his possession two or more firearms or prohibited

weapons is deemed to have the firearms or prohibited weapons for the purpose of trafficking the firearms or prohibited weapons, unless the contrary is proved, the burden of proof being on the accused, and such person commits an offence and is liable—”

And it gives the various convictions.

8.45 p.m.

And then in (2) it says:

“In this section, ‘trafficking’ includes importing, exporting, acquiring, delivering, selling or transferring firearms or prohibited weapons.”

Now, I just want to reiterate what “acquire” means. I said it before, but I want to say it because I want to ask the AG:

“‘acquire’ means hire, accept as a gift or borrow;”

Hon. Attorney General, through Mr. Deputy Speaker, I want to know, sometime ago, on Facebook, children of a high official appeared on Facebook. And these children of this high official were underage and therefore it meant that they did not have a licence to own a firearm. This law here, that is proposed, this amendment, says:

“9A. (1) A person who has in his possession two or more firearms or prohibited weapons is deemed to have the firearms or prohibited weapons for the purpose of trafficking the firearms...”

And so I am asking, what happens in a case where these children in a photograph [*Crosstalk*] were circulated and therefore it means, who is held responsible in a case such as this?—one. Who has to provide the burden of proof—

Mrs. Robinson-Regis: Standing Order 48(1) please. [*Crosstalk*]

Mr. Deputy Speaker: One second. Again, Member, tie it in very quick. Very quickly, tie it in. Tie it in very quickly. Proceed.

Mrs. C. Newallo-Hosein: Mr. Speaker, it says here clearly in this new proposed amendment, that anyone:

“A person who has in his or her possession”—a firearm—“two or more...or prohibited weapons is deemed to have the firearms or prohibited weapons...”

And I am asking a simple question, who is held responsible in this case? Will the State be provided to provide the burden of proof? And therefore, I am asking where is the social justice in this because there may be other persons, young persons who may hold a firearm to pose with. I do not know what a firearm looks like, I have never held one.

Mrs. Robinson-Regis: Standing Order 48 (1) please, totally irrelevant.

Mr. Deputy Speaker: Member, just kindly move on.

Mrs. C. Newallo-Hosein: Would the hon. AG like to answer the question?

Hon. Members: No!

Mr. Al-Rawi: Was this in the—are you giving way? Was this in the letter from God? [*Laughter*]

Mrs. C. Newallo-Hosein: You know, Mr. Deputy Speaker, the Government thinks it is a joke, but there are a number of persons outside, they are going to fall into this, it is a net that is spread very wide.

Mr. Deputy Speaker: Member, just move on to your next point. [*Crosstalk*]
Please, please, Members please. Just move on to your next point.

Mrs. C. Newallo-Hosein: This net will include a lot of innocent people who have to prove. We will support the Bill—

Mr. Deyalsingh: Why?

Mrs. C. Newallo-Hosein: Because we want you to succeed.

Mr. Deyalsingh: But you just said the Bill bad.

Mrs. C. Newallo-Hosein: I am speaking to Mr. Deputy Speaker.

Mr. Deputy Speaker: No, Members, no, Members, please, wait one second. Member for St. Joseph, please. [*Crosstalk*] Please, please, please. Member, I am giving you the—you said just now that you were coming to a conclusion.

Mrs. C. Newallo-Hosein: Yes, I am concluding. I just asked the question how does 9A fit into it and obviously the Government cannot answer and so I thank you, Mr. Deputy Speaker. [*Desk thumping*]

Mr. Deputy Speaker: Attorney General.

The Attorney General (Hon. Faris. Al-Rawi): [*Desk thumping*] Thank you, Mr. Deputy Speaker. This has been a debate of highs and lows, of miracles and mysteries, of inconsistencies and of downright torture at times, Mr. Deputy Speaker. I think it is safe to say that the hon. Prime Minister and the Member for Laventille West thoroughly dealt with what was the greatest example of inconsistency demonstrated by the hon. Member for Naparima. The Member for Cumuto/Manzanilla seemed to want to give a little running to that, but did not quite launch off of it, because I did not understand what the hon. Member was saying. I took some notes and I will come to her in a little while.

There are a few things, Mr. Deputy Speaker, I think that just need to be dealt with in terms of the Member for Naparima. First of all, the hon. Member started off by asking why it is we had come to this House not having dealt with campaign finance reform, sedition repeal, et cetera. And I would just like to tell the hon. Member, as the national community knows, that the campaign finance reform has been completed by the Office of the Attorney General, a Bill has been prepared, it is the first Bill in the history of this country to treat with that. It will go to the Cabinet for its consideration, and in fact we expect to have that in short measure, all things being equal and the Cabinet making its decision.

We have quite an interesting argument which was dealt with, which was basically the race baiting. I think that was dealt with comprehensively by the hon. Prime Minister and I thank him for that. And we now come to the statement by the Member for Naparima that the legislation is draconian legislation. The Member then went on to say that he was going to support the draconian legislation. The Member said and complained that there was no detection and no conviction and then went on to say somehow that we were going to overpopulate the jails. So no detection, no conviction, this law is draconian, and we are going to overpopulate the jails. Which one it is, we are not quite sure. Perhaps the Member for Cumuto/Manzanilla could help us in her next treatise and letter to the Prime Minister from wherever on high that letter comes from again.

Mr. Deputy Speaker, we then came to the position of Trinidad and Tobago and prisons, and the hon. Member for Tabaquite, the one thing that came out of the hon. Member's speech which was in resonating measure with the Member for Naparima was his statement that he was concerned about proportionality. And it was the Member for Naparima that referred to Jamaica and India and prison populations and went on to treat with a point that resonated with the Member for Tabaquite, and just let me deal with the Member for Tabaquite's point.

The Member for Tabaquite raised the suggestion and the Member for Naparima echoed it, that this law somehow provides for no discretion in the Judiciary; both Members effectively said that. No discretion in the Judiciary and both Members made the mistake in law, made the mistake in fact and the mistake in reality to allege that this law was a mandatory sentence. Let me make it abundantly clear again, because I had dealt with this in the piloting of the law, this law is not a statement of mandatory sentencing. It is not. It is the opposite. We were very careful to point out to sections 68, 69 and 69A of the Interpretation Act,

Chap. 3:01. I was very careful to read the dicta of the CCJ in the case of Renaldo Anderson Alleyne, A-L-L-E-Y-N-E and the Queen, a case coming from Barbados. I have already given that citation, delivered on the 2nd day of May, 2019. I already put all of that on the record.

I of course note that the Member for Tabaquite did not come with a written speech, the Member for Naparima was very different, somebody appeared to have written a speech for the Member for Naparima, but I want to make this absolutely clear. This is not a mandatory sentencing. But it does not surprise me, Mr. Deputy Speaker, that there could have been that confusion. The Member for Siparia was here in the Chamber before going on the platform tonight. That hon. Member saw it fit to offer Silk to herself and several others. That Member did not speak. That Member was a past Attorney General, past Minister of Legal Affairs, past Prime Minister of the Republic of Trinidad and Tobago, no contribution from learned Senior Counsel.

The Member for Oropouche East, well we accept that he cannot speak tonight, he has not entered into certain mechanisms which would lift his suppression. The Member for Chaguanas West is a qualified attorney-at-law. The Member for St. Augustine spoke very late in the day, but what is staggering in this particular House, we know the Member for Princes Town is studying the law. Not a single Member spoke to the fact that this law is law and I was very disappointed to listen to the Member for St. Augustine tonight not correct the Members on his bench.

The Member for St. Augustine was the head of the Law Revision Committee. The hon. Member sat for five years and three months and presided over the LRC and did not correct the Members which led this debate for their bench. The Member for Naparima said this was mandatory law; the Member for

Tabaquite said this was mandatory law and mandatory provisions. This is not mandatory law and if you do not know the law do not speak to it, quite simply. [*Desk thumping*] Because one would expect that Members that have occupied high office, Office of Attorney General, Office of Prime Minister, head of Law Revision Committee, would have the intellectual space, sincerity and honesty to speak to the law in the terms of what the law actually is.

Mr. Deputy Speaker, for the record, this law is simply in accordance with the Interpretation Act, a statement of what the maximum exposure can be. If after two convictions and you are brought before the court and you are convicted on a third occasion, the nine times in the Bill where the reference to natural life is to be found, that nine times using section 2A as an interpretation guide. Those nine times refer to natural life, that is the maximum to which you can be exposed.

I was very careful in piloting this law to also mention the dicta coming in the Trinidad and Tobago cases to be found at paragraphs 51 to 53 of this Alleyne decision, *Alleyne v The Queen*. That is the CCJ decision. And in particular the Trinidad and Tobago cases treating with *Naresh Boodram v the Attorney General of Trinidad and Tobago*, the Court of Appeal, stating in that case there is up to now no definitive exposition of the meaning of life imprisonment. That adopted the case of *R v Foy*, the UK Court of Appeal as to what life imprisonment means.

We then went on, in particular, to treat with *Seepersad & Panchoo v The State*, Criminal Appeal 68 of 1983; *Horace Stephen v The State*, Criminal Appeal 15 of 1999, both Trinidad and Tobago cases. And in this case it is openly said as it is throughout the course of this judgment that it is for the Judiciary to decide what the sentencing will be; it is for the Judiciary to consider statute and also sentencing guidelines; it is for the Judiciary to consider whether retribution, punishment, deterrents and rehabilitation as the four elements of sentencing guidelines should

apply in getting one up to natural life imprisonment.

For the Member for Naparima, for the Member for Tabaquite and the Member for St. Augustine to consistently stand and allow this impression that this law somehow creates a mandatory sentence is a dereliction of duty. [*Desk thumping*] In fact, Mr. Deputy Speaker, it is downright embarrassing for the Member for St. Augustine not to have spotted this. It is embarrassing. And I say that because the Member for Tabaquite said something which is quite powerful. The Member for Tabaquite said that the Opposition must in its defence of democracy speak when things are wrong in law and that this is the space and place to treat with law. But, Mr. Deputy Speaker, one has to come prepared.

This is the same bench that debated sentences in 2011 when they raised the level of sentencing by 50 per cent. This is the same UNC Bench, the same players in large part. So to come today and say that this law is at fault in terms of constitutionality, the hon. Member for Tabaquite said it in a more cautious way. He said he was concerned about the proportionality. I want to assure the hon. Member, number one, this is not mandatory sentencing; number two, it is only the Judiciary under our Constitution and the separation of powers principle that can engage in the application of sentencing and sentencing guidelines. In fact, it is the Barry Francis case itself, a five member panel of the Court of Appeal where Mr. Justice of Appeal Archie, Chief Justice, and Mr. Justice of Appeal Jamadar were both in the minority judgment with Mr. Justice of Appeal Bereaux giving the majority judgment that traversed this law inside out.

So whilst *Hinds v R* may be some persuasion, in our jurisdiction it is certainly Seepersad, Panchoo, Francis and other cases, Naresh Boodram, that take us into that realm. And I think it best, I think it—if I may be bold to suggest to the UNC at least a little bit of propriety, let the lawyers speak to this issue, even if

Senior Counsel for Siparia does not want to speak to the issue or cannot speak to the issue.

Mr. Deputy Speaker, the Member for Tabaquite raised a few other very interesting points which I would like to treat with. I would just like to correct a few matters for the record. Hon. Member for Tabaquite said that it was the regard that the UNC had for the Trinidad and Tobago Defence Force personnel that caused that Government to give \$1 million in death benefits. I would like to say that the gratitude goes to the Member for Point Fortin who was the only person who took note of that issue not having been performed by the UNC, [*Desk thumping*] never performed, typical UNC, make up something, say it and do not perfect it. It was the Member for Point Fortin as the Minister of National Security that ensured that the law was put into place and the operational structures to allow for the \$1 million death benefit and paid the money. [*Desk thumping*]

Secondly, when the hon. Member for Tabaquite said that the UNC cared so greatly about the Trinidad and Tobago Police Service and other members, as it was extended to fire officers, et cetera, Mr. Deputy Speaker, I would like to remind that \$1,000 was not \$1,000 that went towards pensionable benefits. And it is important to note that that is in effect in the manner in which it was given, something which does not redound to the benefit of persons who will actually have the benefit of the pension as they grow older. Again, halfway hitting the equation.

Mr. Deputy Speaker, I pulled the *Hansard* record. I looked for the debate where the Commissioner of Police Gary Griffith was the subject of the Motion and I note that the *Hansard* record demonstrates that it was a vote taken in the House which resulted in Trinidad and Tobago seeing the UNC say to this country by way of its vote effectively, no vote in support. There were 19 yeses and there were 13 abstentions. So when the hon. Member for Tabaquite says that they support

Commissioner Griffith, that they note that his tenure is the type of tenure to be marked by someone who has operational experience, your voting record does not say that. You had an opportunity to stand up and vote. You voted yes for Dulalchan, you voted yes for Stevens Williams, you did not find it in your hearts to vote yes for Gary Griffith. So do not come today and reinvent the story and tell us something which the record in *Hansard* does not respectfully demonstrate.

Mr. Deputy Speaker, we had a few more submissions from the Member for Tabaquite, good questions, where do guns come from? How do we find guns? That people needed to see the police having a trust with the people. They needed to go into the community, to befriend the community. I would go a step further. There can be no conviction unless there is evidence. There is no evidence without a witness. What is the UNC's record on that? Whistle-blowing protection, a Bill which came to this Parliament. It was voted down. All noes opposite. The Evidence (Amdt.) Bill, where witness anonymity and the use of CCTV evidence to allow witnesses to give evidence in a hearsay structure, meaning you will use the CCTV as opposed to the live person or where the identity of the witness will not be known as happens in other jurisdictions. You know what the UNC position is on that, Mr. Deputy Speaker? No to witness lives.

So when we hear the Member for Tabaquite very commendably trying to come to the rescue that the disaster that the Member for Naparima brought to his bench caused, when the Member for Tabaquite tried to treat with that, if you are serious about making sure that we want to know where the guns come from, people have to feel that they have a fighting chance to stay alive. And therefore you need to support anonymous witness evidence, you need to say, yes, to whistle-blowing protection legislation, Mr. Deputy Speaker, but do not just speak in platitudes, do not just talk about airy-fairy sorts of things. We as a Parliament, all 41 of us in this

House, have an opportunity to debate law under section 53 of the Constitution. It is not good enough to raise platitudes in a debate when one is headed towards the sunset of their years in Parliament, Mr. Deputy Speaker.

I respect the Member for Tabaquite, I have told him this across the floor on many occasions as an elder statesman in his contributions in this incarnation of Parliament, but the hon. Member ought in his fulminations to correct what we saw coming from the Member for Naparima tonight and to tell the Member for Naparima that race baiting is not permissible; to tell the Member for Naparima, this is not mandatory sentencing; to tell the Member for Naparima do your homework before you open your mouth in a debate.

Mr. Deputy Speaker, the hon. Member asked if information is coming from prisoners. Yes, information is coming from prisoners; yes, plea bargaining legislation is at work. Permit me to stick a pin for a moment. Mr. Deputy Speaker, I am going to be very quick in how I say this. The strategy of this Government recognized certainly by the Member for Pointe-a-Pierre who at one moment said when the dawning reality came upon him in an earlier debate [*Crosstalk*] that the pieces of the puzzle are coming together and they would not support what the PNM is doing because the pieces are now biting.

I will put it this way. We focused firstly on the processes surrounding the plant and machinery. When we came in and we looked at the criminal justice system as this Bill is said to be just one part of it, the first thing we did is we said, “Let us look at where justice is done”—the court. Who is in the court? That is the judge. Who is in the court? That is the prosecutor. Who is in the court? That is the witness. The evidence that is inside of the court, the movement of people around the court. The first thing we did was to look at that. What did we do? We created divisions of court, Family and Children Division, Criminal Division, we

created new courts in the—certainly the Criminal Division Courts at Fyzabad and also in Port of Spain at St. Clair. This building that we sit in right now will take the civil courts, giving us 65 courts in yield.

We went to the Judiciary, in the miscellaneous provisions legislation, we raised the Judiciary from 32 judges to 64. We then took the Court of Appeal from 12 to 15. We then said, Mr. Deputy Speaker, where are your prosecutors coming from? We went to the DPP's Office. We created and opened the DPP Tobago Office. We have now secured the Park Street, Port of Spain Office; we have the San Fernando Gulf City Office; we increased the staff, we added in the case management software in the DPP. We said, what use is that if your counsel of choice is not ready to have a trial? And what did we do? We said that if your counsel is not ready you will have a defendant being represented by competent counsel and we birthed the public defenders system. What does that mean? Where is the office, where are the bodies? We expanded the Legal Aid Division and we secured the rental on Stanmore Avenue of a stand-alone location.

But what did we do, Mr. Deputy Speaker? We went further. We said, if you have the people, you have the structures, you have courts, as at the end of our tenure we will have birthed 64 new courts at the Hall of Justice, another 30-something new courts in this building and then the courts at Fyzabad and also at St. Clair. Mr. Deputy Speaker, we are talking close to 100 courts. No other Government can speak to that.

As the Cabinet considers the opening of the Family Court in San Fernando, as the Cabinet considers the new magisterial positions, having given them the land in San Fernando to build the new Magistrates' Court, we are talking about hundreds of courts in our tenure. But we went further. We said what about the processes. What is the point of having a court if you do not have rules of court?

We introduced the Criminal Procedure Rules, the Civil Proceedings Rules were amended, the maintenance rules were amended, the children rules were amended, the Family Proceedings Rules, five sets of rules. Up to today we amended them on four different ways.

It is with that system now, churning and moving, that we went to managing the hard laws. Bail amendment, no-bail provisions, anti-gang, anti-terrorism, firearms amendment, sexual offences, Children Act amendments, mutual assistance in criminal matters amendments, Proceeds of Crime Act amendments, hard laws started to operate. But we did not stop there, Mr. Deputy Speaker. We said that if you cannot catch the hard crimes, catch the money. Income tax amendment law, civil asset forfeiture law, explain your wealth legislation, FATCA, the Global Forum package, the Revenue Authority of Trinidad and Tobago, the amendments to Proceeds of Crime Act in that end. And then we went further and further in concentric circles.

So when hon. Members asked what this law is going to do and this law cannot just be about locking up people, they seemed to forget all of the things that I have just mentioned which are not proposals, Mr. Deputy Speaker. These have already been purchased and implemented for the people of Trinidad and Tobago. [*Desk thumping*] And when we go into the details of that, God help their wheel playing demonstration of what logic looks like. You see, I hear, coming from the UNC, and I am only saying it the way they say it, "Kamla has a plan". For the life of me I do not know what that means. I do not know if it is plenty for twenty, I do not know what it means. What I can tell you is that there are no elements to the structure.

Mr. Deputy Speaker, let me turn quickly to the proportionality point and which laws are in position. The hon. Member for Tabaquite, I too, [*Crosstalk*] no

not blame, your contribution was a good contribution, you were trying to make up, Mr. Deputy Speaker, through you for the atrocity of the contribution that we heard from the Member for Naparima in its truest and most purposeful form. We in preparing this legislation looked at the laws of Jamaica, Barbados, St. Vincent, Bahamas, Canada, India and Australia. I did pull the laws coming out of Canada. The laws out of Canada in reference to the fines and structures were for first-time offences, Mr. Deputy Speaker. Canada Criminal Code 1985, section 85(1), section 85(2). First offence not exceeding 14 years, minimum of one year. Section 86(1), first offence not exceeding two years, et cetera.

Mr. Deputy Speaker, we have all the laws here. We come prepared when we are looking at the laws, but what I can tell you, Mr. Deputy Speaker, in terms of the proportionality of these laws those which jump out at us in similar circumstances to us: India, Singapore and Jamaica. Jamaica, Mr. Deputy Speaker, in particular, Firearms Act 1967 as amended, life with or without hard labour, life with or without hard labour for prohibited weapons, restricted weapons, restricted ammunition. Other cases, life with or without hard labour, manufacturer dealing in prohibited weapons, again, life. If I jump to India, natural life is also a phenomenon of their laws, but if I jump to Singapore, Mr. Deputy Speaker, it is a pity that the Member for Naparima does not have the courage to sit in this Parliament and listen to replies that come to his contributions. But, Mr. Deputy Speaker, what is interesting in the laws of Singapore and permit me to look at Chap. 14, the Arms Offences Act of the laws of Singapore. The current version to be found, 28th of December, 2018.

They go as far as mandatory minimum sentences with caning. In other words then, strokes. But, Mr. Deputy Speaker, using or attempting to use arms to commit Scheduled Offences. And listen to what the Scheduled Offences are:

- “1. Being a member of an unlawful assembly...
2. Rioting...
3. Offences against the person...
4. Abduction or kidnapping...
5. Extortion...
6. Housebreaking and house-trespass...
7. Robbery...
8. Preventing or resisting arrest...
9. Vandalism...
10. Mischief under”—certain—“sections”—of the—“Penal Code.”

Listen to this. If you were committing any one of those offences, you were being a member of an unlawful assembly, that is, you are protesting, and you have a firearm, hear what the penalty is in Singapore:

“4A. Subject to...exception referred to in...the Penal Code which may be applicable...any person who uses or attempts to use any arm at the time of his committing or attempting to commit any scheduled offence shall, whether or not he has any intention to cause physical injury to any person or property, be guilty of an offence and shall on conviction be punished with death.”

9.15 p.m.

Let me repeat that:

“...be punished with death.”

So do we have polar examples of the law? Certainly Singapore, India, Jamaica and other jurisdictions do. Do we have lesser examples of the law? Yes, Canada and other jurisdictions do. But, Mr. Deputy Speaker, it is amazing to me that the entire lower bench of the UNC is now empty. Not a soul sitting. Not

even—

Mrs. Robinson-Regis: They “doh” care.

Hon. F. Al-Rawi: Not even in the seats that they are supposed to be in.

Hon. Member: The Monday forum, man.

Mr. Imbert: “Dey gone for-rum?”

Mrs. Robinson-Regis: “Dey gone for-rum.”

Hon. F. Al-Rawi: Mr. Deputy Speaker—

Mr. Deputy Speaker: One second. A precedent has already been set. Member for Couva South, you are free to sit there but no disturbance whatsoever, please.

Hon. F. Al-Rawi: Thank you, Mr. Deputy Speaker, and I am very disappointed in the hon. Member for Cumuto/Manzanilla, because there were positions of response to be offered to the hon. Member, but I clearly realize that she does not have the courage to stick around tonight to be dealt with the way that she ought to be dealt with in terms of the contributions offered tonight. Mr. Deputy Speaker, what can I say?

There is one more thing I need to deal with, because the Member for St. Augustine went to town on this issue and I need to set the record straight tonight. The Member for St. Augustine went into the emailgate saga. The Member for St. Augustine said that the PNM, that the Prime Minister—now Prime Minister—Dr. Rowley, failed when he came with that, and was addressing the issue of credibility. Mr. Deputy Speaker, I want to read for you from the following letter dated July 05, 2019. Office of the Director of Public Prosecutions, to me, Faris Al-Rawi, Attorney General and Minister of Legal Affairs:

Dear Attorney General.

“Re: Email investigation referred to the Commissioner of Police by letter dated May 20, 2013.”

The Deputy Director in charge of that case, Joan Honore-Paul wrote under the authority of *The State v Seeromani Maraj-Naraynsingh* to inform of the DPP's advice to the Commissioner of Police—Acting Deputy Commissioner of Police, Harold Phillip and disclosed the letter under authority of that case law to inform the Attorney General. The letter from the Office of the Director of Public Prosecutions, July 05, 2019—because the Member for St. Augustine talks about credibility and said that emailgate had no credibility in it. Well, let me put on the record tonight in answer to that submission, the words coming from the letter from the Director of Public Prosecutions, and it says:

“We...have arrived at our conclusions...”—et cetera, and I will go to the relevant parts.

“It is...noteworthy that notwithstanding the apparent form and structure of the purported emails themselves, their content, when matched against evidence of the prevailing circumstances in Trinidad and Tobago in September 2012, was sufficient to reach the standard of probable cause. The relevant applications were therefore successful and warrants were obtained for...Internet Service Providers”—in the United States of America. “In accordance with the law obtaining in the”—US—the Department of Justice followed the exact parameters listed in the Search Warrant, and caused”—searches removing —“data outside the range of the Search Warrant... [I]n accordance with the terms of the Warrant, ‘all data and communication data’ for the accounts of the persons names in the purported emails for the specified period month i.e. September 2012.”

But listen to this. The DPP then goes in to say that they asked specific questions of the FBI. And, Mr. Deputy Speaker—

Mr. Deputy Speaker: Hon. Member, your initial speaking time has elapsed. You

have an additional 15. You care to avail? Proceed.

Hon. F. Al-Rawi: So the DPP goes on to state that the FBI is saying the following:
The FBI was asked specific questions. They were asked:

“‘[C]an’”—they—“‘certify that, that which was produced in answer to the subpoena represents all content data and communication data contained in the accounts’ in September 2012...”

And here is what the United States Department of Justice answers in black and white and in quotations:

“To formally answer your question, the FBI produced all of the data and communications data, for the captioned accounts, for the specified period, which were provided by Google Inc. Any data within the specified period, which was or may have been deleted by the account holders prior to the issuance of a preservation order, would not be producible in any form and therefore not...included in any return.”

They go on to say:

“It is possible/likely that the data that you seek, for the period in 2012, may no longer exist due to the account holder(s) possible deletion of the data prior to the preservation order.”

Mr. Deputy Speaker, the full code test was looked at, whether there was a realistic prospect of conviction, whether there was sufficient evidence and the DPP concluded by saying:

“The authenticity of the thirty-one (31) subject emails can neither be confirmed nor denied. However, evidence gathered supported the fact that the several of the events referred to in those emails can be confirmed as having actually occurred in the way and at the time referred to in the emails. This...assertion is supported by the fact that an independent District Court

Judge in the United State of America was satisfied that the evidence had sufficient cogency to result in the granting of the Warrant to search the servers of the”—ISP—“Microsoft Corporation and Google Inc.”

Mr. Deputy Speaker, I have just read for you and for the benefit of the nation, through you, and put upon the *Hansard* record the black and white correspondence coming from the Office of the Director of Public Prosecutions. It is nothing of what the Member for St. Augustine alleged—absolutely nothing. And, therefore, I reject out of hand his suggestion that the hon. Prime Minister lacks credibility in the manner that he suggested. [*Desk thumping*] Far be it the opposite case, Mr. Deputy Speaker, and my colleague ought to know better—ought to know better—because, again, the hon. Member was entirely wrong.

I have inherited the portfolio, for the time being, of being the Attorney General of Trinidad and Tobago. One of the files that I inherited was the BAE Systems, OPV matter which the law firm of Charles Russell Speechlys in the United Kingdom conducted. It is a matter of record that the advice coming to Attorney General Ramlogan was that the case was going to be lost; that they should have kept the vessels. It was AG Ramlogan and Prime Minister, the Member for Siparia, Kamla Persad-Bissessar of Senior Counsel—two Senior Counsel—that insisted that those vessels had to be returned.

Mr. Imbert: We lost \$700 million.

Hon. F. Al-Rawi: We lost money—

Mr. Imbert: \$700 million.

Hon. F. Al-Rawi:—and were only lucky because of the good negotiation by Charles Russell Speechlys to get the Government of Brazil to buy the vessels which, as the Member for D’Abadie/O’Meara has put on the record, was custom-made for Trinidad and Tobago.

So, Mr. Deputy Speaker, the hon. Members opposite cannot be trusted to tell the truth, and the Member for St. Augustine ought to be ashamed, because the hon. Member tonight stood up and said that he was a member of the National Security Council. If he did not know that, what was he doing in the National Security Council?

Mrs. Robinson-Regis: Nothing.

Mr. Deyalsingh: Same thing in LRC.

Hon. F. Al-Rawi: Same thing in the LRC.

Mr. Deyalsingh: Nothing.

Hon. F. Al-Rawi: Mr. Deputy Speaker, this law is rationally connected to a host of processes being engaged in. This law is connected to reforms that this country has never seen in a four-year period. This law is connected to giving Trinidad and Tobago a fighting chance. This law is the opposite of what the Member for Naparima says it is. This law is certainly not mandatory sentencing. This law is certainly not the type of law that does not allow judicial discretion. This law is for the exclusive consideration of the Judiciary. What we allow here, coming out of the Alleyne decision in the CCJ judgment, is a definition of natural life that the Judiciary can exercise as an upper ceiling limit depending upon the circumstances of the case and depending upon the sentencing guidelines as to whether it is to be balanced, not only against the statutory prescription, but the conditions of sentencing: retribution, punishment, deterrence and rehabilitation.

Mr. Deputy Speaker, I beg the Members of the Opposition and the Chief Whip to spare us the indignity of the Member for Naparima's contributions on a further occasion. [*Desk thumping*] It is mind-boggling that the first responder to a Bill on the law should be the Member for Naparima. Because it is so completely wrong, the submissions offered by the hon. Member, that it really just paints the

entire Opposition in the poorest light possible. I cannot understand the choice. Even the law student at Princes Town—commendable that he is pursuing the degree of LLB—even the Member for Princes Town has demonstrated better capability on previous occasions.

Spare us from the Member for Naparima, Mr. Deputy Speaker, through you, to the Leader of Government Business. Spare us. Assist us to talk good law. Help us to avoid the Member for Tabaquite having to come and smooth over the tragedy that unfolded in this Parliament today. This should not be seen in a Parliament, and we have to call it out lest we find ourselves confined to letters to the Almighty, or from the Almighty being delivered by hand. Because that is the only other way we are going to get to the position to actually hope and pray that we are going to get some solution. It cannot be in the form of debate that we saw tonight from most of the Members opposite. I will except the Member for Tabaquite from that.

Mr. Deputy Speaker, there is nothing left to say in this debate and I beg to move. [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Mr. Chairman: Hon. Members, as we convene the committee of a whole, I just want hon. Members, do I have your agreement to consider all the clauses together?

Assent indicated.

Welcome to the technocrats from the AG's office.

Clauses 1 to 27 ordered to stand part of the Bill.

Question put: That the Bill be reported to the House.

Mr. Al-Rawi: Sorry, Mr. Chairman. My Bill, as amended in the Senate, shows a

clause 28. So the Bill before the House has a clause 28. The one as printed has 27?

Mr. Chairman: Yes.

Mr. Al-Rawi: Okay. It could be that mine was—No? The technocrats also have a 28. Mr. Chairman, I will go with what has been printed because that is off of the site as circulated, but if the Gazetted version has 27 then I will be fine with that.

Mr. Lee: So we should have all the clauses?

Mr. Al-Rawi: Yes.

Mrs. Robinson-Regis: May I say something, please? Mr. Chairman, in the Explanatory Note, though, it says the Bill contains 28 clauses and requires a simple majority. So could we make sure of what is the right Bill, please, and what clause 28 contains? Because we all had 27.

Mr. Al-Rawi: Mr. Chair, it seems that it has been solved by the reference to a typographical which would be on page six of the Bill where clause 9 was managed differently. So it was deleted in the Senate. So it is properly 27 clauses, Mr. Chair. I just wanted to confirm because the one I had did not reflect the removal of clause 9, which was a deletion which happened in the Senate. So you are correct. Thank you for allowing me the caution of double-checking.

Mrs. Robinson-Regis: So it is 27 clauses?

Mr. Al-Rawi: Yes, Ma'am. It is 27 clauses.

Question agreed to.

House resumed.

Bill reported, without amendment.

Question put: That the Bill be now read a third time.

The House voted: Ayes 29

AYES

Al-Rawi, Hon. F.

Firearms (Amdt.) Bill, 2019 (cont'd)

Imbert, Hon. C.

Deyalsingh, Hon. T.

Hinds, Hon. F.

Mitchell, Hon. R.

Cudjoe, Hon. C.

Garcia, Hon. A.

Crichlow-Cockburn, Hon. C.

Robinson-Regis, Hon. C.

Dillon, Hon. Maj. Gen. E.

Webster-Roy, Hon. A.

Gadsby-Dolly, Hon. Dr. N.

Francis, Hon. Dr. L.

Jennings-Smith, Mrs. G.

Olivierre, Ms. N.

Leonce, A.

Antoine, Brig. Gen. A.

Smith, D.

Cuffie, M.

Lee, D.

Rambachan, Dr. S.

Tewarie, Dr. B.

Newallo-Hosein, Mrs. C.

Gayadeen-Gopeesingh, Mrs. V.

Indarsingh, R.

Paray, R.

Padarath, B.

Bodoe, Dr. L.

Ramdial, Ms. R.

Question agreed to.

Bill accordingly read the third time and passed.

ADJOURNMENT

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

Mr. Deputy Speaker, I beg to move that this House do now adjourn to Friday the 13th day of September, 2019, at 1.30 p.m. At that time we will do a Bill entitled: An Act to amend the Sexual Offences Act, Chap. 11:28. Thank you.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 9.37 p.m.