

**THE
PARLIAMENTARY DEBATES**

OFFICIAL REPORT

IN THE FIRST SESSION OF THE TENTH PARLIAMENT OF THE REPUBLIC OF
TRINIDAD AND TOBAGO WHICH OPENED ON JUNE 18, 2010

SESSION 2010—2011

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HOUSE OF REPRESENTATIVES

Friday, January 21, 2011

The House met at 1.30 p.m.

PRAYERS

[MR. SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Mr. Speaker: Hon Members, I have received communication from Miss Romona Ramdial, the Member of Parliament for Couva North. The Member has asked to be excused from today's sitting of the House. The hon. Herbert Volney, the Member of Parliament for St. Joseph, has also sought leave of absence because of illness. The leave which these Members seek is granted.

WRITTEN ANSWERS TO QUESTIONS

Dr. Keith Rowley (*Diego Martin West*): Mr. Speaker, I observed that we have a number of questions for written answer. Questions Nos. 15 to 18 and 31. All, but No. 31 were due for answer as way back as December 08, 2010. I was told that today these answers would be circulated, notwithstanding the fact that the Government in December did indicate that all these questions were answered. So I would like to know what is happening with these questions, and, where can I collect them?

Mr. Speaker: May I suggest that when the Leader of Government Business, Member for Oropouche East, returns to his seat, I give him the opportunity to respond to the concerns that you have raised. I cannot locate him at this time.

Dr. K. Rowley: He is conveniently absent, Mr. Speaker.

Mr. Speaker: When he comes back I will ensure that he respond to your concern.

Dr. K. Rowley: How far has he gone?

Mr. Speaker: Whilst we are awaiting the return of the Leader of the House, I would like to call on the hon. Member for Diego Martin West to raise his matter at this time.

COMMITTEE OF PRIVILEGES
(MEMBER FOR D'ABADIE/O'MEARA)

Dr. Keith Rowley (*Diego Martin West*): Thank you, Mr. Speaker, for the opportunity to raise this matter of a question of privilege. In accordance with the provision of Standing Order 27(2), I seek your leave to raise the following matter as a question of privilege.

Mr. Speaker, at the sitting of the House which took place on January 14, 2011, the Member for D'Abadie/O'Meara, the Minister of Sport and Youth Affairs, made detailed reference to a construction project in Bayshore, in the constituency of Diego Martin West. He alleged that ministerial approval was granted by me in 2003 in my capacity as Minister of Planning and Development, claiming that in 2003, I overruled the officials and technocrats of the Town and Country Planning Department and the EMA, and granted approval for 15 storeys for the project where only three or four storeys were reasonable. He said, and I quote from the *Hansard*:

“...on November 07, 2003 someone got approval for 15 floors against the advice of all the technocrats and public servants.

Joseph Rahael, son of John Rahael, was given permission against the advice and recommendations of all the public servants and the EMA. He was given approval for the Renaissance Towers by ministerial intervention. Now the question is: who was the Minister in 2003? Who was the Minister of Planning in 2003? I answer: it was the hon. Member of Diego Martin West.”

He went on:

“He do not want to give poor people hamper”—exact quotation—“but he is giving his friend and future chairman of the party an ability to earn hundreds of millions of dollars, going against the advice of all the public servants, all the recommendations. Ministerial approval by former Minister of Planning, Mr. Pious, Mr. Attack Tunapuna, Mr. Know all, Mr. Do Good...”

Mr. Speaker, he gave the House the opinion that the information he was conveying was factual. He added and I quote:

“We read the point and here it says the outline planning approval was granted Reference No. 2236/2002-7/11/03 by the Town and Country Planning Department only after ministerial intervention. Who intervened? ...Member for Diego Martin West.”

In his contribution, the Minister identified the owner of the project as former Minister John Rahael, and accused me of improperly using my office to favour my party colleague.

Mr. Speaker, in a personal explanation made in this House with the approval of the Deputy Speaker on Wednesday, January 19, 2011, I advised the House that the records will in fact show that I served as Minister of Planning and Development from December 24, 2001 to November 07, 2003, and that the processing of the application in question commenced in 2002 and was only concluded in 2005.

I quoted extensively from the records of the Town and Country Planning Division to show the House that the Minister's statement was wholly misleading. I demonstrated that approval was granted in 2005, almost two years after I ceased to hold the position of Minister of Planning and Development. I was careful to point out that the history of approval will show, that prior to 2002, ministerial approval for the construction of a multi-storey building on this site was given. This was before I was appointed Minister of Planning and Development.

I also acknowledged that an application was submitted in 2002 by a new developer, which was processed by the Town and Country Planning Division to conclusion in 2005. I provided correspondence of 2004 which showed that discussions and meetings between the developer and the Town and Country Planning Division were ongoing.

I stressed, as I continue to stress, that I never issued any directive to overrule any decision by any division or department involved in this process. Nevertheless, the Member continues to ascribe to me personal misconduct which I strongly refute.

Mr. Speaker, would you believe that notwithstanding my personal explanation and all the information I placed before this House, the Minister of Sport and Youth Affairs and Member for D'Abadie/O'Meara has persisted in making these damaging statements.

In a recent ruling in this House, you stressed the obligation placed upon the shoulders of Ministers to provide accurate information to the House, stating that this obligation is one of significant constitutional import. Mr. Speaker, you added that it is essential that a Minister, indeed any Member, correct the record of this House as soon as he recognizes that he has placed inaccurate information before this honourable House.

I therefore submit that the Member for D'Abadie/O'Meara, the Minister of Sport and Youth Affairs, committed contempt of this House on the following grounds:

1. he deliberately and wilfully misled this House;
2. he grossly and recklessly abused the privilege of freedom of speech of this House.

Mr. Speaker, taken in their totality, the Minister's statement constitutes a desperate attempt to manufacture information, holding out that it is official, with the sole purpose of damaging me as the Member for Diego Martin West. This is a reckless abuse of the freedom of speech, which we all in this House are privileged to enjoy with responsibility.

In the light of all this, I seek your leave to have this matter referred to the Committee of Privileges of this House for its consideration and report.

Thank you, Mr. Speaker.

Mr. Speaker: Hon. Members, as I have repeated in this House, the foundation upon which privileges rest is the maintenance of the dignity of the House and its Members. Therefore, hon. Members, with your indulgence, I will rule on this matter when the House next meets, but only after I have had the opportunity to carefully consider the circumstances that surround the question that has been raised.

**DEFINITE URGENT MATTER
(LEAVE)**

**Ms. Reshmi Usha Ramnarine
(Appointment of)**

Dr. Keith Rowley (*Diego Martin West*): Thank you, Mr. Speaker. Today I sought your leave in accordance with Standing Order 12 of the House. I hereby seek your leave to move the adjournment of the House at today's sitting, Friday, January 21, 2011, for the purpose of discussing a definite matter of urgent public importance, namely, the newest revelation in today's media that the Government has appointed junior officer, Ms. Reshmi Usha Ramnarine, to head the very vital and sensitive intelligence agency, the SIA. [*Crosstalk*] Mr. Speaker, I would like to speak in silence, please.

Mr. Speaker: Yes. Hon. Members, would you allow the hon. Member for Diego Martin West to speak in silence in accordance with the Standing Orders.

Dr. K. Rowley: Thank you, Mr. Speaker. This matter is definite since it has been repeated and confirmed that a letter of appointment had been issued to Ms. Ramnarine, a junior unqualified officer, to head a department in preference to all the experienced personnel available in the country.

Definite Urgent Matter

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The matter is urgent since the nature of the business conducted by the SIA is extremely sensitive, and could easily be compromised to the nation's detriment, by even the slightest hiatus of defective management.

Mr. Speaker, the matter is of public importance since the appointment of an unqualified junior officer could severely prejudice the public security interest and compromise national security efforts, both local and regional.

1.45 p.m.

Such a development would do untold damage and long-term damage to our relationship with foreign partners with whom we are required to cooperate and on whom we depend to assist us in effectively securing the state of Trinidad and Tobago. Thank you, Mr. Speaker.

Mr. Speaker: Hon. Members, this matter does not qualify under Standing Order 12, but I would advise the hon. Member that he can raise this matter under Standing Order 11, if he so wishes, at a future sitting.

I call on the Leader of the House to clarify the issue of questions.

**ORAL ANSWERS TO QUESTIONS
(CLARIFICATION)**

The Minister of Housing and the Environment (Hon. Dr. Roodal Moonilal): Mr. Speaker, may I, on behalf of Members, welcome you back to the Chamber. On "Question to Ministers", may I indicate for the record and for absolute clarity that the Order Paper today, as is known, contains no questions for oral answers. Those questions have been cleared on the last occasion. The Order Paper does obtain questions for written answers.

Pursuant to my commitment on the last occasion, a CD has been circulated that contains, I am informed, the answers for questions 15—18. The written answers are contained on the CD. Because of the volume of information required from those posing those questions, we cannot have the printed material; it is much too bulky. We are environmentally-friendly and will be reducing the amount of paper we use at the Government level. I want to assure Members that the hard copy is available in the library for their perusal, but they will be furnished with a CD for questions 15—18.

I also acknowledge that there is one other question there, question No. 31. We are asking for that question to be deferred by one week, to facilitate work by the Ministry of Finance. That also requires a second CD to be presented to the House.

WRITTEN ANSWERS TO QUESTIONS

The following questions were asked by Dr. Keith Rowley (Diego Martin West):

**Persons Employed on Contract
at Government Ministries, Departments
and Statutory Authorities
(Details of)**

15. (a) Could the hon. Minister of Public Administration provide the names of all persons employed on contract within government ministries, departments and statutory authorities along with the relevant positions occupied as at June 01, 2010.

Written answer lodged in Parliament Library.

**Renewal/Non-renewal of Contractual Positions
at Government Ministries, Departments
and Statutory Authorities
(Details of)**

16. (a) Could the hon. Minister of Public Administration identify all persons employed on contract in government ministries, departments and statutory authorities whose contracts expired between June 1, 2010 and October 31, 2010?
- (b) Could the Minister state which contract officers were not renewed, identifying as well the positions held and the reasons for non-renewal?
- (c) With respect to office holders whose contracts have not yet expired, could the Minister state whose contracts will be terminated on expiration and the reasons for such action?

Written answer lodged in Parliament Library.

**Government Ministries, Departments
and Statutory Authorities
(Designation of Persons Employed on Contract)**

17. (a) Could the hon. Minister of Public Administration state the names of all persons hired/recruited on contract in government ministries, departments and statutory authorities between June 1 and October 31, 2010 and provide the relevant designation of each person so employed?
- (b) Could the Minister identify which persons are newly recruited?

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- (c) Could the Minister identify which persons replaced contract employees who held contracts as at June 1, 2010?
- (d) Could the Minister identify which of these are newly created contract positions and which are replacements for positions that existed via contracts as at June 1, 2010?
- (e) Could the Minister provide the details of all monthly emoluments, perquisites and all benefits paid to all such persons hired/recruited on contract between June 1 and October 31, 2010?

Written answer lodged in Parliament Library.

**Government Ministries, Departments
and Statutory Authorities
(Details of Terminated Contract)**

- 18.** For the period June 1 to October 31, 2010 could the hon. Minister of Public Administration provide:
- (a) A list of the names of all the persons employed on contract whose contracts have been terminated before the original completion dates and provide the relevant designation in each case?
 - (b) The reasons for the termination in each instance?
 - (c) Could the Minister further state, whether any person (s) has/have been hired in the place of any person (s) so terminated?

Written answer lodged in Parliament Library.

ORAL ANSWERS TO QUESTIONS

The following question stood on the Order Paper:

**Provision of Goods and Services
by Local Contractors
(Details of)**

- 31.** With respect to contracts entered into with local contractors for the supply of goods and/or services to Ministries, the Tobago House of Assembly and State Enterprises which are funded by the Treasury, could the Minister of Finance identify:—
- (a) the projects and list the local contractors who have been paid any money in sums greater than one million dollars during the period September 1, 2010 to December 1, 2010 including the addresses and sums paid to each?

Question, by leave, deferred.

CARIBBEAN AIRLINES/AIR JAMAICA VENTURE

The Minister of Works and Transport (Hon. Jack Warner): The *Trinidad Express* of January 18, 2011 had an article titled “Recreating problem solved years ago”, that was an article based on a speech by the Member for Diego Martin West and Leader of the Opposition, Dr Keith Rowley, in Sangre Grande, in which it was reported that the Member for Diego Martin West stated that the CAL/Air Jamaica deal is creating a problem already solved by the former PNM administration and there is nothing good to come out of that. A review of the much discussed, much maligned, much touted venture shows the following:

Caribbean Airlines was incorporated on September 27, 2006 and officially launched in September 2007. The mandate given to the airline at that time, and a mandate which remains up to this day, is to achieve a viable and sustainable airline.

In its 2007 administrative report, which was laid in this Parliament, CAL clearly identified its commercial strategy as one which would seek to strengthen its position of the market share and establish a dominant position over air travel to and from its Piarco hub. Its regional strategy was identified as one to grow by focusing on its core model, whilst considering all opportunities to expand and reinforce its position of regional leadership.

As such, whilst CAL was created out of BWIA, the business model, upon which it was based, always envisaged growth within the region in order to obtain the critical mass for economies of scale; a key element in the success of any airline. By the time the old BWIA ceased operation in December 2006, it had been restructured no fewer than three times from government-owned, to private and back to government-owned.

Key elements either missing or unsustainable in all these ventures have been the ability to stay properly capitalized, take advantage of economies of scale and ensure commercially-driven operations.

If we continue to look at owning an airline, in the same model as we have in the past, we are doomed to repeat the same outcome. In this venture, the previous board, under the last administration, and based on the directives of the last government, took on the mandate to achieve a viable, sustainable airline and adopted an expansionary approach to growth and competition in the Caribbean region.

This vision and mandate exists in the context of the competitive environment of a region, where five state-owned airlines, namely Caribbean Airlines, Air Jamaica, LIAT, Bahamas Air and Cayman Airways exist, serving a population of approximately five million people. With the exception of Caribbean Airlines, all have been experiencing losses. In comparison, in Central America, there are two major airlines, COPA and TACA. These two major airlines serve eight countries of that region, with a population of 30 million people. Both are viewed as successful models.

With this in mind, and as an indication of the expansionary intent under the previous administration, the Chairman of CAL undertook to enter discussions with the board of directors of LIAT and Bahamas Air. However, it was the view, at that time, that a consolidation of the networks of Air Jamaica and LIAT would be the primary instrument to achieve the vision of growth and sustainability being pursued.

Although many countries in the Caribbean region do not operate an airline, the Caribbean region is unique in its history, size, and socio-economic profile. Indeed, migrants from our countries comprise a substantial population—call it the “Caribbean diaspora”—and who continue to visit their homelands and remit cash and kind to their families in the Caribbean.

This Caribbean diaspora is the main market for both Caribbean Airlines and Air Jamaica, which market is termed “Visiting Friends and Relatives” (VFR) market. Indeed, in Jamaica, whilst Montego Bay is served by many foreign carriers, which facilitate tourism trade, very few support travel to Kingston, which is a large city of over one million people. Comparatively, Trinidad, like Kingston, has never had more than a minimal tourist trade. However, the VFR market is substantial, and consists of many business travellers. This was the primary reason why, of the three options presented by the Task Force appointed by the Government of Trinidad and Tobago to evaluate the options regarding BWIA, the Government chose a new airline to support the continued strategic development of this country, with guaranteed safe, efficient and reliable airlift for its citizens.

In this context, the benefits to Trinidad and Tobago of the CAL/Air Jamaica arrangement lie in the expectation that, by developing economies of scale, CAL would be able to develop the foundation for efficient and commercially viable operations, as well as become the leading regional carrier, providing a measure of security in the provision of air transport. In the CAL/Air Jamaica exercise, the former administration of which the Member for Diego Martin West was a

Caribbean Airlines/Air Jamaica
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Member, went to great lengths to assure the general public that none of the debts of Air Jamaica will be for the account of CAL. The former administration of which the Member for Diego Martin West was what we will call in local parlance, a jefe, **they** said that none of the debts of Air Jamaica will be for the account of the CAL. This continues to be the case.

In addition, routes which the CAL team assessed have been unprofitable were abandoned, thus continuing its core model which started in 2007. In addition, all steps are being pursued to ensure proper alignment of resources within the Air Jamaica structure.

After the May 24 general election that put us here and put them there, the Minister of Finance, hon. Winston Dookeran, appointed a Cabinet sub-committee to assess the Air Jamaica arrangement, which had been concluded on April 30, 2010 and was in effect for an interim period of one year.

The report's analysis, conclusions and recommendations supported the conclusion by Caribbean Airlines of the necessary agreements to effect the expansion of Caribbean Airlines route network from Jamaica and points beyond Jamaica. While in Jamaica, in early July, for a Caribbean Community (Caricom) Heads of Government Conference, the hon. Prime Minister, Mrs. Persad-Bissessar, discussed the Air Jamaica acquisition directly with Bruce Golding, her Jamaican counterpart. She declared:

“When you put the pros and the cons together, the bottom line from our review is that it would be advantageous to Jamaica and Trinidad and Tobago to honour the agreement.”

The agreement, which that side made when they were in office; the agreement, which the Member for Diego Martin West is now saying is the worst thing ever existed; the agreement which he was talking so badly about in Sangre Grande. The Prime Minister continued in that meeting in Jamaica. She said:

“...in every business venture there are risks, but we did the risk analysis and the bottom line is we decided to go ahead with the deal.”

The deal which they forged, which they are now accusing us of.

In going ahead with the arrangement, it is the intention of this Government to take all necessary steps to allow the airline to operate in a commercially viable manner. In this context, the re-launch of the Air Jamaica brand was one of the more public steps taken to promote this intent.

It was recognized by the hon. Prime Minister that Jamaica and the Air Jamaica brand had a value of its own and, as such, should not be discarded, but used as an example and to the benefit of the one Caribbean Airline brand that is the CAL group; one airline, one vision, one Caribbean.

As such, it is extremely disingenuous for anyone—far less the Leader of the Opposition, the Member for Diego Martin West, in an attempt to promote his party copying the walkabout of the former Prime Minister of this country behaving, as we say in local parlance, as Mahal used to behave; walking hither, thither and yon, looking for votes and friends, in an attempt to promote his party and his upcoming election—to speak disparagingly about the CAL/Air Jamaica deal, which deal is a legacy of the previous PNM administration.

Even the Air Jamaica deal—let me give you some figures quickly. In September 2009, Air Jamaica lost US \$4.78 million; 2010, one year later, they lost US \$4.61 million; in October, they lost US \$5.75 million and, in 2010, they lost US \$3.64 million.

In November 2009, Air Jamaica lost US \$3.50 million; in 2010, they lost US \$2.49 million; and in December, last month, Air Jamaica made a profit of \$2.56 million [*Desk thumping*] and we are told here about, of course, the deal and a promise of long ago.

2.00 p.m.

Mr. Speaker, I want to end by asking the Member for Diego Martin West, are you once again condemning your former Prime Minister? Are you not tired of condemning him? He is beaten all over. Mr. Speaker, I ask the question, were you not part of the PNM government when this deal was made? What did you say then? You were part of the government that agreed to pay Air Jamaica US \$49.5 million. What did you say then? You said nothing then, but you went to Sangre Grande to talk your former Prime Minister bad. Do not do that. Do not do us that.

All I ask is that if he wishes to do so, go ahead, but leave this Government and this Minister out of his “commesse”. [*Desk thumping*] That is what I ask. As the Minister of Works and Transport, I deal with three-tonne trucks; I deal with roads and bridges; and I do not deal with anything else and, as such, I ask the Member for Diego Martin West to leave this Government and this Minister out of his “commesse”.

Mr. Speaker, I thank you. [*Desk thumping*]

FIREARMS (AMDT.) BILL

Order for second reading read.

The Minister of National Security (Sen. The Hon. Brig. John Sandy): Mr. Speaker, I beg to move,

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

Mr. Speaker, I sincerely appreciate the opportunity to pilot this Bill today in this august Chamber, but before doing so I seek your leave to extend best wishes to you, Sir, and all Members of this honourable House with the invitation of God's guidance in deliberations and decisions that would result in worthy and worthwhile legislation during this year 2011. [*Desk thumping*]

Mr. Speaker, hon. Members, before you today is a Bill to amend the Firearms Act, Chap. 16:01. This Bill is part of a larger legislative package, which the People's Partnership intends to introduce as law to deal positively with the issue of crime and the lawlessness which is attacking our country. It is a sad reality that almost every day we read in the newspapers or hear on the news that another citizen has been slain by gunfire.

Only yesterday, one of our former crime fighters, former Assistant Commissioner of Police, Cecil Carrington, with whom I have had the opportunity to work on a number of occasions while I was in the force—I have always known him to be astute with respect to his crime fighting—succumbed to gunfire sometime during the night. On behalf of the Ministry of National Security at which he served and, indeed, on behalf of the Government of Trinidad and Tobago and the people of Trinidad and Tobago, I wish to extend sincerest condolences to his dear wife Julie, his brother David with whom I worked—his brother was a former warrant officer in the Trinidad and Tobago Defence Force as well—and the remainder of the Carrington family, and to indicate to them that we are with them mourning their loss.

Last year, in 2010, 355 persons were murdered by the use of firearms, among them eight-year-old Quantia Hyndman who was shot while sitting at his computer in what ought to have been the sanctuary of his home. That number also includes several members of law enforcement and the protective services, including Acting Superintendent, Joel Nedd, an officer with more than 40 years service, who was shot during a carjacking outside his home.

Mr. Speaker, gun violence is fuelled by criminals using illegal firearms. The concern is not the law abiding citizen who possesses a legitimate Firearm User's Licence and possesses a gun for sport, defence or any other legitimate reason. The

majority of crimes committed with guns, lethal or not, are committed by offenders using handguns obtained illegally through illicit underground purchasing, renting, leasing or theft. Therefore, reducing the illegal supply of handguns to criminals is crucial to reducing gun violence, and this Government remains committed to addressing this concern by taking decisive action to reduce the illegal, and all too ready supply of guns to criminals.

Mr. Speaker, there are instances where relatives of victims are traumatized. Children relive moments when their parents are killed by gunfire, and then there are innocent bystanders who themselves fall prey to wayward gunfire.

Mr. Speaker, the Firearms (Amdt.) Bill 2010 before this honourable House, proposes to increase the penalties for certain offences involving a firearm or any prohibited weapon as defined by the Firearms Act by an average of 50 per cent. We need to send a clear message to those criminals that we would not tolerate their criminal activity, particularly with the use of firearms. Communities continue to live in fear, and this is something that we have to eradicate.

Several other noteworthy amendments are also being introduced, for instance, the Bill proposes that the burden of proof would be reversed in relation to unlawful possession of any firearm or ammunition. It would also for the first time in any local law, make provision for a three strikes rule, in terms of any person on his third conviction for possession of a prohibited weapon being liable to imprisonment for life.

The Bill also provides for the Chairman of the Firearms Appeal Board to be a practising attorney-at-law of at least 10 years experience.

Mr. Speaker, I wish now to take you through the more significant aspects of the Bill in greater detail. Clause 2 of the Bill provides that the Act shall come into operation on proclamation by His Excellency the President. Accordingly, until the President proclaims that the Act or parts thereof come into force on a fixed date, it shall not be considered to be implemented. I submit, and quite respectfully so, Mr. Speaker, that this aspect of presidential proclamation ought not to be viewed in any way as a severe hindrance to enforcement or implementation. However, there are minor administrative matters which require some time before the amendments are implemented. One such matter is the appointment of a chairman to the Firearms Appeal Board, which I shall discuss in greater detail shortly.

Clause 3 states that the Act shall have effect even though inconsistent with sections 4 and 5 of the Constitution. As you are well aware, these particular sections concern the protection of the fundamental human rights of our citizens.

Firearms (Amdt.) Bill
[SEN. THE HON. BRIG. J. SANDY]

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Section 13 of the Constitution of Trinidad and Tobago enables Parliament to pass an Act and declare that it shall have effect, notwithstanding that it may be inconsistent with sections 4 and 5 of the Constitution, once the Act is shown to be reasonably justifiable in a society that has proper respect for the rights and freedoms of the individual.

Mr. Speaker, the Government of the People's Partnership is quite cognizant of the necessity to safeguard the human rights and freedoms of the individual. Nevertheless, we also believe that it is vital to defend and protect our nation and its people against the criminals who themselves demonstrate no respect for the sanctity of the right of a person's life, security of the person, the enjoyment of property and the right not to be deprived thereof except by due process.

As a consequence, this Government considers that the Firearms Act must be amended in order to provide sterner measures to reduce the high incidences of gun-related offences and reduce the illegal possession of firearms.

Mr. Speaker, clause 5 of the Bill repeals section 5(2) of the Act and substitutes a provision to deem a person to be in possession of any firearm or ammunition in certain circumstances in the absence of lawful excuse, the proof of which lies on the person. This particular clause, in its initial draft before the Upper House, was the subject of much debate. However, I am pleased to report that consensus was arrived at, with great assistance from both the Opposition and Independent Benches and what was agreed upon essentially serves to shift the burden of proof onto the accused person in a trial.

Mr. Speaker, the clause reads as follows:

“For the purposes of any prosecution for an offence under this Part or Part IV, a person who—

- (a) is found with any firearm or ammunition;
- (b) occupies, controls or is in possession of any land, building, room, vessel, vehicle, aircraft or place in or on which is found any firearm or ammunition;
- (c) is proved to have had with him or under his control any firearm or ammunition; or
- (d) is proved to have had with him or under his control anything in or on which is found any firearm or ammunition;

shall be deemed to be in possession of such firearm or ammunition in the absence of lawful excuse, the proof of which lies on the person.”

Mr. Speaker, the provision which has been adopted from the Canadian legislation thereby creates a rebuttable presumption of possession, shifting the burden of proof to the accused. This is fair and reasonable in circumstances where there are serious practical difficulties facing the prosecution in proving a fact, for example, that the owner or occupier of the premises had no knowledge of the presence of the firearm on his premises.

While we hold true to the legal concept of the presumption of innocence as laid down in the 1935 case of *Wilmington v the DPP*, this Government also submits that a reversed burden in law, whereby the burden of proof is put upon the accused, does not necessarily preclude a fair trial.

2.15 p.m.

Mr. Speaker, this was evidenced in the 2003 UK case of *Johnstone* where the House of Lords enunciated the need for due regard to the will of Parliament and cautioned against any finding that an imposition of a reverse burden was a disproportionate response by Parliament to the social mischief prescribed by the offence. The Law Lords held that the reversed burden could be considered to be a proportionate response to a serious and current social or commercial mischief. In *Johnstone*, the offence was that of a serious trademark offence attracting a substantial term of imprisonment. I speak of the more serious and heinous offence of illegal gun possession which can lead to loss of life.

In this regard, I wish to emphasize that firearm use in the commission of crimes is too rampant to ignore and is, as the House of Lords stated, a serious and current social mischief which, in this instance, demands such an action as reversing the burden of proof.

In the past we have had situations where cars were stopped and firearms found in them. The bandits would allow the youngster with no conviction or no record to take the rap and they would go free. Of course, when he appears before the court, leniency is offered because it is his first offence. Our amendments are going to prevent that.

Clause 6 of the Bill amends section 6 of the Firearms Act by seeking to increase the penalty for using or having in one's possession the prohibited weapon without the appropriate licence or without lawful authority. Of particular note is the step to make a person who is convicted of such an offence, for the third time, liable to imprisonment for life.

Firearms (Amdt.) Bill
[SEN. THE HON. BRIG. J. SANDY]

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Clause 6(5) reads as follows:

“Notwithstanding subsections (3) and (4), a person who has at least two previous convictions for an offence under subsections (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.”

Mr. Speaker, this clause is certainly a consequential one as it now makes provision for a person who, after having been previously twice convicted of possession of a firearm or ammunition and who now faces a third charge of conviction, to face a term of life imprisonment upon his third conviction. The clause stipulates that he no longer has the option of a summary trial; his third trial is now one on indictment.

I wish for hon. Members to note that the law will only apply to convictions. As a consequence, if a person is arrested and charged and found not guilty at his trial, the three strikes law shall not be imposed upon him. This is particularly required when we have repeat offenders. I remember referring to two types of felon: the criminal and the lawbreaker. The criminal is the one who would revisit his criminal ways and even with the efforts of prison authorities to reform him, will not change. His home should be behind bars.

This Government believes that this incarnation of the three strikes law is necessary to increase the prison sentence of those who have been previously convicted of a firearm offence and to reduce the ability of the offender to receive anything other than a considerable prison sentence. While I firmly believe in the rehabilitation of offenders, sadly we observe that there are those individuals who are considered career criminals and do not seek to change their behaviour or nefarious ways. These career criminals make no use of the rehabilitative, restorative and educational programmes offered in our nation's prisons and these particular individuals are the ones we wish to target with this provision.

We envision that the proposed life sentence will keep this particular class of repeat criminal off our nation's streets and the threat of such a long sentence will cause twice-convicted offenders to think twice before carrying or using a firearm.

Mr. Speaker, clause 6A is an insertion that was mutually agreed to in the Upper House. It would amend section 7(1)(h) of the Act to harmonize it with section 40(1) of the Act, thereby making it clear and unambiguous that a person who comes into possession of any firearm or ammunition in his capacity of executor, administrator, trustee in bankruptcy or liquidator, has 30 days to deliver the firearm or ammunition to the nearest police station.

Mr. Speaker, I take you now to clause 8 which amends section 9 of the Act, whereby it seeks to increase the penalty for selling or transferring of firearm or ammunition to another person without lawful authority. The People's Partnership again continues to make strides with our legislative agenda as for the first time we have sought to include in this clause the offence at subsection (4) whereby, among others, any member of the protective services who commits the offence of selling or transferring a firearm or ammunition to another person can be liable on conviction on indictment to imprisonment for 20 years.

In accordance with section 6:2 of the Act, the clause shall apply to persons acting in the capacity of:

- “(a) a police officer;
- (b) a member of the Defence Force;
- (c) Director, Trinidad and Tobago Forensic Science Centre;
- (d) any scientific officer designated by the Director Trinidad and Tobago Forensic Science Centre;
- (e) a Customs officer—while patrolling the territorial sea—or
- (f) a prison officer.”

I have said it before and I shall state it again: With great power comes great responsibility. The aforementioned persons are allowed by the Firearms Act to have in their possession firearms and prohibited weapons by virtue of their office as members of law enforcement or protective services, as well as the role and duty that accompany those offices. They serve as our protectors, our guardians, our bastions against crime and yet corrupt elements have invaded and infiltrated the law enforcement services.

These rogue elements seek to bring disrepute to their respective services by renting or selling firearms to criminals and subversive elements. It is understood that rental prices are sometimes based on the size of the anticipated earnings from the crime that the borrower intends to commit. For example, because the payoff is larger, renting guns for robberies at secured targets or for kidnappings cost more than guns used for simple robberies at homes and convenience stores.

Mr. Speaker, I am adamant that we need to get these corrupt officers out of our services. Once they are caught and convicted, there ought to be no question as to how high the standard of accountability with which they should be held.

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It is so very strange, when one considers the fact that when these guns are rented there is a very real possibility that they may be used against members of law enforcement persons, some of their own friends. As we say in the military and the police service, some of your “batch” may be on the other end of that weapon that is loaned or rented. I find that very alarming with respect to an officer of the law who has sworn to protect the State.

Clause 15 seeks to amend section 21B of the Firearms Act and gives discretionary powers to the Commissioner of Police to suspend or refuse the granting of a Firearm User’s Licence or a Firearm User’s (Employee) Certificate for five years in the case of a person convicted of an offence under the Domestic Violence Act. This widens the ambit of the police commissioner's discretionary power, where, in the first instance, he held no such power in those cases where persons may have been convicted of offences under the Domestic Violence Act.

I wish to state categorically that making the power a discretionary one, as opposed to mandatory, by no means diminishes the fact that domestic violence offences are serious in their nature. However, the Domestic Violence Act is quite broad and includes, for instance, that a protection order under section 6(1)(c)(iii) of the Act can stipulate that the respondent:

“pay interim monetary relief to the applicant for the benefit of the applicant and any child, where there is no existing order relating to maintenance, until such time as an obligation for support is determined, pursuant to any other written law;”—or under section 6(1)(c)(vi), declare that the respondent—
“make or continue to make payments in respect of rent or mortgage payments for premises occupied by the applicant.”

Consequently, a person against whom an order has been made and who contravenes any provision of the order or fails to comply with any direction of the court, is deemed to have committed an offence under the Act. Where such a person may have failed to provide maintenance or interim monetary relief, as directed by the court, the Commissioner of Police will have no discretion in the matter and must, in accordance with the Firearms Act, suspend or disqualify that individual's firearm user’s licence or Firearm User's (employee’s) Certificate for a five-year period.

Quite a useful example was cited by the hon. Attorney General during debate in the other place of an instance where a wife had brought a domestic violence charge against her husband whose only means of earning a living was as a hunter. He was subsequently found guilty of the offence and was made to surrender his

Firearm User's Licence and firearm. He and his wife subsequently reconciled their differences, but he was left in the unenviable position of being unable to support his wife or family as the sole breadwinner since he had no FUL and, therefore, could not legally possess a firearm to hunt.

With this enactment, the police commissioner can now exercise his own judgment in determining whether to suspend a person's licence or certificate or refuse to grant it, in such an instance. This Government holds confidence in the police commissioner's ability to carefully exercise his discretion and look at each matter before him on a case by case basis to determine whether, under the circumstances, the failure of the individual to pay maintenance in a certain case is enough to warrant refusal or suspension of a licence.

2.30 p.m.

Clause 17: Mr. Speaker and hon. Members, clause 17 seeks to amend section 22B of the Firearms Act, by repealing the current section 22B and replacing it with the following words:

“The Board shall consist of—

(a) the chairman who shall be an attorney-at-law within the meaning of the Legal Profession Act”—have at least ten years experience; and

“(b) two other members,

all of whom shall be appointed by the President.”

Mr. Speaker, the Act presently stipulates that the Chairman of the Firearms Appeal Board shall be the Chairman of the Police Complaints Authority established under section 4 of the Police Complaints Authority Act. The Firearms Appeal Board's purpose is to hear and determine appeals from a decision of the Commissioner of Police. A person dissatisfied by the decision of the Commissioner of Police, not to grant him a Firearms User's Licence certificate or permit or to revoke it, may appeal to the board to review that decision.

The People's Partnership hereby submits that the chairman of the Police Complaints Authority should no longer be chairman or a member of the Firearms Appeal Board. One of the main reasons for this is that the Police Complaints Authority is no longer under the ambit of the Ministry of National Security and instead is under the remit of the Ministry of Justice. Accordingly, the connection between the Firearms Appeal Board and the Police Complaints Authority shall no longer exist in this regard and, consequently, it follows that these two positions should now be separated due to lack of practicality.

With the new expanded role of the Police Complaints Authority, as identified under the Police Complaints Authority Act of 2006, there would also be a conflict of interest as far as time is concerned. One individual will have to fulfil the role of chairman of two different portfolios, and while we have no doubt in the capability of qualified persons to fill both roles, we do not wish to stretch human resources too thinly and overburden individuals unnecessarily. Moreover, the separation of the two positions would enable matters to be dealt with more expeditiously and efficiently.

Clause 23: Additionally, clause 23 of the Bill, apart from increasing the penalties for the offence of failing to comply with the requirements of the Act, with respect to loss or theft of a firearm or ammunition, seeks to repeal the un-proclaimed section 28(1B).

This section was inserted by Act No. 3 of 2004 and reads as follows:

“Every person who finds a firearm or ammunition shall, within twenty-four hours of finding such firearm or ammunition, deliver such firearm or ammunition to the police officer in charge of the police station nearest to the place at which he found the firearm or ammunition and shall give a written statement as to the time on which and the circumstances in which he found the firearm or ammunition.”

This section has been on the statute books for approximately six years, but has been of no legal effect. The Government has decided to repeal this section as we have considered that such a section would indeed be dangerous to proclaim. Concerns were initially raised in the Upper House regarding this move, as it was viewed that it would most likely have the effect of deterring persons who come into legitimate possession of a firearm or good samaritans who find firearms and wish to deliver them up to the police. However, Members capitulated upon recognizing that section 28(1B) provides an obscure defence for the gun-toting criminal who may be found by the police to be in possession of a firearm or ammunition without being the lawful holder of a licence. He can invoke the section as a ready-made defence and tell the police that he had found the weapon just a few hours ago and was on the way to deliver it to the nearest police station. The burden would now be on the prosecution to prove otherwise.

Given that we have intentionally shifted the burden of proof to the accused, we cannot now allow him to simply utilize this section as an all too available defence. This would proceed contrary to the mischief that this Government wishes to cure by instituting this legislation. We know that there are some clever criminals out there who would try anything and everything to seek to advance their trade.

Mr. Speaker, the removal of this section should not deter our law-abiding citizens of our land from coming forward to deliver to the nearest police station any firearm or ammunition which they may find or stumble upon. I call upon honest, law-abiding citizens to continue to do so and abide by your civic duty and sense of moral responsibility. Perhaps, if more persons were to come forward in this manner we would start to see a considerable decline in the number of illegal weapons and ammunition on our streets. We are advised that the criminals use children, they use senior citizens, they use their girlfriends and homes of these people to conceal their firearms. We need to be a little more stringent with respect to the relatives.

As a result of the deletion of section 28(1B), we also propose a consequential amendment to section 30(2) of the Firearms Act and subsection (2) provides, in effect, that when a firearm is found on premises, a police officer may arrest without warrant a person whom he believes to be guilty of an offence under the Firearms Act, other than an offence under section 28. This amendment was proposed in the Upper House by the learned state counsel, Sen. Prescott SC, who indicated that having regard to the repeal of 28(1B), the words “other than an offence under section 28” would serve no useful purpose. He pointed out during the debate that the persons referred to in section 28(1) and (2), those losing their firearms and reporting the loss, do not need the protection granted by section 30(2).

If the words “other than an offence under section 28” are removed, those persons referred to in section 28(1) and (2) would be equally innocent of any offence.

To take into account the learned senior counsel’s observation, the amendment was moved and accepted in the Senate.

Clause 26: Mr. Speaker, clause 26 seeks to increase the penalty for importing prohibited weapons in contravention of the Act. Once again, this clause was further amended in the Upper House after several proposals were made by Sen. Armstrong, who proffered that for the importation of prohibited weapons a stiffer and higher penalty should be imposed, particularly as this person who is illegally importing arms and ammunition unto our shores should be viewed as a progenitor and supplier of the number of illegal weapons that are used to kill our citizens.

Of particular interest is the insertion of the following clause amending section 31(2)(b) of the Act with respect to the matter of importation, in the case of an

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offence relating to importation of multiple firearms for distribution or resale or on conviction, on indictment to imprisonment for life. We all agreed with the learned Senator that such an instance of illegal importation of a vast stash of arms or ammunition for the purposes of distribution or resale ought to attract a penalty of life imprisonment owing to the nature of the offence itself. This may, Mr. Speaker, in effect allow us to cast a heavier penalty on the mastermind of an illegal importation racket.

Mr. Speaker, Members of this honourable House, I have taken you through the most significant aspects of the Firearms (Amdt.) Bill, 2010. As I have mentioned, the other clauses simply seek to increase the fines and penalties regarding other firearm related offences under the Act. These amendments herald this Government's unwieldy thrust against the issue of illegal gun possession and criminal activity on the whole. We cannot deny that the illegal drug transshipment trade has been fuelling trafficking in small arms and light weapons. We are convinced that the drugs pass through and most of the firearms remain. We are even advised that some of the drugs are paid for with firearms. However, we are taking another step of affirmative action to win back our country from the grasp of the career criminals. Criminals have declared war on the citizens of this great nation and the People's Partnership intends to fight back and declare war on those persons who have no respect for law and order or innocent lives. [*Desk thumping*] Even on our streets, we witness the unnecessary carnage. In this regard the Cabinet approved only yesterday the installation of surveillance bays on our highways, beginning with the Uriah Buttler Highway. [*Desk thumping*]

Mr. Speaker, these surveillance bays are going to serve in two realms: one, with respect to the speeding on our roads, because they are going to be strategically positioned on the highway; and, two, with respect to fighting crime which would allow our police officers the ability to respond to all-points bulletins in a more effective manner. These surveillance bays would be confined to the use of vehicles of the State: police vehicles; vehicles of the protective services; military vehicles; ambulances and other vehicles used in crime fighting. One of the areas that we would be firm with is legislation debarring or making it unlawful for any unauthorized vehicle to use the surveillance bays. They are going to be equipped with CCTV cameras to ensure that during the wee hours of the morning those who engage in using our highways as car-racing strips are prevented from doing so. If they do so, they do so at their peril.

2.45p.m.

Mr. Speaker, the Ministry of National Security wishes to correct certain errors in the headline story of today's *Express* newspaper, entitled:

“SIA shocker, Minister in the dark, staff sour as 31-year old junior employee appointed to head spy agency”

The National Security Council met to consider a recommendation from the Deputy Director of the SSA that an appointment be made as director of the SSA. The Minister of National Security is a member of the National Security Council. The council deliberated on the matter and decided to accept the recommendation as presented. The incumbent has 9 years experience in the organization and is a graduate of the University of the West Indies. The appointed director was done so as to act for a period of six months in the Office of Director of the SSA. The appointed director was not done so as to help the SIA as claimed in the article. That appointment was to assist in the rationalization, streamlining and amalgamation of the SIA into the SSA. The merger has been ongoing for some time now. The decision of the National Security Council was subsequently approved by the Cabinet.

I find it irresponsible of anyone to name those involved in such an acute arm of our national security. [*Crosstalk*]

Mr. Speaker: Order!

Sen. The Hon. Brig. J. Sandy: It was uncalled for, totally uncalled for. [*Crosstalk*]
Mr. Speaker, with the passage of this legislation, we seek to regulate those persons—

Mr. Speaker: Hon. Members, I would like the hon. Minister of National Security to make his contribution in silence. Any Member who wishes to relax may do so. You could take your leave and relax outside. But whilst the Minister is making his contribution, I would like the House to, at least observe some silence consistent with the Standing Orders: You may continue, hon. Minister of National Security.

Sen. The Hon. Brig. J. Sandy: Thank you, Mr. Speaker.

There is no justification—and I am sure my friends on the other side will agree with me—for exposing any agent of the State involved in national security to the criminals of this nation. [*Desk thumping*] Further, the Government intends to hold members of law enforcement to a greater level of accountability and make them answerable for wrongdoing in this regard, for they are the ones who can readily access firearms, which should be used only in the interest of the State.

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My colleagues on the other side will, no doubt, concur that this legislation is a step in the right direction toward better gun control and I remain confident that they will, therefore, join us in supporting this Bill.

With these few words, I beg to move. [*Desk thumping*]

Question proposed.

Miss Donna Cox (*Laventille East/Morvant*): Thank you, Mr. Speaker. This legislation comes at a time when the murder rate in Trinidad and Tobago continues to rise, despite the fact that the Government is playing games with crime figures and the people of Trinidad and Tobago.

The Minister of National Security, over the past two weeks, has been giving us information on the crime figures for June to December 2010, and he keeps stating that it is lower than the previous year. What has he been trying to tell us? That from June 2010 to December 2010 the crime rate is lower. Is it because they were in government?

Mr. Sharma: No, is because you are in Opposition.

Miss D. Cox: Since the UNC-led coalition Government was elected in May, he keeps stating that the crime figures have dropped. This drop in crime had nothing to do with the UNC-led coalition winning this election. [*Desk thumping*] He fails to realize or to tell the public about all the resources, the money spent, the hard work of the protective services, which took place prior to these figures, and I feel that they should be honest and state this. [*Desk thumping*]

It is clear that many of the crimes committed in Trinidad and Tobago are as a result of the use of firearms and there is a definite need for the possession of firearms to be regulated with stiffer penalties. There must be a multipronged approach to crime. Stiffer penalties and increased fines are definitely not the only way to reduce the level of lawlessness that pervades our society. I urge the Government to continue many of the PNM government programmes that started under our administration, not only in the Ministry of National Security, but in many other ministries, those programmes which were geared towards the youth to help steer them away from a life of crime. If you save one, you save many.

We support the intention of this Bill and in so doing I would like to comment on some areas. I noted the amendments made in the Senate and some of the concerns were also mine, so I will not be repetitive and I will move on to the areas of concern. At section 9(2) it states and I quote:

“Any person is liable on summary conviction to a fine of forty thousand dollars or to imprisonment for ten years who purchases or acquires from, sells

or transfers a firearm or ammunition to, or repairs, tests or proves any firearm or ammunition for, any other person whom he knows, or has reasonable cause to believe, to be—

- (a) a restricted person;
- (b) drunk or under the influence of drugs or of unsound mind;
- (c) at the time of such sale or transfer otherwise unfit to be entrusted with such a firearm or ammunition; or
- (d) under the age of twenty-five years.”

With regard to 9(2)(d), I was wondering why under the age of 25. Why was the age not lowered to 18, since 18 and over is considered an adult age? It is clear to all of us and it is public knowledge that many of the youth today who are involved in crime and in gang activities are mainly 25 and under. I feel that this should be reflected here.

An article in yesterday’s *Daily Express*, page 8 with the headline, I quote:

“2 teens on ammo charges denied bail.”

Part of the article reads as follows and I quote:

“A schoolboy allegedly found with a shotgun and ammunition was denied bail yesterday by a magistrate, who ordered his criminal background be traced.

The secondary school pupil was remanded to the Youth Training Centre...

The 15-year-old and his friend...a 17-year-old trainee welder, were allegedly found with a 12-gauge cartridge and a shotgun at South Trunk Road, La Romaine...”

That was last Monday. Therefore, many persons under the age of 25 are involved in crime. There are 13-year-olds in this country who have guns. We must face the reality of our situation, because many gang members in our country, as I said before, are under the age of 25. As a matter of fact, some of them do not expect to live to 25 or 30.

With regard to those who sell firearms, I believe that penalties should be stiff for persons who are in the business of selling firearms, because these firearms find their way into the hands of misguided youth in the country.

With regard to the application for Firearm User’s Licence and general provisions as to the granting and issuing of firearm licence in clauses 16 and 17, I would like to make a plea to the Minister of National Security and the million-

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dollar man, the Commissioner of Police, to treat with the thousands of applications for Firearm User's Licence, which is in the possession of the police service. Many businessmen are concerned, because they have applied for Firearm User's Licence for a number of years. I would like to suggest that at least they be given a response. Whether an investigation is ongoing, they should be told that. Some of them have been in limbo for a number of years and many have been the victims of robbery over and over. I think something should be done to speed up the procedure and let them know whether it is yea or nay. If it is nay, well, why. I will speak later on about that.

I move to section 21B (1), which states:

“Where the holder of a Firearm User's Licence or...(Employee's) Certificate is convicted of an offence under the Domestic Violence Act, the Commissioner may suspend his licence or certificate as the case may be for a period of five years from the date of conviction for such offence.”

Mr. Speaker, if someone with a Firearm User's Licence or Certificate threatens his spouse, I believe that once charged by the police, some provision must be made to immediately seize the person's licence. At present, I am seeing here in clause 15 amending Section 21B that it is upon conviction of a person for an offence that the Commissioner may suspend his licence or certificate. Do you know how long it takes sometimes for one to be convicted? Action must be taken before conviction where an offence is committed under the Domestic Violence Act. That person could commit other acts before conviction.

At the end of the day—I am sure, Mr. Speaker, you know what a “horn” is, and man cannot take “horn”. [*Desk thumping*] Mr. Speaker, we would like to suggest that a clause be added to state that once the person is charged by the police, the Commissioner shall take possession of the person's weapon until the determination of the matter, and upon conviction the Commissioner “shall” suspend his licence or certificate; not “may” as stated in section 21B. Because I am seeing here that the Commissioner has an option; he may suspend the person's licence. I am saying it is not “may”; it should be “shall”. So I agree with “shall”. I do not know why it was changed to “may” because originally it was “shall”. It should be mandatory that they suspend the person's licence once he is convicted.

This brings us to section 22A which deals with the Firearms Appeal Board. Those who apply for firearms and are turned down must have a form of redress and I am pleased to see that section 22A speaks of the Firearms Appeal Board and section 22B has amendments to the composition of the board.

3.00 p.m.

Miss D. Cox: With regard to section 28(1B) which was repealed, I would like this section to be reinstated. I would like to quote this section:

“Every person who finds a firearm or ammunition shall, within twenty-four hours of finding such firearm or ammunition, deliver such firearm or ammunition to the police officer in charge of the police station nearest to the place at which he found the firearm or ammunition and shall give a written statement as to the time on which and the circumstances in which he found the firearm or ammunition.”

Mr. Speaker, I am not sure if the omission of this clause is in the best interest of the country. I speak on behalf of many constituencies represented here, where many persons’ yards are not fenced. If I step out of my parents’ home in Laventille and see a gun lying around, in the absence of this clause, I would be very careful; I would want to know what to do. Am I to walk away, leaving the gun which may then end up in the wrong hands?

In do not understand why this section was removed. I think it is very important that someone who finds a firearm be given the opportunity to take it to the authorities, immediately, not within 24 hours, as stated in the clause.

Mr. Speaker, about two weeks ago a spent shell was found in the bathroom area of my constituency office. A member of staff found it and called me. I said, “You calling me? Call the police.” I was not sure what I was supposed to do. I said, “Having this in your possession is supposed to be against the law, contact the police.” That is what we did.

What happens if a gun or ammunition is found on the compound some time in the near future? I would like to know what we are supposed to do. If 28(1B) was repealed, then I would like to know what I am supposed to do if this happens again. It can happen, but the next time it may be a gun.

Mr. Speaker, I refer to a case which took place in the United Kingdom in November last year. It concerns an army officer who saw a shotgun outside his apartment. He called the police, picked up the firearm, turned it in and was promptly charged. This is what will happen to anyone who, legitimately, ends up with a firearm in his possession. They can be charged because section 28(1B) was repealed. So, I urge the Government to put it back in.

Criminal elements are known to hide firearms and ammunition in other people’s backyards, in particular areas, without their knowledge. So, if someone picks it up, there must be a way for that person to turn it in immediately, since it is not

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theirs. Mr. Speaker, if the section is reinstated, then the time to turn over the weapon should be immediately and not within 24 hours as stated in the section that is repealed.

There are too many illegal firearms on the streets of Trinidad and Tobago. We agree that the laws must be stringent enough to assist in bringing this situation under control, however, stringent legislation, without implementation, is not going to work. The police must do their part, which includes thorough investigation.

At this point in time the detection rate of the police service is definitely too low. We need to lock up, not only those who may be found in possession of illegal firearms and ammunition, but also the ones who bring them in. We must also have stiffer penalties. We have to tackle crime at both ends. Importers of firearms must be specifically dealt with. That is why the purchase of the OPVs was a part of the package to stem the flow of illegal firearms, ammunition and drugs from coming into our shores. [*Desk thumping*]

Mr. Speaker, the PNM administration, besides putting legislation in place, was also putting the appropriate crime-fighting resources, like the OPVs, to add to our crime-fighting strategies which, I must state, were not political in nature, because we know about putting country first.

We sought to find the right people for the job; persons with the right competencies, experience and qualifications. So, when we are hearing that persons are being hired to head an important agency such as the SIA—I heard the Minister of National Security say nine years' experience, but my information is it is four years' experience as a computer technician—how serious can they be about crime?

I am very much concerned about that. If that is the case—if this is the experience this lady has—why did they not hire me? [*Desk thumping*] At the end of the day, I do not expect to be hired because I am not a member of the UNC-led coalition and I am not a whistle-blower. [*Desk thumping*]

Mr. Speaker, in order to get the cooperation of ordinary citizens they must know that the law is for them as well as others. So, users and importers must feel the brunt of the law.

What are the plans for the customs officers who allow illegal firearms to pass? We speak about the police all the time. What is happening with customs officers who allow these illegal firearms to come in, in some areas? When last was any customs officer hauled before the courts?

Mr. Speaker, we support this Bill and I cannot fail to remind this Government that crime is everybody's business and should not be used to score cheap political

points. The Government must continue our youth programmes as mentioned before, since young people are the ones who are mainly involved in crime.

We are in the Carnival season and many young people would be participating in the festivities. The majority of them will not be engaged in criminal activities. It is a few rogue elements who set out to disrupt the season, and, of course, we are aware that some of them are in possession of illegal firearms.

Therefore, yesterday, when I read the *Newsday*, and I saw a Member of Parliament, the Member for St. Joseph, in an attempt to shut down the WASA fete, describe patrons of the fete as follows, I quote:

“...many of whom have proven themselves by their conduct to be hoodlums, hooligans, rogues and vagabonds.”

Imagine, a Member of Parliament, in this UNC-led coalition describes, in a most derogatory manner, persons—not a few, because he said many—who attend a popular fete, as rogues, vagabonds and hooligans. They should all be ashamed to be associated with those comments.

Imagine, many of my constituents attend these fetes. Are we saying that many of them are hoodlums? Are they rogues? Are they vagabonds? The people of Farm Road, better known as Bangladesh—I call them Farm Roads Gardens—*[Desk thumping]* They want the fete. Are they also rogues, vagabonds and hooligans? How could a Member of Parliament describe our people like that? How could he describe the citizens of Trinidad and Tobago—He did not say a few. He said many of them. So, because you go to that fete you are rogues, hoodlums or vagabonds? That is unacceptable, Mr. Speaker.

Mr. Speaker, the Minister of National Security has been speaking about some of the social programmes that the Ministry of National Security is involved in, including father and son programme; the continuation of the PNM’s initiative of the Morvant/Laventille programme, but yet, one of his own stereotypes many of these youths as vagabonds; as hoodlums; as rogue elements. If they stay silent on these utterances, then I have to say that they are also a part of these statements.

Mr. Speaker, with these social crime initiatives and programmes, they will just be spinning top in mud if Members on that side continue to use these kinds of adjectives to describe our people.

We on this side are, indeed, concerned about the easy access to firearms by criminal elements. Some people are in the business of renting firearms so a man could, as they would say, “put down a work”.

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Mr. Speaker, we keep hearing that there is a reduction in crime, but we are not seeing it. We are tired of the talk, also. We want to see results. They have been in office for eight months. After all, this Government claimed that they had the solution for crime; the impression they gave the electorate is that they could have fixed crime overnight. Another area in which they fooled the people.

Mr. Speaker, I urge them to remember how serious this crime situation is, and that we all have to work hard to rid our country of crime. I urge them, as they say, to serve the people and not fool the people.

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

The Minister of Works and Transport (Hon. Jack Warner): Thank you, Mr. Speaker. Mr. Speaker, this Bill is about penalizing persons who perpetrate crime with firearms. This Bill is about prohibiting the unlawful use of firearms. It is about preventing gun-related crimes which range from robbery and rape to murder. This Bill is designed to protect the public from gun-related crimes and the criminal enterprise that thrives on the unlawful possession and the use of firearms and ammunition.

The People's Partnership Government, of which I am happy to be a member, is responding to the fight against crime. It is being proactive in the fight against crime. I want to just make the point to the last speaker, the Member for Laventille East/Morvant, when she said that we spoke about a reduction in crime but she is not seeing it. Did the last speaker see any reduction in crime in the last eight years? Was there?

Was there any reduction of crime when we had, of course, the Minister of National Security who was a DJ player? [*Interruption*] Yes, we had a DJ player as a Minister of National Security. You do not remember that? The one who came just before Martin Joseph was a DJ player.

Mr. Speaker, did we have a reduction in crime under the last Minister of National Security? Did we? And, in eight months you want to see a reduction in crime.

We have said publicly, in the last month, that we had a 20 per cent reduction in crime. The fact is, whether it is 20 per cent or 10 per cent, whatever it is, we are not satisfied. We are asking that you do not judge us on eight months, judge us at the end of our first five years. I say first five years. [*Interruption*] Yes, first, F-I-R-S-T is first.

Mr. Speaker, unlike the last government, this Government is responding and being proactive in the fight against crime. This Government is showing political will. That political will was lacking in the last government and in you. In nine

months the People's Partnership is doing what the last government did not do in nine years. [*Interruption*] I could understand the Member for Point Fortin talking because she is on her last days, so she should have fun. In a very short time from now she would be history, but it is all right.

Mr. Speaker, the question, therefore, is: how is it that the People's Partnership, in nine months, can do or could have done what the last government did not do in nine years? The answer is simple: we are able to do it because the People's Partnership is serious about crime. In fact, one just has to look at our Minister of National Security and you would get frightened. Just look at him, unlike, of course, the last two Ministers you had. I would come back to them just now.

We are serious about crime. We are serious about fighting crime. We are serious about securing our communities and our citizens. We are serious about stopping the bloodshed in this country. We are serious about bringing justice to victims of crime. We are serious about taking criminals and the tools of the criminal trade off the streets; and the list goes on and on.

Mr. Speaker, we are serious about preventing crimes before they occur, and thereby preventing the suffering and loss that victims have to endure.

3.15 p.m.

In a word, therefore, as a Government, the People's Partnership is committed to being tough on crime, something that is a novelty on the other side. The PNM, I am saying, in other words, was soft on crime—S-O-F-T. That is why we are where we are.

Mr. Speaker, under the PNM, crime flourished. If you look at the Small Arms Survey in the UN 2009, page 21, it says:

“The scene is not so much a war zone as a Wild West, and it is no exaggeration to say that poor urban areas of Trinidad, in particular, have become magnets for lawlessness as rival gangs vie for control of the territory where drugs are sold.”

The report continues, Mr. Speaker:

“Whereas in 1998, the country saw 98 murders in absolute terms, by 2008...”—when you were in power—“that number had climbed from 98 to 550.”

That is the UN Survey Report. They say:

“According to police statistics, firearms were used in 437 of those killings, and of those killings 322 of them were either gang or drug-related.”

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That is your record. That is the record you have to be proud of, and therefore I could understand why, under the PNM, crime flourished. Under the PNM, criminal gangs took over whole communities. They had their own turf, and so on.

On June 6, 2005, for example, the Minister of National Security at the time—a disaster in many ways—told this House of Representatives on June 6, 2005, there were 66 known gang members. Do you remember? He said so. You were here then and we were there, and he got up across there and said there were 66 gangs with 500 members. On June 6, 2005, he said that there were 66 known gangs. He said there were 66 known gangs with 500 members.

On January 25, 2008, in less than three years, he told this House again there are 86 gangs with 1,720 members—340 per cent in three years. And he stood in his shoes and he wondered and wondered and wondered. Not a solution; nothing at all. He knew the gangs; he knew where the gangs were; he knew the members, but he could have done nothing and did nothing and, as such, therefore, it is no secret, it is no accident that when we came into office, we found that there were by then 110 gangs. That is what we found and that is why you had the Anti-Gang Bill, and that is why you have other bills, because we decided to take crime by the scruff of its neck and solve it.

Mr. Speaker, the PNM had all the information they needed, by the wrong means, of course, tapping your phones and so on, but they had all the information they needed. They had all, from blimp go back. Mr. Speaker, the PNM hired Prof. Stephen Mastrofski. You remember the name?

Mr. C. Sharma: Eighty million dollars.

Hon. J. Warner: That is correct. They had George Mason. You remember that name? George Mason was paid \$55 million, Mr. Speaker. They hired Army Major Cameron Ross from Canada. You remember? Mr. Speaker, they brought blimps, “eyes-in-the-sky”. They had spy equipment. They had a 360-degree radar that used to work sometimes. It was an “iffy” radar. It used to work sometimes.

They said, Mr. Speaker, they knew the existence of the criminal gangs. They knew where these gangs were, they said. They held meetings with the gang leaders, drinking Johnnie Walker Blue and champagne at Crowne Plaza, and they called them community leaders, Mr. Speaker. The gang leaders campaigned with them as well, Sheldon “Crock” Scott, Mark Guerra. These were, of course, the guys who were on their campaign, campaigning with them and threatening people how to vote, and so on. You forgot those days? You come here now to cry crocodile tears about the Bill and how the Bill will do this and that? This, of course, is fraudulent. It is fraudulent, Mr. Speaker.

In the *Express* of January 26, 2008, a map was put, you know, titled, “Ganging up.” The map showed you where the gangs are, they said. In fact, Mr. Speaker, it is no secret this that Government is using some of the very research which this last regime had and did not use. This Government is taking that research and that information, and we are using them to address the crime problem, the crime epidemic. Why did you not? Why did you not? Why were you so impotent that you could not use it?

The PNM lacked the political will. They lacked the political will. That is the whole story. You lacked the political will to do it, Mr. Speaker. They took a soft approach.

You remember, of course, the DJ player you had as a Minister of National Security, who you say you do not have to have qualifications, all you have to have is a level head. This so-called fete promoter, Mr. Speaker, who was our Minister of National Security, Howard Chin Lee, he promoted roadblocks like a “blocko,” like a block fete, and the Minister of National Security, Howard Chin Lee, would be on the radio, Mr. Speaker, doing live interviews telling the public the locations of the roadblocks.

So the Minister is going on radio and telling you, “I have a roadblock in Cuchawan Trace. I have a roadblock in Tulsa Trace.” That is the Minister, telling people where you had roadblocks—Cuchawan Trace. We on this side have representatives from Cuchawan Trace. You never had and will never have, so forget that.

Mr. Speaker, after Howard Chin Lee, we had the great Martin Joseph, who was the best Minister of National Security this country ever had, according to the last Prime Minister; a man who was as clueless as could be, and who hovered, you remember, he hovered in a helicopter on Frederick Street at a crime scene in 2005.

The last Prime Minister had a Minister of National Security, Martin Joseph, who hovered in a helicopter on Frederick Street and he said he went there because a woman lost her leg in a bomb. He went in a helicopter and he blew away all the evidence. He blew away all the evidence. That is minister for you. That is minister for you. He made every excuse in the book. That is the man we are talking about—an increase in the decrease or a decrease in the increase. That is what they had.

Mr. Speaker, Martin Joseph, when he was the Minister of National Security, he constantly said that the crime problem was linked to drug transshipment. He said it was linked to a proliferation of guns and gangs. Well, Mr. Speaker, though

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he had all these ideas, all this information, I am saying, there were no positive results. The body count continued to rise. The murders continued and Prime Minister Manning at the time—never again to be—he continued to call this worst performing Minister his best.

Mr. Speaker, Martin Joseph tried to resign, you know. To his conscience, he tried to resign, but the Prime Minister at the time, Patrick Manning, would not accept it, because of his pride and his ego. The last government, the PNM, did not hunt down the criminal gang leaders. They did not hunt them down. Mr. Speaker, I said before, they dined with them. The last government did not take a hard approach on criminals. They tried to negotiate and begged them to ease up, Mr. Speaker, and particularly around election time, “For a month, all you lie low.” They had to win election, “Do not kill many persons in this month.” “Walk soft,” they told them.

Mr. Speaker, under the PNM, the police remained severely under-resourced. The PNM built only five police stations and purchased only three police posts. Those facts, as shocking as they are, are in the PNM manifesto of 2010. In your manifesto of 2010, your boast is you built five police stations and purchased three police posts, and in the same manifesto, you promised to build 19 more. You all did not build one since, and where you are sitting there, you would not build one ever again.

Under the PNM, Mr. Speaker, the police remained without vehicles; did not have vehicles. They were constantly short-staffed by an estimate of some 1,300 police officers. The PNM waited for the gang leaders to kill out each other. What was the result? More bloodshed, of course; more innocent victims, innocent victims as baby Zion, gunned down when persons went and killed his father in June 2008; Nicole Applewhite, killed by a stray bullet on Independence Square whilst she was at a DVD station. She was just going there to collect a pizza, February 2008, killed by a stray bullet; Woman Police Elizabeth Sutherland, executed in her home with two family members and a family friend, all under the PNM.

In nine months, of course, you want this Government to come like abracadabra to clean up crime. For eight years you did nothing. You did nothing for eight years, but we must come today to clean up crime. That is why we are here with this Bill. This Bill, which was read by the Minister, is part of the continuation of our fight against crime.

Mr. Speaker, you recall that in 2008, Trinidad and Tobago took on a new title—surpassed Jamaica. We were described as the “murder capital of the Caribbean”, 2008.

Mr. Speaker, 2009, in a Small Arms Survey in the UN, international reports described Port of Spain as “one of the deadliest places on the planet.” They described Port of Spain, in a UN survey 2009, Port of Spain “as one of the deadliest places on the planet.” That was the description. They described Trinidad and Tobago as a narco-state.

3.30 p.m.

Mr. Speaker, we now have younger persons—[*Interruption*] “You in your last days keep quiet nah.” A Minister who has been scorned as a Minister of Works and Transport; scorned, rejected; never again; a man who had an elevator for himself. Elevator for yourself, for you and you alone. A tall elevator for a tall man.

Mr. Speaker, I am saying, therefore, we now have younger persons from as young as 10 and 14 years entering gang life because a leadership vacuum has emerged. I heard the Minister say in a previous contribution that he went into Laventille and saw a young man, on whom he had information, that he had killed six, seven people already. A young man and that was his claim to fame. He was a hero, he said. Today, we are seeing the widening of gang turfs. We are seeing an increase in gangs. We are seeing gang activity exploding now in our schools.

On January 01, 2009, ACP Gilbert Reyes reported in the *Guardian* and I quote:

“School dropouts are graduating to gangs.”

Inside and around the compound of schools drugs are being sold, and this sale began in the era of the PNM. In our schools, students are suffering extortion. Sexual assaults are taking place and when these things occur, there is sure to be the presence of guns. Today, there are communities where youths are walking around with a gun in their waist. No mask anymore. They do not have to hide their face. The gun in their waist is their claim to fame. The sheriff is in town, walk soft. That is the life and the future which you all created, beginning from down there. [*Member indicates by pointing hand*] That is what you all created.

In the year 1998, there were 98 murders; ten years later, 550 murders, 340 forty per cent and he grins. But there will be judgment day. “There will be judgment day and all ah you will pay for this.” Today, citizens are scared to leave their homes, particularly at nights. In fact, they do not even feel safe inside their homes anymore. You heard the Minister talking about ex-ACP Cecil Carrington in his home, 12.30 a.m. at his desk. So even if you are home, you are not safe.

Mr. Imbert: Who was the Government?

Hon. J. Warner: That is the legacy you have left. Mr. Speaker, businesses were attacked almost daily in the era of the PNM. Delivery trucks, cable and phone technicians, taxi drivers, the young, the old age, the aged, the infirm; crime was not a respecter of persons under the PNM. Crime and the criminal did not discriminate. You encouraged it, you sponsored it, you nurtured it, and all the innocent persons, the lawful persons, felt like sitting ducks under the PNM just waiting to be plucked off.

As such, therefore, this Government on this side said that the safety of our people is our top priority. We on this side said that it is our responsibility to protect our people, our citizens. We on this side recognized that crime is snuffing out the lives of the citizens of this country, and we would not allow it. On page 24 of our manifesto we said and I quote:

“Unless we remove this nightmare, investment in education, investment in the promotion of sports, the arts and social services will have limited impact and...the benefits we seek will never be fully realized.”

We said so in our manifesto. Mr. Speaker, we said we had a plan. Not an eight-month plan, not a nine-month plan, a plan we said we had.

Hon. Member: Who tell you that?

Hon. J. Warner: You all said that we have no plan. I am saying to you today, that is not true. We have a plan. It is the biggest misrepresentation to say we have no plan. In case you want to find our plan, go to our manifesto at page 24, and in case you were not so lucky to have one or to read one through no fault of ours, let me read for you and into the *Hansard* what we said. I quote:

“Our government will take a multipronged approach that will address the political, economic, social, technological and managerial dimensions required to reinstate safety and security. Punitive sanctions alone will not solve the crime problem.”

So when the last speaker said so, she was copying from us. We said so. I continue:

“The first step we will take involves addressing the issue of white-collar crime and corruption...”

Yes, white-collar crime and corruption. Oh, you are leaving me alone now.

“the second addresses the fundamental challenges of effective management of the institutions of law and order, the third requires the reorganization of our

education system, the fourth requires us to design productive sectors to provide viable alternatives to criminal activities, and the fifth, revolves around the set of initiatives...”—which we, of course, have already discussed.

We said so in our manifesto and, therefore, go back and see the plan we have. So to come here and say we have no plan, is just trying to fool the people as you are accustomed. We have a plan.

Mr. Speaker, it was this Government that ensured that we had a Commissioner of Police. They stayed on this side here and vacillated year after year. They came here, promoted the police, then of course, removed him and so on. I recall the Member for Diego Martin North/East coming here to argue against having a Commissioner of Police. It was this Government, this party, this group here, who had the guts to recommend a Commissioner of Police. We appointed deputy commissioners and brought stability to the administration of the police service. [*Desk thumping*] Every six months you had an actor acting, acting and so on. It was the biggest Hollywood you ever had in the police service. We have put an end to that. We have appointed a new Police Service Commission.

We have established a Ministry of Justice to enhance the access to and delivery of justice. This Ministry is intended to clear up a backlog of some 90,000 cases that have clogged our court system. We have increased the fines for several offences to deal with lawlessness. Mr. Speaker, in this year's budget, this Government said, “We are committed to increasing the police manpower”. It is in our manifesto. Look and see. We said so. We said that we shall refurbish and upgrade police stations throughout the country. We said so and we shall do it.

This Government passed the amendment to the Prevention of Corruption Act. The Bail Bill, the Anti-Gang Bill and the Evidence Bill are all before this House, and this Bill which is before us today and being debated today, is to address the deficiencies in the law of the land. In fact, I should put it another way, we have tabled a Bill last week to address some of the aspects which are preventing us from carrying out capital punishment, and that shall be debated in this House in due course. Some want it in April, we want it tomorrow.

Today, therefore—I did not say you. I said some—we are debating— [*Interruption*] I know you do not have any partners. I am your partner. I cannot say you have partners right through, but on this side you have a partner here.

Mr. Imbert: I am for Rowley.

Hon. J. Warner: If you are his partner, I am sorry for him. Today we are debating the Firearms (Amdt.) Bill because we recognize that there is a link between guns and crime and, therefore, today we are doing this Bill.

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The UN Report No. 37820—“listen and learn nah”—on Crime, Violence and Development, Trends, Cost and Policy Options in the Caribbean, March 2007. On page 129 and 130 it says—UN March 2009. I give you page, chapter, verse and I will quote for you now:

“Before 2000, firearms were responsible for less than one-third of all homicides. By May 2006, this percentage had risen 74 per cent... The percentage of homicides attributed to firearms in Trinidad and Tobago lies well within the range of rates of 60 percent to 93 percent seen in Latin America...”

We are compared to Latin America. They said our murders lie within the range of murders in Latin America. Sixty per cent to 93 per cent of our murders are firearms. I continue:

“The share of woundings committed with a firearm has actually decreased as the number of murders with firearms has increased.”

Woundings are decreased because the people are dead. So the share of woundings therefore, has decreased, but the murders have increased, and he is saying that this is a reflection that these lethal weapons are being used. They gave a host of tables and so on which I would not go in to because it will not help them on that side, but these tables would tell you the number of murders which were committed with firearms. I will give you a few:

- In 2001, the number of murders committed with firearms, 82; the total number of murders, 151; percentage, 54 per cent. In 2001 when the UNC was in government, the number of murders committed with firearms, 82; total number of murders, 151; percentage of murders with firearms, 54 per cent.
- In 2002, when they came into power, the number of murders with firearms, 102; the number of all murders, 172; percentage, 59 per cent.
- In 2003, when the PNM was in power, the number of murders with firearms, 158; number of all murders, 229; percentage, 69.

The list goes on and on and on, and you will see an increase every year, more murders, more murders with firearms and so on, under the PNM.

In woundings we see a similar thing. In 2002, woundings, 649; percentage with firearms, 49 per cent and the list goes on and on.

Mr. Speaker, these figures show that under the PNM crime was only escalating. For the first half of 2010, of the 288 murders committed, 222 involved the use of firearms.

3.45p.m.

From January to June of last year, when the PNM was in power, except for one month, the number of murders including firearms, 288. That amounted to 77 per cent of the murders. We also found, under the PNM, that more lethal and sophisticated firearms were turning up. For example, in 2007, an M16 assault rifle was seized in a house in Santa Cruz, close to you, Madam MP, in St. Ann's East. Last year, 2009, several AK-47 rifles were seized in a house in Valsayn.

The Firearms (Amdt) Bill, therefore, is designed to strengthen the law dealing with the unlawful possession of firearms and ammunition. What this Bill has done is reversed the burden of proof for persons held in unlawful possession of firearms. In other words, we make it more difficult for criminals to escape the law. The burden of proof is theirs for having firearms and ammunition. What this Bill has also done for our Minister of National Security is increased the penalties for the offences. Persons found guilty of possession face longer jail sentences and higher fines. We would lock them up and we would take them out of circulation. We would lock them up and put them away; longer jail sentences and higher fines. We would provide a deterrent to would-be offenders and we are telling them the consequences are higher.

Legal firearm owners who rent out their guns for hire, they also will face stiffer sanctions; 20 years. As such, therefore, we are doing everything possible to deter the criminals. The three strikes rule for multiple offenders sets penalty to life imprisonment. This country does not manufacture guns. Guns are imported, and these guns come here as protection for the drug shipments.

The Bill deals with situations where there have been loopholes. The Bill is an attempt to close those loopholes, to prevent those criminals from escaping conviction, such as where guns are found inside cars and in buildings. The Bill, Member for Laventille East/Morvant, is designed to close those loopholes. Guns found in cars and buildings "and you say you doh know 'bout it, dat is your business." That is what we are going to do. Therefore, what we have shown is that our citizens' welfare and safety is our top priority. We have shown that we shall not cuddle criminals anymore. We would not carry them to Crowne Plaza as community leaders and eat and drink with them. There would be no Mark Guerras that we will ever associate with. We are saying that we are not just talking. We are acting. We are performing. We are working. We are doing everything possible to arrest crime. The PNM only talked. We are putting measures in place to take guns off the streets to lock up gunrunners. The people who give guns to our young

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people, we will take them off the streets and they will hurt and kill no more. We shall punish persons who commit gun crimes and those persons who also use guns for drug pushing and robberies and who create misery for our people.

We understand that there is no magic pill to solving crime. There is no Panadol that we can use to solve crime. We understand that. We understand that crime cannot be solved overnight. In some ways, to solve crime, we understand that it has to be a collective effort, because crime has the same fear and terror for us on this side, as for them on that side. The difference however, is, on that side, we have a difference, and on this side, we have action. These measures, which we have in the Bill, we understand, cannot be delivered and done in isolation, but we feel that by putting all these measures together; all these Bills together, these would be real issues on crime.

This Government, the People's Partnership, has what we call a holistic approach to crime. We understand the circumstances, which contribute to crime. We have a plan to fight crime plan; a plan which we are implementing. This Bill, the Firearms (Amdt.) Bill, is therefore, designed to do just those things, which the PNM failed to do. I thank you.

Miss Alicia Hospedales (*Arouca/Maloney*): Mr. Speaker, it is an honour for me to contribute to the debate on the Firearms (Amdt.) Bill. For a brief moment, I would like to respond to the Member for Chaguanas West, who does not appear to be in tune with reality. He stood here doing a disservice to the Firearms (Amdt.) Bill. The Member for Chaguanas West indicated that the People's Partnership, or what we know as the "Coalition of the Incompetent", is serious about fighting crime and did what the PNM could not do. The question is whether they are serious about crime is yet to be seen. We can all acknowledge that they did what the PNM could not do. May I correct him and say, would not do.

The Member failed to tell us how they compromised an intelligence agency better known as the SIA. He failed to tell us about the appointment of a computer technician as the head of the SIA. He failed to tell us how they cancelled the OPVs. He failed to tell us about the grounding of the blimp. The Member for Chaguanas West spoke about the legacy of the People's National Movement. At least we have a 54-year legacy. The legacy that they are leaving in eight months is dismantle, break down and take apart and mash up and cancel, as the Member for San Fernando East says.

He is out of touch with reality that he said the PNM was sofa and not soft. He spelt it out s-o-f-a. I mean, the Member should know better than soft is not spelt s-

o-f-a, but rather s-o-f-t. I am sure he had a lot of experience as a teacher teaching children how to spell soft properly, but comes to this House and tells us that soft is spelt s-o-f-a. I am so disappointed in the Member for Chaguanas West.

The Member went through a long discourse, trying to convince himself, not us or the population, that they have a crime plan. While I was listening to him, I remembered when I was small, I used to look at a movie called *The Invisible Man*. That kind of stirred another question in my head: where is the invisible plan? We want to know. He talked about their crime plan; that they have this elaborate crime plan and referred us to their manifesto. We are forced to ask today: where is their invisible crime plan? We do not see it. Members of the population do not see. We have never read it. We do not know what it has in it.

The Member noted that they are acting. Indeed, we see their public relations gimmick. We agree that you are acting, because we see their public relations gimmick over and over and over. Every day we look at the television and read the newspapers and we see those public relations gimmicks. Indeed, we agree with you that you are acting. He also stated that they have been doing so much, and we agree. Yes, you all have been doing so much. I outlined a whole list of things that you all have done in the very short eight-month period that you have been here. I am really very disappointed in the Member. As I said, he did not do any disservice to the Bill, when he should have come here and provided the members of the population with a comprehensive analysis of the Bill. [*Interruption and crosstalk*] He did not do that; a total disservice.

Once again, we have before us a Bill that is inconsistent with sections 4 and 5 of the Constitution, and we have not heard anything about this Bill being put up for public comment. As we know, if a Bill is inconsistent with sections 4 and 5 of the Constitution, it ought to have been put out for public comment.

The “Coalition of the Incompetent” has constantly been telling us over and over again—that they are going to consult with the people, consult with the people, consult with the people, but we see no evidence of this. There is no consultation whatsoever. We believe that they never intended to begin consultations with anyone. They do what they want, say what they want, when they want. Anybody else—[*Interruption*] w-a-n-t, Member for Caroni East. Mr. Speaker, they do what they want, say what they want and to whom they want. It is rather the way in which they have intended to fool the people, fool the people, fool the people, stating that they are going to consult with them.

The Minister of National Security made reference to this Bill before us today as a demonstration of the UNC-A’s affirmative action in seeking to reduce the

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level of lawlessness. I am referring to the *Hansard* documents from your previous debate. One of the things the Member said is that he acknowledges that criminal activity is pervasive in Trinidad and Tobago. He also made reference to one aspect of lawlessness and he referred to gun crimes, which he described as high in percentage. It would have been very, very good if the hon. Minister of National Security had come to the House today and actually provided us with statistics on the gun crimes that he has made reference to, and the high percentage of these crimes. I would ask a few questions as we go further into the debate.

He also made reference to what he described as startling figures quoted by Prime Minister, Kamla Persad-Bissessar; that out of 288 murders, for the first half of 2010, 222 were committed with firearms, and the number of firearms used in those murders and the firearms used in other criminal acts were often illegally imported or manufactured or stolen from persons with legitimate Firearm User's Licence. This quote can actually be found in *Hansard* of November 16, 2010, page 1, for the Minister of National Security's information.

4.00 p.m.

Mr. Speaker, we are yet to be convinced that the "Coalition of the Incompetent" is serious in their effort to combat crime or to reduce crime in Trinidad and Tobago. They are aware, based on the statements made by the Minister of National Security and the Prime Minister, that guns and ammunition are illegally imported into this country, but what did they do? They have exposed our borders to the unscrupulous culprits who operate in the illegal drug world. This is not an example of a responsible Government. I would say that again. This is not a good example of a responsible Government. [*Desk thumping*] We know that they are not responsible, because we have seen their actions over the last eight months—irresponsible, irresponsible, irresponsible, incompetent, plus, plus, plus. [*Desk thumping*]

All they seek to do is put plasters on open wounds, but they do not address the root cause of the problem. They address the symptoms, but fail to identify the root of the problem. Mr. Speaker, the question one must ask is, what deals were made with officials who hold high office and the underworld? That is a question that I would like to ask. [*Desk thumping*] Why is every effort being made to dismantle our security forces, expose our borders and cause our country to be exposed to the increased supply of illegal guns and drugs?

A report on Crime, Violence, and Development: Trends, Costs, and Policy Options in the Caribbean which was conducted by the United Nations Office on Drugs and Crime and the Latin America and the Caribbean Region of the World

Bank—this is the same report that the Member for Chaguanas West highlighted—revealed that the trend toward the increased use of firearms in the commission of crime began in Trinidad and Tobago in the year 2000.

You know, the Member for Chaguanas West took us to this same report, but he misquoted the page, and quoted a number of statistics from the report. He failed to tell us that there was an observation made in the trend and that the use of firearms in the commission of crimes began in the year 2000. He failed to tell us that, and it is right here in the report. So, I would like the Member for Chaguanas West to tell us why he failed to inform the national population that the increase in the commission of gun-related crimes actually began in the year 2000.

Mr. Speaker, one may ask, which government was in office during this period? He talked about what was occurring under the People's National Movement, but why did he not tell us what was occurring under the UNC administration? From this period, we have seen an increase in gun-related homicides which is evident in the increased supply of illegal guns on the market. What these researchers discovered was that the number of murders committed with firearms has increased.

Mr. Speaker, what government will be aware that the firearms used in gun-related homicides and in the commission of other offences are illegally imported and do nothing about it? Again, these are words of the hon. Minister of National Security and the Prime Minister. He acknowledged that they are aware that guns are used for homicides and in the commission of other offences. He also acknowledged that these guns are illegally imported into the country, but nothing is being done about it. We see nothing is being done about it, because when we look at all the different things that they have done with respect to dismantling our security services, we say nothing has been done to stem or reduce the increase of guns and drugs in Trinidad and Tobago. [*Desk thumping*]

Mr. Speaker, based on the report, guns are smuggled from several sources such as South and Central America, and the report stated that they are smuggled through Venezuela, Suriname and Guyana into Trinidad and Tobago via fishing vessels and private pleasure boats.

Mr. Speaker, additionally, firearm traffickers also procure guns with the help of straw purchasers which the report describes as acquaintances, relatives, persons hired to purchase guns in the United States of America from gun dealers at gun shows or directly from manufacturers. These guns are then smuggled into the country. It is with this understanding and the understanding that we needed to

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look at the root cause of the problem, that the PNM administration, under the astute leadership of the hon. Member for San Fernando East [*Interruption*] realized that the violent crimes that manifested over time in this society, we needed to have a better understanding of these crimes and we needed to look at the root causes of these crimes.

What was discovered was—I am referring to page 25 of the People's National Movement Manifesto—was the fact that Trinidad and Tobago was located between a transshipment point. I am sure the Minister of National Security would acknowledge that. So, because of location we became vulnerable to the shipment of drugs moving through our country and the Caribbean.

Mr. Speaker, in order to address and eliminate this problem, what the PNM sought to do was to take the necessary steps to stem the flow of drugs and guns into the country. One of the measures or one of the strategies was to acquire specific vessels that would have been used by the coast guard—six 30-metre fast patrol craft with speeds of over 40 knots were acquired; two 46-metre coastal patrol vessels and 14 fast interceptor craft with speeds of up to 50 knots. Mr. Speaker, this brought the total complement of armed coast guard vessels to 28; a 300 per cent increase from when we assumed office in 2001. So, there was a 300 per cent increase in the total complement of the armed coast guard vessels.

What we sought to do as government was to match the speed and manoeuvrability of virtually any vessel that operated illegally in our waters. Member for Chaguanas West, this is the legacy that we have left. The final pieces in our naval arsenal would have been—I am saying would have been because they have cancelled the order of the three 90-metre offshore patrol vessels. So, the final pieces in our naval arsenal would have been the three offshore vessels. We have not yet been able to get an answer from Members on the opposite side as to who cancelled the OPVs. [*Desk thumping*] We are still waiting to hear from them regarding that. Mr. Speaker, these sophisticated military vessels would have made us, as a country, virtually impenetrable to drug traffickers, gun traffickers and human traffickers. [*Desk thumping*]

Mr. Speaker, added to that, we also had the 360 degree radar system. I would like the Minister of National Security to tell us whether or not this 360 degree radar system is still being used for interdiction. We need to hear from the Minister.

Our investment in the coast guard in the first quarter of 2010 began to disrupt the drug flow into the country. For the first quarter of the year, 1,650 kilogrammes of marijuana and 35 kilogrammes of cocaine were seized and another 2,750

kilogrammes of dumped marijuana were recovered. Again, I would say that the Minister of National Security needed to come here and even the Member for Chaguanas West and give us statistics and tell us what they have done under their eight-month tenure.

Dr. Gopeesingh: What did you do for nine years?

Miss A. Hospedales: We in the PNM believe that the war against illegal drugs and guns would have continued in our next term but, unfortunately, the government has changed, but we are really disappointed in the fact that you have not even seen it fit to really invest in our national security and to man our borders.

You know, the Member for Chaguanas West talked about the political will to address the problems of the illegal gun and drug trade, but the People's National Movement had the political will, what do you have? [*Desk thumping*] You have no will, no courage, no commitment, none whatsoever, when it comes to addressing the problems of the illegal gun and drug trade.

Mr. Speaker, I would really like Members on the other side to try their best and tell us what their plan is. The Minister of National Security will have the opportunity to respond at the end, and I really hope that he will be able to tell us, what is the comprehensive plan for fighting or addressing the illegal drug and gun trade, that is all.

The lack of vision, as I said, and commitment by the coalition of independent and incompetent—probably independent parties working separately on their own, all divided. The actions by these Members have placed serious questions about their capability to make this country impenetrable to drug traffickers.

Mr. Speaker, one of the recommendations made in the report was that improved interdiction of illegal guns through intensive surveillance of the coastline by naval police equipped with suitable watercraft is a major recommendation made by the United Nations Office on Drugs and Crime and the Latin America and Caribbean Region of the World Bank. They believe that once the coast guard is properly equipped it would deter arms trafficking, drug trafficking and piracy and trafficking in people better known as human trafficking.

Mr. Speaker, it is necessary that Members of the UNC-A look at the errors they have made with reference to national security and seek to make improvements or alter the decisions that they would have made in the past.

Security needs to be tightened at our legal points of entry, not just via the sea, but also via air, so all our ports need to have tighter security. I stand feeling cheated of valuable information that would help us to better understand the

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importance of the amendments in this Bill that is before us today. I felt that the hon. Minister of National Security should have told us how many homicides were committed from May 24, 2010 to December, 2010 with respect to firearms. How many woundings were committed utilizing firearms for the same period? How many firearms were seized by the police and what types of weapons were seized during their tenure in office, the eight-month period?

4.15 p.m.

How many persons recidivated as it relates to the possession of firearms and other firearm offences? How many boats have been intercepted with drugs and guns on board? We needed to be informed of all these things, but the Member just came here and told us a whole lot of fluff, a lot of rhetoric, things that he himself could have assigned someone else to do. Rather than providing us with hard, concrete evidence, he just came and muttered a whole lot of things that were really not relevant. These questions are necessary because they would help us to confirm the incompetence of the UNC-A coalition, again, the “Coalition of the Incompetent”.

I would like to briefly focus on a few of the clauses in the Bill. [*Crosstalk*]

Clause 6 seeks to increase the penalty for a person who is convicted for the third time for a firearm offence to imprisonment for life. Some schools of thought would say, “Yes, this is a very good deterrent measure,” but other schools of thought would also look at the impact this will have. The concern I have about this particular clause is one aspect of implementation. We see a clause which we question whether it can be realistically applied when our prison systems are already overburdened and overpopulated. This clause is actually going to increase the number of persons placed in the prisons of our nation.

The penalties for selling or transferring a firearm or ammunition to another person, without lawful authority, and to make such members of the protective services who commit any such offence liable to imprisonment for 20 years are necessary. The increase in penalties for these members who are required to protect and serve the country is necessary. The Report on Crime, Violence and Development: Trends, Cause and Policy Options in the Caribbean reveal that the guns used by some of the army and police officers in Trinidad and Tobago, actually go missing at intervals and that weapons stored at police stations for safekeeping also go missing. It is believed that these weapons are diverted for use in criminal offences.

The penalties therefore stated would act, I believe, as a deterrent to these officers. I agree with the Member for Laventille East, who stated that custom

officers should also be on the list of persons who should be penalized, because some of them actually engage or assist persons who engage in the arms trade.

We have a major increase in domestic violence as well. Over the last few months we have seen a number of homicides occurring as a result of domestic violence. Clause 15, I believe, is necessary, because it causes the suspension or refusal of the granting of a Firearm User's Licence or a Firearm User's (Employee's) Certificate for five years, in the case of a person who is convicted of an offence under the Domestic Violence Act—the absence of a firearm in the home where there is domestic violence may limit homicides that can occur by the use of these guns.

Mr. Speaker, I just want to talk about one other thing. I would also like to state that there is need for an appeal process. For instance, if someone files an application and is not granted, the person should be able to appeal. The Bill stated that the Chairman of the Firearms Appeal Board would be appointed and two other members. I would like the Minister of National Security to please specify who these two other persons will be, because the Bill leaves it open for anybody to be appointed. It could be a political appointee or any member in society. It would be very important for the Member to actually let us know exactly who those two persons would be and to probably specify in the Bill the appointment of those individuals.

Mr. Speaker, without further ado, thank you.

Mr. Speaker: Before calling on the next speaker—I did not want to interrupt the Member for Arouca/Maloney when she was making her contribution, but I have noticed a trend that has to do with a violation of Standing Orders 36(3), where the House has already settled in the form of a Motion, in particular the Motion on the OPVs. That matter has been debated and concluded on.

The Standing Order is very clear that it is out of order to revive a matter that has been concluded by this House, unless you bring a motion to address that particular matter. I recall the Member for Diego Martin West tabling a Motion on that whole question of the OPVs.

I am just guiding Members, so that when you are speaking, you could make reference, but do not engage in a dialogue virtually on a matter that we have already settled on.

The other matter I want to deal with is Standing Order 33(6), the reading of speeches. I have already made it clear that from January, this Speaker will not be permitting the reading of speeches. This is a debating Chamber and not for us to

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come here scripted, reading from a script. The only person I am permitting to do so is a minister who has to present a Bill, but as soon as the question is put, I would like to see a debate ensue and not a monologue.

So I just want to serve notice for Members on both sides, that if you want to read, you seek my permission, otherwise I will stop you.

It is a good time for us to pause and take an early tea. I would like to suspend this sitting until 5.00 p.m. This sitting is now suspended until 5.00 p.m.

4.23 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

The Minister of Legal Affairs (Hon. Prakash Ramadhar): Thank you, Mr. Speaker, for the opportunity once again to speak in this House on a matter of grave concern, not only to the nation, but to me personally.

It is troubling when I hear the words out the mouth of the Member for Arouca/Maloney, referring to the other side in the most derogatory terms. I am tempted to respond in kind, but I think this House deserves far better. It is very easy to complain and criticize, but it is easier to forget, on their behalf, the history of their failure to this nation.

They have criticized the SIA and its handling by the People's Partnership Administration. Have we forgotten in a few short months that it was they who used the SIA, not as a weapon against crime, but against our very democracy, against our very people? When we seek now to fix the ills of the past, we are criticized. I do not know the young lady who has been chosen, but I understand she is qualified. She has a degree in IT and is completing a degree in psychology. [*Crosstalk*]

Why are we afraid of the young? Why are we afraid of the creativity of the mind of the young? Certainly the Member for San Fernando East used the young in the opposite way, by creating a robotic troop that will mouth and parrot things that have no relevance to reality or to the truth. We are here, as I repeat almost every time I take my legs, to deal with the responsibility that has been given to this Government, this Administration, to fix things that have gone so wrong, for so long.

Mr. Speaker, we hear ramblings repeatedly about the removal of the OPVs from the system, but I ask the question: What would a 100 foot or 200 foot boat be able to do when we have seen demonstrated on footage a small pirogue racing

into the shores, followed by helicopters, but there was no one to greet them on the shores? They dumped their loads into the ocean and escaped on foot on land.
[*Interruption*]

Mr. Speaker: I would like all Members to observe Standing Order 36(3). Do not revive a matter that you yourselves have concluded. I have already advised the Member for Arouca/Maloney and I would like to advise Members on this side as well. So do not revive.

Hon. P. Ramadhar: The point I was about to make is that we hear about pirogues bringing in arms, ammunition and drugs, but easily we have forgotten the name *Destiny Empress*. For those who have forgotten, let me just remind you. This was a boat docked in our waters, for about a month, doing repairs at Chaguaramas. Leaving our waters, it went off to the European waters where it was intercepted, shortly after leaving Trinidad and Tobago, with 1.5 tonnes of cocaine, worth at least \$3 billion, that is three thousand million dollars.

Have we forgotten about that drug bust on Monos Island, \$800 million worth of cocaine? How did that get here? The SIA with its intercept capabilities at the time, were they able to intercept any meaningful communication or were they turning their ears and eyes elsewhere? These are the questions we ask. Why is Trinidad and Tobago considered a narco-state by some? [*Interruption*]

Dr. Browne: I thank the Member for giving way. I am not sure if you are making a general or specific point. I am just wondering if you have specific information that electronic intelligence was not a factor in the Monos drug bust. I just want to ask.

Mr. Sharma: What nonsense!

5.05 p.m.

Hon. P. Ramadhar: The query is whether there have been many other such large transshipments that have not been brought to light. What we do know is that the macroeconomy is huge, but the point at the end of it is, who are the big fish here? Who are they? Which large prosecutions have we had other than for the small fish, literally, who are caught as the labourers and those who have the burden of taking the commodity from position one to the other?

Why has there been no tremendous surge by the former administration to deal with proceeds of crime legislation so that we may properly investigate persons—on the streets people tell you “look at that business, nobody going in there to buy but they keep having the biggest sales ever.” I do not want to go too much into

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that, these are matters that we are looking into. With your leave, Mr. Speaker, if I may refer to the prevention of corruption laws that we want to deal with, the illicit enrichment sections, these are the things that we need, so that you may have to answer where your wealth came from. So we attack crime from above and from below.

My friend for Arouca/Maloney had asked what about our crime plan. Our crime plan is to reduce crime. I am pleased to say—but there is a lot more to be done—that the trajectory of crime is on the down. This is my information and I hope to God it is true. What I would tell you is that there is a commitment on this side, because shortly after coming into office we took—and I praise the Member for Chaguanas West—75 summit vehicles and handed them over. To whom?—[*Desk thumping*] the police of this country.

When others spoke about what they “shoulda, coulda,” but did not, we spoke of cameras, and I am pleased to announce, according to what I have been told, that those cameras would be installed and operative within a month. We spoke of GPS in police vehicles so that no longer would we be burdened to hear of police vehicles parked up near rum shops, not to investigate crime, but to partake of high spirited drinks.

With the GPS system the command centre would know exactly where they are, how long they have been there, monitor that and in any event on the positive side to be able to know what capacity you have in any area, if a crime is reported to respond to it within minutes. This, I understand would come within the next two months. These are the things that we are doing. When you ask the question, how come after all these billions of dollars have been spent?—and I understand that 50 per cent of the police vehicles are parked up at VMCOTT. No systems in place! No care for simple things like spare parts; simple things like ensuring rapid repairs. Vehicles are going for the most basic things, other vehicles come in, they take parts from them and it is an awful cycle of disrepair and ruin.

Why is it that the former administration would purchase different police vehicles? They were not standardized so that you could eventually have a system where you would bring down 1,000 bits of this and 1,000 bits of that for the same kind of vehicles so any problem you have the mechanics already have expertise in it, they have the part for it, but yet they chose to change the models all the while. Why did you change? Of course, there are awful insinuations and people speak, somebody get a kickback, but I do not have proof of that and I would not make that suggestion. Is it not the intelligent thing to standardize? Why continue to change?

We are today bringing legislation that is critical, because of all the things that can kill you, the quickest that would kill you is a bullet, and therefore, the greatest evil in the society, as we have heard from the most eloquent delivery by our hon. Minister of National Security, that the largest percentage of homicides are committed with firearms. Therefore, what do we do? I am grateful to hear Members on the other side will support this legislation as we up the sentence, because we have to let it be known that we are taking a very serious view of repossession of firearms.

So, the three-strikes rule, I think is critically important. As a practising member of the courts for many years, you hear of many persons coming to the courts with three and four convictions for firearms and returning to the courts. They do not have those firearms, I suspect, for their own self-preservation, because very often you would find they are also charged for robbery with aggravation. And how many may have been guilty of murder using those firearms? I cannot say! But what we do know is that if you are in the habit of holding illegal firearms you must be taken out of society. That is why the three-strikes rule is upon us. It is a necessity for our time.

Mr. Speaker, I ask the question of my learned friends: how come over all these years—when we consider that all the international bodies were saying that Trinidad and Tobago was becoming a narco-state—guns and drugs were coming in at transshipment points? We have heard our friend from Arouca/Maloney—and I am sorry to even have to suggest that I should resort to what she has said about the provision of fast intercept craft and so, but do you know, Sir, to my great shock and surprise and the shock and surprise of all of us on this side, that our ports today, as we sit here and listen, do not have scanners to scan containers? It is a fact! I could tell you without disclosing much more that steps have been taken to deal with that problem immediately.

So when we talk about pirogues and the one or two little guns, or the 10 kilogrammes, you may very well have a wholesale importation and redistribution through our ports, because no capacity has been put there to deal with these things. That is why I make the comment about the *Destiny Empress*, billions of dollars in cocaine. How did that get here? How did it leave here? Of course, I heard a couple of my friends on the other side suggest that we should look into customs and customs officers. Did they? We are going to do it. We are doing it.

Hon. Member: You are sounding like Jack.

Hon. P. Ramadhar: Please, with all due respect, your friends may suggest that we speak only, but apart from what we say, because we say things, we

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promise it and we deliver it! [*Desk thumping*] As our Prime Minister has said, this is the year of delivery. I would give you the examples. [*Interruption*] Brother, just bear patience and ye shall see, because “there is none as blind as he who wishes not to see nor as deaf as who wishes not to hear.” [*Desk thumping*]

Mr. Speaker, you know, it is notorious that any citizen in this country, if they wish to have an illegal firearm can get one. I know of persons, because I have defended them, good and decent souls, but because of the awful level of crime they have resorted to purchasing illegal firearms, not for anything other than their own life, the lives of their loved ones and the safety and protection of their property. I will give you “live” example, about four years ago in the area of Caparo a man was stabbed to death. His closest neighbour living a quarter mile away heard the screams, ran down there only to find his beloved neighbour bleeding to death. Of course, no ambulance available—

Hon. Member: PNM style.

Hon. P. Ramadhar: PNM style—he died. This is a fact, I was involved in the case. This poor “fella”, a gardener, living—many of us may not understand your closest neighbour is a quarter mile away, Mr. Warner. The roads are awful to get from one to the other. They use Farmall, the old tractors, no police surveillance in the area, no police cars, nothing. [*Interruption*] No nothing!

This man was so traumatized, his wife and children are so afraid, because they never caught the killer and there was no apparent motive for that killing. This man went and he bought a six shooter, “you know them old time revolver,” and he kept it at home. Somehow or the other the police came, he accepted, yes, I have it. Yes, I purchased this for my own protection and gave them the history as to why, because there was no protection for him and his family. In the middle of the night—well, cellphones, thank goodness for that. He was prosecuted. He pleaded guilty in the Magistrates’ Court and he was fined.

The point I wish to make is, because of the level of insecurity people have had to resort to a criminal act to defend themselves. We have to change that. So when we up the sentence for illegal possession and at the same time you observe that we have put now the appeals board into place; we are going to put the capacity in it, so that those who wish to apply and who are genuinely entitled, after proper training and proper vetting, they shall have their licensed firearms. [*Desk thumping*]

But those, however, who wish to hold firearms after then, not for their own protection, but to be a menace to our people, they must face the full brunt of the

law. Because possession of a firearm in a car is one thing, but what is the purpose for having it is really the issue at hand. Because a bread-knife would be a great tool, but in the wrong hand with the wrong mind it becomes an awful weapon, and that is the reality, that no law-abiding citizen should have an illegal firearm for anything other than taking it to the police station as my friend had said.

As we raise the protection levels in our society, our citizens would feel far more comfortable in not having to resort to having a firearm, in any event. But the reality is that our people are scared, shaking, mortally afraid. And when I remember—I remember I was up in Arima, I was amazed that it did not make as much news as it should. The country should have shocked itself into a moment of saying enough is enough when two children in their homes were shot and killed as a result of an execution ordered from the prison for a gang reprisal. You all remember that? I could not believe it; young children being executed, and these are the things that our country faces on a daily basis. *[Interruption]*

I remember, Sir—was it last month?—in broad daylight at Jumbo Foods in Marabella, a citizen leaving court, followed, and as he came out, he was shot to death—an innocent passer-by, a church-going lady was murdered—and it was AK-47s, to the extent that when you shot him so the body caught fire. But you know what the awful truth in this is, as the Member for Oropouche East is reminding me? This is in line of sight of the Marabella Police Station—with AK-47s. That history did not begin today. Many have forgotten that, I think it was in 1987, the wife of the President, our dearly departed Noor Hassanali, her convoy was shot at around where?—the Savannah! With what? An AK-47! The driver of our former President ANR Robinson was murdered, shot dead, in where? In Valsayn! When you hear a former Assistant Commissioner, a man who I knew, a protector of our people to be ruthlessly murdered just last night, and then you know what they want to say; oh, it is under the People's Partnership governance that is happening. They asked when it happened. I heard it. The reality is—and I repeat this, forgive me for repeating it because the truth bears repeating—the environment that was created by the neglect of law enforcement and all good things and right and decent things has led us to a generation that is uncaring, conscienceless and cold.

5.20p.m.

Do you know why guns are more deadly than any other thing? It is almost as if you are there but you are not there; you could kill without being responsible. Let me explain what that means. There are many video games today, they call it First Person Shooters; very exciting. But do you know what the biggest sellers

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are? They are those that give you the most realistic experience of actually holding it, pointing it and shooting the form of a human being—of course, on video games—and watching it blow up, and blood and gore spilling, and you win when you do this. The good news about that is that there is a reset button and you start all over. The bad news is that in the real world, for those who have experienced the almost addictive quality of power at the end of a trigger, there is no reset button for those who receive it. When you die the game is over.

That is the kind of young people that we get; a disempowered class. In the shadow of billions of dollars of wealth, they feel hopeless, helpless, completely ignored, uncared for and the one little thing that gives them some authority is the almighty gun. That is what! Nature abhors—absolutely abhors—a vacuum, and where there is a vacuum for love and caring, it will be replaced with evil. We have all heard about where the devil's play yard is. We all know where it is. For those who are not given the opportunity, who have not been given the nurturing to know better and to do—the idle hands that this country has experienced for the last generation by the creation of make-work projects, that you feel you just go, you sign up and you get your money; you have produced nothing so there is no sense of achievement, no sense of pride.

How many of us know what it is to plant? Mr. Warner, I know you are from central and you felt it, because I heard you speak about it and it touched my heart then, when you could plant something in the ground, water it, nurture it and it grows and you get something to eat from that plant. Or when you have an animal or animals: chickens, ducks, whatever, and you rear them, you could feed yourself from them; you could sell them and make something. When you could go to school and you have teachers who care and love you and look after you—you know more about that than I could ever, Member for Port of Spain North. But we have had a generation of neglect. They have never been loved, never been given the opportunity to feel a sense of achievement, of growth, and then they turn to the ever-embracing gangs that give them some level of rank, some level of acceptance, only for their own doom and the licence and authority of that which is the barrel of a gun.

This Government has taken, and will continue to do all things necessary to rid this country of that evil. I may suggest that the time will come—and I know my brother, the Member for Arima, will tell us more about what other nations have done; when things had gone bad what they did in terms of their legislative response and the consequence of that legislative response.

But the good news is that the People's Partnership is not just making laws to give the impression that things are being done. We intend to effect them and in effecting these laws, in particular this one, where firearms are now being made almost a strict offence—it is found in your home; in your car, the burden is now upon you.

Let me tell you what is also coming down the line. As a practising criminal lawyer I could tell you how many persons—there are many who have been wrongfully charged for drugs and for firearms; police setting them up. Forgive me, Minister of National Security, but I will say this. The police service in this country has a bad reputation, generally speaking. There are extremely good persons and there are extremely bad ones at the same time, and one of the challenges that has been taken on by this Minister is to clean up the police service, starting with the police. [*Desk thumping*]

You all know the movie *Internal Affairs*? The name *Internal Affairs*—in the United States any corrupt officer, it runs them cold, because it is manned by a group of extremely capable, competent, dedicated officers whose duty it is to seek out the evildoers within the system, and we, the People's Partnership, will give them every resource necessary: polygraph testing; drug testing, you name it, whatever resource, because that is where you need to start. If you do not have proper guards they will “tief” out everything. You have to clean the guards first and we take that responsibility and it has started. [*Desk thumping*]

I have spoken to the Attorney General about the need to strengthen our perjury laws. Too easy is it for any police officer or any witness to go into a courtroom, hold the *Holy Bible*, the *Holy Qur'an* or the *Holy Ramayan*, and swear: “I shall tell the truth, the whole truth and nothing but the truth”, and the only thing they tell is but the truth, because they think it is all about the parroting and mouthing of words that I have sensed in others, without understanding the sacred quality and value of your oath, because there has never been a real consequence. So many cases in the courts police officers are caught lying. witnesses are shown to be totally discredited and no action has been taken; maybe the rare occasional exception for persons to be prosecuted for perjury. But when there is a culture and an environment that if you speak wrong after having sworn it in a courtroom, then there is some level of confidence in the evidence produced before a court so that the guilty may be convicted and the innocent acquitted.

These are the things that we must look at. Everything has been allowed to rot. I am almost trespassing on your ruling, Sir, earlier, about the other debates, but it

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is necessary because, as we repeat, this is a holistic attempt to cleanse this country, to fix it, repair it and put it back onto the road of prosperity and happiness.

No one is suggesting that this is going to be easy. No one is suggesting that this is a job for the faint-hearted; no one is suggesting that it is going to happen in eight months; no one is suggesting that it will happen in a year, but every single day that passes is a burning pain for many of us on this side to get the job done, to get it right. With a new Commissioner of Police the thinking of many had been because of a new environment that needed to be created a new thinking had to be installed, and having discussions I am realizing that some of the things that need to be implemented are structural. They are not quick fixes, as many would like to believe. But those structural changes are necessary, that will create from the ground up and from the top down, a new commitment by police officers, by the protective services, to really do their duty to our people and we are now starting to see the benefits of that.

As things roll out over a period of time, this country will benefit from not just the thoughts, the plans, but the actions of the People's Partnership Government. We ask you to bear patience, yes, and I know patience is limited, especially when every day we are traumatized, but as we spoke about planting a plant earlier, you do not plant today and reap today, but if you do not plant, which is what my friends never did, all you will reap is hunger, a hunger for a better society. When we have planted; we nurture and we grow, step by step, and we will reap the reward.

It is very heartening that we have the support of the other side for this Bill, but what is also troubling, if you will permit me, is that I am sensing too often in this Chamber *ad hominem* attacks; personal attacks across the floor. I think it will do us well—because to observe that and to understand that; I say that all time—that we signal here—this is our highest House in the land and by the conduct here, we signal to the society the quality of society we want; the quality of society we expect and if we cannot conduct ourselves in a civilized manner here, then what is left for those on the ground.

I just say this, as I am about to take my seat, because I think it is absolutely necessary, that they say a fish rots from the head first, but leadership must come from the head, and if you want a lawless society, an uncaring one, well, then we would have seen what happened in the last eight or nine years, and we have inherited and we have reaped those fruits. But today, from May 24, new seeds have been sown. It is the challenge for all of us. That election was not just a victory for the UNC/COP and all of our partners.

Dr. Browne: You are still campaigning.

Hon. P. Ramadhar: No, it is not a campaign that is why I am happy you raised it, because we keep hearing about the campaign never done. What do you want us to do? To remain silent about our plans, to give our people the hope and do the work which we have done, and that in a very short period of time the consequence of that work will be the fruit that we will be able to nourish from.

Mr. Speaker, once again, I thank you for this great opportunity. [*Desk thumping*]

Dr. Amery Browne (Diego Martin Central): [*Desk thumping*] Mr. Speaker, I am grateful for this opportunity to make a very brief intervention in what I regard as a very important debate in this honourable House. I have listened very attentively to those who have spoken before me, beginning with the hon. Minister of National Security and those who have responded subsequently.

I must confess that I have followed many of the pronouncements of the hon. Member for St. Augustine with some degree of focus in the past, and I think today he may have strayed a bit from his very balanced and lofty position that he normally would maintain in debates in this House. But to be fair to him, maybe he was influenced a bit by the previous speaker on behalf of the Government, the Member for Chaguanas West, who always sees himself as a gladiator and who has specialized in the types of personal attacks and vitriol that the Member for St. Augustine was preaching against. But I think the Member for St. Augustine caught himself right at the end and he gave us a few of his characteristic lines, which should not fall on deaf ears, either inside this Chamber or outside, and I commend those last few words to all listeners.

I would like to remind Members of this Chamber that this is not a debate that really should focus on petty political considerations, on semantics or on PNM/UNC issues and trading of blows, even though we have had some of that already, because this is not an academic debate at all and every time we refer to the issue of gun violence or gun control, there are citizens listening to us who have experienced the pain at the end of those particular instruments. I refer to persons in the constituency of Diego Martin Central and every other constituency in Trinidad and Tobago, whether they are so-called PNM constituencies or UNC constituencies.

The deleterious impact of gun violence goes even beyond our shores and extends to our neighbours in the Caribbean region, all of whom have documented and have been complaining about a rising tide of violent crime. So we are

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certainly not alone in this regard and our actions, as well, cannot be isolated if we are to effectively deal with this scourge that has now become part of our daily reality in this country and among our regions.

I would also want to remind Members that guns are not just used to kill, but are the primary instrument, as the Minister would indicate, in most of the other types of serious crimes in this country, including rape, armed robbery, house assaults and invasions, carjackings, and many other forms of trauma that are meted upon the heads of our innocent brothers and sisters across the country. It is a reality that no one is spared; no one is immune and I do not know any criminal who would check the newspaper to see who is the Prime Minister today before he pulls a trigger or commits a crime.

So some of the semantics we were hearing earlier, I would have to say particularly from the Government side, really would ring very hollow to the victims of crime and we notice they continue to call the names of family members who have lost, et cetera, I assume without their permission, and that has been a very unfortunate habit that they have brought from Opposition into their Government positions.

5.35 p.m.

Dr. A. Browne: As a nation we have lost many people at the end of these horrific instruments. We have lost politicians, athletes, public servants, lawyers, doctors, fishermen and persons from all walks of life.

Mr. Speaker, I just want to remind this Chamber that with each loss, due to violent crimes, a little piece of Trinidad and Tobago is lost; a little piece of our past; a little piece of our present and a little piece of our future.

The Member for St. Augustine referred to a movie he saw called *Internal Affairs*. I also remember a movie—if I could indulge him in a similar discourse—called *Unforgiven*. It was an anti-violent western, which is an irony in itself. There was one particular line that resonates, when a young boy kills someone and realizes the impact of what he had done. It was Clint Eastwood, in the movie, who turned to him and said, “It is a horrible thing when you kill a man; you take away all he has got and all he is ever going to have.”

So, with all of these losses, Mr. Speaker, we have lost some of the past, some of the present and some of the future of Trinidad and Tobago—just to try to steer away a little from the political back and forth that we may have been seeing—which cannot be retrieved. They are permanent losses on our national landscape.

Mr. Speaker, we have not heard, as yet, about the social cost. I believe this Bill—the Minister did not present it in that light—really would be an attempt by the Government to try to treat with the social cost of gun violence, as well. With each brutal crime, and with each family member that is lost, we have another citizen who may become depressed, another citizen who may become less productive; another citizen who may become more fearful and another citizen who may become less patriotic. It is possible when these types of traumas are meted upon our families. That is not a tide or a trend that any nation would be happy about.

I know the Government, from time to time, would cherry-pick a few encouraging statistics, that they might be clutching on to or embracing, but I do not believe, on the issue of crime or homicide, that there is anyone in this Chamber who could feel comfortable resting on his or her laurels. One can look at any newspaper, on any given day. It is a very sad indictment of the society of Trinidad and Tobago, its governance, Government, administration, police service and the entire social landscape. These are not academic considerations at all.

Mr. Speaker, as I said, we are not alone. If you look throughout history, gun violence is something that societies need to take very seriously. We have lost so many great people to gun violence: Abraham Lincoln, Mahatma Gandhi, Martin Luther King, Jr, John Lennon and John F. Kennedy. Recently, a congresswoman—well, she was not killed— was shot in an attempt to kill her, Congresswoman Gabrielle Gifford and so many other persons.

Then, there are some who might be listening to us and feeling that Members of Parliament are immune from gun violence and gun crimes. I am here to say that is not so at all; nothing could be further from the truth. I have lost a cousin, myself, to gun violence in years past, and I have lost several childhood friends. I have had a female member of my family physically attacked by a gunman in years past. In the constituency of Diego Martin Central, and right across the country, families are reeling from the trauma caused by these terrible weapons.

So, I join with the Government if, in fact, the intent behind this Bill is a noble intent. I certainly would like to support the intent of the Bill itself, but I would want to point out some of the things I really want to commend in the Bill and I would also want to point out some of the things I do not like at all. I believe it is my right, as a Member of Parliament, to do exactly that, and I shall proceed to do so.

Mr. Speaker, if we are looking for answers, the question is: to where do we turn? There are many citizens who are looking for answers to the question of crime. They are asking us: to whom shall we turn? Should we turn to a political

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party? There are those on the other side who have campaigned—if they are honest they would have to admit it—very vociferously on the issue of crime. I am not going back into the manifesto—because it was referenced earlier and I went into it in previous details—where commitments were held up that, really have not been realistic; particularly, on the issue of crime and immediate crime plans in 2010 and so forth. I am not going to go back into it, but the citizens are asking: where can we turn for solutions on this matter?

The past administration had put a foundation in place and made efforts. This administration has brought this Bill today and, I am sure, they would be taking other actions in the future. The citizens really want results. They want to feel safer; they want to feel more comfortable. I do not know if the Minister of National Security is able to rise, as yet, from his seat to say, “Yes, citizens are feeling safer today”. I doubt he would say that. [*Interruption*] He would not be speaking for the citizens of Diego Martin Central, were he to say that. I would challenge the Government. I am noticing that the Minister has not even winked or shook his head—

Sen. The Hon. Brig. Sandy: I am listening to you.

Dr. A. Browne: Great respect to the distinguished Member.

If that fallacy had crept into their brains, I would challenge the Government to do an opinion poll tomorrow morning and try to determine whether citizens are feeling safer today than they did last year at the same time or two years ago. It would be very unlikely, unless they do a poll on people from Mars. That is not the reality.

Where do we find answers? Certainly, not among our neighbours to the North, Mr. Speaker. Some Members opposite might be familiar with the statistics of the United States with regard to gun control. It is a very sad story. They have a population of 307 million persons. Do you know how many guns there are in the United States at this time? Three hundred million firearms are owned by citizens. I hear, sometimes, persons—when we are talking about firearms control—appealing for a more liberal approach. I hope that is not something this Minister of National Security would ever advocate. I have heard rumours of large numbers of licences being issued, but we would, probably, get to that at another stage.

I do not think the United States has the answers for us, in this regard, at all. A last movie reference would be *Bowling for Columbine*, which is a very instructive documentary about the types of outcomes we could have if we do not deal with this issue in a very comprehensive manner. I do not think the Bill—it was not

presented as such—represents a comprehensive approach to gun control or reducing gun violence in Trinidad and Tobago. We would talk a little more about that as I go through, again, this very brief contribution.

The Minister indicated there were 355 murders as a result of gun violence in the year 2010. That must be troubling to every single citizen and Member, because it says that no one is safe in this country, as we speak.

In World War II, I recall, history tells us that Japanese women, before they sent their husbands off to war—knowing the dangers they face—would give them a special belt made of cloth, called “a thousand stitch belt”, which they would tie around their waists which gave them a sense of security that they were impenetrable; they could not be shot by bullets. Certainly, I am not advocating that the Government issue thousand-stitch belts to our citizens, but we cannot provide a false sense of security by any piece of paper, whether it be inside or outside of this House, or any political pronouncement, because the citizens really want results and a greater sense of security.

Mr. Speaker, just on this point, we should never forget, if we are talking about gun control and reducing firearm violence, that this very Chamber was sullied, bloodied and invaded with the use of these very weapons we are discussing here today. Right where I am standing, right where Members are sitting this evening, the blood of some of our colleagues was spilt. So I do not see this as an academic discourse and I, certainly, do not see this as an issue for us to be trading too many political blows because our citizens are listening; victims of crimes are listening, as well.

Mr. Speaker, as I indicated earlier, there are several things that I like about this piece of legislation, and I commend the Minister. I like the approach with regard to three strikes leading to very serious consequences at the end. We might be seeing a trend, hopefully, in the future, because of that particular approach.

I like the increase in penalties; harsher penalties for certain offences involving the use of firearms. I also like the particular attention being paid to service members involved in some types of gun-related crimes. These areas were quite well explained by the Government, but there are other things I really do not like.

I heard the Member for Chaguanas West beating his chest a little earlier, talking about promises kept. The Member for St. Augustine also went in that very unfortunate direction, as well, when most of the citizens have recognized that this Government has not been approaching the issue of violent crime in a comprehensive manner. That has not yet occurred.

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Mr. Speaker, we, on this side, are well aware that harsh penalties and measures, by themselves, cause very little improvement to crime. Harsh penalties and laws, acting on their own, have very little impact. If that were so, then after we pass this Bill, or even after a prime minister rises and gives a pronouncement about the issue of capital punishment, one might expect—if it is a matter of just sending signals out there—that we would detect some trend or change; or, some potential assailant would say, “Okay, well, the Government is talking about \$10,000 fine instead of \$5,000 fine, I am going to put away my gun now.” It really does not work like that.

Mr. Speaker, we should never forget that, very often, these crimes of violence are perpetrated when persons are under the influence of alcohol or other illicit drugs. Very often, that type of cerebral application or rational thought, simply, is not there. So, if we are relying on a criminal to sit and make an analysis before jumping into his vehicle and going to commit a crime, or going on the parliamentary website and checking to see what the clauses are before deciding whether or not to attack my family or your family, I think we might be putting our stock in the wrong direction.

So, the lack of a comprehensive approach is one of the areas I would really like to chide the Government on. If it really were just a case of harsher penalties you would have countries like Saudi Arabia and other parts of the world, where there are very harsh penalties—the harshest possible penalties—of persons being beheaded in public and there are still, in many of these jurisdictions, an increase in murders and violence. It says that, really, is not the solution. *[Interruption]* That is correct. *[Interruption]*

Mr. Speaker, I would not be very tolerant today, unfortunately. I do not want to use harsh language, but the Member for Lopinot/Bon Air West is a habitual violator of Standing Order 40(b), right behind my back. Habitual! I would really want to encourage him to pay the same respect that we would pay when he is on his legs.

Mr. Speaker, I will proceed, hopefully, unmolested by the Member for Lopinot/Bon Air West.

5.50 p.m.

We heard the discourse from the other side about public executions, and I see they bristle a bit when that issue is raised, but I was told, when I went into government, that every time a government minister speaks publicly, the words that come out of his mouth must be considered government policy. So it is not a

matter of just speaking off the cuff or running your mouth, or saying we should kill people at 6.00 a.m. in Woodford Square, because those are the signals you are sending to the population. When the Minister speaks in that way, we have to consider those words, the population has to consider those words as the policy of the Government, otherwise what else do we have to rely on?

They cannot be bristling and hiding from their own words, Mr. Speaker. There is a disconnect between this hope that harsh penalties are going to take us to the point that we need to get and the reality that we have seen in other countries and even in Trinidad and Tobago.

Mr. Speaker, some of the other things that I do not like is the continued approach with regard to public relations and tokenism, especially on important social sector issues.

One of the things I have been listening very carefully for is a bit more about expansion of a very important programme called the Community Mediation Services Division, where real anti-violence programming was initiated and supported in communities across Trinidad and Tobago. Even in Ministry of National Security, there is a Citizen Security Programme, and very valid programming, designed to help change the culture of gun violence in our communities.

That culture is very real, Mr. Speaker. I remember going to a Christmas event in the Beetham Estate, near the Servol Centre, and there was a skit going on, put on by staff members of the Ministry of Social Development, and the skit involved a gun, a toy gun and puppets. It was a puppet show and it was really designed to help persons, the children, to see the effects, the devastating effects of gun violence.

At the beginning of the play, one of the puppets had the gun in his hand and he was threatening the other puppet, and there was a little boy right at the front and he blew my mind. He started saying out loud, "Wet she down! Wet she down!"

One of the social workers was standing next to me and she said, "He is calling for the puppet with the gun to shoot the other puppet," a little boy. It tells you that there is a culture out there in our communities that we have to continue working on, and I gave an example of one of the programmes that the People's National Movement administration ensured was put in place, and the appeal on the other side is to build, expand and strengthen, to ensure that we start changing that culture, because unless that changes, unless a child fails to grow up dreaming

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about owning a gun, more than he would dream about owning a car or a house, then we will be in trouble. We could bring four hundred Bills with life imprisonment or execution in Woodford Square, we will not be solving anything, Mr. Speaker.

Even further on that issue of culture, there have been too many unfortunate examples of discrimination and public unfairness, some of which are being committed by this government, Mr. Speaker. We are seeing it over and over, and when you increase the sense of frustration in society, to the extent that it is being increased now, and sector after sector is becoming frustrated to an indescribable degree, then you are creating an environment in which a young person or a family member might be more likely to turn to violence, might be more likely to fight it out, as opposed to talking it out. A lot of the programming that we were putting in place was dealing with talking it out, as opposed to fighting it out.

So, Mr. Speaker, the Government has a lot of work ahead of them. Fortunately, there is a very good foundation in the social sector to treat with some of these issues—that is the reality—and the encouragement is not to detract from all that, with all the Santa hats and the smoke and mirrors, but to build on it and to share some of these issues.

[*Crosstalk*]

You see, you want to draw me into more of a political course. Not this debate. I do not want to go there, Member.

Mr. Speaker, it is another reality that I want to share, that most criminals assume that they will not be caught. It is just like young people, you see all of these wrecks at the side of the road, campaigns to reduce speeding, “Wear your seat belt,” you know what, very often young people still get in their cars and they still drive very fast. Do you know why? Part of being young is the assumption, “It will not happen to me,” so they still do it.

So we are here, some of us trying to lecture to the criminals and threaten them. I heard some strong language a few debates ago from the other side, “We are going to come down hard on you,” and so on, but very often the criminals are not listening to them, number one; and secondly, there is an assumption that they will not be caught. If they assume that they will not be caught, this Bill has to be accompanied by a lot more for it to have any effect.

Mr. Speaker, there was someone called Joseph Chew in the United States, who gave a very interesting quotation that I will share:

“Expecting a drug pusher or a rapist or a killer to care that his possession of a gun is unlawful is like expecting a terrorist to care that his car bomb is parked illegally”.

Very often the thought simply does not enter his brain at all. It does not enter his brain at all. So if the Government’s approach would have any credibility, Mr. Speaker, it would have to be anchored in a comprehensive anti-crime plan and approach.

Mr. Speaker, I have to say, I have listened to the Member for Chaguanas West; he referred to a line or two in the manifesto and tried, with his usual magical way, to conjure up a plan out of that, but I have listened and I can say definitively, this Government is totally lacking in vision and any comprehensive approach with regard to reducing violent crime in this country. That is obvious to most citizens in this country already.

Mr. Speaker, the Member for Arouca/Maloney was exemplary in the manner in which she fleshed out that particular point. Unfortunately, we still see examples of trying to relabel and recast some of the former programmes and policies, et cetera, and the result of all of that will simply be knee-jerk reactions, superficial responses and no positive change.

I do not want to anticipate, until we get into the capital punishment dialogue right here in this House. I know it is coming in the future. I cannot wait for that one, Mr. Speaker. The reason I mention it, and I hear a Member grumbling, is that during the year 2010, the citizens noticed that every time there was a particularly brutal gun crime, there were utterances from the other side. I do not know if it was designed to give comfort to anybody, but talk about harsher penalties and capital punishment by—what was it?—by August 2010, Minister of National Security.

You were not the one that said it, that is why I can look you in the eye. You were not the one who said it, but your Government. As I said Mr. Speaker, every time a Government Minister utters a pronouncement publicly, it must be considered Government policy. So August 2010 has come and gone. We heard about committees, and so on. Well, all that was just obviously hot air blowing in the wind.

Mr. Speaker, we must never forget that our actions in this House will either improve the lives of citizens or make their lives more difficult. This Government campaigned very heavily on their ability to reduce violent crime and to make Trinidad and Tobago safe again.

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Member for Mayaro, how could you say you have made Trinidad and Tobago safe again? Mayaro, please. You would not even sing that in *ex tempore*. You would not be able to stay on the stage, Member for Mayaro. You would not be able to do that.

Mr. Speaker, our citizens continue to be under siege, no matter what the Government would like us to pretend or how they would like us to view the world. They continue to be under siege, and the reality is, as of today, January 21, not enough is being done. Enough is not being done and the citizens are telling us that every single day.

Unfortunately, I have to say—I cannot conclude without saying that some of the actions this Government has taken actually are taking us in the wrong direction. As opposed to not doing enough, some of the things they have done actually will be making us less safe with regard to crime and violence.

Mr. Speaker, it is a reality that too many guns are continuing to cross our borders. We have yet to hear any strategy that the Government is offering that is going to succeed in treating with that issue. The nation is well aware of strategies being put in place by those who preceded this administration. It is a reality that they have to treat with, and I am awaiting that new strategy from the government.

[Interruption]

Mr. Speaker, I remember some—

Would you like to interject? In that case, Member for Couva South, if you do not want to interject, I will request your silent and respectful ear. That is all. Is that too much to ask?

Mr. Speaker, I am not going to get back into the debate, but I recall some years ago, the days when I was a recreational fisherman, down off the island of Monos—Mr. Speaker, there is a type of fishing we call live bait fishing, and you would have to go to get your live bait very, very early, when it is still dark, so down off Monos, maybe around 4.00 in the morning, still pitch black, the guys had not thrown their seine as yet to catch the live bait, so we were waiting there, and all of a sudden, looming in the darkness, are two boats basically latched together, and men on these boats very busy transferring crates from one boat to the next, two pirogues, busy, in complete darkness, not even a cigarette lighter or light.

After a while I called the coast guard, but at that time the story from them was they were basically powerless to treat with issues like those. Now, I do not know what was in those crates, Mr. Speaker, but I have a suspicion that that type of

activity has continued. I have a suspicion that that type of activity has not abated. Mr. Speaker, I also have a suspicion that some of the actions that this Government has taken will move us further away from treating with that type of illicit transfer of material. It could be drugs, it could be guns, et cetera.

The Members would try to make light of it, but the fact is that one of the small arms in a crate like that could be pressed against the forehead or temple of one of your constituents tonight or tomorrow morning. One of those weapons could be pressed against my or your forehead tonight or tomorrow morning.

So, Mr. Speaker, sometimes a decision is made and the Government would like us to move on from that decision, but the reality is, our decisions have consequences, especially when the decision has not been well explained.

I suspect I am skirting a little close to that issue and I will move on a bit, Mr. Speaker.

We have to deal with it at a number of levels. Certainly with regard to the influx of guns, there is very little that we have heard in this debate so far from the Government side that suggests that there has been any change in that regard, or that they have a strategy to properly treat with that.

Mr. Speaker, I would strongly recommend that such a strategy cannot just deal with Trinidad and Tobago alone, because if these guns have easy access to our neighbours like Grenada and other islands, Barbados et cetera, St. Vincent, then it only stands to reason that they would have greater access to our shores, our neighbourhoods, our homes, our yards, our families and ourselves. So that is something that I am very, very concerned about, and my constituents are concerned about as well.

Mr. Speaker, this is the price that we would pay if there is no vision and, unfortunately, this Government has demonstrated absolutely no vision in this regard. We should also remember that this trade of arms is also a very lucrative trade, and very often we deal with it in terms of exchange of guns for drugs, and so on, but it is also very lucrative. A reality is emerging, and we get the feedback from some of our young people, that we seem to be clamping down very hard on the small man and the ghetto youth. We see the penalties have gone up considerably, and that is something that I would support, for possession and you catch him with something, et cetera—ammunition—but they are looking on and are wondering and are perceiving that not enough is being done to treat with the

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major supply of arms into the country, and the major persons who are benefiting from that flow of ammunition, those same crates that I was referring to earlier, Mr. Speaker. It is something that we need to watch very closely with regard to this Government.

6.05 p.m.

Mr. Speaker, with this Bill, we have to look at the landscape of Trinidad and Tobago and recognize that we have a very demoralized police service. I know there are those on the other side who would want to hope that they have taken actions to improve morale. I do not think \$1,000 special allowance is the answer to morale in the police service. I do not think creating a new millionaire or two from Canada is the answer to improving morale in the police service. Unfortunately, some of the steps the Government has taken, in my opinion, have depleted the morale even lower than where it was before. If the Government was looking for a classic example of how their actions or inaction is affecting the morale of the police service, I just have two words to share with them, Nizam Mohammed and that entire case, and how the public is perceiving that, right now. [*Desk thumping*] So they have some work to do in that regard.

Mr. Speaker, when we look at the landscape impacting on gun control and the flow of small arms, we have to look at the intelligence services as well, and it is a reality that those institutions have been decimated by the actions of this Government. I would touch on that a bit in a few minutes. We have to look at our borders and at the decapitation of our uniformed services. Some of these persons with the most experience, the longest service and the most to offer our country in terms of solving some of these crimes, have been denigrated, discarded and unfortunately their service is no longer available to us and sometimes under very unusual circumstances. [*Interruption*] You see, you would call the name of a good man in here and I hope you are not going to denigrate it. But fair enough, I would ignore the Member for Chaguanas West.

Mr. Speaker, we are also seeing very little improvement in our judicial system. In spite of the advent of a Ministry of Justice—I would want to pause to wish the Member for St. Joseph very well in his medical recovery—we would hear some “ol’ talk” and very little action, and even with regard to the talk, very often when we hear the talk it is making no sense whatsoever. This is the same Ministry that the hon. Prime Minister, when she was not Prime Minister, referred to the prospect of a Ministry of Justice as a “ministry of injustice” and there are many citizens seeing what is happening in the judicial system that might be saying, that it really has been turning out to be a system of injustice that they are

perpetrating at this time. We are not seeing a serious increase in judges, we are not seeing a serious increase in infrastructure or IT support, or the other things that would support our Judiciary to help change the potential criminal's mind that I would not be caught, and even if I am caught I will face no consequence, because that is the mindset of the criminals. I think the Minister of National Security is well aware that is what we are facing at this time.

Mr. Speaker, I want to turn to an issue that gives me no joy whatsoever. I noted that the hon. Minister of National Security, the distinguished Senator, took time during the introduction of this Bill to condemn the *Express* Newspaper for publishing a photograph of Miss Ramnarine on their front page today. I just want to say that I join the Minister and condemn any action that would put our hard-working officers at risk in Trinidad and Tobago, whether that action was taken by a newspaper, a media house or any individual citizen. I want to join the Minister in that regard. [*Desk thumping*] Such actions form a very dangerous and disturbing trend in Trinidad and Tobago, and if any action is taken to "out" an intelligence officer or any action is taken to expose a member of the covert team that might be protecting your life and my life right now as we speak, then as a nation, we much consider that very, very seriously. I would not use a word that I was going to use, but we must take that very, very seriously. I join the Minister in condemning it, but I also want to share another thought with the hon. Minister and his team. When you plant portugal you are going to reap portugal, and when you plant stinging nettle you are going to reap stinging nettle. So I want to ask the Government why they do not consider themselves guilty in their politicizing of the work of Intel officers over the last several months. [*Desk thumping*]

In reducing the respect, that many in that service have been held via a series of very vacuous, empty, hollow, political pronouncements some of them made right here in this honourable House. There were pronouncements that I heard with my own two ears that denigrated the service of long-standing members such as Mr. Clement, Brig. Peter Joseph and others publicly, very often casting aspersions on these gentlemen with absolutely no evidence and nothing to back it up.

Very often we saw the reduction, and we are seeing from the other side the reduction of the consolidation of our tactical and intelligence units into petty personal attacks, even against a Member on this side and against members of the service who are dedicated to saving the lives of citizens of Trinidad and Tobago. We heard all the insinuations that were made about SAUTT and all the SIA staff. Two wrongs do not make a right. I condemn any newspaper that may compromise a human life in Trinidad and Tobago.

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I also take the same opportunity to indict this Government for their very reckless, playing fast and loose with our national security, putting lives at risk [*Desk thumping*] because that is what they did—and for setting the stage. They set the stage for a free for all, a laissez-faire approach and a bacchanal approach to critical intelligence and security issues in Trinidad and Tobago. [*Desk thumping*] I will repeat that, Mr. Speaker. I feel very strongly about it. This Government, Members on the other side, have set the stage for a very laissez-faire, free for all, bacchanal approach to our security services and intelligence issues in Trinidad and Tobago. When you plant stinging nettle you will reap it. So it is a bit hypocritical—I am not saying the Minister is hypocritical because I admire the Minister's service. But Minister, it is hypocritical to castigate a private media house for following their atrocious example that some of your colleagues on that side have set. [*Desk thumping*] That is all they are doing. They are following an atrocious example that has been set by some of the Minister's colleagues.

So I do not want the Government to come here with another PR job and crocodile tears of concern, when they really did not appear concerned about some of the damage that they themselves have done by the manner in which they treated with those issues in the past. Unfortunately, this Government has to be considered an epitome of hypocrisy on matters like these. [*Desk thumping*]

Mr. Speaker, the Member for Chaguanas West went on to say, "We are serious about treating with victims of crime". That has to be—I do not want to use strong language—a bit of detachment from reality. I want to draw Members' attention to the issue of the Criminal Injuries Compensation Board which raised its head in the discourse with a British couple who were attacked in Tobago in times past. Yes indeed, and there was some silence on the issue of the status of the Criminal Injuries Compensation Board. You would recall in the past years there were a lot of sanctimonious pronouncements, particularly from the Member for Siparia and some of her colleagues, advocating because they had clients and other constituents, I would assume, whom they wanted to benefit from the work of that board. Legislation was brought and passed under the People's National Movement. The board was implemented, staff were recruited, systems were defined, processes were elaborated, the location was identified, the staff and the board got down to work, applications were received and processed, victims of crime were compensated and you are talking about a living, breathing beneficial active service assisting victims of crime in the country, a complete change in the reality of what existed before. Sounds to me like some degree of progress on that issue that the Member for Chaguanas West

raised. What happened since the lofty pronouncers came into office? Well, they seem to have—I do not know who the guilty party on another side is—a particular approach that all of these boards, that across the board everyone needed to go—
[*Interruption*]

Mr. Imbert: They fired them.

Dr. A. Browne:—and they had apparently no strategy to replace them. Because some Members on the other side are silent on these social issues, I had to read in the newspapers that there are some plans under the Ministry of Justice to appoint a Criminal Injuries Compensation Board. Mr. Speaker, you are talking about over 10 per cent of their term. Their constitutionally elected term of office has already elapsed. [*Interruption*]

Mr. Imbert: Almost 20 per cent.

Dr. A. Browne: Yes, I do not want to give you a math lesson, Member for Oropouche West.

Dr. Moonilal: Flying.

Dr. A. Browne: Time is flying. This is something that they beat the drums on heavily before it was implemented. It was implemented, it was established, it was benefiting citizens and then they ensured that it was ground to a halt, and we are hearing the Member for Chaguanas West standing in this House and talking about being serious about treating with victims of crime. The epitome of hypocrisy from the Government of Trinidad and Tobago. [*Desk thumping*] Not serious at all. We spoke about the culture of gun violence—[*Interruption*] Mr. Speaker, he fled from his seat to the seat of Couva North, but he is still disturbing my contribution. It does not matter where he sits. It is very, very unfortunate and I would have to invoke Standing Order 40(b).

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

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

Question put and agreed to.

Mr. Speaker: Before you continue, I would like to appeal to the Back Bench to allow the Member for Diego Martin Central to make his contribution in some silence. You may continue, hon. Member for Diego Martin Central.

Dr. A. Browne: Mr. Speaker, I thank you and I thank Members on both sides, particularly the distinguished Member for Point-a-Pierre for the encouragement to use my full 30 minutes. I shall not be doing so, I assure you. [*Laughter*]

Mr. Speaker, in wrapping up, there is another important point, because again, it has to be dealt with comprehensively, a Bill acting on its own is not going to change any of the realities on our streets with regard to gun violence. We mentioned early this desire for a gun and the culture of gun violence, and there are many constituents of Diego Martin Central and citizens of Trinidad and Tobago who remain—an ironic movement on the other side—very disturbed that the Government would take their tax dollars and spend them on a rap concert advocating violent lyrics when young children are present.

Mr. Speaker: Hon. Member, that is a matter before the Committee of Privileges. I would like you to stay completely clear of that matter because it is before a Committee of Privileges. Kindly move on and do not refer to that matter.

Dr. A. Browne: Mr. Speaker, I would like some clarification on that ruling, please, and my request for clarification is along these lines. In my awareness, the matter that was referred to the Committee was with regard to the Member for D'Abadie/O'Meara misleading the House with regard to the use of obscene lyrics. There are a number of other—

Mr. Speaker: Could you take your seat! Listen, I am ruling that you do not make reference to that concert until a report comes before this Parliament. Could you move on, please?

Dr. A. Browne: Wow! Mr. Speaker, I will move on with your guidance and I want to indicate, through you, to this Government—Member for San Fernando West, there are those who regard you as one with great potential. I do not want you to change that by gloating over something that you should not be gloating over at all or even associating yourself with that travesty. [*Interruption*]

Mrs. Seepersad-Bachan: But—[*Interruption*]

Dr. A. Browne: No, but you drew my attention and I am responding to you. Mr. Speaker, I want to remind this Government, and citizens of this country, that this Bill is just a piece of paper and Members would really be guided that unless a miracle happens and this Government develops a vision and a plan that they can offer to this nation, we would achieve very little by way of reducing violent crime. The Government needs to approach this country in a forthright manner with regard to this mysterious, as the Member for Arouca/Maloney indicated, invisible plan to treat with violent crime in Trinidad and Tobago.

We want to hear a little more about their vision and plan with regard to reducing the influx of guns into the region and into this country. We want to hear something about any achievements with regard to improving our criminal justice system.

They have been too silent on that particular issue. We want to hear— the citizens would want to hear—something about a vision for improving the morale and performance of our uniformed services. My view is that morale is at its lowest at this time. We want to hear some more about the Government's vision for starting to set the right example, even in some cases that have attracted very public attention such as the Nizam Mohammed debacle.

6.20 p.m.

On the one hand, you are clamping down on the small man on the street but, on the other hand, the high and mighty is sailing free and flouting and touting and basically thumbing their nose at the citizens. We want to see the Government taking steps to avoid violating the conventions and the rights of the child and start spending money on constructive youth programmes, as opposed to destructive youth programmes. We want to see a vision and a plan from this Government to properly address social factors, via well- researched community interventions, and I gave some examples of what they can build on, instead of relying on Santa hats and photos of poor people getting handouts on the front page. The citizens of this country are under siege. They are fed up of the public relations. They are totally fed up of the broken promises. They are fed up with misleading statements, personal attacks and the bad examples being set.

On this side, we support the intent of this Firearms (Amdt.) Bill, but we would have been much happier to support a serious approach to crime and gun violence. The sad truth is that this UNC-dominated coalition has been found lacking in this regard, because they are neither serious nor are they sober. I thank you very much.

The Minister of Foreign Affairs (Hon. Dr. Surujrattan Rambachan): Thank you very much, Mr. Speaker, for allowing me this opportunity to join in this most important debate. Before I begin to reply to some of the comments that have been made by hon. Members on the other side, the hon. Member has been making the point that there is no plan on the part of the Government to deal with crime. In fact, only very recently, the Prime Minister herself, showed that she had a crime plan, which she presented, when she was a Member, Leader of the Opposition, for the benefit of the then government, which the then government

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did not give any consideration to. That crime plan still exists and that crime plan is being modified, updated and influenced by the information that is now available to the hon. Minister of National Security, as he puts forth his efforts to bring down the crime rate in Trinidad and Tobago.

One of the things that the Opposition fails to recognize and give value to, is that, perhaps, for the very first time in eight years in this country, this country has at its disposal one of the most brilliant minds—when it comes to security and professionalism in managing the security arrangements in the country—in the form of Minister John Sandy. [*Desk thumping*]

Here is an individual who could have sat very quietly in his retirement and could have gone and enjoyed his retirement, but he never failed when the call was made for him to assume national duty to come forward and lead in a manner which is inspirational to the police service and to the other security forces in this country and to bring a sense of relief to the people of this country. They know that in the hands of the Minister of National Security, Sen. The Hon. Brig. John Sandy, this country has the opportunity and will, in fact, succeed in bringing down the crime rate returning security and safety of this country. This is the measure of the Minister of National Security that we have in Trinidad and Tobago, someone who has been chosen because of his competence, someone who has been chosen because of his experience. He is someone who has been chosen because of his fearlessness, determination and his courage to do something out of a sense of duty and responsibility to his country and to his fellow citizens.

I say this to you, because that is also part of the crime plan; the competence of people who are put there to manage the situation in Trinidad and Tobago; not a situation that was created by this Government. This is a situation, which the Government has inherited, and it is hypocritical, it is delusional for that other side to sit there and think and suggest that they have not been a part of the problem that this Government has inherited and which we are trying to clean up right now.

There is a new word given for the PNM, “Perpetually Naive Movement”. The country knows, very well—they are not going to fall for that—that you are going to try to throw blame on this side, when in fact you should stand and say, “Listen, we tried, but we did not do well, now let us join hands to see what we can do for Trinidad and Tobago.” That will be nationalism; not just to try to score some political points for the sake of securing points.

Member for Diego Martin Central, you made very good points. I congratulate you on the points you have made and many of your people made good points, but

do not get carried away and do not let the good things you are saying, the things that can contribute to a solution, be lost in what you tried to score as political points. Then, you defeat the very purpose of the contribution that you are making.

Mr. Speaker, on Monday, January 04, 2010, in a *Trinidad and Tobago* newspaper, there was a report about a murder that took place in Laventille and there was a confrontation between the people of Laventille and the police in a scene that resembled a war zone. At that same time, there was a report that was released by the Switzerland-based Graduate Institute of International and Development Studies, through its Small Arms Survey that claimed that Port of Spain is among the most dangerous places on the planet. That is what the report said. In the 53-page report, I am quoting from the report, entitled: “No other Life: Gangs, Guns and Governance in Trinidad and Tobago.” The author is Dorn Townsend. He said that the gun problem in Trinidad and Tobago would not go away. Do you want to know why? He said that it is a step by the government to bolster law enforcement and curb smuggling, which are hobbled by a worsening of civic attitudes and that the citizens were downright cynical about the ability of the State to reverse the mayhem caused by gun and gangs.

Having said that, in that very Small Arms Survey, if you allow me to quote—the other side is trying to say that this matter of crime started only eight months ago, as if this matter was here and we started it. It was started long before that, but the one thing this Government would not do is this Government would not shirk its responsibility and national duty to do something about the crime situation. We recognize that we came into office on the basis that people expect us to do something, and, therefore, we are going to do something. This is why when you talk about dismantling the SIA and dismantling security services, you are making a fundamental mistake between the word you are using “dismantling” and the term “reorganization and restructuring”. The reorganization and restructuring is being done in such a way as to bring a sense of stability to the security services in this country, so that they can focus on the task to be done, rather than have independent agencies not working in coordination as you had. If, in fact those agencies were working in coordination, then you would have had better results in Trinidad and Tobago, but you did not have the results in Trinidad and Tobago.

Allow me to quote from this Small Arms Survey two paragraphs, entitled: “Politicians and Gangs”. I quote:

“While the country has a parliamentary form of democracy, the ruling party”—referring to the PNM—“is seen as propping up its support by catering to and sometimes relying on, suspected criminals. This strategy has worked.

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For instance, on balloting day in 2002, cases of voter intimidation were so numerous in some narrowly divided electoral districts that the UNC leadership felt compelled to offer a free door-to-door shuttle service and robust protection for would-be voters too scared to go to polling stations. These offers were broadcast over the radio.

Several times in the last few years, the government”—meaning you—“has attempted to devise truces among heads of the largest gangs.”

This is independent Small Arms Survey talking about your government.

“The government’s stated aim for meetings held in 2002...”

When you came into office; it is then this matter of the gangs and murder started to rise. Listen to what it says:

“The government’s stated aim for meetings held in 2002, for example, was to settle local gang wars and so reduce the incidence of butchery. But the sessions also cemented a relationship whereby (now deceased) top gang bosses like Mark Guerra and Kerwin ‘Fresh’ Phillip were able to lead parallel public lives. As highlighted below, the government’s behind-the-scenes interactions with gangs have not always seen the light of public disclosure, and these private sessions have prompted suspicions of government complicity with the gangs’ criminal agendas. Saluted as community leaders and (it is alleged...) bankrolled by the government, these men were also subject to continuous investigation by the country’s police (*Trinidad Express*, 2008).”

If this was the situation, which the eyes of the world saw and felt compelled to write about, carelessly write about, in the Small Arms Survey—my dear friends I want to ask you: who should be bearing the responsibility today? Yes, we are all responsible. We are all responsible; because there are times, as parents, we have not disciplined our children right. There are times in the schools when we have not done things we should have done. Yes, in all measure, we all have some responsibility, but your government created this situation, and for this you must take responsibility and you must not run from it and you must not try to throw it on somebody else. We have been here for eight months. Illegal import of drugs is normally accompanied by illegal import of ammunition. “Gun homicides increased by over 959 per cent between 1999 and 2008”. What is worse? You talk about this Bill and what it is intended to do.

According to the United Nations Office on Drugs and Crime (UNODC) and the World Bank in 2007, the reports state that weapons of all types and calibres are available for rent. This is the World Bank Report from the United Nations Office on Drugs and Crime. Over the last few years, there have been many cases of police and criminals leasing out their guns. When the hon. Minister of National Security brings forth the Bill, and in the Bill he talks about clause 8, seeking to increase the penalty for selling or transferring a firearm or ammunition to another person without lawful authority and to make members of the protective service who commit any such events liable to imprisonment for 20 years, you do not want to back that up? Those who have the ammunition and the guns and are expected to secure the people after using it against the people for common gain. This is what you have to support. I am glad to hear that you are going to support this Bill. I am glad to hear that, but let us understand and you must be careful when you criticize that you have background for the criticism.

The Member for Arouca/Maloney was saying give me statistics, give me data, give me this, well I am giving you now and I hope that you would be convinced by some of the data that I am giving them to you. I am amazed by the attempts of the other side to wash their hands clean and to deny any responsibility for the state of crime in Trinidad and Tobago, like Pontius Pilate. They seem to want the people to forget that they were there for eight long years and they presided over the alarming increase in murders, but the memory of the people is not short. It is the memory of the people about what happened for eight years that led them to unceremoniously vote you out of office on May 24 of last year.

The majority gave the mandate. This Government has brought a package of legislation and it is called draconian. Tough times demand tough legislation.

6.35 p.m.

Mr. Deputy Speaker, when you put a government in office to do a job, the government must do that job without fear and without favour, and we intend to do that. That is why I speak in glowing terms this evening about Minister Brig. John Sandy and his determination. I speak glowingly and congratulate, once more, the hon. Prime Minister for choosing Sen. The Hon. Brig. John Sandy as the Minister of National Security to do the job that he has to do.

Mr. Deputy Speaker, they talked here today about the person who has been appointed as Director of the SIA. It is very unfortunate that discussion took place here in this House. It is very unfortunate. For one thing, I just want to reiterate for the benefit of the national population that it is just not anybody that has been chosen. We must not have anything against young people. We must not equate

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youth with intelligence. We must not say that the youth are not mature. There are far more youth sometimes more mature than people who are well above their age in this country. We must talk about ability and competence.

Mr. Deputy Speaker, the person they speak about has a BSc in Information Technology; is completing a BA in Psychology; has international experience—has been nine years there. What they have failed to recognize is that the fight against crime is driven by intelligence and by information, and this person has the ability to deal with information but, more than that, not only collect information, but translate information into a manner in which it can be used to develop action plans in order to deal with criminals in this country. Mr. Deputy Speaker, it is unfortunate that the name of that person has to be dragged into this debate.

The Member for Diego Martin Central spoke about the police and the demotivated policemen and so on. Did that start with us? Did you not have an opportunity to do something about the police service when you were there for nine years? Do you remember that the Member for Chaguanas West had to go to the Chaguanas Police Station to help clean up the police station and offered to fix the police station and spend his own money to fix it when he was a Member of the Opposition, because you were not doing what you said you were doing for what you described as a model police station in Chaguanas? You brought expensive UK officers and put one of them there at a high cost, but nothing was done to transform the Chaguanas Police Station, and the money went down the drain.

If you had gone to that police station at that time, you would have seen that there were no windows where the women police officers had to change their clothing and so on. If you had gone there, you would have seen leaking toilets; filth on the ground. Today, if you go there, do you know what you see? You see containers upon containers that have been transformed into offices in a country in which billions of dollars went through like a dose of salts, and yet you did not deal with the human conditions under which the policemen were working in Chaguanas and other parts of the country. Why did you not build all the police stations when you had the opportunity. The police stations were not built in this country. Why did you not do it? Why did you have to wait when the police station was burnt down in Brasso? We had demonstrations by the Members of Parliament there before the people in Brasso got back a police booth and also in Las Lomas.

The reality is you talked about demotivation of the police service—it is this Government that gave a \$1,000 tax free allowance to the policemen in order to boost their incomes. [*Desk thumping*] It is this Government that took the vehicles

from CHOGM and the summit and gave them to the policemen when we came into office. We did that in order to boost their motivation.

You talked about we are not doing anything. Is not doing anything meaning that we are not introducing legislation? We are introducing legislation; the Anti-Gang Bill which specifically targets gang and gang-related criminal activities. We have introduced the Bail (Amdt.) Bill to deny bail to gang members and repeat offenders. We have introduced the Anti-Corruption Bill and procurement legislation. We have introduced a Bill on white-collar crime. We have introduced a Bill to deal with capital punishment and to modify the law so that we can work for better justice in this country on the part of people who have been affected by the criminals. Do not say this Government is not doing anything. This Government is doing things, but those who have eyes to see let them see, and those who have ears to hear, let them hear, and the people of this country are seeing and hearing what this Government is doing and that is why they continue to support this Government. [*Desk thumping*] That is why they continue to do it.

My dear friends, you talked about consultation with the people, Member for Arouca/Maloney, my Prime Minister stood right here when the Leader of the Opposition asked for consultation on one occasion, and she said yes we will consult with you and hold consultations. Yesterday there was another consultation. This side of the House has an absolute majority. My Prime Minister got up here and said that she would not use that absolute majority to pass legislation she would do it on the basis of consensus and the will of the people. [*Desk thumping*] That is democracy! But on the other hand, I wonder whether they would have done that. I wonder whether they would have done that if they had such a majority, and whether they would have gone in that direction.

In the same Small Arms Survey, I want to quote for you over the same period: "The political regime has been edging towards a one-party system..." Would you have done it? This is how the world was seeing Trinidad and Tobago.

Mr. Deputy Speaker, they forget the hand that was dealt to us when we came into office. What was the hand that was dealt? They failed to say why they did not recruit enough police officers over all those years. They failed to say that the Minister of National Security, the former Minister Martin Joseph, stood right here and admitted that there were over 2,000 policemen short in this country. That is the hand we were dealt with which we are trying to manage. They forgot to talk about, and what I have spoken about, the dilapidated police stations.

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You know, as I say that—the Member for Chaguanas West will know this. I used to tell the Member for Chaguanas West this. When policemen were going to court on mornings in Chaguanas, they had to come to my office when I was the Mayor, and ask for paper to photocopy material to take to the court otherwise the cases could not go on, and there were millions of dollars available in this country. They had to come at times and ask, can I get a vehicle borrowed?

The PNM was so wicked, that we bought two motorbikes to help fight crime in Chaguanas when I was the Mayor, and for four years the motorbikes were parked up there, because they would not give me two motorbike riders to ride the bikes in the municipal office. Furthermore, when I offered the bikes to the police station, they would not accept the bikes. Wickedness! Why? Because you had a performing mayor, and we were showing you up in terms of how the government should be run. [*Desk thumping*] That is what it was all about! [*Interruption*] You talked about what we inherited, that is part of the hand that we were dealt and which we are managing.

The Member for Diego Martin Central spoke about the youth and crime. I want to quote from a World Bank Report: Youth at Risk. How Does Reducing the Availability and Use of Firearms Prevent Risky Youth Behaviour? He admitted today in his contribution that there were young persons being drawn toward arms and ammunition. Here it says and I quote:

“Reducing the availability and use of firearms can reduce the intensity of youth violence. Increases in youth crime and violence are correlated with rises in lethal crime and violence committed with firearms. The number of firearms in circulation has a direct effect on the ability of those at high risk of violence to obtain guns through theft or voluntary transfers in secondary markets. Therefore, passing restrictive firearms legislation and intervening to limit the supply of firearms reduces the number of deaths and injuries caused by guns. While legislative actions can deter firearm trafficking and general gun use via sentence enhancements, targeted enforcement interventions can actually reduce the quantity of firearms in circulation by regulating the design and transaction of firearms and imposing gun bans.”

It is in this context also that this legislation is being proposed, where youths are at risk in this country.

You talked about icons and you criticized the hon. Member for D’Abadie/O’Meara and so on, but who are the icons that were held out to the population when you were in office?

Dr. Gopeesingh: Community leaders!

Hon. Dr. S. Rambachan: You called them community leaders. Who were the icons? I do not want to go there, because it might revive too many bitter memories for you. These are the matters we have to consider and we must not run from them.

Mr. Deputy Speaker, there are a number of approaches that have been used, like we are attempting with this Firearms (Amdt.) Bill. I want to tell you that international evidence—I quote here from the World Bank Report again, Youth at Risk. It says:

“Legislative Efforts: International evidence regarding the impact of firearm legislation on youth crime and violence is mixed. In Canada, for example, the 1977 Criminal Law Amendment Act introduced regulations for the design and transaction of firearms as well as increasing sentences for crimes committed with firearms. A long-term study attributed a 55 percent reduction in homicides and a 25 percent decrease in firearm crimes to these policies. Similarly, in 1996 the Australian government passed a law that prohibited military-style weapons, increased import controls on other firearms, and restricted handgun access, and these laws have been credited with a 50 percent decline in firearm-related deaths over the past 10 years. Likewise, a 1977 restrictive licensing law effectively banned the private ownership of handguns in Washington, D.C. With rigorous police enforcement, the policy led to an immediate 25 percent decline in firearm-related deaths.”

So this legislation has the backing of research in other countries where it has been attempted, and where there is a correlation between the legislation and the reduction in deaths due to firearms.

The Minister of National Security and the People’s Partnership Government is on the right track by developing a framework of legislation in order to support the efforts of the police on the beat, but it is not only that. This Government has created a Ministry of Justice; this Government has a Ministry of Legal Affairs and this Government has an Attorney General. Never before in the history of this country has a government put the amount of effort it is putting in order to deal with the crime situation. [*Desk thumping*] No other Government has done it! [*Desk thumping*] We have to still deal with the fact that the criminals laugh at us because they feel that their cases are taking too long to be determined in the courts, and they can go and do what they want.

We have to deal with the fact that they feel that they will get bail very easily and come out. We have to deal with the corruption with bail also. This is why these pieces of legislation are being passed. So it is a several pronged approach

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toward dealing with the matter of crime. So do not tell me that this Government is not doing anything about crime! Do not tell me that this Government is not going there in the front line and not attempting to deal with crime! We are doing it and we are very proud of the efforts we are making, and we know we have to make more efforts, but we consider it a duty and a national responsibility to do more, and we will do more, and God's willing we will succeed with these efforts. [*Desk thumping*]

Mr. Deputy Speaker, several things have been tried in societies, for example, there is a report on Crime, Violence, and Development: Trends, Costs, and Policy Options in the Caribbean, dated March 2007 which is A Joint Report by the United Nations Office on Drugs and Crime and in the Latin America and the Caribbean Region of the World Bank, and in one section of the report it says:

“One well-known intervention that has been used to withdraw illegal guns from circulation has been that of gun buybacks. Attempted in several countries in Latin America and the Caribbean, buybacks have met with variable success. The exercise in Saint Lucia, where \$EC 2,500...was offered for each illegal working gun tendered, was hailed a success for recovering 150 guns in the course of ten months. Yet the Trinidad offer of \$TT 10,000 (about US\$1,600) per firearm attracted few takers...”

According to this report.

6.50 p.m.

In Trinidad and Tobago, it did not work, therefore, you have to have legislation, and there is a reason. The reason is that this is a country if there are no consequences people do what they want. We have to have consequences for lawbreakers in this country. I was very happy this morning as I turned on the bus route in the vicinity of Mount Hope to see that the police had stopped about 12 cars. They had them parked up at the side of the road, because they were showing that they were going to deal with the small crimes, the small infractions, as they were going to deal with the big infractions. Lawlessness starts when people break the small laws.

Children go out in society and become lawbreakers because in their homes they are allowed to be lawbreakers. This is why I know that the hon. Minister of National Security has in mind, and he has talked about it, programmes to enhance parenting; you have to go to the source. There are programmes to reintroduce human values in the schools by the Minister of Education. So do not say that we are not doing all these things.

The Minister of Education has been talking about human values in schools and, more than that, he has bravely brought to the fore what, in fact, are crimes in the schools by teachers. What was hidden for years, he has brought it into the open. It is important; he ought to be congratulated for doing that. We are a brave Government, not going to sweep anything under the carpet; we are going to deal with it.

The hon. Member for Port of Spain North/St. Ann's West would know about some of these things that go on in schools. She was a very distinguished principal. I do not know why she entered this profession of politics. She could have contributed, I feel, much better to the development of children out there, but you might have to wait 15 years in the meadows to become a Minister of Education, because this Government is going to be here for a very, very long time. [*Crosstalk*] So I implore you to collaborate with the Minister of Education, if you are seriously interested in doing something about children in this country. [*Crosstalk*]

Mr. Deputy Speaker, the World Bank Report of March 2007: Crime, Violence, and Development states that:

“The CARICOM Regional Task Force on Crime and Security recently commissioned a report on the proliferation of small arms and light weapons...”—That was in 2002—“The resulting report identified three levels of SALW proliferation in the region: countries with established high levels and patterns of armed crime (Jamaica); countries with emerging high levels of armed and organized criminality (Guyana, Trinidad and Tobago); and countries with indications of increased use and availability of small arms (Antigua and Barbuda, Barbados, Dominica, Grenada, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines).

This was 2002. I go back there because I want to show my honourable friends on the other side. They were asking us for statistics, but they were not using the trends to manage away, what has become a problem now.

At that time in 2002, it said there that:

“...only Jamaica fell in the first category, with indications that military-type weapons were available and that paramilitary units were operating...If such an evaluation were done today,...”—and this report is 2007—“Trinidad and Tobago might also be included in this tier...”—as Jamaica—“With 160 firearm murders in 2004, these were just the tip of the iceberg with above 450 firearm woundings and 1,500 non-injury firearm incidents.”

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This was available six years ago or five years ago in terms of them. Why did you not use statistics then? You ask for statistics now; I am giving you the statistics to show that you never managed the situation. You never took action.

Yes, you brought blimps and then what did we hear? That the blimp could not work in the hemispheric conditions; \$26 million down the drain. That is what you said. You talked about dismantling the security forces. I heard the police commissioner say that the helicopters would be in the air and have been turned over to the police service where they belong, so they could use them in the fight against crime. I am seeing that.

You should have told us why the Vehicle Maintenance Company of Trinidad and Tobago (VMCOTT) and you had to keep buying vehicles all the time when, in fact, the vehicles were being cannibalized in VMCOTT. I know the new board established by the hon. Minister of Works and Transport is going to do something to ensure that VMCOTT becomes reliable and efficient, just like he was able on the day the red band maxis went on strike, to put 100 additional buses on the route in order to get the situation going. [*Desk thumping*]

We have here a group of people who are sensitive and alert and who are studying the situation day by day and responding with short-term plans, while we build the medium to long-term plans. The medium to long-term is made up of several short-term plans, so we cannot ignore what is being done in the short term and we have to respond to the short term. I assure the national population that this team is building the plans in order to take care of the medium to long-term plans.

Mr. Deputy Speaker, I am very happy to have contributed to this debate. This Bill before us deserves the support of all Members of the House, if we are serious about making a dent on crime. The majority of the people in this country are disciplined; the majority of the people in this country are law-abiding. The less than 1 per cent who are undisciplined, anti-law and anti-law-abiding, those are the ones we have to deal with. We have to put the consequences for deviant behaviour. Consequence management in the management of crime is required in this country and we must not shirk from that, we must not bend from that. We must stand firm on that.

We must hold hands together, because at the end of the day it is not only my children going into the future, it is not only your grandchildren inheriting the future, but what we do here today and how well we do it will ensure that we bequeath to the future something of value and prosperity for the rest of our lives.

I thank you, Mr. Deputy Speaker.

Mrs. Patricia McIntosh (*Port of Spain North/St. Ann's West*): Mr. Deputy Speaker, I am thankful for the opportunity to join this debate on the Firearms (Amdt.) Bill, 2010.

The recent tragic event in Tucson, Arizona, and locally our own spiralling spate of crime are sufficient to warn us all that we have to work together, work collaboratively, to end this crime situation in Trinidad and Tobago.

I sat here this afternoon and listened to the Member for Chaguanas West. I listened to the Member for St. Augustine and the Member for Tabaquite. The contributions of the Members for Chaguanas West and St. Augustine were all the same: the blame game, the blame game.

Mr. Deputy Speaker, I would like to ask: What is it doing for us and to us to rehash, go back and blame and blame what the PNM did and did not do? When the Member for Tabaquite began, I liked his beginning and I rather liked his ending, when he asked us to join hands and work together. That is what I thought I was going to hear today, that we would be joining hands, working together and stating our plans for going forward and what were our future plans for solving crime.

With regard to the Member for Tabaquite, I have to mention two points. He said that we never gave out any of the cars from the conferences. My colleagues were there and they could testify to the fact that 60 cars were given out to the police. Why do we bring lies to this honourable House? Then he quoted heavily from a study by one Dawn Townsend. May I ask the Chair to read; I must quote from the study. Her study was entitled “Responses to Gangs, Guns and Governance in Trinidad and Tobago”. However, research will show that the Women's Institute for Alternative Development criticized her study very, very heavily. [*Desk thumping*] They said, and I quote:

“...the time line for completion of the project as well as the methodology, required deeper...reflection and interrogation and her content had several inaccuracies that needed to be clarified. Her report relied heavily on newspapers reports and regurgitated accusations regarding its inaccuracies.”
[*Desk thumping*]

Mr. Deputy Speaker, this blame game and these lies, half truths and innuendoes will never take this country anywhere. [*Crosstalk*]

I believe in respect of this crime situation, all past governments, all predecessor governments must take collective responsibility. We all had a part to play in this. Why are we blaming each other? This present Government said in their promises, their platform speeches, that as soon as they got into office—they

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went abroad and said it in Miami—that in 90 days they would harness this crime situation. I am not quoting verbatim, words to that effect. They said that they would get it under control. Now the Member for Chaguanas West is saying that they want patience and that we expect them, like abracadabra, to get this crime situation solved. Did they not know that this was the situation?

Suddenly now they are making all these overtures and asking for five years, saying that they would get it solved in five years. Well, we will see what happens then. The citizens are, indeed, impatient. We are all impatient, because this crime situation is affecting each and every one of us, our families, our constituents, our friends, everybody. We have to be very careful. We are asking again: Give us a definite plan. Show us, show the country, what your plan is.

Mr. Speaker, I want go back a bit chronologically, because I would like to show—and I am not going back to blame, but to show—why all predecessor governments must take some collective responsibility in what is happening today. My honourable colleague from Diego Martin Central alluded to the blood spilt here in 1990. We all remember 1990; it completely changed the face of Trinidad and Tobago forever. The crime led to that. We have never had anything as ominous as that; 1990 was terrible. We do not even want to remember it.

I have to say that I have always contended that this current spate of crime we have been witnessing, over the past 10 years or 12 years, has had certainly part of its genesis—and I am saying part, because I am not apportioning any blame entirely to any one government—during the period 1996—2001 when the UNC government was in power. Many of these Members were part of the UNC government. [*Desk thumping*]

The reason I am saying this is because as an educator I was in the schools and saw what happened in the schools during this period. Most of the education developmental programmes were either aborted, discarded or completely discontinued. Students were allowed to enter into secondary schools, everyone, and I was glad for them; any parent would be happy for that. But what strategies were put in place to address students' needs, students' deficiencies, students' learning disabilities? None; we were trying.

I heard the hon. Member for St. Augustine say that people were not treated with love during the PNM days. What do you think I have been doing all my life, my colleagues and my teachers? What do you think I have dedicated and devoted my life to? Loving and dedicating myself to the children; and I am not the only one. The teachers who surrounded me, all those people I knew, that was their life, to love the children. But despite all we did, we used to see them because many of

us were not qualified in remedial teaching. We had degrees in everything else, except remedial teaching. There were no remedial teachers and we tried and despite our efforts we saw some of them falling through the cracks.

7.05 p.m.

I used to tell my friends, and they are probably looking on now, they could testify to the fact that in my social gatherings, I used to tell them all the horror stories and they knew how much I would try, how hard I taught, and I would tell them, they are coming to kill us. As a matter of fact, one little young man formerly from in the country where I used to teach in Point Fortin. I told his mother that he is going to be in serious trouble in jail. Yes, after I saw him. I saw the boy's name and I said, "Look the boy's name." I rang my friend who used to employ the mother, she said, yes, the mother rang her crying. We saw it coming! We saw it! Nothing was put in place, and furthermore, Mr. Speaker, the youth camps were closed.

Mr. Sharma: What year was that?

Mrs. P. McIntosh: This was between 1996 and ongoing. It began then. I do not want to be unfair to any one body.

Mr. Sharma: What year was that?

Mrs. P. McIntosh: Between 1996—hon. Member, I cannot remember. Mr. Speaker, I cannot remember the exact year, but I am talking about that period between 1996—2001 and ongoing. [*Interruption*]

I can tell you during that time our youth camps were closed down, the OJT programmes were shut down; the Civilian Conservation Corps disbanded, and I am seeing shades of that now, that is—Mr. Speaker, I am scared when I see that. Programmes at the technical institutes were downgraded, the community centres were downgraded and the young people were deprived of many of their avenues for self-advancement, and I heard the hon. Member for St. Augustine used the phrase that I used before. I love it! The young people had nowhere to turn, nothing to do: nature abhors a vacuum and the devil finds work for idle hands. What do you think happened? That is when crime really took root and I can stand here and testify to that, I saw it as an educator and I taught during that time in many schools; I moved around.

Mr. Speaker, I am not saying the PNM is without blame. I want to state as I said it before, we all have to take responsibility, NAR, UNC, PNM, I might go back to ONR; everybody has to take—well, they were never in government, but we have to take responsibility, Mr. Speaker. We have to stop blaming each other.

Hon. Member: Who is taking the most?

Mrs. P. McIntosh: It is not who is taking the most! You know, it is like sharing a cake in half, you take the “bigger” half and I take the “smaller” half. What are you talking about the most? *[Interruption]* Are we not talking about going ahead together, holding hands on this crime situation for the good of our country? *[Interruption]* Are we not speaking about that?

Mr. Speaker, I have to state, in defence of the PNM who has been taking a whipping and a licking—and again, I was there, I stand testimony, I stand tall and erect and as a testimony to all that the PNM did to curb the crime situation starting from within the schools. *[Desk thumping]* They underwent the herculean task of repairing the almost irreparable damage that was done during the UNC term in office. They made a heavy investment in the development of the human capital and the human potential, they started to reinstate all the programmes, all the OJT programmes, they brought hope to the young, they created more programmes like HYPE, MuST and YTEPP where students could learn a trade while earning a stipend and while training and making a contribution to the workforce. They did all of that!

In addition, schools were provided with remedial teachers in literacy and numeracy. I lived to see that! I was able to create specialist classrooms and put children who had difficulties in numeracy and literacy into those special classrooms because I had specialist teachers to attend to them, not like when I was fighting under the UNC government to teach them—other teachers and myself, who had no knowledge of remedial teaching. We then began to have them under the PNM government. In addition a student support service and a special education unit were created to assist the students who had special needs and who had difficulties.

Mr. Speaker, you would say why all of this did not help. You could build a road, a drain and an overpass—Member for Chaguanas West—in days, weeks or months, but you cannot nurture, develop, train and change the human mind and the human psyche in a matter of days or months. *[Interruption]* This is ongoing, this is time—you know we talk about Mayor Giuliani and what he did in New York. We speak about Mayor Giuliani and the success he had in abating crime in New York. If we study that New York situation, we would see that it took more than 20 years for New York’s crime to reach where it has now arrived. It manifested itself—the success under Mayor Giuliani who did a lot of good work, but it took 20 years to change to some extent the thinking of people. It was a progressive process. *[Interruption]* Mr. Speaker, it would have taken time for the PNM’s initiatives to come to fruition. *[Interruption]*

Any new legislation with regard to this Firearms (Amdt.) Bill needs to establish stringent standards so that anyone who is applying, or satisfies the requirements should, indeed, receive a firearm licence for the purpose solely of protecting self and property. This licence should be granted by a competent committee appointed solely on the basis of independence and competence and not by dint of political or party affiliation.

Mr. Speaker, I made my notes. The Explanatory Note speaks of increased penalties by over 50 per cent for certain offences involving firearms or other prohibited weapons. The Bill also makes mention of charges for unlawful possession of any firearms. It also makes provision for a commissioner who must be an attorney with no less than 10 years' experience. Some of the sections of the Bill do seem draconian and do propose excessive penalties, but I am not going to go against that because I do believe that our Government is trying and I do believe that we need more stringent measures to curb this crime situation, and I shall go with that.

Mr. Speaker, to what extent would these excessive penalties advance the cause of our anticrime initiatives in this country? I know my friend from Diego Martin Central asked, with all of this suppression and all of these laws, what would it really do? Would it achieve the end for which it was intended? Would it achieve its goal?

Mr. Speaker, I would like to look at section 21B which deals with issuing firearms to persons convicted of domestic violence, and my colleague from Laventille East/Morvant dealt with that also in her contribution. Mr. Speaker, I am a bit confused, because I felt that this Government expressed a desire to protect victims of domestic violence, but I get the impression from this Bill that the Government is protecting with one hand and snatching away that protection with the other hand without giving us any real reasonable explanation as to why this is being done. My motive for saying this is clear, because of the amendment which reads as follows and I quote. Mr. Speaker, if you would allow me to read—you see I have to put on my glasses to read, so I was not reading all of the time.

Mr. Warner: Because you are blind. [*Laughter*]

Mrs. P. McIntosh:—the section which quotes:

“Section 21B of the Act is amended—

- (a) in subsection (1), by deleting the word shall and substituting the word may; and

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(b) by repealing subsection (2) and substituting the following subsection:

‘(2) Where a person is convicted of a domestic violence offence under the Domestic Violence Act, the Commission may refuse to grant that person a Firearm User’s Licence or a Firearm User’s (Employee’s) Certificate for a period of five years from the date of conviction.’”

Mr. Speaker, if we mirror this amendment to the law as is we shall be looking at ourselves dismally if this Bill is passed with this amendment in it. As a woman I feel very strongly about this amendment and I want to know, why is the Government seeking to further endanger the lives of victims of domestic violence by this amendment? This Bill removes the mandatory nature of the section and makes it discretionary.

There are so many repeat offenders. People who commit acts of domestic violence have deep-seated psychological problems and these border on mental problems and people do not get over these things like that. They might lie low for five years and come back to do this. There are too many repeat offenders in this case, and I say this because we have this escalating unprecedented, high level of domestic violence crimes in our country.

Mr. Speaker, only recently all of us in this House and Members from the other place engaged in an exercise in which we spoke out vehemently against domestic violence. We all came out against it and we know what it is doing to this country. Most of the murders, hon. Minister—I have to say I like to listen to the hon. Minister, he is very calm and he presents a quite balanced view, although we do not agree with everything he says and sometimes there are not whole truths there, but you know, such a gentleman he is and so dignified. *[Interruption]* I have to mention it, hon. Member—*[Interruption]* I am talking about the hon. Minister of National Security. *[Interruption]* A very fine gentleman!

Mr. Speaker, the law as is mandated that a person convicted of domestic violence be disqualified or suspended from holding a firearm for at least five years. This was to give some sort of safety to the victim and to the home, and to stabilize matters. During this time the person must go through counselling, go back to his church, try to reform his ways; you know it is a cooling off period, and the word “may” suggests to me that this period might just be taken away and somebody could commit a crime and he “may”, if the commissioner, you know—he may not or he may get a licence. Mr. Speaker, I am very disturbed; it is disturbing me greatly. I think that making this section one of discretion is a mistake which we would pay for. I note it in *Hansard* eh, we would pay for this mistake and it must be corrected.

I am not going to die—[*Interruption*—I am not going to die, Sir. Are you God? I would be around. I am not going to die now. I might not be around in here, but I would be around. I have a life! I have a life! Mr. Speaker, through your Chair, Member for Chaguanas West, there is life beyond Parliament. Do you know that? “Aaah”, you do not know that. Many of you all do not know that, but I know that, because I have it.

Miss Cox: A life beyond politics!

Hon. Member: That is right! [*Desk thumping*]

Mrs. P. McIntosh: Mr. Speaker, what I do not understand is that—we are employing or instituting excessive penalties and draconian measures, and to some extent we must. But I do not understand how we are doing that on the one hand and, on the other hand, we are exercising such a degree of leniency with respect to convicted felons. That, I do not understand. When it comes to domestic violence I do not understand it at all, I do not wish to understand it! Women have suffered, men too; sometimes the shoe is on the other foot. Men—largely women have suffered terribly and the whole country knows this, and, Mr. Speaker, that section I cannot agree with.

7.20 p.m.

In this same vein of the psychological repercussions for convicted felons and so, I sincerely hope that successful applicants are mandated to undergo psychological evaluation, because we do not want to put guns in the hands of people who are not mentally fit to have a gun, a firearm. We are not trying to create a society of murderers and gun-toting, trigger-happy people.

Mr. Roberts: I thank the Member for giving way. Is the Member aware that that is a criterion when you apply for a firearm licence, that you must undergo psychological evaluation presently?

Mrs. P. McIntosh: Thank you for the learning. I know it is also a requirement that you must undergo training, but I know many people who own guns and have not undergone training on how to use a gun. I know many people who have guns and they have no idea of marksmanship, in that they do not know how to aim and shoot at a target, and having a gun might just be as detrimental to them than not having one and facing a gun, because they might be wanting to protect their family and instead of shooting the perpetrator—the person who invades their privacy—they might shoot at their family or themselves. I know people who have a gun and have not gone for the particular training and I think that should be mandatory.

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Also, they have not trained in defence strategies, because having a gun is not about killing alone; having a gun is for protection; it is like driving a car and having a driver's licence and that is why we do defensive driving. I know many people have not gone for that training.

Mr. Roberts: A question before you go on?

Mrs. P. McIntosh: Not right now. I just gave way to you and you told me that it is mandatory, and I know many people who have not undergone that training.

This is not the wild, wild West. We want to train people, if they have a gun, maim rather than kill. I believe that successful applicants must also undergo some sort of personal development and character moulding. In other words, they must understand the enormity of the responsibility of owning a gun. A gun is a lethal weapon that has the potential to take a life, to snuff out a life. We are not authors of life. We have not given birth. Well, mothers have, but the real maker—we are not the makers of life, and we should be very careful how we snuff out lives or give people guns to protect themselves and not develop within them that sense of social responsibility, that sense of caring, that sense of deep regard for life and the value of life.

These people should also take courses in conflict resolution, anger management and tolerance. You know, the word is around, “guns for the boys”. Well, I hope this does not end in tragedy.

While I speak of this training—I am sorry that the hon. Member for Caroni East, the hon. Minister of Education is not present, because when I speak of training I believe that the training should begin in schools. Somebody mentioned—I think it was the Member for Tabaquite—that I would know about the violence in schools. Where do a lot of the guns come from? Who commits a lot of the crimes? It is the young people; some in school or they are associated with others just out of school; dropouts, probably from school. You speak to any of those little boys—I am sure the hon. Minister has, in schools. I speak to them. They could tell you what a Glock is; they could describe it. I mean, my eyes are wide and frightened. They could tell you how to use it; they could tell you what it can do. They have used those guns. I asked them, what is a Glock? They will explain it to you. I do not know these things.

I would have liked to advise the hon. Minister of Education—he said he would like to work with me, but I want to advise him to start in schools with programmes for young people. We are not waiting for a Columbine experience in

Trinidad and Tobago. This is not our culture. We do not want that here. We have programmes of character development that we need to make mandatory as an integral part of our schools' curriculum. Many schools do not worry about that, but I can tell you in the schools where I have been principal, we have instituted programmes of character development which nurture within students a sense of responsibility, a sense of self-esteem. When someone has self-esteem he or she looks at the world differently; they must develop respect for themselves, because if they do not respect themselves, they cannot respect others—respect for others, a sense of discipline, a sense of social responsibility, a sense of empathy. We have to do these things to develop our children so that the type of child or citizen we will see emerging from this development will be quite different to what we have here and will be what we want for our society.

I recommend that alongside this training programme in schools, that a programme of religious instruction be alternated with this programme of character development. I have seen it happen, and I will call the school. It is St. Francois Girls' College and I have seen us develop fine young ladies of impeccable decorum and it can be done anywhere.

Suppression alone will not work. I heard my honourable colleague, the Member for Diego Martin Central, speak of this. When that safety valve explodes, what is going to happen? Unless we change the way people are, unless we change the way people think, unless we change the way they look at society and at each other, unless we imbue within them that respect and empathy for each other; respect for property; that love for society; unless we do that, we are in trouble. We have to change our citizens and we have to do it and start from within the schools.

I also call for a return within the schools of the programmes instituted under the People's National Movement to address students' delinquency and gang violence. By this I mean, we had the Peace Programme making a lot of inroads into transforming young people, which dealt with anger management, conflict resolution, respect for others, tolerance, empathy, et cetera. We also had the in-house suspension where students received counselling while still being able to get on with their work; specific counselling pertaining to their deficiencies. We had the out of school suspension for more difficult cases, where students were put into centres and really got specialist counselling. We had parenting programmes, guiding and counselling parents on how to understand their children; how to manage them; how to guide them; how to coach them; how to nurture them, and imbuing within the parents themselves, a sense of responsibility to and for their children.

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I would just like to make one last point with regard to section 22B. My question is—and I am just asking; it is not that I disagree—through you to the hon. Minister: why change the commissioner from Chairman of the Police Complaints Authority to an attorney-at-law with at least 10 years' experience? Now, I have no problem with very highly, qualified and experienced attorneys heading our commissions, but my thing is that formerly the commissioner was the Chairman of the Police Complaints Authority—I stand corrected—who possessed a certain amount of knowledge about guns and ammunition, which is critical to the effective and efficient discharge of his duties and responsibilities under this Firearms Act, especially as it pertains to dealing with licensed firearm dealers and gunsmiths.

I see where a lawyer is necessary and I am not against it, but if the chairman is an attorney, may I respectfully recommend that at least one, if not two, of the other members of the board, be knowledgeable in firearms and ammunition, so that in the issuing of firearms and ammunition, well-informed decisions will be made, and in granting licences, the total holistic knowledge will come into play in the granting of firearms.

Mr. Speaker, I thank you. [*Desk thumping*]

[MR. DEPUTY SPEAKER *in the Chair*]

The Minister of State in the Ministry of Education (Hon. Clifton De Coteau): Thank you, Mr. Deputy Speaker. It is my profound pleasure to make my contribution to this debate. The Member for Port of Spain North/St. Ann's West, when I was a school supervisor, she was one of my most supportive principals. [*Desk thumping*]

Mrs. McIntosh: That is the PNM.

Hon. C. De Coteau: It had nothing to do with PNM. As such, because of the chivalry that is still in me, I would not slaughter her. I would just like to remind her that it is good to say that the UNC, when it came into power and offered education for all the students, there may have been some kind of hiccups in the embryonic stage, but clearly, I hope you would not have any kind of historical Alzheimer so as not to remember what took place before, where thousands of students were left outside in the loop. They were left behind. What happened to them? Have you forgotten?

You see, I want to take what the Member for Diego Martin Central said, that we should not be trying to score any kind of cheap political points, and as such, the educator in me, as in you, I would not get down to that political guttural level.

The point is, yes, there were mistakes, but we do not want to go on a blame game. If we should go to the Education Act that you would be familiar with: “Compulsory School Age and Offences”, where it was said:

“Subject to section 78, it shall be the duty of the parent of every child of compulsory school age to cause him to receive full-time education suitable to his age, ability and aptitude, by regular attendance at a school.”

Let me state that I am bringing this in the school, as the last Member made her contribution, because some people see the school as a potential source of recruitment for delinquency and, as such, I agree with the last speaker that we should do something about this. But it was there in the Education Act, where it says:

“79. School attendance officers shall be appointed for local education districts established by the Minister under section 10.

80. A school attendance officer has jurisdiction and is responsible for the enforcement of compulsory school attendance in respect of all children of compulsory school age in any district.

81(4). A school attendance officer shall inquire into every case of failure to attend school within his knowledge or when requested...”

7.35 p.m.

[Interruption] You made yours, I did not interrupt you.

In true style of the last administration, it was prescribed but was never implemented. It was never implemented. Probably, if we had these school attendance officers, they would have been able to take care of those students who remained out there and became easily recruited. *[Interruption]*

I want to respond to my dear colleague, as well, when she said that she recommends that they should be continued—*[Interruption]* These things are still going on. It was there with you from the *National School Code of Conduct*. It still exists, you know—student conference, parent contact, conference with parent, suspension, law enforcement agencies, court referral, restitution and school community service. *[Interruption]* You did not accept that. It is still there; it is still operational. Again, consequences: student conference, parent contact, conference with parents, support services intervention, detention, suspension up to seven days, extended suspension, confiscation, restitution, arrest by law enforcement and community service probation.

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Mr. Deputy Speaker, the Firearms (Amdt.) Bill can be regarded as protective and preventative, especially with reference to our youths. They have to be protected. There is no “this side” or “that side” in this matter. All of us are potential victims. All of us. When someone from my office woke up with a gunman sitting on her chest, pointing a gun at her, and her husband in an adjoining room was being beaten on the head, all of us have to fear. I was a victim a few years ago, when they firebombed my home. I was a local government representative, I articulated my concerns and the person believed that I should not have opened my mouth.

I know my dear friend, the Member for Laventille East/Morvant, in her contribution said, “And me eh no whistler-blower.” Unlike the Member for Diego Martin Central—who must be commended—while he was fishing, saw certain things and called the coast guard. This is what we all must do. This is what we must do. We must not be scoring points now, and looking and saying, “It is too draconian.” It is too draconian? When those people outside there attack you, do they think about the draconian thing? No, no, no, we have a responsibility to protect our constituents. We have a responsibility to do that and we must do that without fear or favour.

Mr. Deputy Speaker, we did mention the National School Code of Conduct. The Member also mentioned what is happening. We said that schools have the potential of becoming nursing grounds for criminal activities. As such, the National School Code of Conduct explicitly states the consequences of actions contrary to the behavioural standards. Pertinent violations include: actual and attempted arson; dangerous objects and firearms; disorderly conduct/disruptive behavior and fighting/assault/threats.

Mr. Deputy Speaker, only last week a parent reported an incident which took place at a denominational school in south Trinidad—I would not name the school. His son was being victimized and informed his aggressors that if they did not cease he would commit suicide. You know what they did? They took the boy’s schoolbag and said, “You want to commit suicide, we would help to kill you.” They demonstrated no kind of remorse. This is what we have to face.

I had the unfortunate pleasure of talking to a young man. He said, “Father, you see me, when I go to put down wuk, the more dey beg, the more I does feel inspired to kill dem.” One man said, in my presence, a few years ago when a teacher from Cowen Hamilton Secondary School was attacked by a bandit—Do you know what he said? He said, “Dat fella is a joke bandit. What he shoulda do was to kill dem because it easier to get away when you kill.” And you are saying that the Minister is draconian?

Hon. Member: We never said that.

Hon. C. De Coteau: Well, my humble apologies, my humble apologies. If it is you did not say that, Mr. Deputy Speaker, I withdraw it. *[Interruption]* Did you not speak of the totality of the package as being draconian? *[Interruption]*

Mr. Deputy Speaker, as the last speaker said, we do not want to have that situation, as occurred in some foreign place where one man went to the school and shot up the place. The Member for Laventille East/Morvant, in her contribution, did mention a report from the South Bureau, in yesterday's *Daily Express* newspaper, involving a 15-year-old schoolboy found with a shotgun and ammunition. The child was detained.

I remember, as a young man—

Hon. Member: Not long ago.

Hon. C. De Coteau: Many moons ago. *[Laughter]* We used to play “stick em up” and “police and thief” with little toy guns—sometimes, you know, the index finger pointing and the thumb to the sky. *[Laughter]* You were glad when you got a cork gun or a caps gun with the smoke evaporating in front of you. That was a thrill. Now, a gun in the hands of a young man is criminality.

We need to look at our schools and put measures in place. In fact, we have to tighten up the measures we have. For instance, look at some of the data we have. According to data collected from the Ministry, for the 2007—2008 academic year, there were 39 incidents involving the use of weapons; 43 involving the consumption of alcohol and drugs; 16 gang-related activities and 155 incidents of fighting. For the academic year 2008—2009, there were 183 incidents involving the use of weapons; 214 involving the consumption of alcohol and drugs; 15 cases of victimization and 507 of fighting. Five hundred and seven incidents of fighting. For the academic year 2009/2010 there were 97 incidents involving weapons; 125 cases involving consumption of alcohol and drugs and 364 reports of fighting.

Mr. Deputy Speaker, this shows, over the years, a steady increase in weapon-related incidents. This is 17 per cent of reported incidents from schools at the national level. Let me just refer to some statistics resulting from these fights: The number of suspensions in St. George East for 2008 was 171; 2009, 114; 2010, 119. In 2010, of the 119 suspensions, 54 involved incidents in which weapons were used. Seven involved bullying/victimization and 10 involved vandalism of school property.

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In Caroni, there were 1,003 suspensions. In 2010, of the 1,003 suspensions, 56 involved the use of weapons; 10 involved bullying/victimization; 28 involved extortion and 63 involved robbery and theft. In Victoria, for the academic year 2008 there were 298 suspensions; in 2009, 335 and in 2010, 104.

[MR. SPEAKER *in the Chair*]

Mr. Speaker, in the north-eastern district, in 2008, there were 295 suspensions; in 2009, there were 280 and 2010, 429. Of the 429 suspensions in 2010, 49 were drug and alcohol related and 65 were fighting. So, clearly, there is the possibility that our schools can be potential nurseries. What we intend to do is to increase austerity measures with which discipline is handled in our schools and in the society at large.

There are a number of plans and proposals being presented to revamp the entire security systems of our schools. The advanced roles of security firms and safety officers are being examined. As I mentioned before, the School Attendance Officers should really be implemented in due course. It should be, and I know that the hon. Minister is looking at that. When the executive team meets on Monday this matter will be discussed.

Mr. Speaker, an area that would have—

PROCEDURAL MOTION

The Minister of Housing and the Environment (Hon. Dr. Roodal Moonilal): Mr. Speaker, pursuant to Standing Order 10(11) I beg to move that this House do continue to sit until the conclusion of the Firearms (Amdt.) Bill 2010 through all its stages.

Question put and agreed to.

7.50 p.m.

FIREARMS (AMDT.) BILL

Hon. C. De Coteau: Mr. Speaker, to try to prevent the schools from being possible nurseries for criminal activity and for potential gangsters, we are looking at the possibility of bringing back the Director of Schools Supervision position, to reinstate that position. I know that the Member for Port of Spain North/St. Ann's West must be given credit for making that recommendation as well. She should be given credit for that.

Mr. Speaker, we anticipate that the Teaching Service Commission would soon fill the vacancies of Schools Supervisor I and III, Curriculum Officers, Principals,

Vice-Principals, Deans and Heads of Department, in order to adequately meet the requirements of the education system of the country.

Mr. Speaker, the Ministry of Education is partnering with the Ministry of National Security to develop a national mentorship system, which will provide positive role models to assist in focusing our students in a positive direction. The Minister of National Security must be complimented.

Mr. Speaker, the role of the parents must be raised. You know, parents are the first role models of their children. They are the first teachers and the first role models. One of the clauses says the head of a household will be responsible.

Most people in the household know where the gun is. The parent on a morning making up the bed for her son, she lifts the pillow and the gun is underneath there; she fixes back the pillow neatly and does not say anything. The young man goes out and shoots someone—and it is there in our history—and what did she say, “He was going to make ah lil’ wuk.” He was going to “put down ah wuk.” This is serious.

When I looked at the papers today and I saw the agony on one of my former student’s face, as she wept for her husband who was shot, a good friend of mine, I felt it. Those of us here in this august House, as representatives, we would have gone to many of these funerals, these interments of some of our constituents; and do not tell me you did not feel that pain. You will feel it.

A few years ago when I had to go to the funeral of a local government representative, tears came to my eyes, because I said, “The man does not deserve that.” No one deserves that. That is why it is too important. As the Member for Diego Martin Central said, let us not politic with this. Let us do something; let us work together to put something in place so that we can send a lesson for those people out there. Let us take back our country; let us save our children. Let us save them.

So that, Mr. Speaker, clause 30, which entails penalties for failure to safely store a firearm out of the reach of children, no one could be against that. The firearm is there, it is not properly secured, and if the boy could get it or the girl could get it to go in school to “bling,” as they say, he will take it. He will take it. So that that is important.

So, Mr. Speaker, this Government and I say the House, we should be taking action to curb the effects of the proliferation of guns and ammunition.

I am in a constituency where the occupation in Moruga/Tableland is fishing, agriculture and hunting. Have you ever wondered sometimes how some of the

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people who have no legal firearms provide you with the wild meat? Some of our good citizens are the ones who are encouraging that, by providing them with the ammunition. These are the things we must stop.

All the coastline areas of Moruga, they tell you the easiest thing to get is a gun, a firearm, but from my knowledge, most of the young men there do not fall prey to taking up that, but the fishermen are victims of the piracy at sea. So that is why you would find that Mr. Peter Gordon, representing the Fishermen's Association, said, "Give us firearms," because they take the engines from the boats, throw the men overboard, go and sell or exchange the engine for guns and drugs. We have to protect our fishermen.

I do not want to score cheap political points, but in Gran Chemin, right to the back of the library, there is a nice, tall radar, and I say like the last administration just liked to punish Moruga, because just as how the radar worked for a few months, I think, and stopped, it is no different to the water treatment plant, the desalination plant that was installed in La Lune. The pipe was too short, so that at low tide, no water; and at high tide, it was only pulling sand. That is the treatment you gave—the pipe short.

So, Mr. Speaker, we have to really take this Bill seriously. For our young people, we can say we are going to use some of the life skills development programmes implemented by the Ministry of Science, Technology and Tertiary Education, and if I should quote here:

The life skills education attempts to deliver to the participants developmental techniques which aim at transforming behaviour. They feature self-esteem, values, stress management, parenting, leadership, ethics and other positive aspects which contribute to personal growth.

Mr. Speaker, some of these skills might be really good for some of us to participate in, in this noble House.

Mr. Speaker, I listened to the Member for Diego Martin Central when he spoke in terms of the decorum that we should have in this noble House, but then I say, we are supposed to be role models, and if some of our people are looking at us, it is a good thing that the camera only focuses on the person who is speaking, because for the love of me, I cannot come to terms with the "steupsing," the total disrespect for each other when someone is speaking. It is there in the Standing Orders.

So for the little time I am here, sometimes I am in a state of shock, because you have total admiration for some people, and when you come in here and you

see the behaviour, it is a shocking thing. So I am saying that we have to practise that department. My education colleague, we have to practise it, on all sides. I agree with you, on all sides.

The cut and thrust—I know this is a gladiatorial ring, but sometimes I believe—I cannot get down, probably I should, but I just cannot do it.

Mr. Speaker, research by American psychologists, carried out on men between the ages of 18 to 22, if you will permit me, have shown that the simple act of holding a gun increases the levels of testosterone by one hundred times more.

We have to teach our sons of our nation that power lies within them and their potential.

Mr. Speaker, if the schools are potential nursery grounds for criminals, then let us partner to ensure that they can also be grounds for rehabilitation and remediation. Every time I stand, I will say again, that there is a need for ADR, alternative dispute resolution. There should be the need for conflict management. I know that the Ministry of Local Government, through Dr. Ribeiro, and the Ministry of Education, we are trying that, and all of our leaders, politicians, Members of Parliament, should be exposed to an alternative dispute resolution course. When you go out there, you are going to meet constituents who sometimes test your patience as Job's patience was tested, and we need to be exposed to that.

Mr. Speaker, this amendment Bill is serious business and we should take it seriously. This Bill seeks to amend the Firearms Act to increase the penalties for certain offences. We cannot joke with this thing. Discipline of natural consequences, we have to increase it. People must feel it; they must feel it. As such, I do support this.

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

Mr. Fitzgerald Jeffrey (*La Brea*): Thank you very much. I would like to take this opportunity, Mr. Speaker, to convey my sincerest wishes to the hon. Minister of Justice, Member for St. Joseph, who is not well. I would like to wish him a very speedy recovery and he is in my prayers.

Mr. Speaker, it is so nice to have been in this Parliament from 2007 to now, to see how things could change. My good friends opposite used to use a word called “draconian”. Almost every piece of legislation that the then PNM government tried

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to pass, it was draconian. Mr. Speaker, I had to laugh. Today, or in this term, we are here to see more draconian legislation brought to this Parliament and the Opposition now is asked to support.

The guru, my great former Prime Minister, Basdeo Panday, had this whole idea that the duty of the Opposition is to oppose. That sounded good, and the then Opposition lived that to the letter, but we on this side, Mr. Speaker, are really and truly different. We are not going to oppose for opposing sake. We are here to support the Government whenever there is good legislation brought before the Parliament. Therefore, they can count on our support. Any good legislation that is brought before this Parliament, the Opposition here will support it.

Mr. Speaker, there is an old saying, when a doctor makes a mistake, the patient alone dies. When an educator makes a mistake, a whole generation goes through. We could put it another way: when the door to a classroom is open; the door to the prison is closed. We have to understand this thing, because this legislation is important, I agree, but if we do it in isolation, we are going to be in serious trouble.

8.05 p.m.

Mr. Speaker, when a child is born, that child is born without any evil intent, that child is pure and something has to happen along the way that makes that child transform into a criminal. That is what we have to do and, therefore, when I listened to the Member—I am serious, Member for Fyzabad. Sit and listen to something good. This is a serious piece of thing here—for Caroni East mention in the Parliament or in the media that there were 4,000 children who had dropped out of secondary schools, this is serious. We need to find those 4,000 children and channel them towards worthwhile pursuits. That is why, for example, the last government had something called the HYPE Programme. The HYPE Programme was for youths between the ages of 17 to 25 who did not do well in school or who might have dropped out and so on, and we also had YTEPP. Somehow or the other, we have to try to get those 4,000 children, find them wherever they are and get them towards this meaningful operation.

Mr. Speaker, I want to deal with the contribution from the Member for Tabaquite. I found it was a little funny though. He used his documents and selectively pulled out some excerpts—[*Interruption*]

Dr. Browne: It is called cherry picking.

Mr. F. Jeffrey:—but I want to put in a little piece because it is important. This article is called Guns and Crime: A Case Study of Trinidad and Tobago and

the source, Modus Operandi, Trinidad and Tobago Police Service. With your permission, I want to make a small quotation here:

“The trend toward increased use of firearms in the commission of crime began in the 1970s in Jamaica, so that a gun court was established in 1974 solely dedicated to gun-related matters. In Trinidad and Tobago this change began in 2000. Before 2000, firearms were responsible for less than one-third of all homicides. By May of 2006, this percentage had risen to 74 percent.”

Now that, of course, is a concern.

Dr. Rambachan: You were in office?

Mr. F. Jeffrey: Of course. But you see, you must also remember that in 2000 you all were in office.

Dr. Rambachan: We were in office?

Mr. F. Jeffrey: You all were in office in 2000 and that was when it started, according to this article. I am not here to fight with the Member for Tabaquite. I am here to debate.

Dr. Browne: Leave that for Jack.

Mr. F. Jeffrey: When we look at the whole debate on the firearm, it has to do with the unacceptable level of homicides in this country and, therefore, it is prudent for us to see what history says. Because it seems as though that whenever PNM is in power, crime goes up the road—[*Interruption and desk thumping*]

Hon. Member: That is true.

Mr. F. Jeffrey:—and somebody else is there, nothing is further from the truth. Mr. Speaker, I want to read into the records: In 1992 under the PNM, homicides 109; in 1993, homicides 108 under the PNM; in 1994, 143 under the PNM; in 1995, 122 under the UNC; in 1996, 106 under the UNC; in 1997, 101 under the UNC; in 1998, 98 under the UNC; 1999, 93 under the UNC. Hear what is happening? In 2000 what happened? The figure went up to 118 under the UNC. Remember that! In 2001, it went up to 151.

The point I am making is that this thing did not start to rise under the PNM. It started to rise under the United National Congress. Do not forget that. Selectively, they like to stop up to 1999 and I always wondered why it is that they would not talk about 2001 when they were in office. I dug up the thing. I called the police research unit and got the figures, only to realize that in 2000 and 2001 the figure went up so they kept quiet. This is something for us to consider.

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In 2002—I am an honest man—it went up to 171 under the PNM; 2003, 229 under the PNM—

Mr. Speaker: Member for La Brea. Members, please, I would like to hear the contribution from the Member for La Brea in silence [*Desk thumping*] and I want you to also help the Hansard Reporters because the crosstalk is disturbing these officers who have to be accurate in their reporting of proceedings in this honourable Chamber. So I would like Members to pay attention in silence to the Member for La Brea. You may continue. [*Desk thumping*]

Mr. F. Jeffrey: Thank you, Mr. Speaker. In 2002, 171 under the PNM; in 2003, 229 under the PNM; in 2004, 260; in 2005, 386, but in 2006, it went down to 371 under the People’s National Movement; in 2007, it went up to 395; in 2008, it skyrocketed to 550; in 2009, it came back down to 509; and in 2010 some are debating whether it is 475 or 472. That does not matter.

Mr. Speaker, what we have to understand is that this thing is more than meets the eye. In other words, they cannot say when it is up it is PNM and when it is down it is UNC as the case might be. Look at today, January 01, 2011, the murder rate at the last count was 22. That was not under Philbert, this was not under Peter Joseph, this is under the new Commissioner of Police and, therefore, I am saying that we need to look at this thing in a more holistic manner so that we could really and truly address this situation. [*Desk thumping*]

Mr. Speaker, when we look at the legislation before us, we saw the words “increase in penalties” 23 times. I wondered why? Because according to the last Opposition we had here, they told us in no uncertain terms that we did not need more laws, we did not need to tighten the existing laws, what we needed to do was to have enforcements. We were not enforcing the thing and so on, and that was the problem. It is strange that now, today before us, that 23 times we are going to increase the penalties and so on. That is eye opener for me. Nevertheless, I want to say it here now that we recognized that the legislation is important, and really and truly there are two causes for concerns that I would like to raise, clause 15(b)(2). We are talking about the husband or the spouse who is convicted, but I want to raise this question: what happens to the wife who has a restraining order on her husband who has a licence for a firearm?

I am saying that given what obtains, that there should be an amendment that when a wife gets a restraining order and the husband has a licence for a firearm, the Commissioner of Police should either suspend or revoke that licence. [*Desk thumping*]

Dr. Browne: Good point. We have to be serious about these things.

Mr. F. Jeffrey: Mr. Speaker, if we look around in the society and see what is the situation with homicides involving domestic violence, many times it is not just so much the husband getting a conviction, he gets a restraining order and he decides to take the law into his own hands. I just wanted to make that suggestion.

The second one has to do with clause 5(2)(b) and I am asking myself this question: what happens to a taxi driver who while plying his trade, maybe say along the lonely Valencia stretch, or the Caroni Savannah Road, or Cedros to Point Fortin Road, takes up the first passenger who has a bag and puts the bag in the trunk, about two miles down the road he takes up a second passenger who has no bag and sits in the car, about three or four miles down the road there is a roadblock, the police stop the vehicle, search and realize there is a gun, who is the person that is liable? Now, for example, if the person who has the bag says, "Yes, that is my bag", that is a different story. But what happens if he says, "Listen, that is not my bag". The driver says, "Well listen, that is not my bag. It is that fella there own." The other one says, "Listen, I do not know anything about the bag", and so on; what is the situation in a case like that? I think that is something for us to really consider because taxi drivers are the ones who are likely to be affected by this whole thing. So I want us to look at that because this is a serious piece of business.

Mr. Speaker, I want to take us back a bit because I think it is important for us to see what is happening. I am not trying to score cheap political points. What I am trying to do is for us to understand and recognize what is before us and deal with it. I want to go back to the year 2000, the same year in which Yvette Holder indicated that 2000 was the year when we had an increase in firearms in Trinidad and Tobago, and let me read into the record what Mr. Eddie Hart, former Member for Tunapuna, had to say. [*Interruption*]

Dr. Moonilal: A brilliant man.

Mr. F. Jeffrey: He quoted from the newspaper of Thursday, July 27, "Cops seize high tech guns". What was said about these guns and the ammunition that they got—three pistols, three rifles and four submachine guns? The magnum is capable of firing 1,200 rounds of ammunition a minute, at a distance of 1,000 yards. It is described as accurate and deadly. The sniper rifle has a range of three miles and it is bigger than anything the police use here. Bigger than anything the police use here and the ammunition has the capacity to penetrate body armour. The Remington rifle has a range of two miles, while the other guns are used in

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close combat in fighting. Mr. Speaker, that is a frightening scenario for our policemen who are out there on the streets trying to protect us and, therefore, that is what makes this legislation so critical for us to pass it.

We need to understand as well what the scenario was in 2000, and I would like to quote from my very good friend, my former Prime Minister, Basdeo Panday. Hear what he says—[*Interruption*]

Mr. Warner: Yours?

Mr. F. Jeffrey: Yes, from 1995—2001 he was the Prime Minister of Trinidad and Tobago and he was my Prime Minister. [*Desk thumping*] The hon. Kamla Persad-Bissessar is my Prime Minister and you have to understand that and I hope when you all come back here and we go across on that side, you will have the same kind of—[*Interruption*]

Dr. Moonilal: And who will be my Prime Minister then? [*Desk thumping and laughter*]

8.20p.m.

Mr. F. Jeffrey: Mr. Speaker, this is what then Prime Minister Panday had to say on Monday, September 04, 2000:

“The battle against crime is a long and bitter battle...

the struggle against crime involves more than just police vehicles. It involves a change of culture in the country.

Crime threatens every single person in the society and we are particularly vulnerable given the designs and the connections of international drug trafficking cartels and their money laundering networks.”

This is what hon. Joseph Theodore had to say:

“Jailing criminals was not the answer. You put them in jail and more coming. I have said that building jails is not the answer.”

The Minister admitted that the country may have reached a stage in its development where there is no solution. That was Thursday, November 20, 1997.

Page 8 of the *Newsday* of February 2002 headline stated:

“2001 most murderous violent year in Trinidad and Tobago’s history.”

I am making this point to show that crime, since 2000, has taken on a very serious dimension, and what we need to do is look at how we could cooperate with each other to make this thing work.

I want to ask this honourable House, while we pass the legislation on this Firearms (Amdt.) Bill, maybe the Ministries of the People and Social Development; Education; or Science, Technology and Tertiary Education could bring some legislation before this House, because if we are just dealing with those who have the firearms now and we jail them, those 4,000 persons who have dropped out of the school system, you would have to find a place for them and we know the problem already.

The other problem has to do with those pleasure crafts that are involved in the illicit trade. Most times, it is the little man who gets caught in the scenario; the boy who, for example, was a first-time offender, as he is released from prison, those drug people and big boys tend to target them “fellas’, gih dem ah lil’ crack tuh sell and gih dem ah gun.” The gun is for rank and protection. We have to try to see how best we could pull this thing away and we need to have proper surveillance to ensure that the illicit drugs and guns do not come to this country.

Trinidad and Tobago does not make guns, so where are the guns coming from? We are told, in the very said article—smuggled firearms, a source from South and Central American manufacturers—in Brazil you can get Beretta, Colt and Taurus; Venezuela, Smith and Wesson; Mexico and the Dominican Republic you can get Claire and Anderson. Those are the types of guns. 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. We have to take that into our hands if we want to save our own country. There are many boats that are supposed to be fishing boats—never catch fish. In other words, the boats go out at night, come back very early the next morning and no fish come on shore. Drugs is the order of the day. “If there is drugs, it have gun.”

We are told that there are certain established routes through which the drugs come; from Jamaica, sometimes, southwards through the Caribbean chain, Guyana and Trinidad and Tobago, and northwards through the same chain, St. Lucia, St. Vincent and the Grenadines, the Marquis Triangle, St. Maarten, Antigua and St. Vincent and the Grenadines. We need to understand what we are up against. So during this debate, which is very important, I want us to see if we can pass that piece of legislation and I pray and ask the Government to consider the social side of the whole thing. Firstly, those 4,000 children who have dropped out of school, how we can get them back to us. Secondly, those who would have finished school and not passed any examination, we need to get them involved to save Trinidad and Tobago. I thank you.

Mr. Speaker: Hon. Members, dinner is available in the Members' Lounge. Of course, we are not suspending the sitting. I am advising Members who would want to partake; we can do so whilst the proceedings of the House continue.

The Minister of Housing and the Environment (Hon. Dr. Roodal Moonilal): Thank you very much, Mr. Speaker. I suggest that some Members opposite may find dinner more appetizing than my contribution. Like the Member for La Brea, it was not my intention to speak today on this matter before us. During the course of this debate a few issues have been raised and I think it would be remiss of us if we did not seek to correct the record and to place on record the facts as they are available, and to reiterate some of the issues raised by Members of the Government on this occasion and in previous debates as well.

The matter before us is but one measure in a comprehensive and holistic approach to combating crime. It is not unknown, and it is not an issue that we hide from, that crime is the singular most important social and, in some cases, economic issue that we are facing in the country today.

In May 2010, the results of the general election reflected a deep-seated need, on behalf of the electorate and citizens of this country, for a government to confront this issue of crime and that is why there was, on May 24, a change, as far as it relates to those who would occupy public office and form the Government and conduct the affairs on behalf of the public.

Crime was, and I believe it still is, the most important and critical issue facing this country. I believe that almost every citizen in this country is consumed by this issue and, as such, the representatives of people should also be consumed by this issue. That is why the Government has, for the last two weeks or so, for every single sitting in this House, concentrated on the issue of crime and addressing and combating crime in the Parliament, so that we can pass law, we can reform existing law, we can enhance the tools and equipment available at the disposal of the police service and other protective groups.

As elected Members, we must be consumed by crime, because citizens and those we represent are also consumed and we must reflect that. We must reflect that deep commitment that is required at this time. Earlier in the debate, our friend from Arouca/Maloney, I think it was, really, on several occasions would speak and never trouble us, or never cause or trigger a rebuttal. I think the Member spoke a bit earlier than normal today, and, maybe in the presence of the Member for San Fernando East, had some statements to make, which I believe were really statements that have been echoed before by the Member for San Fernando East. We would prefer if we do not leave those statements and those issues hanging.

There is an attempt by the Opposition—let me begin by expressing my thanks to the Opposition. It is no secret that this measure was supported by the Opposition and the Independent Senators, except one, I believe, in the other place. The People's National Movement, our Opposition, is on record as supporting this measure. I believe that they are in support of this measure and we welcome that and we thank the Opposition for that. The Opposition has indicated that they are prepared to support measures such as these, which deal with crime. If you did not think that it will address crime, or it will not be of some use, you would not be readily available to support it—[*Interruption*]

Hon. Member: with amendments.

Hon. Dr. R. Moonilal:—with amendments, of course. There were amendments made in the other place. We welcome those amendments. There were also statements made that we must respond to, because there is a campaign that is building by our friends opposite, to suggest that this Government is slack, careless or reckless in the way we deal with the issue of crime. [*Desk thumping*] That is the campaign. I have properly explained their campaign. This is why they have pounded the desks. I have properly exposed their mischief; this is why they have pounded the desks. They have confirmed that is the mischief of the Opposition. I am clear on that. They have confirmed that is the mischief, but I have to deal with this mischief.

Our friends opposite believe, and they may have reason to believe, if they repeat the same thing every Friday or every day we have sittings on Wednesdays and Fridays and they continually repeat that the Government is not dealing with crime, we are dismantling the security services and we are not addressing the critical issues and the morale of the police is going down further, they believe if they say it often enough, the country would believe that.

I want to inform my friends that many of us, including the Member for Siparia and the Member for Fyzabad, have spent long days, long nights and long years on those Benches. We have spent a lot of time there. This is why we can easily understand the mischief, because we have spent time there. We understand that campaign. Their role is to build a campaign and they are right to try, but our role is also to respond to that propaganda. Mr. Speaker, they will carry the campaign that we are dismantling security and so on.

The very first thing this Parliament did was to appoint a Commissioner of Police, when there was none for three years. The Member for San Fernando East presided over an administration where there was an acting Commissioner of Police for, I believe, three years.

8.35 p.m.

Every month—on the 31st of the month or the 30th of the month—that commissioner did not know if he was coming back in office the next day. He did not know! There was a time when the commissioner had to plan his programmes and his activities, and he did not know if he planned a roadblock on the 1st of the month, if he would be there. He may have been blocked. He did not know if he planned a programme of enforcement if he would be there. For three years there was an Acting Commissioner of Police and it changed—not just one person—and then finally there was a gentleman there every month on a month-to-month basis. The police service operated as if it was some type of a make-work system. As soon as we entered office we brought certainty and solidity to the Trinidad and Tobago Police Service by appointing a Commissioner of Police and a Deputy Commissioner of Police. [*Desk thumping*] That is what we did.

We moved with haste to appoint a Police Service Commission so that we would put in place the mechanism—the institutions and the administration—to deal with the police service. They could not do that in years. We did that! That was the first phase. They asked what we are doing and what did we do, so we have to respond.

Then we moved again. Under the leadership of the Minister of National Security, we moved again to deal with legislation. We met a situation where there was an agency, a rogue agency. Reports were made and they were not denied. In fact, the Member for San Fernando East at no time denied that there was the interception of communication. He wrongly believes and asserts that it was not illegal, but he has not denied that. He sees the law only as the criminal law, but the Constitution is the law. If you violate the Constitution you violate the law, and he was violating the Constitution, the highest law of the land; the Member for San Fernando East, and former Prime Minister. He has admitted that. This is not strange; this is not news. The Member for San Fernando East said that, he has admitted that. We came in and they asked what did we do, so we must tell you what we do.

Dr. Browne: Mr. Speaker, Standing Order 36(5), the Member is imputing improper motives to the Member for San Fernando East.

Mr. Speaker: I do not see that at the moment.

Hon. Dr. R. Moonilal: My friend, the Member for Diego Martin Central, thank you. Let me move on and leave the Member for Diego Martin Central. I think dinner is here; he can have some. Mr. Speaker, we came with legislation,

landmark legislation, to bring law and order to that important tool in the police service which is the interception of communication, widely regarded as an important tool. We were cleaning up the democracy. What they call dismantling is really cleaning up and bringing law and order, but maybe they would have preferred the situation where there is no law and order and where they could do anything they want.

We brought legislation which they supported to bring order to that area of intelligence and intelligence gathering. Today the issue was raised again with the appointment of a director of an agency related to intelligence gathering. Quite rightly, on both sides of the House, Members have expressed their views on that information. That is a critical function of government and the protective services. The person in that position is a person who has university training and is a graduate in Information Technology. The basis of intelligence gathering is IT driven. [*Desk thumping*] I do not know why you cannot understand that. Intelligence gathering is an IT function. The person is qualified in IT; completing studies in psychology and has nine years experience in that agency and exposure to international agencies dealing with that matter. That is what they cannot understand.

Mr. Speaker, what is even more striking is, if we were to ask hypothetically who did that person replace, nobody would know. They would not know the qualification. In fact, the person who was replaced could be in the public gallery now, we do not know, because we do not know him. We do not know whether he had two O Levels or five O Levels. We do not know whether he got through with Common Entrance on the first attempt or the second attempt. We do not know, but there is a focus on the new appointee, and that is not in the interest of national security. Whichever quarter is misleading the population to carry a campaign to undermine that office, it is not in the best interest of national security. Mr. Speaker, I would say no more on that matter.

Mr. Speaker, Members opposite also asked about what have we done but the Minister of National Security in a wide-ranging and comprehensive report in this Parliament—a statement that is available to all Members—gave enormous data analysis, month by month, on the crime data for 2010. He did that just one week ago and it was circulated to all Members. I encourage Members when they get these statements do not put them in the drawer in the desk, but take them home, take a read and share them with a friend, but do not put them into the drawer. Had you read that statement—assuming that when the Minister was speaking, you

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were taking a nod and so on and assuming that you were not conscious at the time to listen to him—then you would have seen it. So when the Member asked the question I could not believe, because I remember the statement well.

The Minister said on that occasion for the period June—December, 2010 according to police statistics, 260 firearms were seized; ammunition recovered and seized, 5,000 and 57 assorted rounds; 5000—between June—December. Narcotics, 109.2 kilogrammes; cocaine and marijuana seized—he gave the numbers in terms of the seizure of marijuana and marijuana trees that were destroyed. You know, today the Member for Arouca/Maloney asked what did we do; how much narcotics were seized and so on. This is in the public domain. Had the Member taken the opportunity to read the document that was presented, she would not have asked the question.

The Member raised the issue of the morale of the police service, and that we are lowering it. The Minister of National Security spoke about programmes he is introducing that would lift the morale of the police service to give honour, award and reward for police officers who excel in the course of their duty.

You know, sometimes when we look at the movies—you see American movies and movies from elsewhere—you see the police dressed up and there is a function where they will receive an award and medal and so on for bravery, honour and for going beyond the course of their normal employment and so on. In Trinidad and Tobago and in many countries like ours, we never had those types of programmes developed where they are an integral part of the annual events of the police service and the national community. The Minister is developing programmes like that so that the national community could look at the police service and identify at a glance, the name and the identity of officers who excel by solving crimes, confronting bandits and those accused of murder and so on. This is what the Minister of National Security is doing.

He is also on a drive on the social issue to build mentoring programmes in affected areas so that our young people can see hope and they can reflect on the achievements of persons coming to them. He is on that programme using culture and the arts. They do not see anything useful in that. Maybe they do not see anything useful in the citizen's programme.

Let us assume that they do not read and they do not look at television, surely there is a citizen security programme that the Minister spoke about. Let us assume that you did not hear that, surely you know of the Anti-Gang and the Bail (Amdt.)

Bills; surely you know of the other measures that we have brought to the House; surely you know of the capital offences matter that is before us. We cannot talk about that, we will anticipate that in the future.

So the Minister of National Security has presented his report on eight months, and in that report he highlighted a 14 per cent drop in serious crimes. Now, 14 per cent is not enough. That is not something to feel proud of, that is not certainly something to boast of, but it tells us that we are in the right direction. [*Desk thumping*] That is what it tells us. We are walking slowly, we are not running, but we are going in the right direction. That is what it tells us. When we intensify our efforts in support of the Minister and his Ministry by passing legislation like this and implementing it, we will strengthen that effort; 14 per cent can go 20, 28, 30 as we go up and bring the murder figure down, and we bring the serious crimes down.

The Minister spoke today—now I do not know what Members opposite were doing—of the surveillance bays to be established along the highways at different points that will house police officers, which will be a sort of area of focus for the police so that from those points, the surveillance bays, they will coordinate patrols, CCTV, seek to enforce our traffic laws and seek to enforce other laws. So the surveillance bay is upon us, it is coming, and they say that we are not doing anything and we have no programmes. They like to say that we have no policy, but when we give them policy they do not hear policy. This is what we are doing.

Look at the legislative agenda dealing with crime! It has never been so packed in this House to deal with crime. Every week is crime. What did the former administration do? They brought one Motion on crime—I do not know if anybody remembers—and I do not know what I said on that day. I need to consult the *Hansard*. The only MP to speak on that Motion was me, and they never brought back the Motion again for 16 months. The Motion on crime was brought by the former Minister of National Security. I responded on one day. I invited him to resign and then we never had another debate on that again. It was a one-day debate at which I spoke, but I cannot remember that debate ever going to a second day. If I am wrong, I am wrong and you will correct me. It was on the Order Paper for a year and a half. A Motion on crime could not be debated. Never! Today we bring crime for you—Wednesday is crime debate, Friday is legislation. We are coming with it, and this Bill before us deals with some serious matters.

Now, we wish we were not in a situation where increasing penalties is the order of the day. We wish it was not like that. We wish there were some other interventions that could work. We do not jump up and clap that we have to

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increase penalties. This does not bring pleasure to us. We have to deal with a practical problem that confronts us. These criminal elements, the Member for St. Augustine, told us, have respect for no one. None! They would commit a crime in front of a police station.

In my constituency they stole a backhoe. Mr. Speaker, how do you steal a backhoe? When I heard that I thought it was this magician who makes airplanes disappear and so on. I forget his name. Mr. Speaker, the bandits stole a backhoe. They shot someone 500 yards from a police station. I want to tell you that we have reached the stage where the criminal elements really fear no one. None!

8.50 p.m.

Mr. Speaker, what do you do? Do you sit as a Government and say, “Look, this is how it is; we inherited this problem; the problem arose 10, 20 years ago and it was climbing.”? What do we do? We are here because the citizens of this country expressed the view that we could deal with crime, and we cannot let them down; we must try. We must be aggressive in our efforts. Four years, five years from now, when citizens get another opportunity to pronounce on their Government, if we did not or could not deliver on these pledges, the citizens will do the valuation; they will value us. They will either remain, give us their support again or they will not. In the meantime we cannot sit as a Government and do nothing.

One approach out of several is the passage of legislation and the harsh penalties to go with that. When we talk about increasing the penalty for possession of a firearm or ammunition with intent to sell, transfer and so on, and increasing the penalty for discharging a firearm in a public road or public place, using a firearm to commit an offence or to resist a lawful apprehension, they are stiff penalties. When we speak about increasing the penalty for failure to comply with any notification of the Commissioner of Police, when we increase penalties in the context of the Domestic Violence Act, when we increase penalties for these offences, the message we are sending to the criminal element is, “Look, we are trying, but if we catch you now, you are gone for some time to come.”

We prefer if you cannot change your ways, then leave the free society alone. Go in jail and take a longer time there, so that law-abiding citizens can feel safe and free; that is the approach we have to take. I think the Opposition supports us; they are clear on it, so this Bill will not trigger any debate as to whether or not the Opposition supports it. Today they are simply carrying out this campaign that we

are trying to dismantle the security services. They begin always with the matter of the OPV, as the Member for Arouca/Maloney did earlier.

Mr. Speaker, the issue of the OPVs is an exhausted topic. When we came in there was a commitment involving TT \$5 billion that was made by the administration of the Member for San Fernando East. We reviewed that, there were problems with the process, with the contract, with the procedure, in fact, with the vessels. We decided that would not be the way to go, that there was an alternative way, and we are pursuing that.

Then they accused us of trying to dismantle the intelligence sector with some wild accusations, when we brought order to that sector. With the introduction of the interception of communications law, we brought order, finally. They accused us of trying to dismantle the sector. Now, there is an attempt to undermine the integrity of that organization by trying to undermine the quality and credentials of the newly appointed director, as part of a campaign. The national community will only respond to us in terms of results.

I want to remind my friends opposite, when they had everything: OPVs in motion, they were looking at a 360 degree radar and the secret interception, you know crime did not go down. They had Mastrofski for \$80 million; they had Anaconda; they had blimp; Baghdad; they had Cobra—what other type of snake?—eye in the sky. They had everything, but the figures did not demonstrate a drop in crime. Why? They came with an outlandish and completely ridiculous notion about dismantling the security services, while the former Prime Minister, the Member for San Fernando East, publicly met and treated with individuals who were alleged gang leaders; interfacing with them; building. I think 99.9 per cent of them are dead.

Hon. Member: “All dead!”

Hon. Dr. R. Moonilal: Right now one challenge we are facing is dealing with certain elements in the public sector that have been, and some continue to be, involved in various contracting relationships with the Government and they may be persons and organizations connected to the criminal elements in the criminal underworld. We met that situation and we have to deal with it, whether it is in the URP, whether it is in the HDC or whether it is in CEPEP. Wherever it is, we must confront the situation, where there are lawless characters involved, propped up and embedded into various arms of the Government. That is a situation we met.

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We have now to unplug, to quickly get rid of that element, because the amazing irony is that over the years the taxpayers may have been funding the escalation of crime; taxpayers' dollars funding crime. Today that is a challenge the new Government confronts. It did not start yesterday, it did not start last year, it did not start years now. We are not here to fight over when the problem started. The national community is not interested in the murder rate in 1994.

Where is my friend from La Brea? Is he there? [*Crosstalk*] I am not seeing him. My friend, the Member for La Brea, went on to 1993 or 1994 with the murder rate. I want to tell you something: Nobody in Trinidad and Tobago today care about the murder rate in 1994. They care about the murder rate in 2010 and 2011. They care about it today; nobody, nobody. That is my position. So by telling us all these statistics, whether it is the UNC or PNM and what it was in 1994, 1998 and 2001, all that is good. We will keep that for when we write the history. People are interested in the murder rate today and what we are doing. The Government must demonstrate that we are taking concrete and tangible steps; legislation is one integral part of that approach and there are other parts. Dealing with history, for my friend, the Member for La Brea, does not help us now. It cannot help us; we have to confront the reality we face.

I will ask my friends opposite to keep in mind that many of them have had the opportunity to govern their party. They have tried their best. We are not here necessarily to blame Members opposite individually. We had a dispute with the approach of their government and their leader, and the leader carries that responsibility. We are not here to attack any Member opposite in anyway personal. We believe that Members opposite are, by themselves, law-abiding citizens. They are the representatives of people and we meet and treat with you with the respect that is due to persons who represent others. We had a difficulty with your former administration and the leadership and policy, as the Member for Diego Martin publicly indicated.

The Member for Diego Martin West is on public record as expressing very deep concerns, as far as the governance of the last administration goes. He has expressed deep concerns. We are not the first to do it. He has expressed concerns, as far as governance goes, as far as lawbreaking goes. He had the issue of the Sport Company, the issue of governance in the state sector. The Member for Diego Martin West, under the former administration, a part of the government but not the Cabinet at the time, expressed very strong views on the lack of proper governance on behalf of the last administration. Today he has a little problem; we hope he sorts it out, I think you owe some money to the PTSC and I understand

now that you owe some money to the CNMG. We are concentrating on how much money the Leader of the Opposition has to pay, because the Member for San Fernando East says it is not a problem, they will pay; “but he not giving a cent, eh”.

In all, I think they must owe about \$2 million or \$3 million well to both the PTSC and CNMG, as a result of the activities of the former Prime Minister. The Member for Diego Martin West is an honourable gentleman. I am sure he will find that money to pay the state entities, because you cannot be proposing and advocating and promoting yourself as an alternative government and you cannot meet your legal obligations to the State. I do not think the citizens would want that. As soon as they abide by the law and pay the dues to PTSC, CNMG and other state enterprises, they can then talk about lawful governance. [*Interruption*] In fact, the Member for San Fernando East still owes the court some money, but these are not my matters. These are matters to be dealt with at the level of their party.

Mr. Speaker, in closing I invite Members opposite to please reconsider this strategy, this campaign about nonperformance, because the last thing you want is for me to give you a “next” half an hour on the performance of this Government. You do not want me to do that. In the next three days, on Monday night, we will have an opportunity at Rienzi Complex when we celebrate the one-year elevation of the Member for Siparia as political leader of the UNC and her executive committee. When we celebrate, we will have ample opportunity at the Rienzi Complex to speak at length about our achievements.

The big things come to mind immediately: the introduction of the Children’s Life Fund, so that not one single child will ever die in this country as a result of not having money for life saving surgery; the Interception of Communications Bill comes to mind as well; the treatment of different groups in the society, that comes to mind, but those are issues which we will speak more on at Rienzi Complex. [*Crosstalk*]

I invite my friends. For obvious reasons they will not come down in yellow at Rienzi Complex, but it will be live on television and radio, and at your leisure I invite you to tune in Monday evening from about 7.00 p.m. You will hear the achievements of the Government, not only on crime, which I gave today, but in the social area as well. The Member for Caroni Central will speak at length about our contribution as it relates to increasing grants for the underprivileged. He will speak at length on that on Monday evening.

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Mr. Speaker, this is not my job; it is certainly not a matter for this debate to speak those achievements. It is really to alert Members opposite that they should really cut this campaign of challenging us to speak about our achievements. We are in the process of compiling a small book. It is eight months, but we think we can immediately produce a book, *Promises Kept*. We want to produce something for you to keep, so you can reflect on it. It is not only in fighting crime and legislation; I alert Members opposite that we have the Evidence (Amdt.) Bill that will also come. We have, of course, a big mega Bill, which we spoke about with the Opposition 24 hours ago.

With these very few words and in support of the measure by the distinguished Minister of National Security and with gratitude to my friends opposite for their support—[*Interruption*] Would you like to pose a question?

Dr. Browne: I thank the Member for giving way. Just a point of clarification, Member for Oropouche West. You made an issue with regard to an earlier crime Motion during the previous administration. Are you indicating that only the then Minister of National Security and yourself spoke on that Motion?

Hon. Dr. R. Moonilal: I indicated that the Motion came up for debate and we had one day of debate. We never had a second day of debate.

Dr. Browne: That is not what you said before.

Hon. Dr. R. Moonilal: I spoke on the Motion; I was the only Member of the Opposition to speak on the Motion, at that time. If I am wrong, you can correct me. You see, you are inviting me to continue now, which you should not.

Dr. Browne: Go ahead! [*Crosstalk*]

Hon. Dr. R. Moonilal: The issue is not who spoke and who did not speak. The issue is that we come with crime every week, twice a week and when you had a Motion, you came one day in 16 months to deal with it. It had to do with priority. The issue is not if you talk or I talk or who talk; it is priority. What was your priority? Your priority was not dealing with crime. Clearly no one in the national community could look at this Parliament today and say that the Government is not confronting this issue of crime on all fronts, but particularly as it relates to legislation.

Mr. Speaker, I thank you.

9.05 p.m.

Miss Joanne Thomas (St. Ann's East): Mr. Speaker, I thank you for the opportunity to contribute towards this Bill.

The Member for Oropouche East got up and said he was not prepared to speak. As a matter of fact, the Member for Tobago East got up to speak and I think she was silenced by the Member voicing to speak. [*Interruption*] It makes me believe—I think our contributions for the day thus far have prompted him to the point that, “leh me go and deal with this.” All I need to let the Member know is, all we do is state the facts.

Miss Hospedales: That is right! [*Desk thumping*]

Miss J. Thomas: That is all we do, state the facts. So, with you rushing here to be defensive, the facts still remain, that is the bottom line. [*Desk thumping*]

I would not harp on a lot of the things that you mentioned, but one thing is common, you talked about the appointment of the Commissioner of Police and that crime is down, but simple calculations would show 27 murders as of last night in 20 days. If you consider that as crime decreasing, well then something is wrong with that maths there.

Mr. Speaker, again, you talked about the distinguished—what is it, the distinguished position in the SIA?

Dr. Browne: Yes, calling the directorship an esteemed office.

Miss J. Thomas: The esteemed office of the directorship—and I just want to let the Member know that an informal poll that was done while we were in here, indicated that 92 per cent of the public were not in favour. [*Desk thumping*] Just informal information that took place today while we were in here.

Mrs. Gopee-Scoon: What is the figure 98?

Miss J. Thomas: Ninety-two v eight. [*Interruption*]

Mr. Speaker, I join with my colleagues in supporting this Bill, because we look at the number of orphans we have in the country now who have lost either one or both parents through gun violence. We look at the many mothers who have lost their sons, some of them their only child, through gun violence. It makes you think, what is to become of our future generation? Another significant impact on gun violence is the impact on our family life. When all of our men are killed by gun violence, what is to become of the head of families?

We look at the impact of a family that has lost a son, who is the head of the family, the breadwinner, what is to become of that family? As you can see, no one is exempted from the impact of illegal firearms. Gun violence affects all of us.

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Mr. Speaker, I looked at clause 7 which seeks to increase the penalty for carrying a firearm or ammunition in any public place without lawful authority. In recent times many people have been killed in bars and pubs. We know in times gone by most people would go to a bar or a pub in their community, and that is where you would mix with friends, you would sit and talk—most of the time the topics are either politics or religion—and you would have a drink. As a matter of fact, for persons aspiring for political office, most times you are given the advice to go into a bar, meet the people, mix with the people and that is where you get a sense of the pulse of the area that you are looking to represent, but now you cannot take that chance.

Mr. Speaker, while I agree with the amendments to the Bill, the big overriding question is: where are these guns coming from? How are these guns entering our shores? As mentioned before by my colleagues, serious attention needs to be paid to the agencies securing our shores. The time has come for focus to be given to the personnel manning our shores: the Customs and Excise, the coast guard. Measures need to be put in place to ensure that these officers can competently and efficiently perform their duties. [*Desk thumping*]

I am not in the security services, neither do I have a full grasp of the operations of the security system, but anyone can understand that in order to have the volume of guns that our policemen come upon day after day, it has to be linked to shipments and shipments of guns in our country. We need to secure the lives of our future generation, we need to get back our freedom, we must do something. We the lawmakers must do everything within our powers to take back our land. We must put policies and procedures in place to ensure that guns do not enter the country.

Mr. Speaker, I have outlined just about two social issues that are impacted by the free use of firearms. As mentioned by one of my colleagues, the Government needs to adopt some of the social measures instituted by the PNM. We need to go into our schools and we need to talk to our young men about the impact of gun violence. It is my understanding that the Cadet Force had such a programme in place. There was also the community mediation programme implemented by the Ministry of the People and Social Development under the leadership of the former Minister and the Member for Diego Martin Central and the Member for Arouca/Maloney. [*Desk thumping*]

I also just want to commend the Minister on clause 15, which seeks:

“...to amend the Act to give the Commissioner of Police the discretion to suspend, or to refuse the granting of, a Firearm User’s Licence or a Firearm

User's (Employee's) Certificate for five years in the case of a person who is convicted of an offence under the Domestic Violence Act.”

Now I know that my two colleagues mentioned domestic violence. Of course, I concur with the Member for Laventille East/Morvant that men really cannot take “horn”, but we also have men who go on a rampage when they go home under the influence of alcohol and I fully support those measures as regards this particular clause 15. Overall, I agree with the concept of this Bill and I understand the measures that it would impact as regards illegal firearms in this country and I stand here and say I join with my colleagues in supporting this Bill.

I thank you, Mr. Speaker.

The Minister of Tobago Development (Hon. Vernella Alleyne-Toppin):

Thank you, Mr. Speaker. I thought I would be speaking right after the Member for Port of Spain North/St. Ann's West and then after the Member for La Brea, because we have come through the same profession; we have come through the teaching profession. I have been a teacher for the past 39 years. I have taught at every level in the school system, from pre-kindergarten to university and I have taught in several countries as well. I have been a lecturer for the last 15 years.

Now, can you be a teacher and not know how to do remedial work? If you are a teacher and you do not know how to do remedial work, I give it to you, you are not a teacher. [*Interruption*] Therefore, you have not been trained or you have not been taught what it is to teach. I want to rest that with you as teachers. What did you do when you got into service? Let me ask a few more questions. Are you against universal secondary education? What did you do when the children came into the schools? Did you just throw your hands up and leave them to their own devices?

It was the UNC Government that started the National Energy Skills Centre; it was the UNC Government that started the Institute of Technology which is now the UTT, and what of Tobago? Was the UNC Government in office in Tobago between 2001 and 2011? How is it then that education in Tobago has hit an all time low? When you come to argue about the advent of free secondary education for all, remember what happened before the advent of free secondary education. Remember how many children were left by the wayside. Let us ask the Member for La Brea to go and help us find the 4,000 children that have been left behind because of the system that you instituted. But I do not want to stay with education, although education is one of the pillars under which we would bring a proper society to being and this would happen under the People's Partnership Government. [*Desk thumping*]

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Mr. Speaker, I want to convey my condolences to the family of ACP Cecil Carrington, who has roots, I am told, in Parlatuvier; roots that extend into my own family. I want to ask the Members of this honourable House and of the other place, and all of the wider public, what would you do if they come for you? What would you do if the criminal element creeps into your house and comes for you? If you hear a noise in the middle of the night and you sit up in your bed, jumping out of a deep sleep and there is a young man facing you down with a gun, what would you do?

I know of a teacher who this happened to and she jumped out of her sleep and a man was facing her down with a gun and he said to her, "Lie down miss", he recognized her as a teacher. He said, "All yuh don't touch that one". What would you do if a young man comes in the middle of the night with a gun for you? Would you give him your daughter? Would you give him your wife? Would you give him your money or your car? Would you give him yourself? Would you give him your life? What would you do? Suppose he came for all of those, what would you do?

9.20 p.m.

Colleagues in this Parliament, I heard people talking about scoring cheap political points. If you are not a part of the solution you are part of the problem, so be careful that we do not send to the public, the signal, that we are fighting ourselves and not fighting crime.

Does the PNM have the moral authority to accuse this Government of doing nothing about crime? I sit here every day and I listen and I wonder whether we are in a world of dreams. Do they have the moral authority to say that the People's Partnership has done nothing in eight months about crime, in the face of every bit of legislation that we have brought to this House; in the face of our hon. Brigadier, the Minister of National Security, putting in every possible programme in a holistic way to deal with crime in this country?

I want to quote from a Member from the other place who said: "This is Trinidad and Tobago; this is our problem because violence does not discriminate and it comes knocking on each and everybody's house door at some point in time." I say again, because of this, because we have come to this point, I say thank God for the People's Partnership. [*Desk thumping*] I continue along with the PNM and their response to crime, and I say as we say in Tobago, "crapaud would have smoked we pipe."

In a study titled “Guns and Crime: A Case Study of Trinidad and Tobago” by Yvette Holder, a consultant, it was revealed that crimes are overwhelmingly committed by mostly young men of low socio-economic status whose physical and social environment act as an incubator and who are influenced by agents/vectors, including trafficking, gun-criminality, narcotics and sex crimes.

The common denominator in the consideration of violent crime is the possession of guns. Therefore, the Firearms (Amdt.) Bill seeks to arrest access to the proliferation of illegal guns. Let us look at some of the statistics as reported by the police record. There was a total of 506 murders for 2009 and 472 for 2010. The Member for Arouca/Maloney kept asking for figures. This figure indicates that the year 2010 saw a reduction in murders of 6.7 per cent. Firearm-related murders reduced by 1.39 per cent in 2010. There were four divisions responsible for this reduction and they are as follows: Port of Spain division with a 23.42 per cent reduction; western division with an 11.29 per cent reduction; north-eastern division with a 20.93 per cent reduction and Tobago with a 40 per cent reduction. And we are at the point of losing one of our best crime fighters in Tobago, one ACP Allan Crooks, in Tobago who is to retire shortly.

Murders: 2009, 360, 2010, 355; Robbery with Aggravation: 1,466, 2009, 2010, 1,331; Robbery with Violence; 2009, 431, 2010, 387; Wounding with Intent: 213 in 2009 and 154 in 2010. There was a total of 37 firearms found for 2009 and 30 in 2010.

Already we are seeing that the crime initiatives put in by the People’s Partnership have begun to work. The many crime-reducing initiatives of the People’s Partnership have been enunciated by my honourable colleague here, the Brigadier, the Minister of National Security. This country cried daily over the poor responses to crime of the past Minister of National Security. I wish to at least share some of the initiatives, although we are late in the night and the Minister has done it so ably.

We have approved the appointment of a Commissioner of Police and Deputy Commissioner of Police; continued to build on the model police station initiative; increased vigilance and police raids in the known gang areas; deployed law enforcement personnel; begun the process to employ the former members of the defence force and other protective services to man stations; focused on a more user-friendly and customer-friendly atmosphere at police stations; increased municipal police; continued through the police academy to train our officers; launched a private security network commission. I could go on and on, but you can check the *Hansard* if you did not listen when the hon. Minister was speaking.

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Now, we passed a new Interception of Communications Bill; the Anti-Gang Bill, the Evidence (Amdt.) Bill—we are currently before the Parliament with that one—and now the Firearms (Amdt.) Bill. And you say we are doing nothing about crime. The PNM government left Tobago completely exposed to the great Atlantic Ocean and the Caribbean Sea. Fast ferries brought in fast crime and the *Warrior Spirit* rolled and wallowed into Scarborough night after night, bringing every kind of cargo, and yet no vehicle scanners were ever installed. The Tobago House of Assembly claims to have tried, without success, to get, what they call the ASS, the Assembly Security Service. They brought a Bill in their House, moved their motions, passed their Bill and tried to get their own PNM colleagues in Trinidad to make the Assembly Police a reality, to no avail. They have now asked me to bring that to the Parliament on their behalf so that Tobago can get the Assembly Police. There was no political will in Port of Spain—a PNM-run government in Port of Spain and a PNM-led government in Tobago—to bring any comfort or relief to the people of Tobago. It is the People's Partnership that will bring the Assembly Police into being. Of course, we are not going to name it the ASS; we will call it the Assembly Police.

Under the PNM, crime rose to its highest and most brutal realities. There is an African proverb that says: “It takes a whole village to raise a child.” Each of us should ask ourselves now: how is my village raising its children? The Member for Port of Spain South, Member for Diego Martin North/East, how is your village raising your children? Each of us should ask now: what can we do to help our village raise a positive child?

You know, we listen to our calypsos, and Chalkdust asked: “Where bandits come from?” If you listen carefully you will find out where the bandits come from, because as we go about our daily duties we create them and evil prevails where good men fail to act, and where the PNM failed to act, the People's Partnership is acting and is having positive results.

I do not intend to be long, but I want to raise a special appeal to the mothers of this nation, as my colleague did to the fathers of this nation. Mothers of this nation, the hand that rocks the cradle rules the world. I am making a special appeal tonight to the mothers of this nation. We are helping our country—from the People's Partnership—to move towards a better society and we need your support. Just as the Minister of National Security has asked the fathers to come on board, I am asking the mothers to come on board. Overwhelmingly, statistics show that young males are the criminal offenders. They are the gun-toting offenders and we all know that women have a special affinity to their sons and

sons have a special affinity to their mothers. Whatever the dastardly act the youngster commits, we see on the newspapers every time and we hear on the media, the mothers say, "He was a good boy."

Mothers, I am appealing to you tonight wherever you may be to take control, to rock the cradle and rule the world. Grow up your child in the way it should be and it will not depart from that way when it is old. Save Trinidad and Tobago from the scourge of crime. Do not spare the rod and spoil the child. If you do not allow the child to cry when it is growing up, you will cry when the child is grown, because this Firearms (Amdt.) Bill and all of these other Bills that we have brought, will hold your child in a place where your belly will boil every day. I myself am a mother and when my sister-in-law was shot in Tobago by a bandit, I can tell you how that ricocheted through our family, and it continues, and God rest her soul—she is deceased now, but she died with that bullet in her after quite a few years.

We are all citizens of this country and we have devised, in the People's Partnership, something that resembles the cat-o-nine tails to bring people to their senses. It is not like the old cat-o-nine tails that we used to use long ago; it has different arms, and some of the arms include educational intervention; some include social intervention, but a whole lot of them include increased penalties for crime. Together we can turn around this nation.

So I am asking the mothers, of course, to embrace the initiatives of the People's Partnership. You cannot expect to live by the gun and die as an old man in your bed. The statistics are showing that the mortality age for young males in Trinidad has gone down to about 36 years old, on average. This is crazy. We have some societies that have shown us the examples, societies have had wars where there are so few men after a period of years that the societies are without men. The men are the leaders in our society and they should lead, not destroy.

I want you to know also, mothers, remember that we have a clause in this Bill that says, "a person who occupies—controls or is in possession of any land, building, room, vessel, vehicle, aircraft or place in or on which is found any firearm or ammunition;" in other words, if the police come to your home and they find a firearm or ammunition, everybody in the home goes down. The Member for La Brea was asking: what would happen if you are in the car and everybody says that bag is not theirs? Member for La Brea, I was on the ferry once and they were searching people and I was in line. They were searching a man right in front of me and he said to the police: "This bag that you are searching is not mine; it

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belongs to the lady behind me.” I had never seen the man in my life. You understand? And he started to move away and the police moved as if they were coming to me and then realized he was trying to escape, and they held him. I had never seen the man in my entire life. So your situation is: what do you expect the police to say,—everybody go? What do you expect the police to do? Tell everybody, “Okay, all yuh go home, everybody say it is not their bag, go home.” Everybody goes down.

9.35 p.m.

I know of some young fellows who lived in Canada. Just a few months ago they were in a car going to a party. The police stopped the car, searched it—it was some sort of roadblock thing—and found a gun. Several of the men in the car did not know there was a gun in the car. They were all deported. So, they are now right here with us, feeding on us. That is another issue that we have to attend to. *[Interruption]* In a taxi? Everybody goes down because you cannot let anybody go home. You have to find them a good lawyer to defend them. But everybody goes down. *[Interruption]* What do you want the police to say,—everybody go home? *[Interruption]* You make a good point, but everybody would go down, not home.

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

In other words, we have to educate our youngsters that the law is going to change. *[Interruption]* I am sure you all will support it. The law will change. We can tell our youngsters, “Three strikes and you are out.” That is important for them to know.

Many of the young fellows do not know what the consequences really are. Many of our young people do not think about cause and effect. They are vexed so they do something. They are vexed so they pick up a gun and they do not care what happens. They say that. It is time that we show them. Give them tours of the prisons and show them what they would inherit. Three strikes and you are out. It has worked remarkably well in the United States.

The Brigadier also says that we are going to have all-points bulletin (APB) searches. You know what that is. You know what is the APB? Somebody shot ACP Carrington. The person, the newspaper said, ran out, got into a black SUV and drove off. When the systems the Minister says he is putting in place comes into being, that vehicle will not reach anywhere. I cannot understand how one gets

away after one gets into a car in a place like Trinidad which has all the traffic jams, although the hon. Member for Chaguanas West is easing up all the traffic jams.

I do not understand how you can get into a car, after you have shot somebody in this place, killed the person, and get away. Well, the Brigadier is bringing in what we call the all-points bulletin. Everything will shut down in that area, the helicopters will come over and we would see what would happen. Trinidad is too small; Tobago is too small for anybody to get away with a crime like that. That happened yesterday.

Mr. Speaker, what makes a man a man? When our young men are growing up at home, you know how they decide who is a man? “Okay, boy, take a drink now.” “Okay, boy, let me give you a cigarette, pull something.” That does not make a male a man. We have to understand how to shape our sons. It is not just genitalia and prowess that makes a man. It is not just a measure of physical strength or that the inner man must possess a robust independence. He must be a rational human creature.

He must be somebody who understands that he is there for the protection of his family and not for the destruction of his family; and we come back to the Domestic Violence Act. We must understand that we need to grow our men and encourage them to manage conflict; to understand how to manage anger; to have a healthy mind and not go out to plunder, commit murder and mayhem in the dead of night, and now, in broad daylight.

I understand in some places in Trinidad people walk about with their guns on their hips like gunslingers from the wild, wild West, and shoot into the air. I know the places. Teach your sons, like the song *The Gambler* says, let your son “know when to walk away”. Not so, Minister Ramadharsingh? “Know when to run [and] never count your money while sitting at the table.” [*Interruption*]

If you must be deviant, think about positive deviance. Member for La Brea, there is positive deviance. Martin Luther King, Nelson Mandela and Mahatma Gandhi. There is positive deviance. I say all the time, Rosa Parks on the bus, positive deviance. Make a difference. Deviate from the criminal behavior of your peers. Make a difference. Have a mind of your own.

I want to quote from Rudyard Kipling’s *If* poem of 1895. It is a poem we grew up with in my house.

“If you can keep your head when all about you
Are losing theirs...”

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Mr. Roberts was one of my father's best friends. They were principals. I know Anil as a little boy running about the place.

“If you can keep your head when all about you
Are losing theirs...
If you can fill the unforgiving minute
With sixty seconds' worth of distance run
Yours is the Earth and everything that's in it,
And—which is more—you'll be a Man my son!”

So be a man. Be a man, and use your testosterone wisely. Be a man. [*Desk thumping*] I cannot say what is going through my mind now. Testosterone increases how much hundreds per cent when one has a gun in one's hand? Get a toy gun; get another kind of gun. That is a serious statement.

Mothers, do not forget to pray and teach your children how to pray. Mr. Speaker, in every creed there is something called karma; there is something called retribution and the sins of the fathers fall on the third and fourth generations. Teach your children how to pray. If your child keeps a gun in the house, when the police comes for him/her the police will also take you. The People's Partnership Government is not joking about that.

We can go to every culture, and remember that song called *In the Ghetto*:
On a cold and gray (December) morn,
A poor little baby (boy) was born, in the ghetto.
He started to roam the streets at night,
And he learned how to steal
And he learned how to fight
In de ghetto
And, one day in desperation he stole a car
He bought a gun
He tried to run
And he did not get far
And his mother cried

We have all the lessons; good lessons and bad lessons. And, we have Gypsy's *Little Black Boy*.

Every day we open the newspapers and see mothers crying. We see the mothers crying.

Mr. Speaker, I close by saying, mothers, we can make a difference. With all of the things the Government is doing, mothers can make a difference because the hand that rocks the cradle rules the world.

The Minister of State in the Office of the Prime Minister (Hon. Rodger Samuel): Mr. Speaker, it is a privilege for me to participate in this debate which deals with the Firearms (Amdt.) Bill, 2010. Seeing that I am a preacher, most persons in the House tonight would, probably, expect me to start this discourse by declaring, and stating definitely, that the real reason this country has plunged into the decay that it has is because there is no fear of God anymore. Though that may be true, it is not my intent just to declare that. It is my intent, really, to give reasons why, and to show reasons why these amendments to the Firearms (Amdt.) Bill are not only necessary, but are essential to the cause at this time.

When we look at the reports that come out on a regular basis, there is one I would like to quote. I seek your permission to do such. It is "A Situational Analysis of Gun-Related Crime in the Caribbean." Part of this report says that:

"Gun crime in the Caribbean is not an isolated issue; it is part of a larger problem with global dimensions."

It goes on to say that:

"Guns kill so many people around the world that former United Nations (UN) Secretary General Kofi Annan said 'The death toll from small arms dwarfs that of all other weapons systems...In terms of the carnage they cause, small arms, indeed, could well be described as 'weapons of mass destruction'..."

If I were to take that in isolation it then brings me back to when the same terminology was used some years ago in a country in the Middle East that laid threat to the rest of the world. Around that time when the threat was laid, there was a coalition of the world's military forces that attacked Iraq with full force and stabilized the situation, ensuring that there would be no further threat on the nations of the world.

I want to take the same idea, on the same premise, to let those on the other side know that on May 24 there was a coalition of the forces in Trinidad and Tobago that came together to ensure there is an attack on crime and on the things

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that were so divisive in our nation. This nation voted overwhelmingly for the coalition forces in Trinidad and Tobago. [*Desk thumping*] We, today, are well-guided and well-led under the leadership, not only of the hon. Prime Minister, but—when it comes to national security—through the able hands and wisdom of our hon. Minister of National Security, Brig. John Sandy.

Mr. Speaker, it says that in the Middle East you needed a General to fight and lead the troops against the evils of the day, and now we need a Brigadier to lead the troops against the forces and evil that affect our nation. It is important for us to realize that.

We are living in dangerous times. Dangerous, may be a mild word if we really take a good look at the situations that are happening, not only in Trinidad and Tobago, but around the world. All of us who are here realize that we are not the manufacturers of small arms. We are not the manufacturers of these types of artillery and weaponry that infiltrate our nation. If we are to be cognizant of the fact that these small arms enter into our country through means that are illegal; through means that are not according to law, because their intent and purpose is to be divisive; their intent and purpose is to defeat the very purpose of law-abiding citizens; their intent and purpose is to do harm to the citizens of Trinidad and Tobago.

If...

Rudyard Kipling

If you can keep your head when all about you
Are losing theirs and blaming it on you,
If you can trust yourself when all men doubt you,
But make allowance for their doubting too;
If you can wait and not be tired by waiting,
Or being lied about, don't deal in lies,
Or being hated, don't give way to hating,
And yet don't look too good, nor talk too wise:
If you can dream - and not make dreams your master;
If you can think - and not make thoughts your aim;
If you can meet with Triumph and Disaster
And treat those two impostors just the same;

If you can bear to hear the truth you've spoken
 Twisted by knaves to make a trap for fools,
 Or watch the things you gave your life to broken,
 And stoop and build 'em up with wornout tools:
 If you can make one heap of all your winnings
 And risk it on one turn of pitch-and-toss,
 And lose, and start again at your beginnings
 And never breathe a word about your loss;
 If you can force your heart and nerve and sinew
 To serve your turn long after they are gone,
 And so hold on when there is nothing in you
 Except the Will which says to them: 'Hold on!'
 If you can talk with crowds and keep your virtue,
 Or walk with kings - nor lose the common touch,
 If neither foes nor loving friends can hurt you,
 If all men count with you, but none too much;
 If you can fill the unforgiving minute
 With sixty seconds' worth of distance run -
 Yours is the Earth and everything that's in it,
 And - which is more - you'll be a Man my son!

9:50 p.m.

Mr. Speaker, it is so important for us to see the holistic approach of this government, that when you hear the Minister of National Security as he lays out the plans they are so multifaceted and multidimensional, they are so well put together, that I am quite surprised that in so many instances those on the other side keep asking for a plan; keep asking for a plan.

As the old adage says, "In the abundance of water, the fool is thirsty." When we look at the plan, Mr. Speaker, it does not take an individual to be a weapons scientist or a rocket scientist, but we would recognize that there are five dimensions of this plan that are necessary, that have been coined together to ensure a quiet and a far safer Trinidad and Tobago.

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I have sort of coined them in different ways, Mr. Speaker. One, we speak as we upgrade the protection mechanism; it means that the law enforcement arm of the protective services—we as a Government are seeking every means and are ensuring, Mr. Speaker, that the protection aspect of their duties is fulfilled in the manner that it was designed to be fulfilled.

Not only is protection essential for law-abiding citizens, there comes the arm of prevention. Prevention, Mr. Speaker, must be part of all of the designs of law enforcement; must be all part of the designs of fighting this dreaded disease that has so plagued our country. Prevention is necessary because if we can win the battles with regard to preventing the situation, then all of the other aspects will not be necessary. All of the other arms will not be necessary, because the preventative mechanism will be at work.

It is through the Ministry of National Security and many of the other ministries that all of the plans and programmes for the preventative mechanisms of this Bill and this attack against this dreaded disease have been implemented. We have—through the Ministry of National Security, many of the youth programmes; through the Ministry of Sport; through the Ministry of Community Development; through the Ministry of the People and Social Development—programmes of prevention to ensure that young people have a choice and they do not just have to gravitate toward criminal intent and criminal activities.

Prevention is one thing, but there also, as part of this plan, is what we call the detection arm of the plan. It is necessary, therefore, Mr. Speaker, that the detection arm of this plan be so empowered to ensure that all the tools and the machinery; all the technical assistance be had with our law enforcement agencies, so that crimes can be easily detected.

If we listen to the plan, that is why all of the Bills, all of the amendments to Bills that we have brought to this House with regard to crime have been brought to ensure that the protective services are empowered. So detection is relevant to this plan.

If we look at the past statistics, Mr. Speaker, we will recognize that one of the problems that we have suffered as a nation is the problem of detection. If we are to accumulate the statistics, the end result we would find is that though we have many of the criteria that are alarming and great numbers of criminal activities, we find that the detection mechanism in the past has its flaws and we were not detecting the crimes and solving the crimes as fast as we should, so there were flaws in it. This Government, through the Ministry of National Security, in its bid to empower the forces that are responsible for the protection of the nation, pays particular attention to crime detection, Mr. Speaker.

Not only crime detection, but when the crime is detected and the criminals are held, then comes the next phase, detention. Detention is something, Mr. Speaker, which is essential in Trinidad and Tobago. When individuals cannot control themselves and will not utilize their freedom in the manner that they ought to utilize it, then it is the right of the law enforcement agencies to hold them in detention for the purpose of changing their lifestyles.

Mr. Speaker, we all have to agree that not every individual who commits crime and whose life has been so plagued by this disease called crime and criminal intent will change. There comes the other arm that we call retention. It is there, after all of the legal processes, that retention under the penal system must be instilled and must be as draconian as the crimes that are committed.

I am fortunate, Mr. Speaker. You know, we oftentimes use Singapore as a model nation, and we talk about how Singapore is one of the nations that is so developed and has capitalized and used its human resources, and that there is limited crime in Singapore. Mr. Speaker, if we were to look at the Arms Offences Act that comes out of Singapore, we would recognize that in Singapore, they still “does” beat people.

It is said that the penalty for being in unlawful possession of arms or ammunition—and we always rate Singapore and we talk about Singapore, that if you drop your wallet on the ground, you could come back next week and find it there because people are afraid to pick it up because of the penal system. Mr. Speaker, if you listen to this, you would realize why they have been able to maintain the high levels that they have been able to maintain. Sometimes we are afraid to do the things that are necessary.

There is an old saying that when the going gets tough, the tough must get going, and the time has come for the tough to get going.

In Singapore, Mr. Speaker, the penalty for being in unlawful possession of arms or ammunition, it says:

“(1) Subject to subsection (4), any person who is in unlawful possession of any arm or ammunition shall be guilty of an offence and shall on conviction be punished with imprisonment for a term of not less than 5 years and not more than 10 years and shall also be punished with caning with not less than 6 strokes.”

They cut their tail, Minister Sandy.

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Mr. Speaker, it says:

“(3) Where any person at the time of his committing or at the time of his apprehension for any scheduled offence has on his person any arm, he shall be guilty of an offence and shall on conviction be punished with imprisonment for life and shall also be punished with caning with not less than 6 strokes.”

They put you in prison for life and they cut your tail.

Mr. Speaker, I just want to reiterate that there is a clause about trafficking, but it says in section 4:

“Using or attempting to use arms to commit scheduled offence

“...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.”

Singapore, Mr. Speaker.

Trafficking, hon. Minister of National Security:

“Any person trafficking in arms shall be guilty of an offence and shall on conviction be punished with—

- (a) death; or
- (b) imprisonment for life and with caning with not less than 6 strokes.”

Singapore, hon. Minister of Education. Not only that:

“Any person proved to be in unlawful possession of more than 2 arms shall, until the contrary is proved, be presumed to be trafficking in arms.”

This is a nation that all other nations speak about, and talk about how they have high standards and the place is so clean and is so wonderful, but they had to take draconian measures to keep the place the way it ought to be. So nothing is wrong—

“Any person who consorts with, or is found in the company of, another person who is unlawfully carrying or is in unlawful possession of any arm in circumstances which raise a reasonable presumption that he knew that that other person was carrying or had in his possession or under his control any such arm shall, unless he proves that he had reasonable grounds for believing that that other person was not unlawfully carrying or was not in unlawful possession of such arm, be guilty of an offence and shall be liable on conviction to the like punishment as that other person with whom he was consorting or in whose company he was found.”

So in other words, Mr. Speaker, you are not getting away if you were in company of the person who was carrying the arms.

It is important for us, as we take note of all of these things, to see the sense in the measures that are recommended, the measures that are to be implemented in this amendment.

As a matter of fact, Mr. Speaker, I have before me, with your permission, a focus on government intervention, and it is headed, "The Effectiveness of Legislation Controlling Gun Usage: A holistic measure of gun control legislation." In part of this, they did an entire study, but I just want to declare unto this honourable House the results. The results show that comprehensive gun control legislation indeed lowers the number of gun-related deaths anywhere between one to almost 6 per 100,000 individuals in those states that have the most extreme gun-related legislation.

So we have got, Mr. Speaker, to take the necessary measures; make sure that the necessary measures are there so that people who plague this country will no longer have the freedom to do so in Trinidad and Tobago. Mr. Speaker, the time for political games is over. Our children are becoming apathetic to the danger of guns and gunshots.

I want to share with you, Mr. Speaker, an experience that I have had, where one morning, I went to my office at church some years ago and a young man came knocking on the door asking to speak with me. Obviously, as a preacher, you would welcome them in, because you are there to help people. He sat with me all nervous, and while he began to share some things that were on his heart, he dipped in his waist and pulled out a revolver and rested it on my desk. So I sat there, sort of watching him to see what on earth he was about to do, but we spoke for another hour and a half, Mr. Speaker, and he shared all of the things that he was going through and how he was so frustrated in life, and then with an ease, he got up and he said to me, "Preacher, thank you for hearing me, boy. If you didn't hear me this morning, I might have killed somebody." He took up the weapon as if nothing counted, stuck it back in his waist and left, cool and calm. Obviously, I reported it.

So, Mr. Speaker, when a nation reaches the point where, on a daily basis, we are plagued with the news; we are plagued with the experiences; we are plagued with the everyday living experiences of death on the streets, death on the sidewalks, death in our houses with shotguns, it means that after a while, we will get so accustomed to it that it no longer affects us.

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A young man said to me one day he was walking home with his 7-year-old son—the community where he is living is a sort of terrible community—and he heard shots being fired, and understanding the danger of gunshots in a community and how you can be harmed by stray bullets, he snatched his 7-year-old and ducked behind a car. To his sadness, his 7-year-old son said to him, “Daddy, wha’ happen? You frighten or what?” It means, Mr. Speaker, that the son is accustomed to it, and it says to you and me that if we have a nation of children that are growing up accustomed to this thing, we are in a really bad state.

I am saying to you that I want to agree with the measures in this amendment wholeheartedly, because we have got to get tough when the criminals in this nation feel they are tough.

10.05 p.m.

The time has come for us to do something about it. Nobody could ever share and feel how traumatic it is when you stand at the end of a barrel, whether it is the barrel of a revolver, the barrel of a shotgun or a rifle. Nobody can ever tell and say that I understand how you feel. You can never explain the cold, callous feeling that you get when you stare down the barrel, and it is important for us to see that. It is important for us to understand that not only are we plagued with this aspect of crime, but it is what causes the crime.

Mr. Speaker, a young man in one of the conferences that I was privy to said to a preacher friend that he wanted to get out of gang-related things. He came looking for help and said to the preacher, “You know something, we would drive around in a car for 15 minutes; pump up the volume with ghetto and gangster music; we would pump ourselves fill; wind up the windows and put the air condition on.” He declared that when they do that for 15 or 20 minutes, he can come out that car, shoot his mother in cold blood and not even feel it. That is the kind of elements we have today. It is not just that they are holding guns, it is the mindset, it is what they are plagued with in their hearts and we have to do something about it. I applaud the Ministry of National Security for those kinds of programmes, the mentoring programme, the fathering programme and all the other programmes that are essential to turn the villages around.

The hon. Minister of Works and Transport—we were fortunate in Arima after having been ignored for so many years, to be able to rebuild a road that had fallen for 28 years. Do you know what happened in the midst of the construction? One night, one of the workers was murdered. I just want to share because this is very close to my heart. These guys would work around the clock. They were working to a schedule and everything was on time, but they had gotten accustomed in the

village, so the villagers—you know villages, Minister of Arts and Multiculturalism. When you live in a village long enough everybody is one and you are no longer considered an outsider. So on evenings when he went down to the shop, there would be some cook going on or some soup being made. That night when he died they were making soup. A car drove by, the car left, and then all of a sudden the report was that they just began to feel things burning them. Four guys with bandannas just came running down the street shooting at anything that moved. When all the smoke was cleared, two young people were shot. One was shot four times, another one was shot twice, and then one of the workers was dead. That killed the programme because nobody wanted to work after that. People were scared—for no apparent reason.

So when you think about what we are plagued with, Mr. Speaker, the measures in the Bill are necessary, essential and are long overdue. We are not plagued with this overnight.

Hon. Member: Very good!

Hon. R. Samuel: This thing has been building up for years and if we understand what has been taking place for years, Mr. Speaker, you would realize that it has been a buildup, a build-up, a build-up, a build-up and nothing was done about it over the years. Nothing! Nothing was done.

Hon. Member: Very true.

Hon. R. Samuel: If something was really done—we have spent billions of dollars, but the results show worse. The results do not show that we have had value for money. The results in no way show that we really attacked this thing head-on, and now, while we attempt to attack this thing head-on we are hearing all kinds of things, all kinds of reasons and in so many instances it appears as if we are doing nothing, “so dey say”. You know about “so dey say”?

Mr. Speaker, not only are the statistics for firearm activities that result in murder high, but when you look at the statistics of the firearms that are being seized, it is alarming. It keeps escalating, and that is why I say it did not happen just so. It was growing by degrees because people appeared not to have the wisdom and the vision to deal with it.

In 1998, police seized 129 firearms; in 2000, 143 firearms seized; in 2001, 173 firearms seized and it kept growing; in 2003, 238 firearms seized; in 2004, 213 firearms seized; in 2005, 289 firearms seized; in 2006, 329 firearms seized; in 2007, 332 firearms seized; and in 2008, 432 firearms seized. Let me record that again. It is important for us to see that. So when you look at it, Mr. Speaker, it is

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very, very essential for us not to monkey around, not to play games with what is taking place in this country, but to overwhelmingly support the measures in the Bill and to ensure that these measures are passed, instituted and enforced to get rid of that which plagues this country.

Mr. Speaker—somebody said, Mr. Speaker, that I should not have a collection—it is therefore important and essential for us—and as I close, I want to remind all of us that there was a particular time in our nation’s history when the calypsonians of Trinidad and Tobago in support of the problems in Africa, wrote and sang a song in unison called *Now is the time*. That song affected the hearts of Trinidadians and Tobagonians, to the extent that they all got involved with the plight of Africa. The hon. Minister of Arts and Multiculturalism was in that song. I want to say today, that we have reached another time and another place in our history where the theme of that song, the adage of that song is so essential because never before in our history was it so necessary for us to sing when it comes to firearms and crime, *Now is the time*. [*Desk thumping*] Now is the time, Mr. Speaker. Now is the time for us to rally together to stop the bloodshed that pollutes our land. Now is the time to stop the blame game and the fights and start a fight for the lives of innocent people. Now is the time for law enforcement to begin to enforce the laws. Now is the time for us to weed out the rogue elements from the protective services. Now is the time. Now is the time. Now is the time.

But as I close—[*Interruption*]

Mr. Partap: “You all don’t like church over there.”

Hon. R. Samuel: Mr. Speaker, you could see that they have a problem with going to church [*Crosstalk*] because you should have said Amen and not “oooooh”.

Mr. Speaker, as I close I want to quote a portion of a song that was written some years ago by a song writer who is in our presence. In his calypso fraternity he was known as Gypsy, but he is the Minister of Arts and Multiculturalism. In pleading with young people to put down their guns, he penned these lyrics and they are very important for us to listen to. I make this plea to all of the young people of our nation:

“You have to put away that gun young man,
where are you going with that gun in your hand?
It doesn’t make much sense,
not when you have so much reference about what a gun can do,
there is much more good in life waiting for you.”

I want to end and encourage every young person with that adage, “Put down your guns, now is the time.”

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

The Minister of National Security (Sen. The Hon. Brig. John Sandy):

Thank you, Mr. Speaker. I want to extend sincerest thanks to all my colleagues in this esteemed House, for the worthy contributions we had here today and into the night. Hon. Members, we are all aware of the high number of violent crimes that are committed today in Trinidad and Tobago. It is a fact that a large number of these offences are committed often with unlicensed and, therefore, illegal firearms. What we are attempting to do here is to enact law that would make it difficult for those intent on carrying arms, using arms on our citizenry, to make it extremely difficult for them so to do.

In an effort to reduce the rising number of firearm-related crimes that are committed almost daily in our country, this Government has introduced the Firearms (Amdt.) Bill and we are of the opinion that the illegal use and possession of firearms and ammunition can bring with it no viable excuse. Criminals need to be made aware that their actions indeed carry consequences, not only for their victims, but for themselves as well. We need to teach the drug lords and the firearms traffickers a lesson and show them that we are indeed serious. Too many communities live in fear as I indicated in the other place.

I visited the Maloney area a few weeks ago and my dear colleague, the Member for Arouca/Maloney, accompanied me and—[*Interruption*] Yes, I do. I go to all the communities. This is how we are fighting it. We are not fighting it in the office. We are fighting it out in the field—what was startling, there are three buildings, Building 6 is separated by another building—I do not know what building that is—and there is Building 9, a distance, at most 200 metres. This is one community, and the people from Building 6 cannot go to Building 9. One building separates them and Building 6 cannot go to Building 9, Building 9 cannot go to Building 6. I asked one of the youngsters why is this so. He said, “Well, they cannot come across here and take our girlfriends from here, and we cannot go across there. If they want, take the girls from across there.” I said, “But this is one community”, and I told the youngster, I am from Port of Spain and my wife is from La Brea.

10.20 p.m.

As I am speaking about South, I wish to welcome the hon. Prime Minister to the House. I am happy to see that you are looking better, so I am sure that you are feeling better.

Mrs. Persad-Bissessar: Thank you very much.

Sen. The Hon. Brig. J. Sandy: Mr. Speaker, I shall not take us through the Bill again. We have ventilated thoroughly, but there are some areas that we raised, which we need to look at. A few comments were raised by our colleagues on the other side, which I would touch on, albeit briefly. The Member for Laventille East/Morvant raised the issue of the Firearm User's Licence and the fact that there are a number of people who have applied and have not heard anything and have not had their licences processed. I am hoping that she did not mean that all applicants should be given firearms or that we should flood Trinidad and Tobago with firearms. That would not be the best thing to do because we would have problems.

She spoke about clause 28(1B), and she asked that that clause be returned. The Member for Laventille East/Morvant, in expressing that concern felt that it ought to deter persons who come into possession illegitimately or the good Samaritans we had spoken about earlier. I wish for the hon. Member to note that section 28(1B) is not, in any case, in effect, as it has not yet been proclaimed. Further, an argument in favour of its repeal is that the provision is open to abuse and there is nothing which prevents persons, when found in illegal possession of firearms and/or ammunition, from invoking the provision as readymade defence. As I have indicated in my presentation earlier, the bandit could easily say, "I just found it and I am taking it to the police station." This is what we are trying to prevent.

The Member for Arouca/Maloney spoke about the Customs Department being part of those members of the State under section 6(2). I would read it for her again, so that she would understand. She might have been out of the Chamber when I did on the first occasion.

In accordance with section 6(2) of Act, the clause shall apply to personnel acting in the capacity of:

- “(a) a police officer;
- (b) a member of the Defence Force;
- (c) Director, Trinidad and Tobago Forensic Science Centre;
- (d) scientific officer designated by the Director, Trinidad and Tobago Forensic Science Centre.
- (e) a Customs Officer” —while patrolling the territorial sea— or
- (f) a prison officer.”

Mr. Speaker, similar to what was offered by the Member for Laventille

East/Morvant, the Member for Port of Spain North/St. Ann's West spoke about the granting of Firearm User's Licences. However, subsequently, she spoke about the training aspect of it, which is something I would come to later on, and for the same reasons we would not want to flood Trinidad and Tobago with firearms, particularly, because of the lack of responsibility FUL users display after having the weapon for a while.

I want to tell the Member for Port of Spain North/St. Ann's West as well, the laws we are trying to enact are not being taken in isolation. We are pursuing, with our law enforcement policies—we are coming with our joint operations, that would see a difference in the modus of those operations and, of course, there are the social interventions. These include our community patriotism initiative; something that she hinted to when she spoke about getting into the communities. The community patriotism initiative carries the message "Let us compete in sports and culture and not guns and violence."

I grew up in an environment where we played a lot of sports: cricket, football and basketball. I did not play hockey, the stick was too close to the face, but football, cricket and basketball. One community would play against the other community in sports. That was a big thing. Now, as I indicated earlier, there are so many other areas.

There are barriers. We went into the Beetham area. There are five phases. Phase I cannot go into Phase II, Phase II cannot go into Phase III and it goes right down to Phase V. We spoke with the people one afternoon and were about to leave. When we were going I saw a barrier. I asked, "What is this all about?" It was a makeshift barrier. They said, "Well, it is to deter the guys from Phase III from driving through and shooting up the place." They have their own security barriers put; makeshift barriers. These are the kinds of communities, because of the guns—we need to get rid of them quickly.

Community patriotism initiative is one of the areas of social intervention. We have our fathers programme. As we speak of that—as I have indicated, I go into a lot of the communities and speak to the people, the parents and youngsters. In one of the communities in which I went, there were approximately 120 parents. There were not 20 fathers or 20 males. I said to them, "Where are your colleagues? Where are your liming partners? Bring them out." What has been happening to us over the years is that we have not been having the correct role models. The role models are those with five, six or seven gold chains driving fancy cars who would tell you, "We never went to high school." So, the youngster feels that is the way

to go. I am not, for one minute, degrading our mothers, but it seems to be a status thing now to say that I am a single parent and I have five children. But, of those five children, where are the fathers? They are never there. There is the father who walks around saying, “Ah have 10 children.” But, are you taking care of those children?

One youngster said to me, “We have a lot of fathers. We have no daddies.” I am asking, as my sister asked, mothers to be mothers. I am asking fathers in Trinidad and Tobago to be daddies and take care of their children. Were we to do that, we would see a massive improvement in our youngsters. They would not gravitate to gangs, because they would have their fathers to nurture them and to guide them along the way and this is what we need. Quite apart from that, we have our mentoring programme, which is skyrocketing. There are a number of people and corporate bodies coming on board to assist. That is going to be a big one. It would be launched in April of this year.

Our school intervention: Initially I spoke about school intervention and putting officers in uniform in schools. Some people said, “Yuh going to put guns in school.” That is not the plan. I recall as a youngster at Nelson Street Boys, I had the experience where policemen came into the school to teach us about road traffic behaviour. That is something that stayed with me, because when you see someone in a uniform, they portray something. They portray that discipline. All we need to do is to get those youngsters to look up to somebody whom they can emulate and follow, in terms of trying to become—“I want to be like Mike” kind of thing. We need that. We are asking people in every community—regardless of how challenged that community is, there is a success story—to go back into those communities and say, “I am from here. I made it. You can make it too.” Sometimes that is all they need. When speaking to these youngsters, they would tell you, “I want an office job. I want to go to work in a white shirt.” Okay. How do you start? You must start by getting your studies together. Do one subject per year if you cannot do two. You can do two per year. All they need is the encouragement, and this is what we are asking the fathers and parents to come in and do. Those are some of the social programmes that we are trying to instill in these youngsters. This is why, on a Monday evening, we go all over and speak with them and try to get them to understand that there is more to life than guns and violence.

To come back to the point that the Member for Port of Spain North/St. Ann’s West had made, with respect to the training of personnel and weapons. She is quite right. Most holders of Firearm User’s Licence do an initial training to get the certificate, to get the FUL. They get the FUL, they get the weapon, they go to the

range probably once and that is it. They put it in some cupboard somewhere, so when the time comes for them to use it, they are afraid of it. They will not take the time to go on the range once per month in the early days, to get the feel of the weapon. A firearm is supposed to be part of you. It is an extension of you when it is being used, but sometimes they are afraid of it and this is why, in most instances, the bandits take it away from them because they are afraid of the bandits.

When we talk about giving businessmen firearms, we need to be careful. I know many of them who religiously go to the range and practise their shooting, or even stay at home and practise their dry firing, so they get accustomed; they know the weapon. Most of them do not, and this is the problem we will have, so I agree with her, with respect to that.

The Member for La Brea made an excellent point, with respect to the restraining order with domestic violence. This is something we can discuss at committee level, because it is an issue that was raised in the other place and was also discussed and finalized at that place.

He spoke about the ownership, with respect to taxi drivers. Unfortunately, all will go. As my dear sister said, you would probably need to have a good attorney. What it does, quite apart from the taxi example that you drew, is that it allows others, if they know you are involved, to stay very far from you. It means, therefore, that holders of unlicensed/illegal firearms will tend to stick to themselves in their gangs. There is where we would get all of them together, because if you are a parent—as someone said earlier on, a parent was making up their son's bed, saw the firearm and left it and said nothing—with this Act, were you to do that, you would be just as culpable. You are liable. What it does, in essence, is that it allows people; the law-abiding citizens—I do not want to be near you at all, once you are carrying a firearm, or I know that there is a possibility there is a firearm. It allows you then—you stay with your gang people.

10.35 p.m.

As we speak about gangs, we have always had gangs in Trinidad, but the gang warfare of 40 years ago and 30 years ago was pelting bottles and stones, and a fellow would get a little chop here, but the finality of the firearm now with gang warfare, when someone gets shot, that is it and that is the difference.

I am happy and very pleased to know that my colleagues on the other side have, in fact, decided to support this Bill and I compliment them for it. I know that it is not the only issue that we can deal with, with respect to fighting our

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crime, but this legislation among others that we have brought to this honourable House will contribute finally to our thrust, our multi-pronged thrust, against criminal activity in Trinidad and Tobago.

With the introduction of the amendments, we intend to hold members of law enforcement as well to a higher standard than they currently possess, for they are the ones who wield the greater power and have easier access to weapons. As I have said before, with that comes a greater responsibility to treat that power with a greater deal of respect.

Mr. Speaker, I am sure that my colleagues on the other side agree that we need stronger gun control laws in Trinidad and Tobago, and we need them now. With these few words, 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: I would like to propose, given the fact that we have 30 clauses, unless there are amendments and you will be so advised, that we take the clauses in groups of five. Is that okay?

Dr. Moonilal: Yes.

Clauses 1 to 30 ordered to stand part of the Bill.

Preamble approved.

Question put and agreed to, That the Bill be reported to the House.

House resumed.

Bill reported without amendment.

Question put, That the Bill be now read a third time.

The House voted: Ayes 36

AYES

Moonilal, Hon. Dr. R.

Persad-Bissessar, Hon. K.

Warner, Hon. J.

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Dookeran, Hon. W.
Mc Leod, Hon. E.
Sharma, Hon. C.
Alleyne-Toppin, Hon. V.
Gopeesingh, Hon. Dr. T.
Peters, Hon. W.
Rambachan, Hon. Dr. S.
Seepersad-Bachan, Hon. C.
Khan, Dr. F.
Roberts, Hon. A.
Cadiz, Hon. S.
Baksh, Hon. N.
Ramadharsingh, Hon. Dr. G.
Ramadhar, Hon. P.
De Coteau, Hon. C.
Indarsingh, Hon. R.
Baker, Hon. Dr. D.
Partap, Hon. C.
Samuel, Hon. R.
Douglas, Hon. Dr. L.
Ramdial, Miss R.
Roopnarine, Miss S.
Seemungal, J.
Khan, Miss N.
Mc Donald, Miss M.
Rowley, Dr. K.
Hypolite, N.
Mc Intosh, Mrs. P.

Jeffrey, F.

Browne, Dr. A.

Thomas, Mrs. J.

Hospedales, Miss A.

Gopee-Scoon, Mrs. P.

Question put and agreed to.

Bill accordingly read the third time and passed.

ADJOURNMENT

The Minister of Housing and the Environment (Hon. Dr. Roodal Moonilal): Mr. Speaker, I beg to move that this House do now adjourn to Friday, January 28, 2011 at 1.30 p.m. On that day, it is Private Members' Day and the Opposition Chief Whip may inform us of the business to be discussed on that day.

Miss Mc Donald: Mr. Speaker, I wish to give the Government due notice that we will be doing Motion No. 1 by the Member for Diego Martin North/East and Motion No. 3 by the Member for Diego Martin West. Motion No. 3 will be first and we will take Motion No. 1 in second position.

Mr. Speaker: Hon. Members, there is a matter on the Motion for the adjournment in the name of the hon. Leader of the Opposition, Member of Parliament for Diego Martin West.

Police Service Commission Chairman (Incident)

Dr. Keith Rowley (Diego Martin West): Mr. Speaker, thank you. I would rather not be doing this Motion. I take no pleasure in having to raise this Motion, but out of a sense of duty, I must. Mr. Speaker, the Motion before us has to do with the alleged conduct of the Chairman of the Police Service Commission in a widely publicized matter which, to date, has remained unclarified and unattended.

Mr. Speaker, we the people of Trinidad and Tobago would do well to take note of the fact that, notwithstanding what we may work for, what our expectations are and what the potential of this country holds for us, if we do not suffer the pains or the pleasures of building institutions and, instead, pander to individuals over institutions, we will never make the kind of progress that we anticipated. [*Desk thumping*]

Mr. Speaker, it has been widely reported that two very junior police officers—I think they are SRPs—who were in Port of Spain on duty at the corner of Henry Street and the Brian Lara Promenade, gave lawful instructions to a number of persons while they were there, one of whom turned out to be the Chairman of the Police Service Commission. If there is any citizen in this country who should go out of his way or her way to carry out a lawful instruction from a police officer of any rank it is the Chairman of the Police Service Commission. [*Desk thumping*]

The information in the public domain is that instructions were given by these officers conducting their duty, organizing traffic, hopefully to the benefit of citizens, and this individual disobeyed the police instructions, and did so in such a manner as to attract the attention of the officers and bystanders. The officers, observing this individual disobeying the instructions pursued him, stopped and engaged him in the normal conversation when that happens, which is to produce your documents and as of now, the information that I have—I am subject to correction. I am just going by what is in the public domain and information that I have—the officers were not sufficiently satisfied with respect to the request for the provision of documents. However, I, myself, heard on the radio a voice identifying himself as the Chairman of the Police Service Commission, who took umbrage at being treated that way by the officers. By that time it was published in the newspapers that here was an instance of police rudeness and misconduct.

10.50 p.m.

Mr. Speaker, by the time the matter was sufficiently ventilated there were two issues; one, either the police officers were being rude to a citizen and misconduct was being demonstrated or a citizen disobeyed lawful instructions and the police should now act.

The information we have in the public domain is that the officers saw it fit to caution and recommend that charges be laid against the individual who happened to be the Police Service Commission Chairman. I heard him on the radio saying that when he had this altercation or issue with the police officers on duty, the way the Police Service Commission Chairman reacted to that development was to produce his cellphone, call the Commissioner of Police, did not get him, called the Deputy Commissioner of Police, I think, and probably got him and purported to want to hand the telephone to the officer to listen to instructions, supposedly from his superior, as to what should happen at the corner of Henry Street and Brian Lara Promenade.

I was absolutely astounded, because I wanted to know if anybody else in this country had found himself or herself in that situation, as we do from time to time,

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having to respond to an officer who has an interest in our behaviour, that you would take up your phone and call the commissioner. I am wondering what he expected the commissioner to tell the police officer, the commissioner not being there on site. Was he expecting the commissioner to tell the constable, "That is the Chairman of the Police Service Commission and, therefore, the law of Trinidad and Tobago does not apply to him"? Is the Police Service Commission Chairman above the law? Is he putting himself above the law? What did he expect Deputy Commission Ewatski to tell the constable on the site?

These two people are foreigners. I could imagine what these two foreigners think of us here in Trinidad and Tobago. I am sure when they left Canada to come down here, never in their wildest dream would they have expected that somebody holding high office, could find himself in that situation and would seek to resolve it by seeking to communicate directly and immediately with the Commissioner of Police or the Deputy Commissioner of Police under the rubric of, "Do you know who I am?"

If this country is to go anywhere, that kind of individual behaviour must not only be a thing of the past, but it must be a thing of the prehistoric past of Trinidad and Tobago. [*Desk thumping*]

Mr. Speaker, after that, the information we have in the public domain is that the officers stood their ground and recommendations were made that charges be laid. While that information was being fed to the public, and it has not been denied by the public authorities, the Chairman of the Police Service Commission sought to make this an issue by way of a meeting at the Police Service Commission, which he chairs. I am interested in finding out exactly what transpired in that meeting. I may never know, but I may just want to think what would have gone on in that meeting.

The Chairman would have gone and told his colleagues that, "I was going up Henry Street and two constables tried to tell me where to go and I told them where to get off." Was that the content of that meeting? Or, as we heard the public saying, he wanted mediation in the matter. Apparently, from an issue of disobeying lawful instructions, it turned into one of you on one side, I am on the other side; he has a lawyer and is now talking about mediation. Who else in this country could have found himself or herself in that situation where you are accused of having disobeyed a lawful instruction from a police officer and you could determine that the matter can now be settled by mediation?

What are you mediating? If you place yourself above the law, there is a nothing to mediate; that is what you have done. [*Desk thumping*] If the officers

were wrong and rude to you, then the Commissioner of Police had a duty to discipline those officers. To date, we have heard nothing about the officers being disciplined for wrongdoing, as alleged by the Chairman of the Police Service Commission. To date, we have not heard about a charge being proffered against the Chairman, so I have to assume that he was too big to be charged. And while the matter is in this state, the Commissioner of Police says that as far as he is concerned the matter is closed. I dare say, the matter is not closed. It is not closed, says me. I represent the people of Diego Martin West. [*Crosstalk*]

Mr. Speaker: Order! Order, please!

Dr. K. Rowley: It is not closed, because we in this country aspire to do better every day; we aspire to be better. Let me give you an example for those who believe, like the Chairman of the Police Service Commission, that you are too big to be disciplined.

About 10 years ago, I think it was 1991, the Director of Public Prosecutions of the United Kingdom, England and Wales, a country after which we pattern ourselves—this Parliament is patterned after Westminster—was walking in Kings Cross after a dinner party and he sought to have a conversation with a lady of the night, or a man of the night, I do not know which one. A low ranking police officer saw him having that conversation and cautioned him. He was cautioned for attempting to solicit a prostitute.

When the matter was brought up, he was identified and he resigned immediately, because he acknowledged that a person holding his position ought never to have found himself in that situation. Only nine months before he was knighted Sir Alan Green, so highly was he viewed by the Queen, but nine months later, an officer on the beat cautioned him. He was not charged; he was cautioned for that conduct. In keeping with the preservation of institutions and not defending individual wrongdoing, Sir Alan Green resigned.

Unfortunately for him, in the face of that development and the pain of that development, his wife committed suicide. I am not saying that was how it should have ended. I am saying that officers of the State finding themselves in the situation that the Chairman of the Police Service Commission found himself, should not expect us, least of all the Commissioner of Police, to pull rank on the constables and not carry out their recommendation. Because in the eyes of the population, especially those who break the law and say, “We break the law because the big boys break the law”; in the eyes of those persons, where

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allegations like that are being made and not properly handled, it is the view of the people of this country that the Chairman of the Police Service Commission was not appropriately dealt with because he is somehow too big to be dealt with by the Police Service Commission.

This is not a matter for any of us in this Parliament, except to register our lack of acceptance on that development. The Chairman of the Police Service Commission is appointed by the President, but we know how this Chairman is appointed. The Government was right up front in supporting his appointment. This Motion has nothing to do with that at this time, but at that time, standing in this place, I objected to his appointment on the grounds of his strong, current political affiliation. That did not prevent him from being appointed, because he is appointed. The bottom line is that this is another issue on the question of conduct on the job. [*Crosstalk*]

Mr. Speaker: Order!

Dr. K. Rowley: In this case, all I am saying to the Government, in the same way you used your influence to have the documents that came to the Parliament withdrawn by the Office of the President and replaced by the one that brought his name to us and got him elected, use the same influence at the Office of the President and ask the President to do his job. If the Chairman of the Police Service Commission does not resign, to preserve our institutions, then ask the President to fire himself to preserve the institutions. [*Desk thumping*]

I thank you, Mr. Speaker.

The Minister of National Security (Sen. The Hon. John Sandy): Mr. Speaker, let me begin by stating categorically that there is no reluctance on the part of the police service to treat with this or any matter. [*Desk thumping*] Why? Because there is no reason for reluctance. The police stand committed to upholding the laws of the Republic of Trinidad and Tobago. I want to reiterate that there is no person who is above the law in this country.

Mr. Speaker, for the information of Members of this honourable House and the public at large, I will provide a synopsis of the incident and the outcome in accordance with the information provided by the Commissioner of Police.

The incident: On Thursday, December 02, 2011, there was an exchange between two police constables and the Chairman of the Police Service Commission, Mr. Nizam Mohammed, on Independence Square, Port of Spain.

In an effort to have a better appreciation of what transpired, the Commissioner of Police instructed that an investigation be launched. From the information gathered, it was determined that the incident had resulted from a misunderstanding during a period of high traffic congestion. Based on the findings of the investigation, it was recommended that no action be initiated against either of the parties involved, as the matter was appropriately resolved. I wish to remind this House that the Commissioner of Police is within his right to make determinations in matters relating to the police service, as he has on this occasion.

By virtue of the Constitution of the Republic of Trinidad and Tobago, the Commissioner of Police is entrusted with complete power to manage the police service. I wish to point out further that the Commissioner of Police did display that this was not a power that he treats with lightly. Natural justice principles were applied, whereby each party was given the opportunity to be heard, and based on the information, the Commissioner of Police made a determination on the issue. The parties have since been informed of the outcome and so that matter is now considered closed.

I hope that this information clarifies any confusion in the mind of the Member for Diego Martin West about the will of the police service to uphold and enforce the laws of this country. It is an open book. No conspiracy theory is necessary. It was a straightforward matter and it has been resolved.

Mr. Speaker, if anything, that incident should serve to reassure the Member and the population that, firstly, the police service is ready and willing to enforce the law and, secondly, that there are mechanisms in place to ensure that matters which arise involving members of the police service are properly ventilated and resolved.

On that note, I beg to move.

**CPA Local Branch
(Seminar Reminder)**

Mr. Speaker: Hon. Members, before moving to adjourn this honourable House, I would just like to remind Members of a two-day parliamentary seminar that has been mounted by the local branch of the Commonwealth Parliamentary Association and those two days are next Tuesday 25 and Wednesday 26. It is taking place at the Hyatt Regency Hotel. All Members of Parliament, in both Houses, have been invited to attend.

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We have invited Members from the Tobago House of Assembly. We have also invited Members from St. Vincent, Barbados, Grenada and I think Dominica, because they are all part of the CPA, and we extended an invitation to them.

Some of the matters that Members of the local branch felt were important for discussion at this two-day seminar, which begins at 9.00 in the morning and goes until 5.00 in the afternoon are: ethics and accountability; the rules of the House and practice and procedure in the House; parliamentary privileges; the role of presiding officers; critical aspects of debates; the role of the Opposition in a parliamentary democracy; services for Members and key points of protocol and Parliament and the media. These are some of the subjects that Members of the local branch of the Executive Committee felt would have been useful for a parliamentary seminar.

This really was supposed to be a post-election parliamentary seminar, but because of when the election was held, we could not have held it in May or June, hence the reason it is being held now.

We have invited resource personnel from New Zealand, Scotland, Jamaica and Canada to share with Members of Parliament their wisdom, knowledge and experience on these matters.

I would like all Members to really make it their business to take full opportunity of this particular activity and to be in attendance on the two days. In fact, the Senate has decided to postpone its sitting on Tuesday in an effort to ensure that we have two uninterrupted days of activities for Members of this honourable Parliament. In those circumstances, I appeal to the Leader of the Opposition, in this instance the Chief Whip, and the hon. Prime Minister and the Leader of Government Business in the House, to ensure that you issue appropriate instructions so that all Members of Parliament can find themselves there on those two days in question.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 11.08 p.m.