SENATE

Monday, July 02, 2018

The Senate met at 1.30 p.m.

PRAYERS

[MADAM PRESIDENT in the Chair]

PAPERS LAID


4. Administrative Report of the University of the West Indies, St. Augustine Campus (Report to the Ministry of Education) for the fiscal year 2015/2016. [Sen. The Hon. F. Khan]

JOINT SELECT COMMITTEE REPORTS

(Presentation)

National Security
Manpower Audit Committee

Sen. Paul Richards: Good afternoon, everyone. Thank you, Madam President. Madam President, I have the honour to present the following report as listed on the Supplemental Order Paper in my name:

**Cybercrime Bill, 2017**

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Madam President, I have the honour to present the following reports:


**Income Tax (Amdt.) Bill, 2018**

**Mutual Administrative Assistance in Tax Matters Bill, 2018**

**Tax Information Exchange Agreements Bill, 2018**


**Gambling (Gaming and Betting) Control Bill, 2016**

Sen. Wade Mark: Madam President, I have the honour to present the following report as listed on the Supplemental Order Paper in the name of Sen. Foster Cummings, that is:


**PUBLIC ACCOUNTS COMMITTEE REPORTS**

(Presentation)

Sen. Taharqa Obika: Madam President, I have the honour to present the following reports as listed on the Supplemental Order Paper in my name:

**Trinidad and Tobago Bureau of Standards**

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Airports Authority of Trinidad and Tobago

URGENT QUESTIONS
Widespread Flooding in Trinidad
(Preventative Measures Taken)

Madam President: Sen. Mark. [Desk thumping]

Sen. Wade Mark: Thank you, Madam President. To the Minister of Works and Transport: In light of reports of widespread flooding across Trinidad following yesterday’s torrential showers, can the Minister indicate what preventative measures are being taken for the rest of the 2018 rainy season?

Madam President: Minister of Works and Transport. [Desk thumping]

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam President. Madam President, yesterday there was widespread flooding in certain areas of Trinidad and Tobago. This was as a result of a tropical wave, and just to indicate the volume of rainfall we got, it was approximately 25 to 45 millimetres, which is over a five-to-six-hour period. That is normally the rainfall that we would get over a one-to-two-week period; we got that in just about five hours. Obviously, once you have that sort of downpour our infrastructure will be challenged, and in some areas it happened, especially in the northern part of

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Trinidad. There were some in central and some in the southern part.

What the Ministry of Works and Transport is doing going forward is that this Cabinet had approved a 298 desilting programme project, which is ongoing. We intend to beef up that programme where we could—I think we have just about 100- and-something projects already completed. We are in the second phase now, and we are hoping to have the entire project finished by the end of July, mid-August. We are also working with the Ministry of Rural Development and Local Government in the regional corporations, giving them some assistance and some technical support so that we can try our best to minimize the flooding issues, which is a big challenge to this country being an island state. I thank you.

Madam President: Sen. Mark.

Sen. Mark: Madam President, can the Minister indicate whether the various rivers and areas where we have the normal—the rivers, Madam President—have been cleared by the Ministry of Works and Transport, given the fact that we are in the rainy season?

Madam President: Minister of Works and Transport.

Sen. The Hon. R. Sinanan: Madam President, as I indicated, Cabinet had approved 298 desilting projects, and I am happy to say that yesterday some of the areas that were desilted, meaning the Bagatelle area, the Blue Basin area, parts of the Diego Martin River and the Maraval River, none of these rivers broke their banks. Had that happened it would have been even a bigger disaster. Where we had the flooding, it was on Wrightson Road; we had some flooding downtown and in the Westmoorings area. Those had nothing to do with the fact that the rivers were not cleared. None of the rivers in Port of Spain burst their banks. So what it shows is that, yes, we are cleaning the watercourses, yes, we are cleaning the rivers; we still have a fair amount to get done, and we intend to get it done before
the real downpour starts. Thank you.

**Madam President:** Sen. Mark.

**Sen. Mark:** Madam President, through you, can I ask the hon. Minister, which critical areas along the East-West Corridor still remain to be desilted under the 298 million programme approved by the Cabinet?

**Madam President:** Minister of Works and Transport.

**Sen. The Hon. R. Sinanan:** Madam President, again, we had the Malick river which was desilted. Yes, we had some flooding in the Barataria area; the Malick river was desilted, and the point I am trying to make is that even though you desilt the rivers and you clean the rivers, these channels could hold a certain amount of water. And with that river being cleaned—the Malick river—all the way from Barataria going out to the highway, there was still flooding. Unfortunately, the amount of water that came in—and a lot of it has to do with the development that is taking place.

If you look at that Barataria area, a lot of these areas where you have these big industries operating, those were low-lying areas where water, once you had this excess flow in the Malick river, would have gone and settled, and then go back into the channel. All these areas are now filled four and five feet high with commercial activities. These are some of the things that are contributing. So the rivers on the East-West Corridor, all the way up—because in Trinidad and Tobago the Drainage Department is divided into four areas; all four areas have work going on at this point in time. What the Government did is approve a project of 298 projects evenly distributed throughout Trinidad, and every department has ongoing works happening. Thank you.

**Madam President:** Next question, Sen. Mark.

**Increased Crime in St. Helena**  
(Measures Taken to Address)

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Sen. Wade Mark: To the Minister of National Security: In light of reports of an unprecedented increase in crime in St. Helena, can the Minister state what measures are being taken to address the issue?

Madam President: Minister of National Security. [Desk thumping]

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you, Madam President. Madam President, with respect to the crime in St. Helena the Trinidad and Tobago Police Service has in fact stepped up its patrol activities in the St. Helena area. Additionally, they have been engaging the businessmen in the area, businessmen and businesses in the area, with respect to cooperating with law enforcement to work together to treat with issues of crime and criminality and violence in the St. Helena area.

I also want to respond to Sen. Mark’s statement that it is unprecedented, and I think unprecedented means that it has never happened before, according to the dictionary, and I would let him know that in fact at this juncture, similar to last year, whilst there were about 13 serious crime reported, at this juncture there are about eight. So, in fact, there is a reduction in serious crime in the area, so it is not unprecedented as he described it, Madam President.

Sen. Mark: Madam President, may I?

Madam President: Sen. Mark, Yes.

Sen. Mark: May I ask the hon. Minister, have the police been able to determine the underlying reasons or causes for this sudden spike in criminal activities within that particular area of the country?

Madam President: Minister of National Security.

Hon. Maj. Gen. E. Dillon: Madam President, the police continue to be present in the area, and they continue to investigate all reported crimes in the St. Helena area.

Madam President: Sen. Mark.

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Sen. Mark: Madam President, may I repeat, I do not know if the Minister did not understand my point. I was asking the hon. Minister, through the hon. President, has the authority—are the police being able to analyze what may have been the contributing factors to the sudden rise in criminal activities in that community? Is it the migration of criminals from the East-West Corridor into these areas? What are some of the reasons?

Madam President: Minister of National Security.

Hon. Maj. Gen. E. Dillon: Madam President, the Trinidad and Tobago Police Service continues to investigate the crimes in the St. Helena area.

Madam President: Next question, Sen. Mark.

Sen. Mark: I do not know what he is doing as the Minister of National Security.

Madam President: Sen. Mark, next question.

Residents Affected by Heavy Rainfall
(Measures Taken to Render Assistance)

Sen. Wade Mark: Madam President, thank you very much. To the Minister of Rural—a more gentleman—to the Minister of Rural Development and Local Government: Based on the heavy rainfall which affected several homes throughout Trinidad, can the Minister state what measures are being taken to render emergency assistance to those residents who have been severely affected?

Madam President: Minister of Rural Development and Local Government.

[Desk thumping]

The Minister of Rural Development and Local Government (Sen. The Hon. Kazim Hosein): Thank you very much, Madam President, and I want to thank Sen. Wade Mark for the question. I want to sympathize with all those residents who were affected yesterday by the heavy rainfalls throughout the community, throughout the corporations. Clean-up activities and initial drainage assessments are ongoing in all affected municipal corporations. Eight corporations were

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affected. An all-of-corporation approach is being utilized where the corporations’ equipment is being deployed as necessary to remove debris and clear blockages.

The municipal corporations and the Ministry of Rural Development and Local Government are working together with all stakeholders, such as the Ministry of Works and Transport, T&TEC, WASA, CEPEP, the Trinidad and Tobago Fire Service to restore a sense of normalcy to affected communities as efficiently as possible. Madam President, eight affected areas were San Juan/Laventille Regional Corporation, 50 homes affected by flood in the Beetham Gardens area. The corporation is undertaking clean-up activities and initial damage assessments. Tunapuna Regional Corporation, two homes affected by flooding in Tunapuna. The corporation is undertaking clean-up activities and initial damage assessment. Also in Tunapuna, one fallen tree on the Priority Bus Route in the vicinity of PriceSmart Mausica, trees have been cut and cleared. Couva/Tabaquite/Talparo Regional Corporation, six homes affected, flooding in Windsor Park area.

Madam President: Minister, your time is up. In addition, Members, the time for Urgent Questions has expired.

**ORAL ANSWERS TO QUESTIONS**

Madam President: Leader of Government Business.

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Madam President, the Government is pleased to inform this honourable Senate that we will be answering questions number 147, 148, 161, 162 and 163.

Madam President: Sen. Mark. [Desk thumping]

**Venezuelans in Trinidad and Tobago**

**(Establishment of Formal Structures)**

147. Sen. Wade Mark asked the hon. Minister of National Security:
Having regard to the increased number of Venezuelans arriving in Trinidad and Tobago, can the hon. Minister of National Security advise on the following:

i. does the Government intend to introduce legislation to establish formal structures to address refugee and migrant labour issues; and

ii. if so, how soon?

Madam President: Minister of National Security. [Desk thumping]

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you, Madam President. Madam President, as a result of Venezuela’s sharp economic downturn and Trinidad and Tobago’s close proximity to Venezuela’s north-eastern coast, the Immigration Division has observed an increase in the number of Venezuelans entering this country. The Government of Trinidad and Tobago is currently drafting legislation to treat with the issues surrounding refugees and asylum seekers. The legislation is being informed by the national policy to address refugee and asylum matters. This policy is currently being reviewed in order to improve the efficacy of the various Government and non-Government organizational apparatus.

Additionally, in the absence of legislation the Ministry of National Security developed interim standing operating procedures for treating with refugees and asylum seekers. These SOPs guide the actions of the Immigration Division’s collaboration with the UNHCR and the Living Water Community. Further, a refugee unit was established within the Immigration Division and is working closely with officials of the UNHCR to train immigration officers and establish protocols to govern all administration processes.

With respect to the issue of migrant labour, the Ministry of Labour and Small Enterprise Development is currently drafting a labour migration policy that
would treat with these issues. The Government is committed to finalizing legislation concerning issues surrounding refugees and asylum seekers within a reasonable time. However, in light of the need for stakeholder engagement and thorough analysis required to treat with this issue, it would be difficult to provide a fixed date of completion at this time, Madam President.

**Madam President:** Sen. Mark.

**Sen. Mark:** Yes, thank you, Madam President. Could the hon. Minister identify what are the elements that comprise the interim standard operating procedures to guide the treatment of refugees arriving in Trinidad and Tobago?

**Madam President:** Minister.

**Hon. Maj. Gen. E. Dillon:** Thank you, Madam President. It is very predictive. Currently, there are standing operating procedures in place for treating with refugees and asylum seekers. The Living Water Community receives asylum seekers and conducts pre-screening. Following the completion of a pre-screening the Living Water Community will forward all relevant documentation and information under asylum seeker to the Immigration Division. When the individual qualifies as an asylum seeker, based on a well-founded fear of persecution, the Immigration Division will then place the person on an order of supervision in the care of the Living Water Community. Subsequently, the Living Water Community will register the applicant with the UNHCR after which an asylum-seeker certificate would be issued. The Immigration Division will then act accordingly pending the outcome of UNHCR’s Refugee Status Determination procedure.

**Madam President:** Sen. Mark.

**Sen. Mark:** Madam President, can the hon. Minister indicate how many refugees have applied through the processes outlined for refugee status in the Republic of
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Trinidad and Tobago since this invasion has developed in terms of the cross-border and the worsening crisis in Venezuela?

Madam President: Minister.

Hon. Maj. Gen. E. Dillon: Madam President, I do not have those figures at this point in time.

Madam President: Sen. Mark.

Sen. Mark: Can you supply those figures, hon. Minister, to this honourable Senate before the end of today?

Madam President: Minister.

Hon. Maj. Gen. E. Dillon: Madam President, that can be provided at a later date, Madam President.

Sen. Mark: Hon. President, can the hon. Minister indicate what would be informing the migrant policy that is being pursued by the Ministry of Labour and Small Enterprise Development? I have another question, but I will deal with that one first.

Madam President: Minister.

Hon. Maj. Gen. E. Dillon: Madam President, I think that question is best posed to the Minister of Labour and Small Enterprise Development.

Madam President: Next question.

Sen. Mark: Yes. Can I ask the hon. Minister what would be the—

Madam President: No, Sen. Mark, you have used up your supplementary questions; that is why when I said, next question, I meant next question.

Sen. Mark: I thought you were talking about supplemental.

Madam President: No, next question.

Sen. Mark: I did not know it went so rapidly, but, anyway, thank you, Madam President.

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Coast Guard Helicopters
(Details of Grounding)

148. **Sen. Wade Mark** asked the hon. Minister of National Security:

Given reports that since June 2017, four Coast Guard helicopters, AW 139, have been grounded at a hanger in Piarco, can the hon. Minister of National Security indicate the following:

i. the reason(s) for the helicopters being so grounded;

ii. the impact, if any, this has had on National Security; and

iii. when will the helicopters be returned to service?

**Madam President:** Minister of National Security.

**The Minister of National Security (Hon. Maj. Gen. Edmund Dillon):** Thank you very much, Madam President. Madam President, in 2009 four AgustaWestland 139 medium twin-engine, twin-turbine helicopters were purchased from AgustaWestland and assigned to the Trinidad and Tobago Air Guard. The annual operating cost for these four helicopters for the 2010 to 2017 period was TT $200 million; and over $1.4 billion, far more than the actual purchase cost of the helicopters themselves had been spent maintaining and operating the aircraft since they were purchased.

Madam President, the cost-benefit analysis was conducted and it was decided that this extraordinarily high expense was unjustified and the aircraft could be maintained and operated at a significantly reduced cost. As such, the aircraft were grounded effective June 29, 2017, pending the finalization and implementation of a more cost-effective solution. Subsequent to the grounding of these four AW139 medium twin-turbine helicopters, the Ministry of National Security has been utilizing helicopter services from the National Helicopter Services Limited. There has been no negative impact on National Security as the conduct of multi-operations continue, inclusive of search and rescue, intelligence
surveillance, target acquisitions, medevacs, airborne fire suppressions, external load lifting, tactical insertion and extraction, airborne command and control, air-maritime interdiction, logistic and liaison support, tactical air mobility, and also providing support to law enforcement using the same capabilities for military operations.

It is to be noted that while those four AW139 medium twin-turbine helicopters have been grounded, these helicopters are not the only ones utilized by the Government of the Republic of Trinidad and Tobago. The Ministry of National Security is presently utilizing helicopter services from the National Helicopter Services Limited. Cabinet, vide Minute No. 2169, dated November 30, 2017, agreed inter alia to the non-cash transfer of ownership of the four AW139 twin-turbine helicopters purchased for the Trinidad and Tobago Defence Force/Air Guard to the National Helicopter Services with effect from the 1st of December, 2017. Additionally, the National Helicopter Services Limited has been mandated to collaborate with the Trinidad and Tobago Air Guard, and thus the parties have been working to outline the terms and conditions to govern the transfer of the aircraft, outline how the aircraft will be maintained and operated, and return the aircraft to full operation capability in the most expedient manner, Madam President.

Madam President:  Sen. Mark.

Sen. Mark:  Madam President, can the Minister indicate which agency or body conducted the cost-benefit analysis as it relates to the grounding, the ultimate grounding of these four AW139 helicopters?

Madam President:  Minister.

Hon. Maj. Gen. E. Dillon:  Madam President, the committee established by the Ministry of National Security consisting of representatives from the Ministry of

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Works and Transport, National Helicopter Services Limited, Trinidad and Tobago Defence Force and the Ministry of National Security conducted the exercise.

**Madam President:** Sen. Mark.

**Sen. Mark:** Madam President, can I ask the hon. Minister whether the grounding of these helicopters, in the context of costs to the taxpayers of this country, was that taken on board, and if it were, can you share with us the cost of grounding these four helicopters in Trinidad and Tobago?

**Madam President:** Minister.

**Hon. Maj. Gen. E. Dillon:** Madam President, based on the work done by the committee the cost of grounding helicopters, of course, is less than the cost of the helicopters being operational. So that the ground preservation at this time, it is less than what is required in terms of cost for the helicopters being highly operational.

**Madam President:** Sen. Mark.

**Sen. Mark:** Madam President, can I ask the hon. Minister to provide us with the necessary proof of that analysis and assessment so that we ourselves can be guided accordingly?

**Madam President:** Sen. Mark, you are going to have to rephrase that request.

**Sen. Mark:** Can I ask the hon. Minister to make available to this Parliament the actual cost-benefit analysis of the interim committee that worked on that report?

**Madam President:** Minister.

**Hon. Maj. Gen. E. Dillon:** Madam President, let me just clarify that the cost of ground preservation, which is the state that the aircrafts are in right now, which means that they preserve them on the ground; they are not rotary in the air, as commonly as the term is referred to. So they are in ground preservation mode right now, which, of course, will be less than the aircraft actually flying. So I want to clarify that. So the cost will be less.
Madam President:  Sen. Mark.

Sen. Mark:  Madam President, may I ask the hon. Minister when he said that a more cost-effective solution to deal with these particular helicopters is being pursued, can you identify what are the elements of this cost-effective solution that is being pursued?

Madam President:  Minister.

Hon. Maj. Gen. E. Dillon:  Madam President, I cannot articulate all the costs, but I can say that one of the more extreme costs would be—prior to our decision we had engaged a foreign company to treat with the matter, so in fact there is a savings right now because we are now dealing with a local company, the National Helicopter Services Limited.  So, again, there is a reduction because of the local input as opposed to the foreign input, but there are other areas, of course, that there are cost savings.

Madam President:  Sen. Mark, next question, because—yes, you have used up—

Dominica’s Fee Waiver
(Status of Report)

161.  Sen. Wade Mark asked the hon. Prime Minister:

    Can the Prime Minister indicate when will the report by former Ambassador Christopher Thomas, regarding Trinidad and Tobago’s vote at the OAS against a fee waiver request from Dominica, be made public?

Madam President:  Minister of Agriculture, Land and Fisheries.

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat):  Thank you very much, Madam President.  [Desk thumping] Madam President, the report by Ambassador Christopher Thomas regarding Trinidad and Tobago’s vote at the OAS against a fee waiver request from Dominica will be made public by being laid in the Parliament through the Joint Select Committee on Foreign Affairs.  Madam President, this is expected to be
done shortly. Thank you.

Madam President:  Sen. Mark.

Sen. Mark:  Can the hon. Minister indicate, seeing that the document will be made public, will be laid in Parliament, and onward through this committee, can the Minister share with this Senate some of the findings, and possible key recommendations of this particular report?

Madam President:  Sen. Mark, I would not allow that question.

Sen. Mark:  But can I ask the Minister, therefore, when can we expect, seeing that we are rushing towards recess, can he advise us when can we expect this particular report to be tabled in the Parliament?

Sen. The Hon. C. Rambharat:  Shortly, Madam President.

Sen. Mark:  Madam President, may I ask whether shortly would mean before the recess break, may I enquire?

Madam President:  Minister.

Sen. The Hon. C. Rambharat:  Madam President, the report is expected to be laid shortly.

Madam President:  Next question, Sen. Mark.

2.00 p.m.

Lady Young Road
(Landslide March 2018)

162.  Sen. Wade Mark asked the hon. Minister of Works and Transport:

Can the Minister inform the Senate of the total cost incurred to clear the Lady Young Road landslide in March 2018 and the names of the contractor(s) involved?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan):  Madam President, the following occurrences of landslips on the Lady Young Road in late February and early March 2018, the resulting debris was cleared through the

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collaboration efforts of several agencies, including the Port of Spain City Corporation, the San Juan/Laventille Regional Corporation and the Ministry of Works and Transport.

Upon investigation into the slope failures by officials from the Ministry of Works and Transport, it was observed that the hillside at the 4.4 kilometre mark was very unstable, and proposed that re-profiling of the slope to a more stable angle of repose was necessary to ensure the safety of road users and to avoid further landslips.

An initial consultation was held with geotechnical engineer Dr. Derrick Gaye, and two areas of instability were identified to be removed. It was recommended that the re-profiling of the stope to a more stable angle of the repose be undertaken in two phases. Phase one, slope stabilization work was conducted using contractors’ service on a round-the-clock basis from March01 to March 04, 2018, to bring initial stabilization to the slope. Phase two work to bring long-term stability to the final slope continued daily from March06, 2018, with the roadway being closed during peak hours, with work being completed on March14, 2018. An assessment of the final stability of the various slopes along the Lady Young Road is in progress.

The work was undertaken as follows: Cal Company Limited conducted the pre-profiling and protection work and the removing and clearing of the roadway. Ricky Ragoonanan Company Limited undertook carting away of the materials from the site. The following costs associated with contractual service at bonded rates were: phase one, Cal Company Limited, $730,000; Ricky Ragoonanan $120,000. Phase two, Cal Company, $741,000; Ricky Ragoonanan $60,000. A total of $1,651,000.

I thank you, Madam President.
Sen. Mark: Madam President, can I ask the hon. Minister, were these companies or contractors selected on a sole selective basis or were they selected on an open tendering process or basis?

Sen. The Hon. R. Sinanan: Madam President, unlike what happened in the past at the Ministry of Works and Transport, whenever we have emergency work like this we do not just call out contractors and ask them to go to work and then send a bill for us. It was estimated a job like this in the past would have cost upwards of $10 million. What we do now is that we go to the bonded rates, and the bonded rates are the rates that contractors will work for when we have an emergency situation. I thank you.

Sen. Mark: Was this the same Ricky—may I ask you whether this is the same Ricky Ragoonanan who imported hundreds of millions of US dollars via Point Lisas and police were involved, the plyboard person? Is it the same person?

Madam President: Sen. Mark, I will not allow that question. Next question please.

Sen. Mark: Madam President, I would like, and the country would like to know, what were the exact and precise processes? The Minister has not clearly answered my question. Were these contractors sole select or were they openly? What was the process?

Sen. The Hon. R. Sinanan: Madam President, when you have emergency works like these, the Director of Highways and the Permanent Secretary would be the ones who are responsible for engaging contractors. As I said, in this case we engage contractors now with a bonded list and this is how we utilize contractors, at fixed rate and they are paid for the amount of time they spend on the job. Again in the past, contractors would have just been called out, several contractors on one job site and they would send a bill to the Ministry and that is how they were paid.
Thank you.

Sen. Mark: Yes, my colleague again. You are very busy these days.

Sen. The Hon. R. Sinanan: Always.

Madam President: No, no, Sen. Mark, you just asked that question.

Sen. Mark: No, no there are two questions.

Madam President: Okay, I apologize; yes, 163.

North Coast Road Landslides
(Details of)

163. Sen. Wade Mark asked the hon. Minister of Works and Transport:
Can the Minister inform the Senate of the cost of having the North Coast Road landslides cleared in August 2017 and December 2017, and the names of the contractor(s) involved?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Again, Madam President, during the period August to December 2017 there were two major rockslides and five landslips along the North Coast roads. The Highways Division conducted most of the work in-house until November 17 with the utilization of primary equipment and manpower, along with contractors, dump trucks and backhoes were necessary.

It would be noted that due to the severity of the rockslides which occurred over the holiday period in December 2017, and in an effort to reduce any potential risk to road users, the road was reopened for the commuters that were cut off in the emergency services. Again, Madam President, the service of bonded contractors at bonded rates were engaged to supply primary equipment.

The costs incurred were as follows: Ricky Ragoonanan, $448,000. This is from August to January, five dump trucks. Sat Sais Limited from August to September, one excavator, $64,000; Unishore Limited from August to September, three lighting towers, $45,000; Cal Company Limited from December to January,
four excavators, one front end loader, two lighting towers and dump trucks, $572,000. A total of the Maracas landslip of $1,139,000. I thank you. [Desk thumping]

**Sen. Mark:** Madam President, through you, can the Minister provide this Parliament with a list of your bonded contractors, and whether this particular contractor, who seems to be highly favoured—

**Madam President:** Sen. Mark, one question please.

**Sen. Mark:** Is there a list, a priority list available to the Ministry of Works and Transport when it comes to the bonded contractors?

**Sen. The Hon. R. Sinanan:** Madam President, the Ministry of Works and Transport use the CTB contract listing and that is what we guide our prices by, by the CTB contractors listing. Thank you.

**Sen. Mark:** Tell us how this gentleman was so lucky to be on the front line of the compound—

**Madam President:** Sen. Mark, which gentleman?

**Sen. Mark:** Ricky, Ricky Ragoonanan, apparently he was very—

**Madam President:** Sen. Mark, please ask a direct question without the editorial comment. Please ask the question.

**Sen. Mark:** Well I am asking, Madam President—I am asking. Can the hon. Minister indicate whether Ricky Ragoonanan was heading the list of bonded contractors in the Ministry of Works and Transport?

**Sen. The Hon. R. Sinanan:** We use the CTB tenders list, and you go to that and you get a guiding on the prices. Sometimes there are people on the bonded list who do not want to supply equipment, then we go out of that. We use that as the guided price. And I just want to say that we dealt with two major landslips that caused this country severe hardship, and it was way less than the one fire truck
where one contractor charged $6 million to take out from a hole. *[Desk thumping]*

**Sen. Mark:** Madam President, is there a policy by the Ministry of Works and Transport when certain contractors’ names appear to be questionable or engaged in suspicious activities, that they should be blacklisted from accessing work on behalf of the taxpayers of this country? Is there a policy that deals with those kinds of individuals who are contractors in Trinidad and Tobago?

**Sen. The Hon. R. Sinanan:** Madam President, that went out when Mamoo went to Panama. *[Laughter]* So our policy now is clear, that unless the Attorney General issues a directive that the Ministry is not to deal with contractors, we have to deal with contractors, once we could find them and they are not in Panama. Thank you. *[Laughter]*

**DEFINITE URGENT MATTER**

*(LEAVE)*

**Flooding in Trinidad and Tobago**

*(Government’s Failure to Alleviate)*

**Sen. Saddam Hosein:** Thank you very much, Madam President. In accordance with Standing Order 16, I hereby seek your leave to move the adjournment of the Senate today for the purpose of discussing a definite matter of urgent public importance, that is, the failure of the Government to institute preventative measures to alleviate the perennial flooding situation in Trinidad and Tobago. The matter is definite because it pertains specifically to the flooding which occurred yesterday in numerous parts of the country, including Port of Spain, Cocorite, Calcutta No. 1, Ragoonanan Road West, Chandanergore, Claxton Bay, Couva and Gasparillo, due to the heavy rainfall.

The matter is urgent because it is only the very start of the rainy season, and the National Oceanic and Atmospheric Administration has predicted that the 2018 hurricane season is anticipated to be more active than usual. Therefore, if not
immediately addressed by the Government, it will be too late to prevent the devastating effects of floods and landslips. The matter is of public importance because the indiscriminate flooding yesterday affected thousands of citizens, resulting in unacceptable and irreversible damage to vehicles, homes and property. The failure of the relevant authorities to dredge, widen and clear blocked river courses could result in a repeat of yesterday’s unfortunate event.

Madam President: Hon. Senators, I have considered the Motion, and I am not satisfied that this matter qualifies under this Standing Order. I would ask Senators to note that of the three Urgent Questions presented today, two of those questions dealt with the issue of flooding.

JOINT SELECT COMMITTEES

(Extension of)
Cybercrime Bill, 2017

The Minister of Works and Transport (Sen. The Hon. Franklin Khan): Thank you very much, Madam President. Having regard to the Second Interim Report of the Joint Select Committee appointed to consider and report on the Cybercrime Bill, 2017, I beg to move that the Committee be granted an extension to September 14, 2018, to complete its work and submit a final report.

Question put and agreed to.

Income Tax Amendment Bill, 2018
Mutual Administrative Assistance in Tax Matters Bill, 2018 and
Tax Information Exchange Agreements Bill, 2018

The Minister of Works and Transport (Sen. The Hon. Franklin Khan): Madam President, having regard to the Interim Report of the Joint Select Committee appointed to consider and report on the Income Tax (Amdt.) Bill, 2018, the Mutual Administrative Assistance in Tax Matters Bill, 2018 and the Tax Information Exchange Agreements Bill, 2018, I beg to move that the Committee
be granted an extension to September 14, 2018, to complete its work and submit a final report.

*Question put and agreed to.*

**Gambling (Gaming and Betting Control) Bill, 2016**

_The Minister of Works and Transport (Sen. The Hon. Franklin Khan):_ Madam President, having regard to the Second Interim Report of the Joint Select Committee appointed to consider and report on the Gambling (Gaming and Betting Control) Bill, 2016, I beg to move that the Committee be granted an extension to September 14, 2018, to complete its work and submit a final report.

*Question put and agreed to.*

**MISCELLANEOUS PROVISIONS (SUPREME COURT OF JUDICATURE AND CHILDREN) ACT, 2018**

*Order for second reading read.*

_The Attorney General (Hon. Faris Al-Rawi):_ Madam President, I beg to move:

That a Bill to amend the Interpretation Act, Chap. 3:01, the Supreme Court of Judicature Act, Chap. 4:01, the Summary Courts Act, Chap. 4:20, the Bail Act, Chap. 4:60, the Administration of Justice (Deoxyribonucleic Acid) Act, Chap. 53:4, the Legal Aid and Advice Act, Chap. 7:07, the Child Rehabilitation Centre Act, Chap. 13:05, the Indictable Proceedings (Preliminary Enquiry) Act, Chap. 12:01, the Children Act, Chap. 46:01, the Children Community Residences, Foster Care and Nurseries Act, Chap. 46:04, the Children’s Authority, Chap. 46:10, and the Family and Children Division Act, 2016, be now read a second time.

Madam President, this Government takes cognizance that the No. 1 issue in our country is crime. The scourge that crime constitutes and has constituted for decades has been met with, budget after budget, billions upon billions having been spent across many Ministries, entities and the judicial system. Every year we come
to Parliament we raise fines, we raise penalties, we extend the time frame for incarceration, and we expect that we will get into a better zone of justice every year, year on year.

The cry that comes out is for the application of common sense, and therefore this Government started its journey by the initiation of spotlights. The first spotlight which this Government engaged in was a spotlight on the prisons system, because we came to the country and said the litmus test for the pace of our criminal justice system can be found most readily in an examination of the prison system.

We went into the public domain. We identified that there were thousands of cases in arrears. Persons in pre-trial detention for up to 17 to 22 years before a trial is had. The next spotlight we engaged in saw the revelation of statistics. We came to the country, identified that we have 29,000-plus matters which are preliminary enquiry matters waiting to get to trial. We revealed statistically that there are 143,000 cases in the Magistrates’ Court every year; 50,000 of these cases are for matters concerning traffic offences. We came to the population, we said it cost $25,000 per prisoner per month to maintain someone in incarceration. We levelled with the number of judges we have, at the time 36. We levelled with the slow pace of treatment as it relates to the most vulnerable in our pack, our children. We came forward, we examined plant and machinery, and we went to work.

This Bill treats with the amendment of 13 categories of laws; 12 are expressed, but the 13 one is where we make the general provisions for amendment in any written law. There is an omnibus catch-all. This comes about post the passage of the Family and Children Division Act, which has become law by Act No. 6 of 2016.

In this particular Senate, in this life of this Eleventh Republican Parliament,
we undertook, we urged Senators let us just start the system. Give us the licence to start, we said, and we undertook specifically to come back to the Parliament and to do the second trawl of amendments that were necessary, and that is what this Bill treats with. Thirteen categories of laws to be amended under one miscellaneous provisions Bill, which treats with the functionality of our judicial system. But we have come here after we brought the Criminal Procedure Rules, after we initiated and started the Family and Children Division Act in the Children Court. And I want to spend a moment there on the Children Court.

You see, Madam President, the Family and Children Division Act, 2016 in Part V created a Children Court; sections 25 straight through to 33, and then some other provisions beyond. In this Children Court we birthed an entire criminal justice system for children. We created judges, we added. We moved from 36 judges to 49 judges. We created criminal masters. We promulgated rules. We amended the Criminal Procedure Rules. We did the protocols, we did the regulations, and there are hundreds of matters now proceeding in the Children Court.

The second clause of this Bill treats with amendments proposed to the Supreme Court of Judicature Act specifically. Clause 2, the first substantive clause, treats with the interpretation section where we fixed the interpretation to add, for the first time, that a child is someone who is 18 years and younger.

Now Madam President, in coming with the Family and Children Division we specifically wrote to a wide cross section of stakeholders, one of whom, for the record, is the Law Association of Trinidad and Tobago. We wrote to the Law Association and, in fact, we spent years in consultation with them; my predecessors in government and this Government in particular. I am pleased to
inform the national community that we received the written submissions from the Law Association, who then went and gave full support to the Family and Children Division.

On Friday whilst I was sitting in the anti-terrorism debate with the Opposition, I was given a call by the media to ask me if I had received letters from the Law Association. Whilst sitting, debating and then going into the committee stage in the House of Representatives, I looked at my phone and the media had sent to me two letters which the Law Association wrote out to me. So the media received it first, I received it from them and then later that evening I noticed emails coming in from the Law Association.

The Law Association wrote me by way of two letters, both dated June 29, 2018, and they in effect asked for the Government to engage in stakeholder consultation, and very importantly they said that the Government should take note of their observations in the Criminal Division and District Criminal and Traffic Courts Bill. They alleged, quite spectacularly, that they had observations to be made. They raised concerns that the blending of jurisdiction in the magisterial courts and the Assizes is not an effort or task that should be undertaken lightly. They reflected upon the creation of masters in the Criminal Division court, a jurisdiction which they alleged was excluded by the Supreme Court of Judicature Act, et cetera. And very interestingly in their letter they say:

We appreciate that similar type legislation was passed in the Family and Children Division Act No. 6 of 2016 in respect of which the Law Association was given an opportunity to comment.

They then in the round asked the Government to engage in consultation.

This Government is very pleased, having received a very late response from
the Law Association, to facilitate stakeholder consultation, but it is imperative of the Government now to state that the children court, under Part V of the Family and Children Division, beginning at section 25, which operates an exact replica of the Criminal Division that the Law Association is now asking for an opportunity to comment on—the only difference between the Children Court structure and the criminal division court structure is that the Children Court deals with all people for crimes under 18 years, and the Criminal Division court treats with people who are over 18 years. I want to say that I find it quite astounding that one can approve on the one hand and not approve on the other hand. That one could give written confirmation of consent and structure, watch the system go into operation with hundreds of cases in gear, and then come to say that we want to have another look at it.

Now, there is nothing wrong with having another look. A government does not legislate for itself only. A government must listen to stakeholders, but let me put the other point on the record. The work of the Parliament stands on the Order Paper of the Parliament. The Law Association like everyone else knows that this is a public arena.

We have written as a Parliament. The Attorney General’s Office has written to the Law Association on umpteen occasions, where they have just simply not responded to requests for consultation. On this occasion we have received a request asking for consultation, but it is imperative before I indicate the Government’s position to facilitate that, that I mark on the record that the progress of our reform to law depends upon people acting with diligence. I cannot respectfully compel the Law Association to give its commentary. Even when I ask it may not come; sometimes it is volunteered. But I want to put this into context.
I note that there is a discussion afoot in society saying that the Government should engage in reform to the Judicial and Legal Service Commission, the manner in which judges are appointed. This Bill in clause 3 proposes that we increase the judicial complement from 49 to 64 judges, because we have recognized that we need more judges. In the context of 29,000 cases in preliminary enquiry stage; in the context of year on year people, victims and accused alike, saying, “I want my day in court”; in the context of successive reports coming out of the Judiciary, that if you took every single judge in the Assizes and put them to do only murder trials from now till they are completed, that it will take 10 years to do that.

Then I prefer, most respectfully, to err on the side of the provision of a greater judicial complement, because Trinidad and Tobago must be aware that improving, by way of legislation or reform, the Judicial and Legal Service method of appointing judges will require us to amend the Constitution. Dare I say I am not confident that the UNC in its current inclination is prepared to accept anything that requires a three-fifths majority.

So, Madam President, having put the burning requirements to advance the pace of the criminal justice system in particular into the context of clause 3 of this Bill and the need for judicial capacity, and the need to give people a day in court for their matters to proceed, exactly as is being done in the summer month, as they call it now, the August vacation of the court, the long vacation this year, it is in those circumstances that the Government is prepared to allow the Law Association a short opportunity to fulfil its promise to give us consultative response by the 6th of July.

In these circumstances the Government intends, subject to the will of the Parliament of course when we treat with it, to come back into the two weeks that
we have in September to treat with this particular Bill and with the other Bill which we have on the Order Paper. We intend to engage in consultation with the Law Association on its request delivered Friday evening which was prior to the adjournment and fixing of this day for debate.

I believe in that round of events that the hon. Leader of Government Business may have an indication at this point.

2.30 p.m.

ADJOURNMENT

Madam President: Leader of the House.

The Minister of Energy and Energies Industries (Sen. The Hon. Franklin Khan): Madam President, having just heard what the Attorney General has said, I beg to move that this Senate do now adjourn to a date to be fixed.

Having said that, Madam President, I would just want to inform this honourable Senate that there is a very important Bill, the Anti-Terrorism Bill. It has both national and international significance to this country that is before the other place tomorrow. If that Bill passes, we plan to reconvene the Senate on Thursday and possibly Friday to take that Bill through all its stages.

Madam President: Hon. Senators, before I put the question on the Adjournment, leave has been granted for two matters to be raised on the Motion for the Adjournment of the Senate. Sen. Mark.

Criminal Justice System
(Modernization of)

Sen. Wade Mark: Thank you, Madam President. [Desk thumping] Madam President, the matter of modernizing the criminal justice system by placing greater emphasis on restorative justice rather than retributive justice is what this
Motion attempts to deal with.

Madam President, we know what the reality is in Trinidad and Tobago for several years. Persons are sentenced and when they are placed in the system when they are incarcerated, we still have not been able to modernize the approach to what is called rehabilitation and restoration of persons who are citizens, who are human being. They have committed a crime, they are serving their time, but the question here, Madam President, how we treat with those citizens who have run afoul of the law, and they have served their time, and we want them to reintegrate into our society and to be gainfully employed, to start a family and therefore, essentially, equip them for a new start in life post-release from prison.

So the whole question, Madam President, of looking at how we treat with prisoners when they enter the system and they are incarcerated is a matter of grave concern. Because, Madam President, you would realize that we do not have a well-organized system of education, cultural activities, sporting activities, faith-based activities at the correctional level to treat with our prisoners on a more regular, consistent and humane basis.

Madam President, what is the reality? The reality is that recidivism, but that anyway, that concept where you seek to bring the prisoner back to a state of normalcy, we have recognized that the percentage of persons who commit crimes and have to be released inevitably, the statistic is showing that there is almost a 50 per cent reconviction rate where citizens who are prisoners re-enter the system.

So therefore, Madam President, it tells that the rehabilitation aspect of the prison system is extremely weak, and that is why so many of those prisoners are

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recommittting and engaging in crime after crime after crime and they are being reconvicted, reconvicted, reconvicted.

So, the United Nations, since the 1990s and beyond, have been seeking through various protocols to advise their member states to approach prison reform from a restorative perspective. And therefore, the whole concept of restorative justice plays clearly into this programme of the United Nations. So when we talking about restorative justice, Madam President, we are talking about a principle of repairing the harm caused by prisoners by restoring relationships.

Now, this a concept that may not be accepted all around, but it is a concept that is worth looking at. Meaning, that persons who commit wrong in our society under this principle of restorative justice is being advised and the United Nations is suggesting that these persons must approach their victims and seek forgiveness. And in any event, even if they do not want to deal—even if victims do not want to treat with these persons, then the United Nations has proposed that we can even have mediators intervening in an effort to bring about that kind of relationship.

It means that we would be encouraging prisoners to take responsibility for their actions, if it means the prisoner apologizing, if it means the prisoner be committing to community service, if it means the prisoner having to return stolen goods to the person who he robbed. These are examples of what restorative justice is all about.

And this is why, Madam President, I have raised this matter because I know that the Government had to bring about new Prison Rules, but I do not know where those new Prison Rules are as we speak, where families can visit
on a more organized and regular basis, their fathers, wives can visit their husbands in prisons. These are all part of modernizing prison rules and bringing about a more restorative approach to justice that would lead to a greater degree of rehabilitation of prisoners.

So, I think it is a matter that we—I would like to throw out to the Government. I know that the Government may be embarking upon that programme, but what we have seen, Madam President, is the data which we have before us reveals that the reconviction rate, the rate of persons recommitting themselves to doing the same crime over and over is rising. And the last statistic we were able to unearth in Trinidad and Tobago revealed that close to 50 per cent of the persons who leave the prison system, they recommit crimes in our nation.

So it tells us as I said, Madam President, that we have relook and re-examine the whole approach that we have taken towards this rehabilitation of prisoners, moving away from the punitive or retributive approach, and moving towards a more restorative approach focusing on rehabilitation and having a relationship between the victims of crime and those persons who would have committed the crime, Madam President.

So it is an area that I feel that we can look at as a nation so that we can give these prisoners and these persons who are released from prison an opportunity to reintegrate in society and to restart, you know, a life that is worthy of their dignity and their stability, to reconnect with their family by providing them with more reasonable and meaningful employment opportunities so that they can become full-fledged, reintegrated citizens in our country.

And in that regard, we can see a reduction over a period of time in rate of
criminality and crime committed by those persons who continuously commit crime because the programme that we have within the prison system appears not to be delivering the efficacy and the results in an effective way.

So that is whole purpose of this Motion, to seek to have the Government look at this whole question of restorative justice rather than retributive justice. I thank you.

Madam President: Attorney General.

The Attorney General (Hon. Faris Al-Rawi): Madam President, I am very pleased to answer this Motion. My learned colleague said in his wind-up that the aim is effectively the reduction in the rate of criminality and crime. After all, recidivism, as it is referred to, is your ability to actually reoffend after you have served your first sentence.

Madam President, the answer to this Motion is really quite simple, it falls within phrase or word. It is called “common sense”. Let me explain what that means in the context of the response. The reason for the recidivism standing as high as it is, as at 50 per cent, is to be found really and truly across a few areas.

One, if you incarcerate people for up to 20 years in pre-trial detention, then you are running the risk that they are more likely to be inculcated in anger, in frustration and perhaps criminality as it exists in the prison system. Secondly, if we do not reform the plant and machinery aspect of the prisons, we cannot engage in the operationalization of the Prison Rules. We have seven institutions for detention in our prisons. Our remand population is larger than our convicted population. It is two-thirds of our population in remand, people who are awaiting trial, and one third of them actually serving out sentences. In that two-thirds pack across the seven detention centres, we have the fact that our
main area for housing remandees, which is the Remand Yard, was actually a hanger built in World War II for planes. It was retrofitted and the cells were put in, 12 men per cell, no toilet facilities, poor ventilation systems, and archaic Prison Rules.

Notwithstanding that reality, my learned friends opposite when in Government established a Ministry of Justice, had a Ministry of National Security, had an Attorney General’s office, and after the expenditure of billions of dollars passing through seven Ministers and junior Ministers of National Security, and five Ministers of Justice, the Prison Rules were unproclaimed, not a single reform was done at the prison’s yard, and none of the intelligence and operation to improve our system was put into effect. This Government is engaged in the following.

Number one, in conjunction with the Canadian Government and the Prison Officers’ Association and the Prisons Association we have embarked upon a complete retrofitting of our prison system. This involves training, identification of facility management, implementation of services such as faith-based organizations, educational programmes and moves towards recidivism.

We have engaged in the construction and it is afoot right now of a video remand court centre; we are about to engage in the construction of a full-fledged court at the prisons; we have started the retrofitting and the plans are just finished for the installation of the nursery aspects for the women who are incarcerated in remand or convicted end; we are installing for the time in the history of the Remand Yard, the toilet facilities and the retrofitting of remand, so that we do not have 12 men in a cell, but we have appropriate numbers. We
are improving the ventilation system. We have partnered with entities such as Vision on a Mission. But more importantly, Madam President, what we have done is to ensure that the real problem that is the length of time that you spend in remand is being addressed. And what we have brought to this Parliament has already come to life. We have established our Children Courts; they are up and running.

We have brought a criminal division Bill which has passed through all stages in both Houses of Parliament to replicate the work we have done for children. We have brought in all the regulations, all of the protocols. We have brought to life the peer resolution system in our Family and Children Division Bill. We have brought to life the Drug Treatment Court system. We have designated three child rehabilitation centres, what was once referred to as YTC, St. Jude’s and therefore, we have brought those three entities into effect having built out dormitory facilities and control procedures into reality, so that we treat with our most vulnerable first, and that is our children. This is not what we intend to do, Madam President. This is what we have done already under our tenure of governance.

Madam President, the specific mission on the part of the Government right now involves work at Golden Grove itself. At the Golden Grove facility we will be building out specialist accommodation for officers at risk in an abandoned structure that has been standing there for years, just steel up out of the ground.

We will be completing our nursery centre. We will be working our way so that our plant and machinery and physical conditions at the jails allow us to implement the Prison Rules 2014, for example, by allowing a mother who is
incarcerated to see her child more than just one time a year; once per year is what is in effect right now.

The rationale for the delay in the proclamation of the Prison Rules is that we had to make sure that the conditions of detention were up to constitutional muster, and we have been fast apace on that exercise.

We are also deeply involved in proposals to bring forward a parole system. Under the chairmanship of the Minister of National Security we have reactive the Mercy Committee which did not sit for years under our predecessors. For years the Mercy Committee was abandoned by the UNC, not a single case of mercy was allowed to advance simply because their members would not convene and sit in a mercy committee.

So, I welcome Sen. Mark to the world of compassion and care, and understanding which did not exist under the UNC which was not put into effect. I welcome Sen. Mark to the reality that after five Ministers of Justice, seven Ministers of National Security and billions of dollars, that we have been able to implement child rehabilitation centres for costs like a $1 million for 36 dormitories; $1 million, Madam President,. I welcome Sen. Mark to the reality—

Sen. Chote SC: Attorney General—

Hon. F. Al-Rawi: Yes, please.


Hon. F. Al-Rawi: I have one minute left.

Sen. Chote SC: Yes. The only reason I stand is because I was on the Mercy Committee before I took up the position as Senator, and we did meet on several occasions and dealt with several appeals.
Hon. F. Al-Rawi: Sure. Thank you.

Sen. Chote SC: So, I know that we probably did not meet as often, but we did meet.

Hon. F. Al-Rawi: I will stand by what my leaned colleague has said. In the report that we received on the Mercy Committee that I sit on, there were hundreds of matters in arrears; so I will accept what my learned colleague has said.

I see that you are adjusting your microphone, Madam President, which means my time is coming to an end. So, how much time do I have?

Madam President: One minute and some seconds.

Hon. F. Al-Rawi: One minute. So what I will say, I thank my learned colleague, Sen. Chote. If there were sittings, they were not in my docket or record, but I will stand absolutely corrected by your point. I think that a bit more could have been done. The Minister of National Security is the one to convene those meetings, and I am sure my colleague would have been available whilst the Committee was not.

In any event, the implementation of a parole system is something which is long outstanding, and I am very pleased to say that we have a parole Bill which is up on deck, which will be sent out for public consultation. And that, I think, when added to the operationalization of electronic monitoring which will be finished by the end of this year, will allow us in the correct direction to make that advance to reducing the incidence of recidivism as noted by my learned colleague Sen. Mark.

I am very happy for his passion now. I wish it had existed in the five years prior whilst he was in another position, and I thank you for the...
opportunity to respond to this. [*Desk thumping*]

**Madam President:** Sen. Mark.

*Training of Law Enforcement Personnel  
(Government’s Failure to Provide)*

**Sen. Wade Mark:** Thank you very much, Madam President. The second matter deals with the failure of the Government to provide law enforcement personnel with adequate training for purposes of being properly equipped to thwart the growing issue of gang violence in our communities.

Madam President, the reality is that the Government—this Government—took a decision to collapse two existing units into one, namely, the Organized Crime Narcotics and Firearm Bureau and the Criminal Gang and Intelligence Unit into what is now known as the Organized Crime and Intelligence Unit.

Madam President, the mandate of this unit, the remit of this unit is to pursue, target, dismantle, disrupt and prosecute organized criminal groups and networks in the country. The question that is on the minds of citizens is that, since the passage of the anti-gang law in this country which is almost about going into two months now, we have seen and the country has witnessed almost an escalation in gang activities. And we, you would remember, Madam President, we were inundated by the other side when there were some areas of adjustment that we needed to address, and they accused this Opposition UNC of all sorts of nefarious intentions and acts; and I would not go into what they said.

But, Madam President, what is the reality today? We are told that there are over 250 gangs in this country and the police are monitoring them. Well, Madam President, whilst the police are monitoring them, people are being murdered in this country on a daily basis by the very the gangs that the police
Training of Law Enforcement Personnel
(Government’s Failure to Provide
Sen. Mark (cont’d)

[Desk thumping] seem to be just monitoring.

Madam President, what is even more alarming is this; I have raised the issue of training. What kind of training are these members of the Organized Crime and Intelligence Unit, whose mandate it is to target, dismantle, disrupt and prosecute organized criminal groups and networks? What kind of training are they exposed to? What kind of resources are they provided with?

Madam President, the information reaching me is that that unit and its members are severely under-resourced by the Government, so much so that when demands are made by the officers to go after these criminals, and they need, for instance, night vision binoculars, as an example, they are not provided. When they ask, Madam President, for bullet proof vests, they are not being given these things or if they are, they are given it in short supply.

How can you expect members of this unit to crack down on the criminals in the way that they ought to if you do not provide them with the resources that are needed? But yet still you came here huffing and puffing, indicating to the country that you knew—I would not say you—the authorities knew every member of every gang, every leader of every gang. All they wanted was the passage of the law. The law has now been passed almost two months now, not one criminal element from a gang has been arrested in a serious way here. [Desk thumping] We have not seen it, Madam President.

So, we really want to know: How are they training these officers; whether these officers are being trained for the tasks that they have to perform? We do not know because we are not seeing results. We have read where the officers are concerned about their own safety and security; that is what we have read.

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We have also read, Madam President, where this particular unit that is supposed to go after the gangs, they are talking about the Government promoting a better witness protection programme. That is another demand that, we understand from our intelligence, that the officers are demanding. So how are we going to prosecute this matter effectively if these persons who are officers in the Organized Crime and Intelligence Unit are not provided with the necessary resources?

So, we always said, this was all a public relations gimmick on the part of this Government, and the Minister of National Security who, along with others, led the charge against the Opposition two months almost, proclamation, operationalization of the legislation. And what is happening, Madam President? Fear has gripped this nation as never before under this Government.

So, the Government must answer today: What are requirements of this unit? Why they are not performing as they are supposed to be performing? We were told that everything was ready, all they needed was is the law. They got the law, and everything is at a stand-still at this moment.

So, we are calling on the Minister of National Security to tell this country, what kind of training, and whether the training is adequate for the purposes of those officers?

Madam President, we also need to know what kind of equipment these officers require, and whether those pieces of equipment are being supplied by the Government of Trinidad and Tobago? They have money to buy vessels, they have money to order more vessels, but where people’s lives are concerned, they have no money. There is no priority. But we will deal with that another
time as it relates to these bogus exercises that we have been subjected to. We are not going there today; there will be time for this.

So, Madam President, the Minister has to level with us this evening—this afternoon rather. Let us know what is keeping back the officers from the Organized Crime and Intelligence Unit from carrying out effectively their job in getting at those criminals.

Madam President, you realize recently that the whole country was in a state of tension? Because two rival gangs were about to engage in warfare. And one time where I said, where are we? Are we in Syria? Where are we? We are in Trinidad and Tobago, and the citizens are told, through all kinds of social media clips, do not pass on the Beetham or on the highway between this hour and that hour because of what?—some warfare that could erupt.

So, I call on the Minister of National Security to come clean and tell us the truth. Let us know what is going on with this matter, and we look forward to the Minister providing this country with a clear position on this situation. I thank you very much, Madam President.

3.00 p.m.

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you very much, Madam President. Madam President, I want to remind this country and remind Sen. Mark, of the acts carried out by the UNC Government in 2011 with respect to the whole question of gangs and anti-gang measures that this country faced. We experienced an SOE in 2011, which was the UNC Government's response to the Anti-Gang Bill at that time. What did they do? They arrested almost 8,178 nationals of this country, most along the East-West
Corridor; 8,178 personnel of this country, mostly on the East-West Corridor. They spent billions of the taxpayers' money to create a new prison facility, the Eastern Correctional facility up at Arima.

You know what is the aftermath of that, Madam President, for the people of Trinidad and Tobago? This Government now has to face the litigation of those persons who were not arrested in the true keeping with the Act. We now have before the court, Madam President, we have 44 matters before the Magistrates’ Court, 34 before the High Court, millions of taxpayers' money being paid to persons who took the matter before the court for damages, false imprisonment and malicious prosecution as a result of the lack of training and preparation by the UNC Government in 2011, [Desk thumping] of the lack of training and preparation. So therefore, this Government, being a responsible Government, would then prepare itself to treat with matters pertinent to the Anti-Gang Act. We will not go down the road as the UNC Government, “unpatriotic national congress”. We will not go down that road.

Madam President, the Motion seems to talk about training and preparation, but let us understand that the whole question of gang and gang culture is not just based on law enforcement approach. It is based on a wider whole of society and whole of government approach to treat with issues of gang and gang culture. Law enforcement is at the tail end of the spectrum, and therefore this Government is using a whole of government approach together with the Trinidad and Tobago Police Service, together with the agencies of national security to treat with the whole question of gang violence and crime and criminality in Trinidad and Tobago.

Madam President, in that vein we continue to look at other matters, together
with the training, and I will come to the training in a while, but I want to show the broad areas that this Government is concentrating on. For instance, we have to tackle gang culture from as early as the young people in our society. And to that effect, we have seen an increase in the number of police youth clubs. Right now there are about 15,000 young people in the police youth clubs in Trinidad and Tobago. Almost 120 youth clubs have been formed.

Additionally, we now have youth clubs in Trinidad and Tobago Prison Service, Trinidad and Tobago Fire Service. The Trinidad and Tobago Defence Force is about to launch the same kind of measures to treat with the young people. We have a programme such as the Military-Led Academic and Training, the MiLAT programme. We have just graduated 71 young people out of that programme after a two-year residency programme. Just last week we graduated 749 young people within the ages of 16 to 25, Civilian Conservation Corps, across the length and breadth of Trinidad and Tobago. [Desk thumping] Madam President, so therefore we are looking at it in a holistic manner, not just at the law enforcement, not just on training as Sen. Mark seems to put these things in a bucket as though it is just training that is required. But there is a lot more that is required. This is why this Government is taking this holistic approach to deal with the issue of gangs and gang violence in Trinidad and Tobago.

Madam President, we have seen the creation of this unit that he referred to, the Organized Crime and Intelligence Unit, and that is what we call best practice. We have looked across—most of the countries in the world have merged these agencies together because the question of gangs and gang-related violence need a focused unit, hence the reason why the Organized Gang and Intelligence Unit was in fact established to treat with the issues of gang, gang violence, but even the
wider crime and criminality, and violence in our country. That unit has been exposed to several training, both local and in terms of foreign training.

Some of the training that we have accomplished in terms of the academy—here at the police academy include: Resisting and Prevention programmes in collaboration with Pan American Development Foundation; crime prevention through environmental design, fraudulent document recognition, anti-money laundering training. In terms of intelligence gathering, developing the intelligence capacity of the Organized Crime and Intelligence Unit; source handling of awareness development training; intelligence-led cross border investigations; response to active shooter; advanced homicide training, inter-institutional firearm and ammunition and evidence training; eye witness identification of suspects; basic criminal investigations; fingerprint; complex natal print examinations; interview and interrogation training; human trafficking; juvenile court training to name a few.

In addition to that, Madam President, the Trinidad and Tobago Police Service has been engaging in conversation with the Director of Public Prosecutions, who in fact advised them and would lead the way in how they treat evidence with respect to executing measures under the Anti-Gang Act. So, they have had their discussions with the DPP, they have increased their homicide branch, increased the crime scene investigation branch so that there are a number of initiatives, Madam President, that is taking place to ensure that this Government does not make the same mistake as the then Government in 2011. Madam President, the number of arrests that have been taking place, while not to the Anti-Gang Act, they have made arrest of individuals who have belonged to various—under different laws. Madam President, we are making sure that when
we arrest people under the Anti-Gang Act, they in fact will stand the kind of prosecution that will stand the test of evidence before the courts of Trinidad and Tobago.

Madam President, the Government of Trinidad and Tobago will continue to prepare and give all that is required, all the necessary tools and equipment that is required for any agencies of national security, including the Organized Crime and Intelligence Unit, to do their job effectively and efficiently. That is our remit, to ensure that they get what is required to do their job effectively and efficiently, and we will so provide. The Government stands ready to provide all that is required to ensure that those agencies can do their job effectively and efficiently, including the execution of the Anti-Gang Act. Madam President, I thank you.  

*Desk thumping*

*Question put and agreed to.*  

*House adjourned accordingly.*  

*Adjourned at 3.06 p.m.*