

**HOUSE OF REPRESENTATIVES***Friday, April 12, 2013*

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 the following Members: hon. Prakash Ramadhar, Member of Parliament for St. Augustine, is currently out of the country and has asked to be excused from sittings of the House during the period March 27 to April 13, 2013. Miss Alicia Hospedales, Member of Parliament for Arouca/Maloney, has asked to be excused from today's sitting of the House. The leave which the Members seek is granted.

**MOTOR VEHICLES AND ROAD TRAFFIC (AMDT.) BILL, 2013**

Bill to amend the Motor Vehicles and Road Traffic Act, Chap. 48:50, brought from the Senate [*The Minister of Transport*]; read the first time.

**PAPERS LAID**

1. Value Added Tax (Amendment to Schedule 2) (No. 3) Order, 2012. [*The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal)*]
2. Audited Financial Statements of CWC World Cup 2007 (T&T) Limited for the financial year ended September 30, 2007. [*Hon. Dr. R. Moonilal*]  
*To be referred to the Public Accounts (Enterprises) Committee.*
3. Administrative Report of the National Information and Communication Technology Company Limited (iGovTT) for the year 2011. [*The Minister of Science and Technology (Hon. Dr. Rupert Griffith)*]
4. Ministerial Response to the Second Report of the Joint Select Committee appointed to enquire into and report to Parliament on Municipal Corporations and Service Commissions with the exception of the Judicial and Legal Service Commission on an evaluation of the efficiency and effectiveness of the Arima Borough Corporation. [*The Minister of Local Government (Hon. Dr. Surujrattan Rambachan)*]
5. Ministerial Response by the Ministry of Local Government to the 7<sup>th</sup> Report of the Joint Select Committee appointed to enquire into and report to

- Parliament on Municipal Corporations and Service Commissions with the exception of the Judicial and Legal Service Commission on an evaluation of the effectiveness and efficiency of the Chaguanas Borough Corporation. [*Hon. Dr. S. Rambachan*]
6. National Performance Framework 2012 to 2015. [*Hon. Dr. R. Moonilal*]
  7. Annual Report on Performance 2012 – Building the Foundation for Results. [*Hon. Dr. R. Moonilal*]
  8. Trinidad and Tobago 2011 Population and Housing Census Demographic Report. [*Hon. Dr. R. Moonilal*]
  9. Annual Administrative Report of the Integrity Commission for the period January 01, 2012 to December 31, 2012. [*The Deputy Speaker (Mrs. Nela Khan)*]
  10. Annual Report of the Green Fund for financial year ending September 30, 2012. [*The Minister of State in the Ministry of the Environment and Water Resources (Hon. Ramona Ramdial)*]

#### ORAL ANSWERS TO QUESTIONS

**The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal):** Mr. Speaker, may I indicate that the Government is in a position to answer questions Nos. 27 and 28 and will ask that questions 29 and 30 be deferred for one week.

*The following questions stood on the Order Paper in the name of Miss Donna Cox:*

#### **Housing at Federation Villas (Minister of Tobago Development)**

29. Could the hon. Minister of Tobago Development indicate:
  - A. Does the Minister utilize a state-owned housing unit at Federation Villas?
  - B. If the answer is in the affirmative, what are the arrangements for such occupancy/utilization?
  - C. Could the Minister list the period he has utilized the state-owned housing unit during the period January 2011 to present?
  - D. Is the Minister in receipt of a monthly housing allowance?

**Housing at Federation Villas  
(Minister of State in the Ministry of the People  
and Social Development)**

- 30.** Could the hon. Minister of State in the Ministry of the People and Social Development indicate:
- A. Does the Minister utilize a state-owned housing unit at Federation Villas?
  - B. If the answer is in the affirmative, what are the arrangements for such occupancy/utilization?
  - C. Could the Minister list the period she has utilized the state-owned housing unit during the period January 2011 to present?
  - D. Is the Minister in receipt of a monthly housing allowance?

*Questions, by leave, deferred.*

**Ministry's Staff assigned to Tobago  
(Details of)**

- 27. Dr. Amery Browne (Diego Martin Central)** asked the hon. Minister of the People and Social Development:

Could the Minister state:

- a) how many staff members of the Ministry of the People and Social Development were sent to the island of Tobago for work-related purposes during the months November and December 2012 and January 2013;
- b) what were the names and positions of the staff members relevant to (a) above;
- c) for each staff member relevant to (a) and (b) above, what were their dates of travel between Trinidad and Tobago during the identified period;
- d) what facility/facilities was/were used for accommodation by each staff member relevant to (a) and (b);
- e) what was the total cost of the travel, accommodation and other expenses associated with the activities in Tobago of the staff members identified at (a) and (b)?

**The Minister of the People and Social Development (Hon. Dr. Glenn Ramadharsingh):** Thank you, Mr. Speaker. In May 2010, the Government of the Republic of Trinidad and Tobago identified seven pillars of development as a guide policy in the overarching sustainable development framework. The Ministry of the People and Social Development is aligned to pillar 1: People-centred development—we need everyone and all can contribute; pillar 6: Good governance—people participation, working for sustainable development.

The Ministry of the People and Social Development is mandated with the responsibility for citizen engagement and to coordinate and implement the Government of Trinidad and Tobago’s social sector objectives. It is therefore imperative to strengthen the synergy of resources, reach and impact to the citizenry through the development of initiatives and promote the Ministry’s social support services.

From July 2010, the Ministry, recognizing that in six months of that year, only 3,000 persons were intervened—their lives had intervention from the Ministry—set about a series of community outreach programmes to communities afflicted by poverty. The main objective of which was to deliver the many services, heighten awareness of these services among the residents.

Through these outreach initiatives, the Ministry has held many social marketing activities, delivering services to over 100,000 clients from 2010 to present. This has presented an opportunity to open avenues to vulnerable members of the society in order to access and benefit services. We have the Direct Impact community outreach which increases the awareness of existing services from the Ministry of the People and Social Development, public utilities, housing, land settlement agency, legal affairs, NEDCO, NAMDEVCO and the CEPEP.

We have also the Direct Effect which is where senior members of the Ministry, accompanied by their officers, with the above-mentioned Ministries and WASA, T&TEC, ADB and the National Commission for Self-Help, engage in walkabouts in selected areas which are deemed at-risk and vulnerable. This is to be on-spot with a knock on the door to hear complaints and obtain suggestions from the ground, issues directly affecting the daily lives of people.

We have also propelled the “People’s Bridge of Hope” which is an initiative that seeks and sees the engagement of the corporate sector in terms of the NGC, the NEC, Petrotrin and those companies that can give back to social development, where we have given blood pressure kits, glucose monitor kits and wheelchairs to persons, with money that is not Government but from the corporate sector. [*Desk thumping*]

Poverty reduction and every MP's office has benefited from this: wheelchairs, blood pressure kits, glucose monitor kits, hampers, health hampers.

**Mrs. Mc Intosh:** "I never get no blood pressure kit!"

**Hon. Member:** UNC constituents. [*Crosstalk*]

**Hon. Dr. G. Ramadharsingh:** Your constituents get but you shall— [*Continuous crosstalk*] We shall continue to build these programmes so that they will better deliver to you. We also have the poverty reduction—

**Mr. Speaker:** Hon. Member, please. I would like to hear the response to the question by the hon. Minister. Could we allow him to speak in silence? Could you continue? [*Crosstalk*] Well, he is doing that.

**Dr. Rowley:** "Wha?" [*Laughter*]

**Hon. Dr. G. Ramadharsingh:** The "Poverty Reduction through Empowerment Social Strategies (PRESS ON)" which is a holistic social intervention to meet the needs of clients. The programme is similar to the Direct Impact, however, it reflects the tenets of empowerment:

1. from welfare to work;
2. alpha numeric literacy;
3. food security;
4. engagement of the at-risk youth;
5. community-based micro enterprise;
6. civil society engagement;
7. the promotion of positive lifestyles; and
8. youth and no crime.

Direct delivery, which sees us returning to these communities to deliver on the services requested by members of the community.

Mr. Speaker, this move sees us going through the length and breadth of Trinidad and Tobago. In my capacity as the Minister of the people, within the first three days of assuming office, I was in Tobago launching a youth cricket match [*Desk thumping*] for the youths to stay away from crime. I have been there several times and especially when there were crises in terms of events and calamities that took place, we would respond immediately to the people of Tobago.

Mr. Speaker, the staff of the Ministry of the People and Social Development conducted its first Direct Impact in February of 2011. This outreach lasted for two days and while a significant impact was made, we would have liked to do much more. A promise was made to the people of Tobago that we would return and bring more services to them. It seemed as if it was the act of fate itself that made the hon. Prime Minister in her wisdom place the hon. Member for Tobago East, Mrs. Vernella Alleyne-Toppin, as the Minister in the Ministry on June 28, 2012. [*Desk thumping*]

This move, Mr. Speaker, gave momentum to the Ministry's promise to return to the sister isle and take the services. Plans were put in place for a larger, more comprehensive outreach engaging all major service delivery units, Mr. Speaker, from November 20—29, 2012. The Ministry of the People and Social Development deployed staff to Tobago to ensure that we lived up to the promise.

The people of Tobago were given the chance to apply and access the food support programme through the TCard, disability, public assistance, senior citizen's pension, the home repair grant, the micro enterprise grant, 50 mothers of children with cerebral palsy were given the opportunity to work and earn a stipend to care for their own children [*Desk thumping*] who were previously underemployed, unemployed and suffering in their own homes. Mr. Speaker, not only did we take the social services to the people of Tobago, but we launched two Eldamo buses for the elderly and differently abled to the people of Tobago. [*Desk thumping*]

Mr. Speaker, during the nine days of November 2012, that staff of the Ministry was in 15 communities throughout the length and breadth of our sister isle. The Ministry's interaction with the people of Tobago did not end there. As with applications and assessments, it is now necessary to return, and work is still ongoing on some of the requests that have been received from that exercise.

Mr. Speaker, the people welcomed us with open arms—

**Dr. Rowley:** When? [*Laughter*]

**Hon. Dr. G. Ramadharsingh:**—and we saw 5,000 persons in the sister isle. The staff members of the Ministry of the People and Social Development— [*Crosstalk*] Our work is not about the next election, it is about the next generation! [*Desk thumping*]

Mr. Speaker, the staff members of the Ministry of the People and Social Development who were sent to the island of Tobago for work-related purposes

during the months of November and December 2012 and January 2013 are as follows:

In November 2012: 68 persons;

December 2012: 29;

January 2013: 38.

**1.45 p.m.**

Our approach was to redress the imbalance that had existed without mitigation and intervention. We took a substantial team to do remedial work in a myriad of poverty and social development fronts. [*Desk thumping*]

**Mr. Roberts:** Words boy.

**Hon. Dr. G. Ramadharsingh:** Two directors, social welfare, HR; two directors, contract, TCCTP, URP social; the manager of the main people's issues resolution unit; the deputy manager of that unit; the regional manager of the TCCTP; the regional coordinator of the Poverty Reduction Unit; a communications specialist; a public relations assistant; a social and behavioural change officer, very important; social workers, two; senior interface officers from the people's unit, five; outreach officers, two from the HIV Awareness Unit; interface officers, five; field officers, contract social welfare; liaison officers, contract from the TCCTP; 23 from the TT card and six from the URP social; a customer relations officer from corp. comm; an executive assistance of the TCCTP; three clerks; an administrative assistant from the people's unit; a business operations assistant from the NSDP; a driver and two OJTs.

December 2012: a director of contract, URP social; deputy directors of contract, TCCTP, NSDP; manager of the people's unit; deputy manager; regional manager; regional coordinator; communications specialist; social workers, two; senior interface officers, four; two interface officers;

**Hon. Member:** You went with the whole Ministry.

**Hon. Dr. G. Ramadharsingh:** Field officers, two; liaison officers, five; clerks, two; administrative assistant; drivers, one; OJT, two. That is for December 2012.

**Dr. Rowley:** You have no shame.

**Hon. Dr. G. Ramadharsingh:** Then we go to January. We love the people of Tobago, that is why we took a substantial team, to do good work.

*Oral Answers to Questions*  
[HON. DR. G. RAMADHARSINGH]

*Friday, April 12, 2013*

January of 2013: director of contract, PRP, URP social; the auditor, very important; deputy directors, TCCTP, NSDP; regional coordinator, PRP; manager of the PIRCU; deputy manager; regional manager; social support officer; communications specialist; senior interface officers; human development officer; interface officer; customer relations officer; administrative assistant; clerks; business operations officer; driver, one; OJT, two. The Member for Diego Martin Central is reminded that the names of public officers should not be read in Parliament.

Mr. Speaker, for each staff member relevant to (a) and (b) above, their dates of travel between Trinidad and our sister isle are as follows: November 20 to 29, 2012; December 18 to 20, 2012; January 08 to 11, 2013.

The facilities which were used for accommodation by each staff member relevant to (a) and (b) above are as follows: November 2012, the Grafton Beach Hotel, 61; Le Grande Courland, five; Kariwak Hotel, 2; December 2012, Mount Irvine Bay Hotel, 30 staff; January 2013, Mount Irvine Bay, 39. The total cost, if I can—[*Interruption*]

**Dr. Moonilal:** “This behavior all yuh brought from Balisier House.”  
[*Laughter*]

**Hon. Dr. G. Ramadharsingh:** Mr. Speaker, the total cost of the travel, accommodation and other expenses associated with the activities in Tobago for the staff members identified at (a) and (b) are as follows: November 2012: accommodation, \$578,126; travel (ground and air) \$88,995; other expenses associated with the outreach activities, \$866,858.70; a total of \$1,533,979.70; December 2012: accommodation, \$42,119; travel, \$15,280; other, \$55,000; January 2013: accommodation, \$54,610. This was to deliver the direct delivery; travel (ground and air), \$30,290; other, \$20,941; the total, \$105,841 for January 2013; other expenses, \$105,841; the grand total is \$1,752,419.70.

Mr. Speaker, a cynic is someone who knows the price of everything but the value of nothing. [*Desk thumping*] For us, Tobago is valuable, Tobago is important and Tobago matters.

**Mr. Roberts:** Yes.

**Hon. Dr. G. Ramadharsingh:** I am pleased to inform this honourable House that we were able to provide 52 wheelchairs and walkers; 120 blood pressure monitors; 75 diabetic glucose monitoring systems; 475 emergency food support



hampers; 10 grants for persons to start their own businesses; 165 temporary food cards; 77 permanent food cards; 20 housing repair grants and approximately 40 are being assessed for house wiring, minor repairs, and sanitation.

Just as the Eldamo bus is still roving through the roads of Tobago in and out every single part, still the work and the impact of the Ministry of the People is vibrating throughout the sister isle of Tobago and this effect has set off a cascade of service delivery events that will add value to the people of Tobago on a daily basis. They receive the support and deep appreciation and love for the people because it is a Ministry of the People: the people of Trinidad and for the people of Tobago. [*Interruption*]

**Hon. Member:** Very good.

**Hon. Dr. G. Ramadharsingh:**—because we were called to serve the people, serve the people, serve the people. Thank you. [*Desk thumping*]

**Mr. Speaker:** Member for Diego Martin Central.

**Dr. Browne:** Thank you, Mr. Speaker, supplemental to the hon. Minister. [*Continuous interruption and crosstalk*]

**Mr. Speaker:** Please, please, please.

**Dr. Browne:** Mr. Speaker—[*Interruption*]

**Mr. Speaker:** Please Member!

**Dr. Browne:** Can the Minister quote the Standing Order that prevents the names of officers from being read in the Parliament? [*Continuous interruption and crosstalk*]

**Mr. Speaker:** Member.

**Hon. Dr. G. Ramadharsingh:** Under Standing Order 18, I seek your guidance, Mr. Speaker.

**Mr. Speaker:** I cannot—Members would know that I cannot force a Member, when he is responding to a question that has been posed, to give information, unless he decides that. When we alter the Standing Orders maybe that can come into effect. You can continue.

**Dr. Browne:** Thank you, Mr. Speaker, Standing Order 18. Further supplemental. Is the Ministry of Social Development now exempt from the THA Act?

**Hon. Dr. G. Ramadharsingh:** There is no longer a Ministry of Social Development. I guess you did not realize that. It is the Ministry of the People and Social Development.

**Dr. Browne:** Further supplemental, Mr. Speaker. Is the Ministry of the People and Social Development now exempt from the THA Act?

**Hon. Dr. G. Ramadharsingh:** Not at all, we are very cooperative with all institutions and agencies that we are required to work with. [*Desk thumping*]

**Dr. Rowley:** Mr. Speaker, given that the Government of Trinidad and Tobago has spent almost \$2 million in the last three months for the THA election, was the Tobago House of Assembly, in any aspect of its operations, involved— [*Continuous interruption and crosstalk*]

**Mr. Speaker:** Please, please, allow the Member to speak in silence. Continue, hon. Member.

**Dr. Rowley:** Given what the Minister has just told this Parliament, was the Tobago House of Assembly, the executive body in Tobago under the THA Act, involved in any aspect of what the Minister has described here this afternoon?

**Hon. Dr. G. Ramadharsingh:** The Chief Secretary was invited to the launch and from that point onwards, they were always advised of our operations in Tobago.

**Miss Mc Donald:** Further supplemental. Mr. Speaker, through you, can the Minister state—there is a category of expenses under “other”, could you tell us what is this “other”? Could you break it down please?

**Hon. Dr. G. Ramadharsingh:** I would be very happy to do so if you file a question, ma’am. Thank you.

**Mr. Speaker:** The hon. Member for Laventille East/Morvant.

**New Flying Squad Investigations Unit (NFSIU)  
(Details of)**

**28. Miss Donna Cox** (*Laventille East/Morvant*) asked the hon. Minister of National Security:

Could the Minister state:

- a) whether he is aware that the National Security Operations Centre (NSOC) has facilitated the establishment of a so-called crime fighting unit referred to as the New Flying Squad Investigations Unit (NFSIU);

- b) whether he instructed any official of the Ministry of National Security or any police official to liaise/talk/meet with any person towards the establishment of this so-called crime fighting unit referred to as the NFSIU;
- c) whether he or any agency falling under his purview, at any time, authorized the rental of property or the rental/leasing of vehicle for this so-called crime fighting unit referred to as the NFSIU;
- d) whether any report of any nature, prepared by the NFSIU was received at the Ministry of National Security and whether any action was taken on receipt of any such report;
- e) when did Cabinet approve these arrangements for the so-called crime fighting unit referred to as the NFSIU?

**Mr. Speaker:** The hon. Minister of National Security.

**The Minister of National Security (Hon. Jack Warner):** Mr. Speaker, understandably I rise with some degree of trepidation. [*Laughter*]

**Dr. Moonilal:** Why?

**Hon. J. Warner:** To the first question, the answer is: I am not aware that the National Security Operations Centre has facilitated the establishment of a new flying squad investigations unit.

- (b) No, I have never given any such instruction.
- (c) I, as the Minister of National Security, gave no such authorization to anyone under my purview. I am not aware of anyone in my Ministry who did so.
- (d) I have received no reports; and
- (e) Cabinet has never approved any such unit. Thank you very much.

**Mr. Speaker:** Hon. Member for Laventille East/Morvant.

**Miss Cox:** Hon. Minister, do you know under whose instructions DCP Richardson was liaising with this so-called new flying squad?

**Hon. J. Warner:** In the first case, Member, I am not aware that he received any instructions, far less to know with whom he was liaising.

**Miss Cox:** Hon. Minister, concerning a report, have you ever received any report concerning the marijuana plantations in the East from the new flying squad?

**Mr. Speaker:** That is a new question. He is not obliged.

**Hon. J. Warner:** Thank you, Mr. Speaker.

**Mr. Speaker:** Do you have any further supplemental?

**Miss Cox:** No further questions, Mr. Speaker.

**Dr. Rowley:** Mr. Speaker.

**Mr. Speaker:** Yes.

**Dr. Rowley:** With respect to the admission by officers of the Ministry of National Security that motor vehicles were—*[Interruption]*

**Mr. Speaker:** Please, allow the Member to speak in silence, please.

**Dr. Rowley:** With respect to the public admission that motor vehicles were supplied by officers or agents of the Ministry of National Security to this so-called new flying squad, could the Minister indicate to us under what arrangements those vehicles were supplied to the people that he knew nothing about?

**Hon. J. Warner:** I am not aware of any public admission by any official of the Ministry of National Security on the matter to which you have referred.

**Dr. Rowley:** Mr. Speaker, is the Minister aware that officer Heera, in a very early statement to the media, admitted that he facilitated the provision of motor vehicles to this so-called new flying squad unit?

**Mr. Roberts:** That is what he read in the *Guardian*.

**Hon. J. Warner:** I have just heard what you read in the media. Unfortunately, I did not read it.

**Dr. Moonilal:** It is not official.

**Mr. Roberts:** Is that the truth or you read that in the *Guardian*?

#### CUSTOMS (AMDT.) BILL, 2013

Bill to amend the Customs Act, Chap. 78:01 to enhance border control by providing for advance passenger and cargo information to be submitted electronically to the Comptroller of Customs and Excise and for related matters. *[The Minister of Finance and the Economy]*; read the first time.

*National Health Services Bill, 2013*

*Friday, April 12, 2013*

**NATIONAL HEALTH SERVICES  
ACCREDITATION AUTHORITY BILL, 2013**

Bill to provide for the establishment of the National Health Services Accreditation Authority of Trinidad and Tobago and for matters relating thereto. [*The Minister of Health*]; read the first time

**SUGAR INDUSTRY CONTROL BOARD  
(REPEAL) (VALIDATION) BILL, 2013**

Bill to validate actions done pursuant to section 4 of the Sugar Industry Control Board (Repeal) Act, 1995. [*The Minister of Finance and the Economy*]; read the first time.

**2.00 p.m.**

**ANTI-DOPING IN SPORT BILL, 2013**

*Order for second reading read.*

**The Minister of Sport (Hon. Anil Roberts):** Mr. Speaker, I beg to move: That a Bill to provide for the implementation of the UNESCO International Convention against Doping in Sport, the establishment of the Trinidad and Tobago Anti-Doping Organisation, the Trinidad and Tobago Anti-Doping Disciplinary Panel and the Trinidad and Tobago Anti-Doping Appeal Panel, the promotion of an anti-doping environment which encourages positive behaviour among participants in sport and dissuades them from using prohibited substances and prohibited methods and for other related matters be now read a second time.

Mr. Speaker, Trinidad and Tobago has had a brilliant history in international elite-level sport dating back to 1948 with Rodney Wilkes winning our first ever medal at the Olympic games—[*Desk thumping*] with a silver medal in weight lifting, back in the 1948 London Olympics. Moving on to Lennox Kilgour, in 1952 and Rodney Wilkes again, and also McDonald Bailey—

**Mr. Imbert:** “Dey spell de name right on de plaque?”

**Hon. A. Roberts:** “Eh, if dey spell de name right on de plaque?” You could check it out for yourself. “How yuh spell Imbert?”

**Mr. Imbert:** I would ask you.

**Hon. A. Roberts:** To ignore him?

**Hon. Member:** “He now come dey.”

**Hon. A. Roberts:** “Spell Elias name right on de cheque.” [*Laughter*] Anyway. Moving up to Lennox Kilgour, in 1952, also McDonald Bailey while he was running for the British Empire/Trinidad. He won a bronze medal in '52 in Finland. Moving on, of course, to 1964 when we had the great Wendell Mottley winning silver in the 400 and the 4 x 400 relay also bringing—[*Desk thumping*] glory to Trinidad and Tobago.

Moving, of course, into '72 where we did not get any medals but the young Hasely Crawford got his feet wet so to speak, even though he was injured and went on in 1976 in Montreal to bring glory to Trinidad and Tobago from lane one, [*Desk thumping*] in a blistering time with his red and white socks pulled up above his calves to bring Trinidad and Tobago its first ever gold medal.

In 1980 Moscow, we did not get any medals. In 1984 we missed a medal by Gene “Geronimo” Samuel in Los Angeles in the kilometre time trial, by a mere fraction of a second, even though he was riding a borrowed bike which was also quite a few ounces heavier than the top three medal winners at that time.

In 1988 Seoul Olympics, unfortunately no medals. We went on to Barcelona where Ian Morris in the 400 which is still the national record right now 44.10, came fourth in a blistering race and maybe, some say, if he did not look to the left coming around the final bend, Trinidad and Tobago would have had yet another medal. Moving on to the great Ato Boldon in 1996, winning double bronze in the 100 and 200 in Atlanta, and Sydney 2000 again, saw Ato Boldon winning silver and bronze to bring glory to Trinidad and Tobago.

In 2004, unfortunately for some on the other side, the coach of this young man was not a supporter at that time and had burned his PNM card, but George Bovell III in Athens in 2004, won bronze in swimming for Trinidad and Tobago.

In 2008 in Beijing Richard Thompson, the great sprinter of Trinidad and Tobago who is still running brilliantly won two silver medals, not only in the individual 100 behind Usain Bolt, but in the 4 x 100 along with his team mates.

And now finally, in London 2012, the greatest performance in the history of Trinidad and Tobago at the Olympics, one gold and three bronze medals, Keshorn Walcott shocking the world with a brilliant javelin throw [*Desk thumping*] and also our relay team in the 4 x 400 and 4 x 100 as well as Lalonde Gordon—who is also a relative of the Member for Laventille East/Morvant, from Tobago—Lalonde Gordon, winning double bronze.

Also it is not only Olympic sports that Trinidad and Tobago has done well—of course, cricket. Who can doubt, in my opinion—it will be argued by many—but the greatest batsman in the history of the world, who entertained greater than anyone, who brought out people, who caused them to pay more money to see cricket, who increased the value of endorsements to cricketers; the great Brian Charles Lara [*Desk thumping*] multiple-world record 501, 400, 375, all sorts of records; nine double centuries.

We have also had great netballers, of course, being joint world champions right here on our shores and rugby teams that have won Caribbean championships and players that have gone on to play professionally in England.

We have had success in football. You could note Dwight Yorke and Colvin Hutchinson. You would know about Shaka Hislop and a former fast bowler who did not reach the heights of greatness that possibly he held as a young man, the Minister of Education. [*Desk thumping*] Some may say had he lacked the character and succumb to the pressures of doping, that he may have improved his pace, but we are glad that he chose not to cheat and remain a mediocre bowler on national—[*Laughter and desk thumping*]

We moved on in all forms and fashion in golf. We have the great Stephen Ames, the first ever English-speaking Caribbean person to play in the PGA tour, to win a tour championship which is just below one of the four majors.

We also had in chess 1981/'82, the world champion Steve Tavares who won the WITCO Sportsman of the Year back in 1982. Some people may not remember that and they thought that chess was not a sport. Chess is, in fact, a sport and you would realize that there are many different types of drugs that can help different athletes at different times, and we will get into that more as we go along.

We have also had great professional boxers, “Tiger” Stewart, Claude Noel, Giselle Salandy and maybe coming out of Balisier House next week, the great Laventille East/Morvant—[*Laughter and desk thumping*] will be getting some training shortly, because we see some potential there and we identify talent. That is clean sport. So, we will get some coordination, you know, maybe a little combination instead of just one telling punch. [*Interruption and crosstalk*] Instead of one we will teach some movements and combinations.

Also it must be noted that bodybuilding—[*Interruption*] that is all right. That is all right. “I out ah reach, yuh could run across here.” [*Laughter and desk thumping*] Bodybuilding presents an original proposition. As you know, bodybuilding is one of those sports that is on the cusp of debate worldwide.

*Anti-Doping in Sport Bill, 2013*  
[HON. A. ROBERTS]

*Friday, April 12, 2013*

Bodybuilding you will know has been separated into what is termed natural bodybuilders as opposed to professional bodybuilders. I would not go into the details of what that means, but I would just show you the impacts and with permission that I got from the Speaker, as we see [*Holds up a poster with two pictures*] two ladies here and you would see that this one is what you call the professional bodybuilder, as you can see the great expanse of muscular tissue and so on, [*Laughter*] very serious—and this one is more of the natural version. While some people may be laughing, this will give you an illustration of what can happen when you use synthetic substances or substances to enhance what God has naturally given you.

**Miss Cox:** “Where the pictures of men?”

**Hon. A. Roberts:** Why I did not bring pictures of men? Seeing that I am very afraid to get you upset, I will do exactly that—[*Laughter*]—[*Holds up a poster with two pictures*] because I in no way want the Member for Laventille East/Morvant to ever be upset with me. [*Continuous laughter*]

**Mr. Speaker:** Members of the public gallery, you can—no, please! Please! I do not think that I would want to encourage any kind of outburst. If Members of Parliament wish to laugh, they can, but I do not want the members of the public, who are here, to join. You are here to observe. So, please be guided accordingly. Continue, hon. Member.

**Hon. A. Roberts:** Thank you, Mr. Speaker. So we have some pictures of men and I humbly apologize to the members of the gallery for forcing them to make an impromptu outburst. [*Holds up a poster with two pictures*] But here you can see on the left a picture of the professional bodybuilder, and here you see a picture of the world greatest natural bodybuilder.

Now, why cheat? Why do people cheat? Because drug taking—doping is cheating. You are taking an unfair advantage in order to win a competitive event. It is quite simple, the oldest reasons for doing that, money, fame, popularity; however you want to name it. So there is always that great motivation for those who are less—who have not been brought up as properly as most of us in here, who would want to seek an advantage over others, and somehow believe that they have achieved greatness even though they have done it by nefarious means.

When you talk about money, the amount of money that is in global sports—I mean many people will know about Michael Jordan, about Tiger Woods, Venus and Serena Williams signing a US \$40 million endorsement deal with American



Express credit card, over seven years. Tiger Woods with Buick and different credit cards, Nike and many other sponsors, lucrative deals.

They have David Beckham, some might say he was not that great a player as compared with some of the world's greats, but his marketability and his ability to empower himself and get media attention, ensure that he was one of the athletes who garnered the most in endorsement value across the globe, even though he did not have the silverware to back it up. He certainly had—what you would say, the look, the “je ne sais quoi”, as well as the ability to perform.

We here in Trinidad and Tobago, we know about Brian Charles Lara who moved cricket from a hobby, from a sport that was done part time after you left your job as a teacher, or a fire officer or a policeman, an army man. You went on to play cricket and hopefully you went on to make the West Indies team. Some of our greats, as our West Indies team from 1974/'75 until 1989/'90, which dominated the globe and will go down in history as one of the most dominant teams in any sport in the history of sport on the planet, most of these players did not make as much money over their career as Brian Charles Lara made for wearing 501 jeans, for example. So, the money factor encourages people across the globe to do things to get an unfair advantage.

We have Ato Boldon as you would know now, many people thought that he talked too much while he was winning medals, but he would always have something to say when the media put a microphone in front of him. We remember him getting a lucrative Adidas contract. Also who can forget in 1997 when he was going on his way to win that 200 metres world championship gold medal, he wore those Oakley shades—it did not take off—that went above his head—for those who remember that picture—so the handles on the shades did not come normally around the ears, they went around the back of your head and clipped on. It looked a bit like a lizard, but it did not take on, but still he was paid a lot of money to run his race with those shades.

There is a big debate right now in the IOC with some athletes being paid large sums of money to wear watches, or to wear rings or chains that the IOC does not want them to do, because when the cameras hit them, the watch company gets an advertisement. When they go down and they film close, you will see Rolex or TAG Heuer or whatever watch; Michael Kors. There is a big debate now because there is a lot of money in sport, sport marketing and the like. Of course, you can see Keshorn Walcott and George Bovell now even locally with bmobile, advertisement or National Petroleum advertising. Again, they are paid lucrative contracts for this. So this is why many people are motivated to cheat.

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Is doping cheating? That is where we should start. Some people have argued that if you allow—you open it up and say “well, anybody could do anything”, that the best athlete will still win. Some people may say that argument holds some water—that if everybody is allowed to use whatever substances are known to man and science, that if it is open, the best athlete will still win the championship. Some people will disagree with that and I am one who totally disagrees, because some of the drugs that are used have been proven, since time immemorial, to present direct health impacts on the athletes—I will get into that differently, but many people can understand. We do not know why “Flo-Jo” died. We know that she got very fast very quickly, and there are a lot of rumours and there was never an autopsy done. But there is recorded evidence that when athletes take steroids, for example, there are deleterious effects. I will go into those after.

But tumours, heart attack, high blood pressure and, of course, we will ensure the Minister of the People and Social Development delivers those high blood pressure kits to the Members for Port of Spain South and Laventille East/Morvant who said they did not get. Especially the Member for Laventille East/Morvant, a high blood pressure kit is really needed at this time. We move on.

The limits of human endeavour must understand that sport is really—elite sport is about showing what the human spirit, what the natural human body can achieve, whether it is how far we can jump, how fast we can run, how long we can sustain a certain speed, how skilfully we can hit a golf ball into a hole with as few shots as possible. Human endeavour and competition, in essence, is meant to show and showcase what the human body “as God created it” can do at its maximum. So any artificial enhancement breaks down that philosophy.

In 1896, Baron de Coubertin brought about the spirit of Olympism when the modern Olympics came back into being in Paris in 1896. The spirit of that event—and while the Anti-Doping Bill is not just about Olympic sports, some of its genesis came about because of the competitive nature of Olympics, and the benefits to countries, to individuals and to families that emanated from successful performance at the elite level.

### **2.15 p.m.**

Baron De Coubertin: his spirit was one of competition, fairness, competing with the best of the best in a fair circumstance; everybody running the same distance; everybody throwing the javelin that weighed the same; everybody competing on a fair playing field to see who, through the principles of discipline, hard work, skill, practice, coaching, science, who could do it the best; who could

do it the fastest; who could throw it the furthest, who could last the longest. So the spirit of Olympism shows that any cheating, any doping, any illegal substance goes against the spirit of international and elite sport.

Now, in this Bill, we believe—that in clause 3—that for this Bill to be passed we would require a three-fifths majority. Why? Because in our Constitution, sections 4 and 5 dictate certain inalienable rights and certain constitutional rights, and we believe that it is possible for someone to interpret that by the passing of this anti-doping in sport legislation, one of the issues is that, elite athletes who are in a registered pool—for example George Bovell, Richard Thompson, the world top 40—any athlete who is on the global landscape, that they have to let TTADO, which would be the Trinidad and Tobago Anti-Doping Organisation, and by extension, WADA, which is the World Anti-Doping Association, know about their whereabouts at any time.

So, if George Bovell decides that he is training in Trinidad and Tobago, he must let this organization and TTADO know: I am in Trinidad and Tobago right now; I intend to go to Grenada in May and, therefore, throughout the year, their whereabouts must be known because, as we will speak about later, out-of-competition testing is very critical to ensuring global clean sport and to ensure that anti-doping measures can truly take effect.

Section 4 of the Trinidad and Tobago Constitution states, *inter alia*:

“It is hereby recognised and declared that in Trinidad and Tobago there have existed and shall continue to exist, without discrimination by reason of race, origin, colour, religion or sex, the following fundamental human rights and freedoms, namely:

(a) the right of the individual to”—respect for his private family—“life...”

Section 5(1) adds that:

“Except as is otherwise expressly provided in this Chapter and in section 54, no law may abrogate, abridge or infringe or authorise the abrogation, abridgement or infringement of any of the rights and freedoms hereinbefore recognised and declared.”

Enshrined in the Trinidad and Tobago Constitution is the right of an individual to respect for his private and family life. As has been discussed earlier, there are concerns whether the new regime whereabouts infringes on the rights of privacy and family lives of sportsmen and women.

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So, with an abundance of caution, we ask here, as we bring the Anti-Doping in Sport Bill, 2013, that a three-fifths majority is required and while we in the Government have that majority, of course, we would prefer as is normal to make good law and ask for the support of the Opposition, moving forward. Of course, if there are any amendments, we will listen carefully. I think the Member for Laventille East/Morvant is coming, but I think the legislation is very important and will impact future generations of athletes, so it would be much better if we can get a unanimous agreement to the Bill; but we believe that a three-fifths majority is necessary in this case.

Now, Mr. Speaker, I am pleased to lead the debate as the Anti-Doping in Sport Bill, 2013 is laid in this honourable House. I also wish to set the tone for future contributions to this Bill by highlighting the significant step this Government is taking in enacting legislation to formalize doping prevention and control in Trinidad and Tobago.

Doping in sport is not a modern phenomenon. As long as competitive sport existed, attempts were made to enhance performance using various substances to do so. The term “doping” became popular as early as the turn of the 20th Century when race horses were injected with substances to make them run faster for longer periods.

Now, I will pause at this juncture because I will want to call upon Diego Martin North/East, for example, to assist because many people in the horse racing fraternity have asked that horse racing be included in this legislation; but as much as we tried through the legislative committee and so on, we found hiccups whether it is that horse racing is under the Ministry of Trade, Industry and Investment and many other obstacles.

So, if it is and if it can be included—and I ask the Member for Diego Martin North/East because I know he is really an expert—not in many things, but he is an expert in Constitution, in legislation and in creating good law. So if he can look at that—now he is not an expert in race horsing, but—[*Laughter*—in horse racing, but being serious, if it can govern and if it can be included, the Government would love to be able so to do. So we ask the Member for Diego Martin North/East and others if they can give us some suggestions, we would like to hear those. [*Interruption*] What is that?

**Mr. Speaker:** Ignore, ignore!

**Hon. A. Roberts:** But that language is not really becoming, Sir.

**Mr. Speaker:** Yes, but try to ignore it.

**Hon. A. Roberts:** Gaseous “emissions” in Parliament? I do not understand that from the Member for Diego Martin West. His branding is not working, Sir.

It was common knowledge that some athletes attempted—*[Interruption]*

**Mr. Speaker:** Please, please, Member for Diego Martin West!

**Hon. A. Roberts:**—attempted to gain advantage by ingesting substances during competition, but it was the governing body for athletics, the IAAF that first banned doping in the 1920s. Testing of athletes for banned substances was introduced in the 1960s by the International Federation for Cycling, UCI; and football, FIFA, at their world championships. The International Olympic Committee followed suit and began testing at the Olympic Games in 1968.

Mr. Speaker, despite moves by increasing numbers of sport bodies to contain the problem, it was found that the proverbial horse had already bolted. There was widespread use of steroids and stimulants in the 1970s and 1980s by athletes in strength or anaerobic sports like weight lifting, throwing, swimming. Furthermore, the superiority ascribed to nations as a result of sporting success, influenced countries, like the former East Germany, to sanction systematic doping of athletes.

In fact, if you would allow me, Mr. Speaker, I would like to read from an essay entitled, Birth of State Plan 14.25, which outlines, in horrific detail, the plan of the East German Government to dominate the world using doped-up athletes, and I quote from “East Germany - The Miracle Machine and the Birth of State Plan 14.25. Sport as Political Capital”. It is amazing, and I think that people should really listen to this. This document only came to light when the Berlin Wall fell, when socialism basically came to an end in 1989/1990. This document surfaced and was as secret as the East German nuclear plan, and the plan was to use sport as political capital.

“It was from the meager 1948, post-World War II surroundings that an astonishing sports system was born. Over the next 40 years, East Germany grew into a prolific international athletic power—stamping out Olympic...champions like gold coins from a mint and dedicating billions of dollars to the effort. Only in 1990, after the fall of the Berlin Wall and in the midst of political change that brought so much of East Germany’s past into question, was the sport system attacked as a perverted use of precious funds and people.

Although leaders denied the use of sports as political propaganda, a primary purpose of this program was, indeed, to demonstrate the superiority of the Soviet/Communist form of government over the Western/Democratic systems.

‘Sport was a weapon against the west,’ said Peter Busse, the Interior Ministry official who oversaw the athletic merger of East and West Germany. ‘The entire system was run from above by a Communist central commando, and there was only one goal—to bring East Germany recognition in the world.’

With a population of 17 million the East German government identified athletic success as a fast, cheap method for obtaining international prestige and circumventing its diplomatic isolation. Walter Ulbricht, leader of East Germany from 1950 to 1971, even referred to East German athletes as ‘diplomats in tracksuits.’

‘We were taught in school that it takes dozens of embassies, but only one Katarina Witt to make East Germany known in the world.’—said—“Martin Plant, an instructor at the University of Georgia from the East German City of Rostock,”—he—“said of the two-time Olympic figure skating champion.

The East German Government created a national policy or plan that was to be the blue print of international sporting dominance. The plan known as State Plan 14.25 is to this day considered the most dastardly and harmful demonstration of cheating in modern sporting history. The effects of the plan still have repercussions up to today at all levels both in Germany and internationally and clearly demonstrate the negative social, physical and psychological, economic and political effects of doping in Sport.

#### Birth of State Plan 14.25

After East Germany closed its doors to the outside world in 1966 involved the systemic, state-controlled doping programme that involved up to 10,000 athletes, some as young as 10—years old—“over a 20-year period in the 1970s and 1980s. The Stasi, the East German secret police, ensured the secrecy of the project using brutal enforcement. A team consisting of up to 1,500 scientists and doctors churned out and prescribed hundreds of thousands of steroid pills to athletes.

#### State Plan 14.25.

In 1974, with stricter tests being developed and used at international competitions, the government determined that a centralized system—in East Germany—“was needed to manage the doping program to produce maximal

results and evade detection. The prestige gained from outstanding performances at international competitions was too important a political priority to leave to chance. Positive drug tests would undermine the”—East German—“government’s claim of possessing a superior society.

In addition to central control, the new system was a cross-disciplinary program bringing together coaches and scientists from a wide range of fields to develop new and more efficient doping techniques and detection methods...

Importantly, this system was considered an official state secret even preventing junior athletes from discussions with their parents. This plan was originally named ‘Research Program 08’ before eventually becoming known as ‘State Plan Research Theme 14.25.’”

### **2.30 p.m.**

“It was common for athletes, many underage, to not be told what they were being given. If any athlete or parent asked, a typical response might be that they were receiving vitamins and minerals. Kornelia Ender, four-time 1976 Olympic gold medalist in swimming, and having set 23 world records between 1972 and 1976, didn’t know if she was given steroids or not.”

She said, and I quote:

“‘After every workout I got a ‘cocktail’ with vitamins.’”

Ender shared in 1992—this is when she revealed all that went on:

“‘I drank it because I wanted to recover as fast as I could. You must understand that no one...not swimmers or coaches or doctors, ever spoke about drugs. Sports officials never talked to us about anything. We never questioned what we were being given.

My coach would have exploded in rage if I had said I did not want to take these pills anymore.’”

This was stated by former East German sprinter, Gesine Tettenborn, who competed under her maiden name Walther in the mid-1980s.

“Further, underage athletes were given steroids, often without parental consent or knowledge. Swimmer Catherine Menschner—who was under 15 years old when a competitive athlete—remembers candy boxes labeled with the names of each athlete filled with brightly colored pills instead of

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chocolates. The pills had to be ingested immediately in front of the coaches and couldn't even be taken into the locker room. Parents were told the pills were vitamins.

**Heidi Krieger**, a member of SC Dynamo—in East Germany—“and the 1986 European women's shot-put champion, was given a combination of blue pills wrapped in foil and birth control pills at age 16.”

**Hon. Member:** [*Inaudible*] [*Laughter*]

**Hon. A. Roberts:** Not that blue pill. [*Laughter*] The 1986 records show that she was given 2,000—in 1986 alone—2,590 milligrams of OT, a dosage 1,000 milligrams more than Ben Johnson tested positive for. This was in a young 16-year-old girl.

“After the fall of the Berlin Wall, the presence of documents detailing the doping conspiracy was exposed. The President of East Germany's Olympic Committee, Manfred Ewald, who masterminded the system, and Medical Director Dr. Manfred Hoepfner were charged in court for causing bodily harm to 142 female athletes—they were convicted in 2000. “Sport officials were also prosecuted. A fund was set up to help doped athletes by 2003, but few came forth for fear of negative publicity. In 2006”—remember this is way back, this is way back from the '60s coming up to the '80s, but in 2006—“some 184 athletes won a larger compensation from the German Olympic Sports Organization and federal government. However, many of the coaches and scientists received only short sentences or fines and continued to find work outside of East Germany.”

And we move right into, for example, into swimming. In 1992, all of a sudden when the Berlin Wall came down and these scientists and cheaters, coaches, swim coaches, trainers, massage therapists were out of a job in Germany, in 1992 we saw an amazing phenomenon. In the history of swimming, China had not been a dominant factor. In 1992 in Barcelona they won their first female gold medal in swimming. They did not have a commensurate increase in the improvement of their male counterparts. Normally in swimming, you will see, if coaching and your system are good in place—your trainers, your coaches, your financing, your competition, your facilities—you will see equal or about equal improvement in your male and your female athletes.

The Chinese swimmers in 1992 moved from oblivion to the top of the world rankings on the female side, but their male counterparts could not be found in the top 500. In 1994, in the World Championships in Rome, China won 11 out of 14



female gold medals and broke nine world records. This was after previously having never won an international medal until 1992. Moving on into 1996, China again, with Le Jingyi, became the fastest swimmers in the world with world records—Le Jingyi and Shan Ying.

Unfortunately, for China by 1997, the Sports Medicine Congress, the IOC, was coming down very hard and swimming—American Swim Coaches Association and World Swim Coaches Association were monitoring, very heavily, the improvements in China. After being ranked the top in the world, what happens is that your swimmers then become available or have to subject themselves to out of competition testing, and that started to break down the big Chinese female juggernaut as they received 33 positive tests within an 18-month period—33 positive tests.

Now, just to let you know, a positive test is not very easy to get. Because of the legal ramifications and appeals, because of the possibility that someone can argue that it naturally occurred in their body, the Court of Arbitration for Sport and WADA have used some very big margins to ensure that there is little or no absolute possibility that you could really be natural. In other words, for example, in every human being, all of us sitting here, we have in our system something called testosterone and epitestosterone, and they normally move in a ratio, on average, of 1.2:1, okay—the ratio of testosterone to epitestosterone.

Now only one human being in the history of all medical records has had or has been found to have a ratio of above 2.4:1. However, in athletics or in swimming, to get a positive test for testosterone, the level that has been agreed upon is 6:1. Understand this. Six to one—because they wanted a zero per cent chance of anybody being born with a ratio of 6:1, so that a positive test could stand up to the strongest appeals made at the highest court, which is Court of Arbitration for Sport. Now what does this mean? This means that with a great doctor and very, very careful monitoring, if an athlete goes up to 5.9:1, they are actually a clean athlete. Follow me now. A normal human being, 1.4, 1.2, 1.4:1; to test positive, you have to be 6:1, so there is a gap in there for those who wish to cheat, to carry their ratio up 3:1, 4:1, 5:1, 5.9:1. Now what does that mean?

Now this is where a lacuna was created and some of you may know about Mr. Ian Thorpe, who was known as the greatest swimmer in history. Back in 1998 at 15 years old in Perth, Australia, he broke on the scene and won the 400-metre freestyle, but later on, after 2004, the test showed, because blood sampling came in, that his testosterone levels were well above the normal for human beings, but just below the positive test. He then was given the opportunity to retire and so on.

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So you must understand that even though we are bringing measures to ensure or to create a cleaner environment and fairer avenues for sport, it is going to be almost impossible to keep sport totally clean. Because doctors, very intelligent, there is a lot of money in sport, and back in 1993, I was privileged to go to the Sport Medicine Congress in Fukuoka, Japan, where listening to all the papers presented over a three-day period and rubbing shoulders with some of the world's best sports medicine doctors and officials, it was a given that the testers, the drug testers, like what TTADO is going to be in Trinidad and Tobago, and those fighting for fair sport, are approximately five years behind the cheaters. The cheaters have more money, they have better investments; where there is more money, the brighter people go and they keep creating synthetic means to improve performance through doping, so the tests were always five years behind.

So you will hear yourself saying, and many of us do it as we watch Olympics or we watch high level sport, we say, "But look he win de gold medal, but he did not test positive so he ha to be clean". Understand that in competition it is not the best way to catch athletes, for a myriad of reasons. Number one, what is being tested for, the cheats are well advanced. For example, there was something in 2000 you would hear about Marion Jones declared something called human growth hormone. In all of us right now exists human growth hormone. We all have it. When we go to sleep, that is why we sleep and go into REM sleep, the human growth hormone is produced in greater amounts while we sleep, so that is why you need to sleep and your muscles grow.

When you see you have young athletes, you tell them to get to bed and get their full amount of rest, so that the growth hormone can be produced, so that the work they did in the day will redound to their benefit as their growth hormones recover their muscles, their muscle fibres get thicker and stronger and therefore they run faster, they swim faster, they throw the javelin further.

What happened back in 2000, there was no test at that time for human growth hormone because everybody had it in their system. All the people and factories that produced human growth hormone back then did not put markers in their samples. Human growth hormone, and Dr. Gopeesingh, Dr. Khan will let you know, was used to help treat many diseases where the body would be diminishing or muscle structure, whatever ills existed in hospitals, human growth hormone would be used for that purpose, but the drug cheats found that if you train hard and you use—inject artificial human growth hormone—your body recovers much faster. Therefore a coach can train you that much harder and therefore in one week a normal human being will be able to train nine sessions at two hours at a

certain intensity, but if you take human growth hormone, you would be able to train those nine sessions or 12 sessions at a higher intensity because your body will not break down.

When you train hard, your body becomes susceptible to breaking down, your immune system gets weaker. If somebody coughs on you or sneezes, you are more prone to get that cold. When you get the cold, you cannot train. If you have drugs that are protecting you, you are able to put more work in. So drugs do not help at the competition time, because when you are coming to compete you go through what is called a taper period, which is a period of diminished training, so therefore you do not require any drugs to help you recover. So for a period before, if you taper for six weeks, it depends on the time of whatever substance you are taking, how long it takes to clear your system.

So if you are taking a steroid that requires four weeks to clear your system and you taper for six weeks, you come, you compete, you win, you test, and you are negative, because there is nothing in your system.

#### **2.45 p.m.**

Mr. Speaker, some people believe that you take a steroid, “I could run from here, 100 metres probably in 25 seconds,” and people feel “If I inject myself with steroids this afternoon I will run it in 20 seconds.” It does not work like that. What happens is that while you are training if you use the artificial substance or the doping substance, it enhances your ability to recover quickly, therefore you can train harder than a clean athlete. By the time we come to compete, I can beat you because I have done more weights, I have done higher intensity sets, and my ability to accept and take lactic acid is greater than yours. I would beat you very badly and seem like I have never gotten tired, while you are exhausted, your heart rate goes up to 180 and your muscles seize up on you. I will finish, celebrate, smile and you would be drowning, blowing in the pool or on the track and so on. That is how drugs function.

What did WADA do? WADA also created—and this is why we believe we need a three-fifths majority—out-of-competition testing, in that, once you come up on the world landscape—in some countries it is the top 40, the top 100, whatever your Olympic committee or your federation decides, you must make your whereabouts known. So, for example, in 1996 Leah Martindale, who is a Barbadian, but was here in Trinidad and Tobago training with me and staying at my mom’s house, she had to let the Barbados Olympic Committee know where she was, where she was going to race, where she was going to train. If we went to

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Mexico to do altitude training at 2,000 metres above sea level, she would have to let them know, so that when WADA wanted to do an out-of-competition test, they would know where she was.

So, we were training one morning at 6.00 a.m. in 1996 Leah had gotten world rank in 1995. She became the first woman of colour to make a world championship final in Rio de Janeiro, Brazil, on the Copacabana Beach in the world short course championships. She placed fifth in the 50-metre freestyle and fifth in the 100-metre freestyle. What that does is advertise to the world that you are good, and they want to know how you became so good because you are not supposed to be so good, training in a banana republic in swimming, without the science and technology.

We were training at Queen's Park Hotel, which is now TGI Fridays around the Savannah, and all of a sudden three officials presented themselves with forms and said, "Could you point out Miss Leah Martindale?" I said, "There she is." They said, "Could we speak to her for a moment?" They spoke to her, she signed a form and they logged in the time. Once she signed that form, she had 12 hours—she was allowed to finish her workout, but then she must give them a sample. Must! If she chose not to, it would have been deemed a positive result and she could have been sanctioned and banned.

This is where the information is necessary because out-of-competition testing is where you find the cheaters, because while they are training hard that is when they need the doping substances to help them recover. This anti-doping legislation brings us under the world guidelines of the UNESCO convention. It brings us in line with all best practice towards trying to ensure cleaner sport globally.

I forgot to mention with the Marion Jones issue, for example, the only reason—and remember, all of us, take your minds back to the 2000 Olympics—looking at Marion Jones from Belize. We were feeling a sense of pride because this was a regional runner, even though she was running for the USA. Little did we know what was taking place, and the only reason we found out was that one of the nefarious gentlemen who was involved did not get his money. Because he did not get his money, he sold out the information. It was not due to any great testing or any great new anti-doping war or any new out-of-competition testing. It was simply that the little group that was profiting from cheating, one fella did not get his money and so he sold out. Therefore, the world became aware of human growth hormone and declared: now, all manufacturers of human growth hormone in the world, put a marker in it that can be detected by a test.

Furthermore, one of the ways that the anti-doping movement has moved to close the gap between the rich cheaters and the struggling law enforcement, so to speak, is that blood samples are now taken, and blood samples are frozen. So while you may have enjoyed seeing certain people win Olympic medals in London 2012, the winners are not winners as yet, because as new tests come up WADA and the IOC have the right to test every athlete, every medal winner's sample going forward. So, we do not know, there may be something that we do not know right now that will be detected by a new test developed by scientists in 2014 which will negate the results of 2012.

Mr. Speaker, the Tour de France scandal highlighted the need for an independent international agency which would set unified standards for anti-doping work and coordinate the efforts of sports organizations and public authorities. The IOC took the initiative and convened the first conference on doping in sport in Lausanne in February 1999. Following the proposal of the conference, the World Anti-Doping Agency, WADA, was established on November 10, 1999.

WADA works independently but collaboratively towards a world where athletes can compete in a doping-free environment. In furtherance of this objective, governments of countries, including Trinidad and Tobago, conferred in 2003 during the second World Conference on Doping in Sport. The meeting resulted in the Copenhagen Declaration on Anti-Doping in Sport, where governments signalled their intention to take further and stronger cooperative action aimed at reduction and eventual elimination of doping in sport.

The worldwide momentum on the problem of doping in sport was strong enough to bring about a global treaty, the UNESCO International Convention against Doping in Sport, enforced in 2007. This convention is one of the tools that governments use to align the domestic policies with the World Anti-Doping Code.

WADA's mission is therefore shared by national anti-doping organizations in 129 countries. We wanted to be 130<sup>th</sup> to pass this; also, there are 207 that compete. So, you see, we have a long way to go before ensuring clean sport, but today I believe that we take a step to make sure that Trinidad and Tobago can ensure, moving forward, that we are absolutely 100 per cent compliant. The Government of Trinidad and Tobago now follows the path of its Caricom partners of Jamaica, Barbados, Bahamas, Belize and Grenada in bringing forward legislation, first and foremost, to establish a level playing field for all athletes to ensure safe and fair competition worldwide.

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All of these issues that I have just talked about are dealt with in the preamble to the Bill, clauses 1, 2, 4, 5 and 6.

Some people will remember—just to alert the population to some of the damages, some of the deleterious effects of doping, one only has to remember Cleopatra Borel, our female shot-put hero, London 2012. She missed out on getting an opportunity to throw for gold by one place. Understand this: Keshorn Walcott got into the final barely. I think he was like nine out of 12, ninth or tenth. He squeezed into the final, but then got the opportunity to throw, and he threw and won gold. Cleopatra Borel-Brown was denied the opportunity to throw for gold by a drug cheat who tested positive, Nadzeya Ostapchuk of Belarus. She won the gold medal, tested positive and was disqualified. But what can you tell Cleopatra Borel?

While the gold medal was taken away, the silver medallist was elevated to gold medal, you cannot go back or throw back the hands of time and allow Cleopatra Borel-Brown the opportunity to make three throws and then the opportunity to take three more. All she has to do is know, “Well, hard luck.” All of the work she put it, all of the torture, all of the dedication, the hours in the gym, the diet, the vitamins, the lack of liming, the no social life, all of her efforts came to naught, because somebody wanted to cheat. Some may feel this sport Bill “is no big ting”, this is a very serious thing. And you saw how seriously East Germany and China took it.

So we are here today and it is a good day. Of course, we need a three-fifths majority, but I will request of the Opposition that they give their suggestions so that they can fully support it also, and we are willing to make any amendments moving forward.

It was not only Cleopatra Borel. As I started off I gave a little synopsis of Trinidad and Tobago’s performance internationally, especially at the Olympics from 1948 coming forward. Let me ask you this question. Let us take Ato Boldon, for example. Ato Boldon: two bronze medals, 1996; in Sydney, one silver and one bronze. It was only in 2004 that the Greek Olympic gold medallist, Kenteris, from 2000—remember in Athens he faked, along with his other counterpart, Miss Thanou. When they were called for an out-of-competition, pre-Olympic testing, they could not be found and then they faked that they had got in a motorbike moped accident and dodged their test. They were subsequently kicked out, and it was realized that they were cheating.

Well, let me put it to you this way: Kenteris was the gold medallist in 2000. Ato Boldon was the bronze medallist. Was Ato Boldon really the bronze medallist

or was he the silver medalist? If a cheater was not in the race, how did that impact somebody else's race?

If you do not understand what I am saying, let us go back to 1992 with Ian Morris. Quincy Watts was the man who won the gold medal. He went out at a blistering pace in the first 200 metres, so much so that he shattered the race plan of everybody else, because people could not believe that a human being would take out a 400 so hard. In a 400 if you go out hard and lactic acid hit you in that last 100 metres, there is no pain greater than that. Quincy Watts tested positive subsequently. What does that mean? Was Quincy Watts doping in 1992? We will never know.

If he was, did Ian Morris get a bronze medal? If Quincy Watts was not in that race and the race had been “run properly”—in inverted commas—would Ian Morris have won gold? These are questions that will never be answered because cheaters have ensured that honest athletes have been denied the opportunity, the glory, the revenue, the endorsement money, the advertisements, the contracts, the national awards, from time immemorial.

In 1996, Leah Martindale, who I had the privilege to coach—yes she was a Barbadian, but she was living in Trinidad and Tobago. She was staying at Newbury Hill, just above the Member for Diego Martin West's office, by my parents' house. She trained very hard; she trained very well. She went to the 1996 Olympics and placed fifth in the 50-metres freestyle, becoming the first woman of colour to ever make an Olympic swimming final since 1896.

**Hon. Member:** You said that earlier.

**Hon. A. Roberts:** Yes I said that earlier, but now I am going to say something else. Just now, stay calm. “We go send high blood pressure ting for you too if you need it.” [*Laughter*]

Now when you look at who beat her, the gold medalist was Amy Van Dyken. The silver medallist was Le Jingyi of China; I spoke about that. Le Jingyi tested positive in 1997 and was banned. The bronze medallist was Angel Martino of the USA who had tested positive, was served a ban and came back. The fourth person who beat her was Shan Ying of China who later was banned from swimming for testing positive.

**3.00 p.m.**

So out of the five people who beat Leah Martindale, three tested positive and were deemed cheaters, which means she was possibly second, but then you do not know because she qualified only eighth, “make a final”, of which the three

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cheaters were in there and she had to swim in lane one. If the three cheaters were not there, you get to swim on the inside, closer to the fast ones, and you do not know what happens. It changes the entire climate, the entire chemistry, the entire make-up of the race.

George Bovell III, 2001, he went to Japan. He was ranked 44<sup>th</sup> in the world. After the heats of the 200 IM he was ranked number one. We went outside to swim down, to warm down, to get ready for the final in the evening. The media, the Japanese media, were all around asking TRI; what is TRI? Who is TRI? “Where this come from?” I said Trinidad and Tobago, Caribbean, oil and gas, steel pan. “ah say Jamaica, close to Jamaica, come around, near Venezuela. They had no idea “wah ah talking about”. Ah say Trinidad and Tobago, Ato Boldon, and all the media—“oh, Ato Boldon! Ato Boldon! Trinidad and Tobago. They knew where he was from. He was ranked first. In the final he finished fourth. The goal medallist was Italian olympic champion from 2002, Massimiliano Rosolino. In 2002 he tested positive. Was he clean in 2001? I do not know.

Jani Sievinen of Finland was the bronze medallist—sorry the silver medallist in that race that George Bovell came fourth. Jani Sievinen was the world record holder. He tested positive in 2002; this was 2001. Was Jani Sievinen clean at the time? I do not know. Would Trinidad and Tobago’s fate be different without drug cheats? I do not know, you decide. But what we will know from here on is that in Trinidad and Tobago, as we move forward to develop sport as an industry, as we develop sport tourism, we will have the ability with this legislation to ensure that on the shores of Trinidad and Tobago, one, that athletes are clean. Any athlete who comes here will be subject to this law and can be tested.

So while we want to move into sport tourism, we do not want to be a haven for drug cheats. We want the purest, cleanest, best athletes to come here, train in our facilities and perform across the board. [*Desk thumping*] And this is what this law will do.

It will also ensure, while Trinidad and Tobago has been blessed, and I say so, we have been blessed by good character, good coaching, good leadership at the Olympic committee level, good NGOs, because—knock on wood—we have been spared any major embarrassment due to individual or club or systematic doping thus far. We must ensure that we do not just ride the lucky train, that we ensure that this continues because one positive test of an international athlete can damage the reputation of Trinidad and Tobago forever and also negate all the pride. As I talked about Lennox Kilgour and Rodney Wilkes, and Donovan Bailey—I am sorry, hear me—Mc Donald Bailey—Donovan Bailey is a Jamaican who ran for



Canada—Mc Donald Bailey and Hasely Crawford and Keshorn Walcott, Richard Thompson, George Bovell, all of these people. The pride that I saw here would all be gone as questions will be asked if one of our athletes at major competitions who gets a medal, tests positive, and we want to ensure that that never happens. [*Desk thumping*] I already spoke—right.

**Mr. Speaker:** You have nine more minutes.

**Hon. A. Roberts:** Ooooooh gooooood!

**Hon. Member:** How do you spell that? [*Laughter*]

**Hon. A. Roberts:** So for the *Hansard* that is o-o-o-o-o-h g-o-o-o-o-o-d. [*Crosstalk*] Swim faster. [*Laughter*]

**Hon. Member:** Swim faster. [*Laughter*]

**Hon. A. Roberts:** Okay, let me move on quickly. You see, when you are having fun, time gone.

But our relative immunity from the pressures exacted on athletes to win cannot be taken for granted. And that is what we are talking about. You will see from clauses 7 to 15 that we are dealing with the creation of the Trinidad and Tobago Anti-Doping Organisation, speaking about the disciplinary panel, the appeal panel. Let me just go through quickly the sort of process that goes into a drug test.

Now, if you are in competition and you win a medal, in most competitions they say the three medallists have to be tested. As soon as the race is finished, a chaperone will accompany you. You are allowed to do your cool down, but they will monitor you. Anywhere you go they will monitor you. If you have to drink anything, they have to give you water to drink. You cannot receive anything to drink or ingest from your coach, your trainer, your massage therapist. After that and you are ready, they will escort you to the doping control room. You will sit down, choose a container, two containers, break the seal and so on, make sure that they are anonymous, fill out the codes and then you will go into the washroom with somebody, looking at you very carefully, to see that it is in fact your urine and your sample that has gone on. I see people laughing.

In 2007, Rebeca Gusmão of Brazil won five gold medals in the Pan Am Games in Brazil. She was celebrated as a national hero. Later on when they tested her samples, they realized that it was not her urine. The urine that was in the vial was the urine of a male, and it turned out to be her coach who put the sample in

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there for her not to test positive. So there are many ways to try to cheat the system, and once you want to cheat—well, you know, we will try our best to ensure, but it is not a certain thing.

So after you do that sample now—and if you cannot go, because you know, some people get stage fright and you cannot, you have to stay there. You have 12 hours. If you have to drink 24 “bottle ah water”, you have to do that. Now if you drink 24 bottles of water and the sample is not good enough or the correct colour, the correct content or it is too diluted, you have to do it again. So it is a very serious process, but at competition level the critical time to catch people who are cheating is out of competition, and this legislation ensures that Trinidad and Tobago can be able, not only to test all of our athletes who are moving up and to ensure that no embarrassment comes to the country, but also visiting athletes.

As we look forward, we had the US Olympic team management here to look at the aquatics centre down—that is being constructed in Couva, near to the Ato Boldon Stadium, and if they come, the US, if they choose us over the other competitors, we will be able also to make sure that they are themselves clean because they will have to succumb to our laws and give samples moving forward.

“Now—ooh, two minutes? Or six more minutes. All right. Yuh sure, but yuh just say seven. Ah feel ah cheating yuh. I doh want to cheat.”

**Mr. Speaker:** No. You have six more minutes.

**Hon. A. Roberts:** Six more minutes. Okay. [*Crosstalk*]

**Hon. Member:** Swim on. Swim on.

**Hon. A. Roberts:** Oh, he said nine last time. Thank you. Okay. Swim on. Swim on.

So that was just a bit of the process. The other ways that athletes can cheat. Unfortunately, I was privileged to coach many international athletes who came here to swim and train with me. One of them was a young man called Albert Subirats. He swam brilliantly and was a competitor of Nicholas Bovell, the brother of George Bovell. In 2003, in the Central American and Caribbean Championships in Dominican Republic, Albert Subirats and Nicholas Bovell had some of the most exciting races in the championships.

He came to train with Nicholas under—I was coaching—and he did extremely well. Six years later he went to the University of Alabama—I believe it was, correct me if I am wrong—he went to a university in the States. He then became a world championship gold medallist. He was really gifted, really talented, had all

necessary to be a great athlete. Unfortunately, in 2011, he evaded three out of competition tests—three—and therefore, that constituted a positive under the World Anti-Doping Agency rules, and he was banned from swimming in the Olympics. So they take it very seriously.

So when you are—what you say you are, you have to be. So you cannot make as an elite athlete—and this is where your constitutional rights of the elite athletes come in—you cannot just decide to “ups” and leave without letting your association, your federation know, to advise WADA of where you will be because out of competition testing is the most serious type of testing.

Let me fast forward. Of course, as we said we are trying to move into sport tourism, and we want to ensure that Trinidad and Tobago is a safe haven for all. The upsetting thing about cheating is, all of us are fans, whether you are a coach, an athlete, a former athlete, we are all fans. So when you see Usain Bolt run, you do not have to be a Jamaican to celebrate his performance. You find it is incredible that a human being could run 9.59. You get excited and you want to celebrate. Unfortunately, the stigma of doping, the stigma of people who cheat, the stigma of Lance Armstrong and Marion Jones and Ben Johnson and the East Germans, Kornelia Ender and the systematic doping, the Chinese swimmers, it puts in fans a little caution that says, “aye”, I celebrate that—[*Interruption*]

**Dr. Gopeesingh:** A doubt.

**Hon. A. Roberts:**—but there could be a doubt. This is why anti-doping Bills and legislation across the globe and collaboration with WADA, USADA and any of the organizations, the Trinidad and Tobago Olympic Committee, the IOC, is very important. So that the fans can truly enjoy and celebrate, knowing full well that when they see an incredible performance, it is a legitimate, clean, fair, well-thought out, brilliantly trained, good coaching, and it is not down to cheating.

Now, I say some level of comfort because no system, no process, no legislation is perfect. Sadly, human nature or rather human frailty will dictate further creative attempts to circumvent the system as happened in 2004 with Konstantinos and Thanou; 2007 Pan Am Games with Gusmão, with the Venezuelan swimmer Albert Subirats. Cheaters will always cheat, but with the proclamation of the Anti-Doping in Sport Bill 2013, cheaters will not always prosper. Mr. Speaker, I beg to move. [*Desk thumping*]

**Dr. Gopeesingh:** That was a dedication.

*Question proposed.*

**Miss Donna Cox** (*Laventille East/Morvant*): Thank you very much. Mr. Speaker, I am here to give a contribution towards the Bill, the Anti-Doping in Sport, 2013. This Bill gives effect to the UNESCO international convention against doping in sport, placing local anti-doping efforts within an internationally recognized legal framework, and facilitating mutual cooperation and assistance among signatory countries.

Mr. Speaker, the Bill serves to address the scourge of illegal drug use in sports, and the legislation which I am informed was in drafting stage a while ago, since under the PNM administration, [*Desk thumping*] attempts to show that Trinidad and Tobago is serious about its commitment to the World Anti-Doping Agency and the fight against doping in sport. I am aware that all of our world class and elite athletes are regularly tested by the international organization, WADA.

Mr. Speaker, a perusal of the Bill reveals that the implementation of this process will be costly and must involve proper planning. Might I add, it also reaffirms the importance of the national sports policy, including the establishment of the sports commission, as there must be a holistic, integrated and systematic framework in the development of sport rather than a piecemeal approach. In the National Sports Policy one of the objectives is that Trinidad and Tobago should become the preferred destination for international events and a hub for sports in the Caribbean.

### **3.15 p.m.**

Mr. Speaker, Trinidad and Tobago Anti-Doping in Sport Bill, 2013 is similar to that of its Bermudan and Jamaican counterparts.

And clause 7(3)(b) includes that a part of the function of the Trinidad and Tobago Anti-Doping Board should be that appropriate procedures should be developed to protect the privacy of athletes. What I am saying is, this information, section 4(2)(iii) of the Bermudan legislation, has a clause dealing with protection of the privacy of athletes. So, I am asking the Minister that this is one area that he needs to look at. This privacy provision is especially important as there would be, obviously, the confidential information being divulged from the respective bodies under the Bill.

Clause 8 of the Bill speaks about the Board of the Trinidad and Tobago Anti-Doping Association, which would “be appointed by the President on the advice of the Minister.” In other words, the Minister appoints the Board.

Clause 8(2) states the type of individuals and necessary qualifications needed to be a member of the Board which is supposed to manage the Trinidad and Tobago Anti-Doping Organization. Some of these persons include:

- “(c) a former athlete;
- (d) a former coach;
- (e) a former sports administrator who has served...for at least four years;”—and I believe that this should be someone who has served for a longer period.
- “(f) a person who has qualifications or experience in marketing or public relations.”

**Mr. Roberts:** Which one is that?

**Miss D. Cox:** This deals with the persons who should be included on the Board—a sport administrator, four years is not long enough.

Also you spoke about the marketing or PR person needed on the Board but there is no time frame. So that means somebody who just—a new PR person, so there should be a time frame there. Also it speaks about:

- “(b) a person who has experience dealing with doping or substance abuse prevention matters;”

That is okay, but I think particularly when we have—I think there is also need for a HR person. So they must have a time frame—how long that person is a practising professional in that particular field.

Clause 17 speaks about the establishment of a Therapeutic Use Exemption Committee, and it states that the Trinidad and Tobago Anti-Doping Organisation,

“...shall establish a Therapeutic Use Exemption Committee...comprising three medical practitioners with at least five years experience.”

But the word “establish” here, does it mean to appoint? Because it says that the “TTADO shall establish a Therapeutic Use Exemption Committee.”

So I wanted to know if it meant appoint, because I was not sure, because I saw it in, I believe it was the Bermuda or Jamaica legislation, one had “establish” and one had “appoint”.

**Mr. Roberts:** “We going with appoint.”

**Miss D. Cox:** Okay, good. Mr. Speaker, this is an important committee because they receive and examine applications from athletes for therapeutic use exemptions, and from time to time some athletes may need to take certain medications which may be on the list of prohibited medications. For example, some athletes have asthma and their medication—they may be put on certain types of steroids. So the function of this committee includes:

“(b) the granting, denial, monitoring and revocation of Therapeutic Use Exemptions...”

So, it is important therefore that a committee of this nature be fair, transparent and independent.

Clause 8(6)(b) states that the appointment of a member of the Board may be terminated where that member,

“fails, without reasonable excuse, to carry out any of his duties in a responsible or timely manner...”

What does “timely” mean, because what may be timely to one may not be timely to another. So, in the Bermudan legislation section 6(5)(b), they suggested three months. So, we can decide how long we would like that to be.

Clause 17(3)(c) states:

“In furtherance of its functions, the members of TUEC shall—

act independently of TTADO and shall not have any other official responsibility within TTADO.”

I agree with this, Mr. Speaker, but what concerns me is: how can they act independently of the same Board that appoints them? So, if TTADO is appointing the Therapeutic Use Exemption Committee, but here there is a clause stating that they must act independently of that said Board.

Clause 19 speaks of a Results Management Committee, which shall among other duties—

“(a) notify an athlete of the result of his test;

(b) refer Adverse Analytical Findings to the Disciplinary Panel.”

Mr. Speaker, I move to clause 22 which addresses whereabouts requirements and this process is indeed intrusive. There are some concerns from some international sporting bodies concerning the whereabouts system. The Belgium Sports Union led a legal challenge as they argued that the system violates Article

8 of the European Convention on Human Rights. Both FIFA and UEFA have criticized the system citing privacy concerns. The Board of Control for Cricket in India also had grave concerns and permit me to quote the *Hindu*, a newspaper in India dated August 09, 2009. I quote:

At a meeting held in Mumbai the BCCI—which is the Board of Control for Cricket in India—“has declared the whereabouts clause of WADA as unacceptable for its cricketers.”

But, Mr. Speaker, this process is indeed necessary, as intrusive as it may appear. The anti-doping process is one of strict liability and the athlete is responsible to report his or her whereabouts.

Clause 5 names all of those to whom this Bill applies including athletes, support personnel, national governing bodies, clubs, teams, associations; but gyms or fitness centres are missing from here. Mr. Speaker, I guess this must be an oversight because almost all athletes train in a gym. Why is the gym or fitness centre not included? Is this a safe house for athletes? Many persons involved in sports would have had experience of walking into the bathroom in a gym and seeing persons either taking or injecting themselves with drugs. Most doping takes place in gyms, by doctors or by pharmacies. The provision of these substances can be a lucrative business. We cannot, however, leave out the gym in this clause which speaks about clubs and organizations which this Bill applies to.

Clause 7(2) speaks about the functions of TTADO with regard to:

“(a) planning, implementing and directing a National Anti-Doping programme aimed at informing or educating athletes”—on anti-doping matters.

I quote clause 7(2)(a)(i) which states that part of the education process must include:

“the health consequences of doping, including the use of anabolic steroids in fitness centres;”

—so therefore, fitness centres mentioned here certainly must have been an oversight. It is not mentioned that this Bill applies to fitness centres also. The Minister may need to include this in clause 5(e).

In clause 26, persons committing anti-doping violations are subject to sanctions. Mr. Speaker, I observe that the only penalty for sporting organizations is the withdrawal of funding, and it assumes that every national sporting

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organization is funded by the Government. Under the current Bill if an organization says, “I doh need your money”, what happens then? Clearly, the Government can do nothing. However, the WADA rules will definitely kick in with regard to any breach of anti-doping rules. And this serves to remind us that the reality is that a Government does not control sports, it is the international organizations which do.

Mr. Speaker, I note that in Trinidad and Tobago’s anti-doping legislation the role of the Minister is silent, and I would like the Minister to hear me, please. I note in this legislation the role of the Minister is silent except with regard to the appointment of the Board and various committees. In the Jamaica and Bermuda Anti-Doping Acts, which Trinidad and Tobago has patterned its own after, there are specific clauses with regard to what kind of direction the Minister can give to the Board and what he can advise on, and it is missing from ours.

Mr. Speaker, permit me to quote the relevant section in the Jamaican legislation which in section 7(1) states that, and I quote:

“The Minister may, after consultation with the Chairman of the Commission give to the Commission, directions in writing of a general character as to the policy to be followed by the Commission in the performance of its functions, as appear to the Minister to be necessary in the public interest and the Commission shall give effect thereto.”

Section 7(2) states that “directions”—given under—“subsection (1) shall not relate to—

- (a) a particular athlete or...support personnel;
- (b) or doping control.”

Section 7(3) says:

“The Commission shall comply with any direction given under subsection (1).”

So, therefore, both the Jamaican and Bermudan legislations state that the Minister shall not give any direction or any particular advice when it pertains to an athlete, support personnel or doping control.

**Mr. Roberts:** Thank you for giving way. This Minister, having extensive experience in sport and elite performance, deliberately took the Minister’s office, whoever it may be, totally out of it. So, once TTADO is placed there, the Minister



cannot influence in any form or fashion, anything. TTADO is beholden to themselves and totally independent, similar to, for example, the Integrity Commission. So, the Minister has nothing to do there and we did that on purpose.

**Miss D. Cox:** Well, it must be seen to be so because what you will need to do—that information is not in this legislation, so therefore there must be a clause stating about the Minister. Okay?

The Bermuda Act—all right, well I already stated what these Acts—I would not go into the Bermuda Act which says the same thing that I was just talking about and I suggest that it be included in the Trinidad and Tobago legislation because the Bill places no explicit restraints on the power of the Minister with respect to the Board and in the absence of such restraints there is a loophole here for the Minister to influence TTADO.

There is no provision in this Bill for retired athletes. I would like to suggest that there be an insertion in this legislation with regard to retired athletes because I observed in the Bermuda legislation section 27(1) which stipulates that an athlete who has retired shall give written notice to TTADO or to the Bermuda equivalent and his national sporting organization that he has retired.

And it goes on to say in section 27(2) of the Bermuda legislation that the retired athlete is not subject to the requirements under the Act and that where a retired athlete makes a decision to return to competition he shall then give written notice. You know this is to safeguard the fact that for someone to avoid testing can then retire themselves, but you cannot just retire, you are supposed to go through the process. Okay? The person could just say, “I retire so I doh need to take the test”. So, therefore there is a process, so therefore the person should inform TTADO and inform their association that they are retired and if they decide that they would be coming back in the sporting arena you write and say that.

In the definition of “sample”, I would just like to suggest that urine be inserted because it speaks about blood and it might not be clear to all that urine is included under a biological material. The layman would not pick up that of course. If you are just reading the legislation you would think that it is just blood samples but urine sample should be included.

Clause 15—reports should also be sent annually to WADA in accordance with the code, and this is not stated and this is mandatory but it is not stated in the clause.

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Clause 19 should be amended to say “cooperate with the police”. All right? I think this has to do with the Therapeutic Use Exemption Committee where clause 19 speaks about if they find a substance in someone tested they should report to the police. I would like to suggest cooperate with the police because the finding of a substance in a bodily specimen is different to possession or trafficking, and if this substance could have been taken weeks before in some cases. For example, marijuana can stay in a person’s system for about 30 days. All right, so there is no charge there basically, but yet I think it should be open where in the event that there is any police matter, they be willing to cooperate with the police.

### **3.30 p.m.**

With regards to confidentiality, in addition to all that is written in the clauses, everyone should be made to sign a confidentiality agreement, formally. A comparison of penalties for the disclosure of confidential information I would like to give, is as follows:

- In Australia, for the disclosure of confidential information it is two years’ imprisonment;
- In Jamaica, \$1 million the equivalent of US \$10,000;
- In Bermuda, US \$10,000 or six months or both;
- In Trinidad and Tobago \$25,000 or US \$3,900.

So, I am not sure the reason why our penalty for disclosure of confidential information is so low compared to the other jurisdictions, because this is a serious matter here. The Trinidad and Tobago legislation provides adequately for appeals from the Therapeutic Use Exemption Committee to the World Anti-Doping Agency and then to the Court of Arbitration for Sport. And it also further provides for appeals to the Anti-Doping Appeal Panel from the Anti-Doping Disciplinary Panel and this is a noteworthy expression of due process.

Clause 27 deals with the appointment of a disciplinary panel appointed by the President on the advice of the Minister. Mr. Speaker, I would have preferred a more independent appointment process with regard to this committee and the appeals panel referred to at clause 31, which is also appointed in like manner.

With regard to the appeals panel, clause 32(1) states that:

“The Appeal Panel shall comprise six members appointed by the President on the advice of the Minister...”

I just wanted to know why six members? What happen if there is a deadlock, particularly in an appeals panel? The figure should be an odd number, so it should be five or seven. [*Interruption*] But it is not stated here because the six outlined, the six persons on the appeal panel are outlined, six persons. I noted that the composition of the Trinidad and Tobago Anti-Doping Appeal Panel is as follows:

- “(a) a Chairman and a Vice-Chairman, both of whom shall be Attorneys-at-law of not less than ten years standing;
- (b) two medical practitioners of not less than ten years standing and who possess experience in sports medicine;
- (c) a former sports administrator of not less than ten years standing; and
- (d) a former international-level athlete or a former national-level athlete.”

But permit me to quote the equivalent of Jamaica’s legislation and their appeals panel. Section 22(1) of that legislation and I quote, Mr. Speaker:

- “(a) a chairman and vice-chairman being both persons who have served either as a Judge of the Court of Appeal or of the Supreme Court;
- (b) persons who have served in—
  - (i) the post of a Director of Public Prosecutions or a senior member of staff of the Office of the Director of Public Prosecutions;
  - (ii) a sports administration for at least ten years;
  - (iii) sports medicine for at least ten years.”

I understand why the Jamaica Appeals Panel includes retired judges. Because when an athlete has to appear before a disciplinary committee or an appeals panel it is serious business and most likely will do so with legal representation. An athlete’s career will depend on the outcome of these deliberations and results. I tend to lean towards the serious, high-end composition of the appeals panel stated in the Jamaican anti-doping legislation.

Mr. Speaker, clause 35(1) relates to conflict of interest with regards to anyone exercising a function under the Act. The Jamaican Anti-Doping Commission once disbanded for this reason, and permit me to quote from the *Gleaner*, the Jamaica newspaper, Saturday July 03, 2010:

“Jamaica Anti-Doping Commission (JADCO) Board dissolved

The 15 members of the two-year-old board have reportedly received letters terminating their services.

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Jamaica Olympic Association President Mike Fennell confirmed yesterday that the members of the board were asked to resign yesterday.

‘The minister just said that based on the review that was done by the World Anti-Doping Agency (WADA), she would like to restructure the board and therefore, she was asking everybody to resign and then she would reappoint those that they wanted to reappoint.’

Members of WADA visited the island in May on the invitation of Minister of Sport...to conduct an audit of the two-year-old anti-doping body. During the visit, WADA’s director, General David Howman, who led the delegation, raised the issue of conflict of interest, as there were members of the...board”—still affiliated to their sporting associations on the board.

What I want to note that he also said, Mr. Speaker, I will move down. He said:

“During his visit, Howman, who praised JADCO...”

This is Jamaican, equivalent of our TTADO—

“...for the advancements made since its inception, suggested that the issues of conflict with regard to the make-up of the board did not suggest that anyone was running afoul of the code but the perception that there could be conflict took precedence.”

I want, Mr. Speaker, to remember this, the perception that there could be conflict of interest took precedence.

So here we see that our clause 35(1) relates to conflict of interest with regard to anyone exercising a function under this Bill, and this is extremely important. As I speak of conflict of interest I observed in this week’s *Guardian* a series of articles about the Trinidad and Tobago Boxing Board. I spoke in this House about a year ago, actually it was March, about the appointment of Mr. Boxu Potts, a boxing promoter, as an advisor to a national boxing board. I indicated that it was and continues to be a serious conflict of interest.

The advisor was appointed to a board that did not ask for an advisor, and the Board knew nothing about the drafting of the contract of this advisor that was thrust upon them. Neither were they privy to the contents of the said contract. A perusal of the board minutes of July 07, 2011 will show that the acting chairman of the board enquired about the contract and the board members had no

knowledge of the contract of the special advisor to the boxing board. I would like to quote from the Boxing Board, Chap 21:52, section 3(1) and (2). It is stated that, and I quote:

- “(1) No member of the Board shall be interested in the administration or executive of any promoting body of professional boxing.
- (2) No member of the Board shall be interested in any promoter or receive payment of any kind from such promoter or promoting bodies.”

So what has been done here to circumvent this law, Mr. Speaker, is to put Boxu Potts as an advisor to the Board when in fact he attends board meetings and makes pertinent contributions as the representative of the Minister.

**Mr. Roberts:** Excuse me? Be very careful, “eh”.

**Miss D. Cox:** I would not go into the newspaper reports of this week—  
[*Interruption*]

**Mr. Imbert:** So, what? “Whey yuh go do?”

**Mr. Roberts:** I will not slap her.

**Miss D. Cox:** But I am indeed concerned because there are many reports and I will not go into the newspaper reports, there have been many reports this week. But I am indeed concerned and the people of Trinidad and Tobago are indeed concerned. I just want to say again, I want to remind this honourable House of the words of the then WADA President stating about—about perception, the perception that there could be conflict must take precedence which is very important—the perception that there must be conflict of interest is supposed to take precedence over everything else.

Mr. Speaker, there have been many allegations of unfair treatment meted out to former Board members and boxing promoters and so on. I would not go into those details, but I ask the Minister to address these issues surrounding Mr. Boxu Potts and the Trinidad and Tobago Boxing Board, because at the end of the day—  
[*Interruption*]

**Mr. Roberts:** That is the truth or you read it in the *Guardian*?

**Miss D. Cox:** I am just saying to address the issues surrounding. That is what I am asking; address all the issues surrounding this because at the end of the day it is boxing that will suffer and sports on a whole will suffer.

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Mr. Speaker, I said all of that to say this, because I have observed that there are many committees on this new TTADO Board. Many committees and the appointment of a board, the appointment of committees, the Trinidad and Tobago Anti-Doping Organisation, the Therapeutic Use Exemption Committee, the Results Management Committee, the disciplinary committee, the appeals panel, all of which require competent, honest, qualified persons of integrity to fill these important positions.

Do we have all these persons available to fill these positions, especially persons involved in sport medicine, sport lawyers, persons familiar with the anti-doping process and rules and regulations? The lives and future of many athletes will rest in the hands of these persons of substance and the wrong persons in these positions can make or break an athlete. For example, I read in yesterday's newspaper about the blood sample of a policeman who bounced down the persons in Sea Lots—[*Interruption*]

**Mr. Imbert:** Imagine that.

**Miss D. Cox:** And we are hearing that the blood sample is spoilt. Mr. Speaker, I think that, of course, someone must be held responsible for this. This is a serious matter. And of course we must look at the conduct of the persons who have to enforce the law. At this point in time it does not look good for the police service and of course blame is pelting left, right and centre, but it is a very sad day that now three persons are killed and now we are being told that the blood sample is spoilt.

**Mr. Imbert:** And the breathalyzer test.

**Miss D. Cox:** How many times has this happened and where is the breathalyzer? The breathalyzer test was supposed to be taken and everyone knows in law enforcement that right after you are supposed to take a breathalyzer test, right away, not six hours later. And if we are going towards anti-doping and so on, I mean what is going to happen? What is going to happen in our society today if a simple blood test, blood sample from a policeman is spoilt? Then we have to make sure and put the right persons in place to make sure that anything that has to be done has to be done to a really high standard.

Mr. Speaker, I wish to caution the Minister that the appointments to these various committees and Boards, and so on, must not be made on the basis of family, friends or political patronage. If this organization is to be successful we cannot afford to put square pegs in round holes. Minister, the future of sports, at

least until 2015, lies in your hands. Select persons who can do the job because this is a serious piece of legislation. I hope the Minister will consider the recommendations made and concerns expressed this afternoon.

But before I close, as we look at the big picture with regard to anti-doping in sport, what about our communities in Laventille? What about the recreation grounds in Laventille East/Morvant? I too would like to see more youths from this community being named elite athletes and, of course they must meet international standards so that they too can be subjected to testing.

The Coconut Drive Recreation Savannah in Morvant urgently needs to be refurbished. The East Port of Spain Development Company is presently rebuilding the pavilion but the grounds are in dire need of upgrading. I met with some of the users of the ground on Wednesday and Minister of Sport, through you, Mr. Speaker, they have asked me to ask you to come and visit the grounds.

**Mr. Roberts:** Write a letter.

**Miss D. Cox:** I will write to you about it and I will send that information and I would like you to come and tour the Morvant Coconut Drive Recreation Grounds—[*Interruption*]

**Mr. Roberts:** And if you promise to hug me up and not beat me.

**Miss D. Cox:** I am telling you because they have asked me to invite you to tour the ground. The Morvant Recreation Ground is also in dire need of refurbishing and this recreation ground is used by many persons from Morvant and the environs. [*Crosstalk*] It is not a laughing matter here. We are very serious about this. It is sad when Malick Secondary School football team cannot train on their own school grounds and yet have to train on grounds which are unsuitable. The both major grounds in the area are unsuitable.

Mr. Speaker—[*Interruption*]

**Dr. Gopeesingh:** The ground bad.

**Miss D. Cox:**—and the ground is bad in Malick because of a river that runs within the vicinity. Actually the problem is the river which is undermining the grounds.

**Dr. Gopeesingh:** Particular reference to that river, the Minister with responsibility for drainage has been informed about it and he is going to work with the Ministry of Education, of course, the school and the community to improve the drainage aspect of the river to prevent the sliding of more of the school compound into the river. So we are looking at that.

**3.45 p.m.**

**Miss Cox:** Thank you very much, Member for Caroni East. Thank you very much. So I await the assistance of the Minister of Sport concerning the Coconut Drive Recreation Ground and the Morvant Recreation Ground.

**Mr. Imbert:** They did not finish that ground.

**Miss Cox:** It is well and good to bring this Bill to the House to deal with anti-doping in sport, but we must prepare and plan well to bring athletes to international level and we must, therefore, start with the community, not selected communities but all communities. Especially where there are at-risk youth, proper training facilities must be provided.

**Mr. Roberts:** I agree.

**Miss Cox:** In order to set up the Trinidad and Tobago Anti-Doping Organisation, it is clear, as I mentioned before, it will be costly and the Minister must therefore ensure that it is done properly. I would like to suggest that an expert from WADA be brought in to assist in setting up this whole system. I am aware that the process may be a bit tedious, but the right individuals must be placed in responsible positions to get the job done.

Proper facilities should be constructed to ensure that samples can be collected. In the upgrade of facilities there should be dedicated doping-control rooms with separate bathrooms, consultation, processing and waiting rooms. Doping-control stations are restricted areas. There must be competent administrators.

Mr. Speaker, a comprehensive education programme must form part of the implementation of the anti-doping process and there is a need to foster anti-doping behaviour and create a strong anti-doping culture in Trinidad and Tobago.

We cannot overstate the value of sport and the important role it plays in our society. As a former athlete and sport administrator myself—

**Hon. Members:** Oh yes, yes! [*Desk thumping*]

**Mr. Roberts:** Boxing? You were a boxer!

**Miss Cox:**—having served on four national bodies—and, Mr. Speaker, I have never boxed.

**Mr. Roberts:** Nooo! [*Laughter and desk thumping*]

**Miss Cox:** I have never boxed. I played netball and I played basketball—



**Mr. Roberts:** And football!

**Miss Cox:**—and there is no video of me anywhere boxing, but there are videos otherwise.

So, Mr. Speaker, as a former athlete and sport administrator myself, having served on four national sporting bodies, I am aware of the need for this legislation and I hope that the Minister will pay attention to the recommendations put forward as we strive to move forward in sport through this legislation.

I thank you. [*Desk thumping*]

**Mr. Roberts:** That was a stunning presentation!

**Dr. Moonilal:** That is one of the better ones.

#### WELCOME

#### **(Minister of Foreign Affairs and International Business of Grenada)**

**Mr. Speaker:** Hon. Members, may I have your attention. I would like to recognize in the Speaker's gallery to my left, the hon. Minister of Foreign Affairs and International Business of Grenada, His Excellency Mr. Nicholas Steele. Could we warmly welcome him to Parliament? [*Desk thumping*] Welcome.

#### ANTI-DOPING IN SPORT BILL, 2013

**Mr. Speaker:** I now recognize the hon. Member for Oropouche West. [*Desk thumping*]

**The Minister of State in the Ministry of Works and Infrastructure (Hon. Stacy Roopnarine):** [*Desk thumping*] Thank you, Mr. Speaker. It gives me great pleasure to join in this debate today on this Anti-Doping in Sport Bill. As we have heard from previous speakers, this Bill really provides for the implementation of the UNESCO International Convention Against Doping in Sport. It involves the establishment of the Trinidad and Tobago Anti-Doping Organisation, the Trinidad and Tobago Anti-Doping Disciplinary Panel and the Trinidad and Tobago Anti-Doping Appeal Panel.

Mr. Speaker, the purpose of the formation of these bodies is really to promote an anti-doping environment in Trinidad and Tobago so that we can encourage positive behaviour amongst our participants in sport and dissuade them from using prohibited substances.

I think it is surely a step in the right direction for Trinidad and Tobago. Certainly, we have a wealth of athletes here who are recognized internationally.

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Whether it is the name Brian Lara in cricket, Dwight Yorke in football, Hasely Crawford, and the very recent names of Keshorn Walcott, Njisane Phillip, George Bovell and others we are certainly able to represent our country on an international scale in sport.

That being said, Mr. Speaker, while we are able to compete on an international level, we certainly cannot compete in terms of our legislation against anti-doping, and that is why we are here today, to put things in place to ensure that Trinidad and Tobago fosters an anti-doping environment for the protection of our own athletes and our own international image in the sporting arena.

Mr. Speaker, before I get into the real content of the Bill, I want to express my congratulations to the Minister of Sport and Member for D'Abadie/O'Meara, [*Desk thumping*] not only for piloting this Bill but also for his experience in the sporting world.

**Dr. Goopeesingh:** And knowledge—experience and knowledge.

**Hon. S. Roopnarine:** Mr. Speaker, I want to start at the very basics of this, because we need to first understand what is this term of doping. Mr. Speaker, the definition of “doping”, in accordance with the World Anti-Doping Agency, is not only the use, or attempted use, of a prohibited substance, or the presence of a prohibited substance in an athlete’s sample, but it also refers to several other things. It refers to the refusal of an athlete to submit a sample after being notified. It also refers to the failure of an athlete to file his/her whereabouts information and miss-test, as the Minister would have alluded to before. It refers to the possession or trafficking of a prohibited substance or attempting to administer this substance to an athlete. It refers to tampering with any part of the doping-control process.

So, you see, Mr. Speaker, we really need to understand this term of doping in that context to understand why certain checks and balances have to be placed in this Bill; and certain independent bodies have to be formed in order to deal with doping in this context.

Mr. Speaker, we heard about UNESCO before and we know that this Bill is really an outcome of the UNESCO International Convention Against Doping in Sport, and this was adopted October 19, 2005. It entered into force on February 01, 2007 and to date it has been the most successful convention in the history of UNESCO in terms of the speed of its development and entry into force. To date, Mr. Speaker, over 170 countries have ratified the convention, including our own country, Trinidad and Tobago, in March 2007.

The UNESCO convention, Mr. Speaker, is really the practical instrument by which governments formalize their commitment to the fight against doping. Why? Because many governments cannot be bound by a non-government document such as the World Anti-Doping Code. This is the document which harmonizes anti-doping rules in all sports and countries. This convention permits, Mr. Speaker, governments to align their domestic policies with the code—that is, the World Anti-Doping Code—and this, therefore, harmonizes the rules governing anti-doping in sport as well as public legislation.

So we heard about UNESCO. Let us deal with another international body which is of significance in this Bill, which is that of WADA. WADA is the World Anti-Doping Agency. It was established in 1999 as an international, independent agency composed and funded equally by the sport movement and governments of the world.

Mr. Speaker, the main activities of WADA include scientific research, education, development of anti-doping capacities and monitoring of the World Anti-Doping Code. This code, Mr. Speaker, is the document, like I said, which harmonizes domestic policies with the codes. Mr. Speaker, this code was adopted by WADA in 2003 and approved and adopted a revision thereafter in 2007 with effect from January 2009. WADA is working towards a vision of a world where athletes can compete in a doping-free environment. So we have UNESCO, which assists in terms of the policies of the governments and then we have WADA which deals with the implementation of the World Anti-Doping Code.

Mr. Speaker, I just want to give you, from Article 20.7 of that code—I just want to quote some of the roles and responsibilities of WADA:

“To adopt and implement policies and procedures which conform with the Code.

To monitor Code compliance by Signatories.

To approve International Standards applicable to the implementation of the Code.

To accredit and reaccredit laboratories to conduct Sample analysis or to approve others to conduct Sample analysis.

To develop and approve models of best practice.

To promote, conduct, commission, fund and coordinate anti-doping research and to promote anti-doping education.

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To design and conduct an effective Independent Observer Program.

To conduct Doping Controls as authorized by other Anti-Doping Organizations and to cooperate with relevant national and international organizations and agencies, including but not limited to, facilitating inquiries and investigations.”

So you see, Mr. Speaker, this article is very important in terms of the role of WADA, in terms of the international scale. Further to that, the Code also specifies the role to be played by governments under Article 22, and under Article 22 it says that:

“Each government will take all actions and measures necessary to comply with the UNESCO Convention.”

It also states that:

“Each government will encourage all of its public services or agencies to share information with Anti-Doping Organizations which would be useful in the fight against doping and where to do so would not otherwise be legally prohibited.”

So, you see, Mr. Speaker, this is very important in terms of the international scale, in terms of WADA’s function, in terms of UNESCO’s function.

So we have dealt with UNESCO, we have dealt with WADA. I come now to what is called the Regional Anti-Doping Organizations. This really brings together several countries and stakeholders within a geographic area to mobilize and pool resources for anti-doping. So you have UNESCO, you have WADA and now you have RADO.

So now we are going to the national level. At the national level you have your National Anti-Doping Organization which is called NADO. In this case we are forming the Trinidad and Tobago Anti-Doping Organisation which is referred to as TTADO.

Mr. Speaker, what is the purpose of TTADO? These national anti-doping organizations are responsible for the testing of national athletes both in and out of competition, as well as athletes from other countries competing within that nation’s borders, adjudicating anti-doping rules violations and anti-doping education.

Mr. Speaker, if you would permit me to quote again from Article 20:5 of the code. It states the roles and responsibilities of the NADO. Article 20.5 states:

“To adopt and implement anti-doping rules and policies which conform with the Code.

To cooperate with other relevant national organizations and agencies and other Anti-Doping Organizations.

To encourage reciprocal Testing between National Anti-Doping Organizations.

To promote anti-doping research.

Where funding is provided, to withhold some or all funding, during any period of his or her Ineligibility, to any Athlete or Athlete Support Personnel who has violated anti-doping rules.”

Mr. Speaker, in the formation of TTADO, we are really adhering to this Article of the World Anti-Doping Code. Let me quote now from section 16. Before I do that, let me just outline the functions of TTADO, which is, planning, implementation and directing of the national anti-doping programme; facilitating the sharing of information; facilitating the access of national governing bodies to laboratories which are accredited by WADA for doping-control analysis.

The MP for Laventille East/Morvant would have raised the concern about these testings and their accuracy and so on. This is not a testing at any laboratory; this is testing being done by accredited labs, and this is not even accredited by TTADO, it is accredited by WADA. So it means to say that the quality of the testing will be that of an international level.

#### **4.00 p.m.**

Under the functions of TTADO, they would also be entering into reciprocal testing agreements, consulting with, advising and assisting government departments and agencies, local authorities, the Trinidad and Tobago Olympic Committee, national governing bodies, sporting organizations and other bodies and persons on anti-doping matters, and they would also be advising the Minister on anti-doping matters.

So, Mr. Speaker, Trinidad and Tobago looks forward to joining with 129 other countries in the world in establishing this NADO which we are referring to as TTADO. Other countries include the United States, United Kingdom and even right here in the Caribbean—we spoke about Barbados, Jamaica, Grenada, Puerto Rico and others. So, what we are doing here is really putting ourselves amongst other countries who have taken measures against doping. But, let us go now into the benefits of TTADO, because the MP for Laventille East/Morvant said it would be a costly initiative. But what we have to work out is cost versus benefits. If you look at the benefits that this Bill will bring, I am sure that they would far outweigh any cost associated with it.

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First of all, the establishment of TTADO would certainly increase education and awareness of anti-doping in sports because that is one of the functions of TTADO—to increase the awareness of anti-doping. I know the MP for Laventille East/Morvant also spoke to an education programme in rolling this out and I am certain that would be a part of this. Mr. Speaker, it is important that athletes can become educated about the dangers and the consequences of using prohibited substances with a focus on the ethical issues as well as the health risks associated with the use of these performance-enhancing substances.

I mean, the Minister of Sport went to great lengths to give all these examples of doping in other countries, but I also want to mention that in 2012, Trinidadian-born Semoy Hackett tested positive for the NCAA-banned stimulant methylhexamine during the 2012 NCAA Division 1 Outdoor Track and Field Championships. Mr. Speaker, although this was a substance that was identified on the NCAA's published list of banned substances, it is commonly found in over-the-counter drugs—

**Dr. Gopeesingh:** Like what?

**Hon. S. Roopnarine:**—and dietary supplements. [*Crosstalk*] Yes. In this particular incident, the athlete and the team were disqualified and paid a price after all of the hard work that other members in that team would have put into their training. This case alone shows the need for us to have proper checks and balances in place so that athletes cannot get away with the use of these prohibited substances to give them an unfair advantage against persons who train hard perhaps like the MP for Laventille East/Morvant in her days of participating in sports and so on. Mr. Speaker, aside from the increased education and awareness, another benefit that we expect to have is decreased participation by our athletes as they would be undergoing regular testing.

The Minister would have spoken to the registered pool of athletes established by the international federation and national anti-doping organizations of international level athletes who are subject to both in competition and out of competition testing as part of that international federation's or national anti-doping organization's test distribution plan. This is in accordance with clause 16 of the Bill and just permit me to quote clause 16 which states that:

“TTADO shall establish a Registered Testing Pool.

TTADO shall, in accordance with the Anti-Doping Rules, publish the criteria for the inclusion of the name of an athlete in its Registered Testing Pool.

TTADO shall notify an athlete, in writing, of the inclusion of his name in its Registered Testing Pool.”

So, Mr. Speaker, these checks and balances would really deter athletes from even thinking about going that way because of the registered pool and because of the fact that they will be subjected to regular testing.

One of the challenges that we have to look at on an international level is the possibility of the participation level of our youth, in particular, in participating in these prohibited substances—performance-enhancing substances—and that of developing substance abuse problems. The most detrimental impact of doping is the impact of these substances on adolescents and the youth and, therefore, we as a Government, must do all in our power to deter youths from participating in using any of these substances.

Today, there exist so many different products and so many different methods for doping. I do not even know if this Parliament is aware of some of these new methods and some of these products that are being marketed out there. But, I want to take the opportunity to tell the Parliament and the population about some of these techniques, so-called safe techniques in some cases, which can indeed damage our youth to their detriment.

Some of these techniques, Mr. Speaker, I mentioned a while ago that athletes sometimes engage in the use of over-the-counter products and they may feel that because it is an over-the-counter product, that it is safe to use. But we must remember that these medications bought over the counter are really intended to treat with a specific health issue and not intended for a healthy athlete, and therefore, you do not know what these products can have on a healthy athlete in terms of the side effects. I also know that athletes may sometimes believe that these dietary or nutritional supplements are okay to use, but Mr. Speaker, supplement companies are not highly regulated so that you may not know what you are actually taking and there may be banned substances present.

Another technique quite common is that of blood doping. Blood doping is doping whereby there is a boosting of the number of red blood cells in the blood stream in order to enhance athletic performance, including blood transfusion. However, there are many risks. Minister of Education, a very well-known doctor, Member for Caroni East, would tell you that in participating in this blood doping, there are high risks. These risks may include blood circulation problems, infections, poisoning, increased risk of heart failure, high blood pressure and so on.

**Dr. Gopeesingh:** Thrombosis.

**Hon. S. Roopnarine:** Yes. I know the Minister of Sport also spoke about steroids and he went to great lengths to show a demonstration of what some of these performance-enhancing substances may look like. I know that, you know, a lot of times, not only athletes, you know, people who go to the gym and regular persons and so on, feel that if you take the steroids, you know, it makes it easier to train, your muscles get bigger and so on, but these steroids have adverse effects. I mean, I like to go to the gym myself. I go very often and I train but I would not take steroids.

Mr. Speaker, I want to tell you that some of these steroids are actually addictive. They actually can have the opposite side effects in terms of a man gaining female qualities and a woman gaining male qualities and, therefore, I appeal to all of those persons who may be considering steroids to please think twice because of the long-term effect that they can have on your system.

Athletes may also consider stimulants to give that extra boost but these also create increased risk of heart attack, aggression, insomnia and so on. So the idea is that everything has a side effect on the body. We also heard about the human growth hormone from the Minister of Sport, and this one is actually perhaps the most damaging to young people as it can lead to irreversible damage in terms of the development of a protruding jaw, skull and forehead which is absolutely not reversible. It can cause enlarged heart and liver damage.

Aside from those performance-enhancing products, athletes may try now to couple these products with diuretics and these are masking agents. These masking agents are intended to cover up the signs of these banned substances, but these too have side effects. The performance-enhancing substances have their side effects, and the masking agent also has its side effects, so please, it is something that you really have to consider in terms of what you are doing to your body in the long run.

Then, there is the use of marijuana and narcotics and so on, and this is certainly not a problem unique only to our athletes, but it is a problem that is common to a lot of young people. I want to say that sometimes people may think that the marijuana or the heroin and so on, may numb the pain or give some kind of momentous pleasure, but this as well has side effects. This as well has side effects on the body: reduced memory, weakened immune system, highly addictive, so that the body becomes dependent on these substances which then poison the body.

So, I am saying all this, Mr. Speaker, in the context of discouraging persons, in particular young people—not only our athletes, but in general—to discourage



persons from using these substances termed performance-enhancing substances. [Crosstalk] So, Mr. Speaker, I want to just continue on that point with the youth and encouraging young people to not participate in these substances.

Mr. Speaker, WADA believes that once athletes reach an elite level, they have probably already made the decision as to whether they will participate in doping or they will not, and therefore for that reason, it is important to ensure that the young people in our schools and so on are educated so that they can make the right decision. We need to ensure that these values are instilled at a young age so that these athletes will not succumb to the temptation and the pressures of performance-enhancing substances.

WADA Director General David Howman says:

“In order to reach young people, we have to think outside the box. We have to be in tune with how they want to learn and how they expect content to be delivered to them...

If we are successful at gaining the interest and attention of young athletes, we will have an impact on their decision to compete without doping.”

That is why I said, Mr. Speaker, that it is important that we tackle young people.

Statistics from the Student Support Services Division of the Ministry of Education reveal that the secondary substance abuse cases for the academic years, 2010—2011, 2011—2012, 2012—2013—which is incomplete, just up to January—these figures are 30 cases, 48 cases and 22 cases respectively. Therefore, these statistics show that there is a greater need to have more focused programmes to facilitate youth education and awareness.

While we have had some success—and we have had some success, which I will tell you about now, with the Ministry of Sport, together with the Trinidad and Tobago Alliance for Sport and Physical Education, together with the Trinidad and Tobago Olympic Committee—it is felt that part of the remit of TTADO will address this concern because TTADO will be mandated to focus on an increased awareness programme, especially with young people.

I know the Minister of Sport ran out of time in his presentation so perhaps I can just spend a minute or two giving you some information on some of the anti-doping in sport drive during the period of January to June, 2011 in the Ministry of Sport. Education workshops were conducted geared towards student athletes between the ages of 15 to 29 years old covering five regions including that of Tobago. This was a joint initiative by the Ministry of Sport, the TIOC and the

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TTASPE, for a national education drive against doping in sport for secondary students throughout the length and breadth of Trinidad and Tobago.

This project was funded by UNESCO. Financial support was also provided from the Ministry of Sport at various indoor facilities. There was a cumulative audience of about 1,500 persons in total comprising athletes, coaches, students and teachers. Former athletes assisted in providing the necessary support for this exercise.

So, Mr. Speaker, the Ministry is in fact dealing with the issue of anti-doping, dealing with the issue of increasing awareness. However, we feel that with the creation of TTADO there will be more specific and designated focus because you will have one body mandated to perform these functions and therefore we believe that it will have a positive impact on the levels of doping cases.

**4.15 p.m.**

Mr. Speaker, we also have to look at the organization WADA because TTADO can in fact have access to resources in WADA and WADA has created a teachers' toolkit. This contains a series of lesson plans and activities ideas which can be used by teachers. So, Trinidad and Tobago will have access to these resources by WADA.

In 2009, WADA began a pilot project with Ministries of Education to provide and create a model of best practice to assist and facilitate the integration of doping prevention campaigns into mainstream curriculum. The pilot was launched with Mexico, Singapore, Quebec, Oman and Uganda and this is—I say this to show that WADA can in fact assist countries through our Ministries, whether it is the Ministry of Sport or the Ministry of Education. Through our organizations like TTADO, WADA can indeed assist us with these types of resources and we can in fact learn from the experiences of other countries.

So, Mr. Speaker, let us look at how this Bill will now impact on the local sporting industry here in Trinidad and Tobago. Our sporting industry contains approximately 60 sports governing bodies, 38 of which fall under the supervision of the Trinidad and Tobago Olympic Committee and for the most part, the national sporting organizations for the various sports locally are also the governing bodies. For example, the Trinidad and Tobago Football Federation for football, the Trinidad and Tobago Cricket Board for cricket and the National Basketball Federation of Trinidad and Tobago for basketball. These bodies will be called upon to work closely with their international federations or world governing body and the Trinidad and Tobago Anti-Doping Organisation.

I have a list here of all these various international federations such as FIFA, FINA, IAF, BWF, FIBA and so on. I would not go through all of these. But these national sporting organizations in Trinidad, therefore, must work closely with their respective international bodies as well as TTADO to ensure that these anti-doping rules, and so on, are both established and enforced locally.

In Trinidad and Tobago, the Trinidad and Tobago Olympic Committee (TTOC) has overseen doping regulation with the assistance of the Caribbean Regional Anti-Doping Organization, the Caribbean RADO, which we spoke about before. And the NSOs simply do not have the resources to regulate drug use in their respective sports and this is why TTADO's role will become even more significant as the local regulatory body. It is recommended that the NADP established by TTADO be the sole body of rules, principles and guidelines to govern all sports in Trinidad and Tobago.

Mr. Speaker, I want to touch a little bit on the Therapeutic Use Exemption Committee. We spoke about TTADO having this registered pool of athletes and so on, which will be subject to testing and TTADO will also be establishing the Therapeutic Use Exemption Committee (TUEC). This committee comprises three medical practitioners with at least five years' experience, one of whom shall have qualifications in pharmacology. Allow me to quote the function of the TUEC in accordance with clause 17 of the Bill, which states that the TUEC will be responsible for:

- “(a) the receiving and examination of applications from athletes for Therapeutic Use Exemptions, made in accordance with section 20;
- (b) the granting, denial, monitoring and revocation of Therapeutic Use Exemptions as the case may require; and
- (c) the performance of any other functions that are conferred or imposed on it by this Act or the Anti-Doping Rules.”

It should be noted, Mr. Speaker, that the TUEC will indeed adhere to international standards and best practices. They will be updating their prohibited list and they are also going to be independent of TTADO. This is, of course, in order to ensure a system of transparency and in order to ensure that there is no conflict between organizations and between their responsibilities. Mr. Speaker, it should be noted that even if an athlete makes an application for exemption to the TUEC, they have to notify TTADO who in turn notifies WADA. So, if WADA is not satisfied that an exemption was duly given or denied, WADA can indeed reverse that decision.

So, we have spoken about many things. We spoke about UNESCO, we spoke about WADA, we spoke about RADO, we spoke about TTADO, we spoke about the TUEC. So I come now to the RMC. What is the RMC? This is the Result Management Committee, which will also be formed as part of this Bill and this is dealt with in clause 19, which deals with the formation of a Results Management Committee, which shall be responsible for and I quote:

- “(a) notify an athlete of the result of his test;
- (b) refer Adverse Analytical Findings to the Disciplinary Panel;
- (c) maintain a database on doping control procedures and identify any situations that may be suspicious; and
- (d) inform the police where, in a sample of an athlete, there has been a finding of a prohibited substance which is a dangerous drug as defined under the Dangerous Drugs Act.”

I know the MP for Laventille East/Morvant had a concern with reporting it to the police. But, in this case this would actually be in accordance with the Dangerous Drugs Act, so that they have an obligation to report it to the police.

I come now to the Trinidad and Tobago Anti-Doping Disciplinary Panel and this Bill establishes the TTADO. It establishes the TUEC, it establishes the RMC. Now, it establishes the Anti-Doping Disciplinary Panel. The functions of this panel, under clause 29 are as follows:

- “(a) receive written references from the Results Management Committee alleging the commission of an anti-doping rule violation;
- (b) receive and examine evidence relating to alleged anti-doping rule violations;
- (c) conduct disciplinary hearings relating to alleged anti-doping rule violations;
- (d) determine whether an anti-doping rule violation has been committed;
- (e) impose sanctions for anti-doping rule violations; and
- (f) perform such other functions that may be conferred on it by this Act.”

That was the Disciplinary Panel.

Now, I turn to the Appeals Panel. This panel is really to hear and determine:

- “(a) appeals from a decision of the Disciplinary Panel...;
- (b) appeals from a decision to impose sanctions referred to in section 26...;

(c) appeals from a decision of TUEC to grant or refuse a Therapeutic Use Exemption...”

and so on, under clause 33.

Mr. Speaker, how will all of this function? We have established the TTADO, we have established TUEC, we have established RMC, we have established the Disciplinary Committee, we have established the Appeals Panel. So, you have an athlete who in on this registered pool. Whether they are in competition or out of competition, they should not be using these prohibited substances. And they should also be advising TTADO of their whereabouts, in order to comply with the testing. Their failure to report the whereabouts will or can result in prohibition from participating in national and international competitions. So, basically, these athletes will have to undergo their testing, and failure to do so would be treated as a positive outcome and they may face certain—*[Interruptions]*

**Hon. Member:** Sanctions.

**Hon. S. Roopnarine:**—sanctions and so on, as a result of that.

These athletes would be tested by WADA—accredited labs, as I said before and then advised of their results by the RMC, who may send the results of the test to the Disciplinary Panel—if in violation, who will then conduct hearings to determine if indeed a violation was made. It should be noted that an appeal from a decision of the Disciplinary Panel shall lie to the Appeal Panel with a further appeal to the Court of Arbitration for Sport.

If these athletes have to use specific substances for medical reasons, then they apply to the TUEC for an exemption. The TUEC will either grant the exemption or deny the exemption. It should be noted that WADA can reverse the decision by the TUEC if it is found to be non-compliant with international standards. So you still have that further level of checks being implemented here so that it is not only left up to the TUEC but WADA can indeed reverse the decision.

**Dr. Gopeesingh:** And redress as well.

**Hon. S. Roopnarine:** And redress, correct. So, the athlete or TTADO can also have this decision appealed in the Court of Arbitration for Sport if they are not in agreement. There are several checks here. It is not just the TUEC granting an approval or denying an exemption.

In the case of an international level athlete who has made an application for a Therapeutic Use Exemption and the international federation has denied the grant,

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the athlete may appeal to the Court of Arbitration for Sport. If TUEC has denied the grant of a Therapeutic Use Exemption to a national level athlete, the athlete may appeal to the Appeal Panel. This is where the Appeal Panel now comes into play. If the Appeal Panel reverses the decision of the TUEC, to grant a therapeutic use exemption, WADA can then appeal to the Court of Arbitration for Sport. This process by itself has so many different layers, so many different checks and balances that it is very difficult to not have a transparent process, and it is very difficult to manipulate the system in any way. I think that this is something that, indeed, all Members should support here.

I also want to put on record that there has also been public support for this as well. I would like to refer to a *Newsday* article of Wednesday, November 21, 2012 where the President of the National Association of Athletic Administration, Mr. Ephraim Serrette, laid his support—according to the newspaper article—for the Bill. Mr. Serrette is quoted as saying that:

“We just cannot condone having drug cheats in the sport. We see it as wrong and we will support the Bill.”

This, by itself, shows that the sporting world is in agreement with this Bill before us. I think it is something that will greatly assist the sporting industry in Trinidad and Tobago. I think it is something that is certainly overdue and I think it is something that, indeed, all Members should support as we try to curb this problem of doping in sport.

This Bill is destined to have a significant impact on sports governance and administration in Trinidad and Tobago. We are about changing, not only for this generation, but for generations and generations and generations to come. [*Desk thumping*] Because the education that we provide to the youth today will guide their decision as to whether they will become an athlete who will participate in doping or not participate in doping and our goal is to ensure that we have those values instilled in our youth, so that they make the right decision to not participate in doping.

**Mr. Sharma:** When you make children to come.

**Hon. S. Roopnarine:** Yes, Mr. Speaker, one day I myself may have children—[*Desk thumping*—and I would like to ensure they do not participate in doping.

Trinidad and Tobago certainly finds itself at a disadvantage of not having this legislation in place to date. As I said, we have so many international-level

competitors that we certainly need to get up to international standards. I think that in putting this Bill to this House today, it certainly shows the Government's commitment to ensuring that we create an anti-doping environment and this shows the Prime Minister's commitment to the development of our young people and by extension the Government's commitment to our youth. I say to Members opposite that we should all support this. I do not think that there is anything in here that is negative. I think it will certainly go a long way for our population and I ask you to join with us in supporting this Bill. I thank you, Mr. Speaker. [*Desk thumping*]

**Mr. Speaker:** Hon. Members, I think it is a good time for us to pause. We will suspend this sitting at this time. This sitting is now suspended until five past five p.m.

**4.30 p.m.:** *Sitting suspended.*

**5.05 p.m.:** *Sitting resumed.*

**Mr. Speaker:** The hon. Member for St. Ann's East. [*Desk thumping and crosstalk*]

**Mr. De Coteau:** Beautiful lady. [*Crosstalk*]

**Mr. Sharma:** [*Inaudible*]

**Mrs. Joanne Thomas (St. Ann's East):** Thank you, Mr. Speaker. I am very pleased to contribute towards this Bill. In a world where competitive sport is growing significantly, an initiative such as this, I believe is deemed necessary. It has been proven time and time again, the major contributor that sport plays in any developing country.

Let us look at our own country. The time when you see the best unity is at sporting time. I mean, when we are successful in a competitive event, the joy that is felt by all gives the feeling of an individual accomplishment, and similarly when we are not that successful, the sadness felt by all is unbelievable.

Mr. Speaker, one thing comes to mind and it is that football game in November 1990. I mean, the sadness that was felt across this land was unbelievable.

**Hon. Member:** Oh yes!

**Mrs. J. Thomas:** I mean, people just hugged and cried together for this loss. Even when we look at our cricket, anytime the West Indies is playing any game—

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I do not know if Members ever notice—but the song that is played, the anthem that is played for the West Indies team, is the song that was sung by our own David Rudder, “Rally Round the West Indies”.

Mr. Speaker, this kind of togetherness can be seen in most sporting countries, especially our Latin brothers and sisters and, of course, in Europe. So no doubt it shows the major role that sports play in a developing country. When speaking of sports, a country is only as good as its athletes. So it is no issue why the World Anti-Doping Code seeks to preserve what is intrinsically valuable about sport. According to the fundamental rationale for the World Anti-Doping Code and I quote:

“The spirit of sport is the celebration of the human spirit, body and mind, and is characterized by”—certain—“values.”

Some of these values, Mr. Speaker, include:

- “Ethics, fair play and honesty
- Health
- Excellence in performance
- Character and education
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other *Participants...*”

As noted by the World Anti-Doping Agency (WADA), the code requires each anti-doping organization—which includes ours that we are now looking to form—to develop and implement educational programmes for athletes, including youth and athlete support personnel.

Mr. Speaker, this anti-doping code has significantly impacted many top athletes and ultimately their respective countries. Some athletes after training for years and finally being successful to go to an international competition, because of the anti-doping and because of drugs that are found in the system, these athletes are banned from competing, some committing the crime knowingly and others unknowingly so.



I just want to highlight a few examples. Let us look at the story of Tameka Williams, the 22-year-old sprinter from St. Kitts/Nevis. This young athlete, being the sole female on the St. Kitts/Nevis Olympic team, was disqualified from the games in relation to a doping violation.

Mr. Speaker, this poor child was put to world scrutiny, some calling for her head, others asking for her to speak the truth. International, regional and local press picked up on the story, and Williams became the subject of many news headlines. According to newspaper articles, the sprinter has gone into hiding. Just think, what is to become of this talented young lady?

What is most amazing, news reports revealed that Williams was tested twice prior to heading to London and she was tested negative and yet, Mr. Speaker, she comes up positive when being tested at the games. We all know how Jamaica dominated the track and field events at the Olympics, yet when their athlete, Shelly-Ann Fraser was tested positive, the Jamaica Anti-Doping Commission was under much scrutiny, with their own Usain Bolt stating that his homeland's anti-doping facilities were not up to scratch and he cast doubt on the island's commitment to fight against drugs in sport.

However, Mr. David Howman, the World Anti-Doping Agency Director General, he spoke out in defence of Jamaica's drug-testing programme, and what he said—it was stated that Shelly-Ann's case was different as she did not cheat. The drug oxycodone, which she took as a painkiller, they said it was not widely acknowledged for making people run faster. You know these are some of the things that we have to look at in setting up our agency.

Mr. Speaker, I want to take a minute, and I want to come home and I refer to our own Semoy Hackett. It is understood that our home girl, she too like Shelly-Ann, just used—what she took for a painkiller, and yet look what she was subjected to after she trained so hard.

It was in an article last November when it was reported that Semoy's school, Louisiana State University, had to vacate the 2012 NCAA Division 1, outdoor track and field championship due to her positive drug test. The report stated, she commented and I quote:

“I want to express my apologies to my coaches, my teammates”—the university—“and our fans”. “Although this was unintentional, I am deeply sorry that this will have such a negative impact on my team and LSU.”

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Mr. Speaker, again we see here what happens. You know, this Trinidad girl representing the team and look at what happened to her entire team, and we all know how the US looks at their sports. I want to stress to the Minister again, how critical it is for TTADO to do this setting-up right.

There is one example that I must mention which I am sure everyone is aware of, and that is about the confession that was made on Oprah Winfrey by the renowned world cyclist Lance Armstrong. He publicly confessed to cheating on all his seven Tour de France victories. In that interview, Armstrong said he was never afraid of getting caught, and attributed his actions to, as he would say, a ruthless desire to win. It shows the lengths that athletes go to, because after reaching so far, you just want to win.

And what is amazing, he further said though that at no time did he feel his actions were wrong, but he acknowledged, however, that he would be spending the rest of his life apologizing to people, including those fans whom he sued for alleging—now that we understand correctly so—that he was cheating on the tour. So, he was guilty and yet he went to the lengths of suing these people who were accusing him of that.

Mr. Speaker, just imagine a cyclist, let us say, one of our cyclists has to go up against this young man. Of course, you go to the event, you lose and now years after, you are hearing that, you know, this is what he was doing, and your chances were eliminated because of what Lance would have done. All of these examples are just to stress how important it is and how we must give the setting-up of TTADO really serious attention.

I just want to look a little bit at the regulations in some jurisdictions. In the United Kingdom, they do not have a specific anti-doping legislation, but they use a variety of legislations to control the trafficking and supply of doping substances, and to facilitate information sharing between the national anti-doping organization—which is called UK Anti-Doping—and law enforcement agencies.

In the UK there is the Misuse of Drugs Act, and this Act of 1971 controls drug misuse that is capable of being harmful to individuals and/or causing a social problem. A number of substances on WADA's prohibited list are controlled under this Act, the Misuse of Drugs Act, and these include anabolic steroids and human growth hormones. The UK Anti-Doping is able to receive information from a number of law enforcements, using information-sharing gateways, and this includes the Serious Organised Crime Agency and the UK Border Agency.

Now, when we look at Canada, the Canadian Anti-Doping Program is managed through the Canadian Centre for Ethics in Sport, and it is abbreviated CCES. The CCES Board of Directors is comprised of prominent people in Canada, in international sport, in fields such as medicine, academia, business, law, ethics and governance. Of course, I heard my colleague from Morvant/Laventille East talk about the composition of the Board and how we should maintain covering professionalism.

Mr. Speaker, in this agency in Canada, there are three advisory panels. They are: the Ethical Issues Review Panel, the Therapeutic Use Exemption Committee and the Anti-Doping Review Panel. The Ethical Issues Review Panel provides analysis and gives advice on a variety of ethical issues. The Therapeutic Use Exemption Committee evaluates applications by athletes for therapeutic use exemptions. And finally, the Anti-Doping Review Panel considers matters that arise from time to time with respect to anti-doping operations which require consultation.

#### **5.20 p.m.**

Mr. Speaker, in the United States, we have USADA, which is the United States Anti-Doping Agency and, Mr. Speaker, their vision is to preserve the integrity of the competition, to inspire true sport and, most important, protect the rights of US athletes.

Mr. Speaker, USADA strives to preserve the integrity of clean sport in the US and to create a level playing field for all athletes. Their primary focus is testing, results management, research and education; and, Mr. Speaker, in our Bill, while the intention of TTADO seems credible, I urge the Minister and the Government to not make this agency just a committee where we can find work for our friends.

I would not elaborate on it much because my colleague for Morvant/Laventille, she went into it. It is really critical and I really want to implore either that Canadian approach—let us look at people who have expertise in the field because again my colleague commented, there is a certain board where one gentleman just has reign. Of course, “he bring een aunt, uncle, nenen” to work in the company and, of course, these people do not have a clue about the particular sport; and, of course, he seems untouchable, so we do not want that.

I implore the Government and the Minister: let us not have that because this is a serious thing. This impacts our athletes and, I mean, we saw our contingent for

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the last Olympics and we expect that we will have more of Keshorn coming back for next Olympics. That is why for now, our alignment with WADA is critical in setting up TTADO.

As my colleague said, we too really support this Bill because we see it as critical, but my main issue is the composition of the committees. So, Mr. Speaker, I thank you for this opportunity to contribute. [*Desk thumping*]

**The Minister of Sport (Hon. Anil Roberts):** Thank you, Mr. Speaker. Let me, first of all, assure my colleague from St. Ann’s East—because she was going well until she delved into the realm of fantasy—understand that first and foremost, the Minister of Sport, under the People’s Partnership Government, is the highest qualified coach in swimming in the Western Hemisphere and has been in sport since 1976. He is not a seamstress who will put up a \$2 million flag. So let us start with qualification first. And the second—

**Miss Mc Donald:** Mr. Speaker, Mr. Speaker, 36(5), imputing improper motives. Yes.

**Mr. Speaker:** A Member of Parliament who has left this Chamber or left this House, his name can be raised, but I always would like to advise Members that Members who are not in this House to defend themselves, at least we ought to be a little cautious in what we say. I cannot stop a Member from raising an issue if he so desires.

**Hon. A. Roberts:** Thank you, Mr. Speaker, because I take this very seriously. The Member got up there and is stating to the Minister to ensure that people of high quality are put in the position when she was in a Government with a seamstress as the Minister. So I think, in glass houses we should stay calm because the Minister takes this very seriously. This is why this legislation has reached here even though it was supposed to be brought since 2003. We have brought it because the Minister understands the seriousness of it, loves sport and understands the importance of sport to this country going forward. So I take it, but I would ask you to also look in the mirror before “yuh” talk.

Now, moving—I was going good, “yuh” know, but “doh” forget that Anil could always jump out, right.

And I will deal now with some very pertinent points brought up by the Member for Laventille East/Morvant. The Member—

**Hon. Member:** That was a good contribution.

**Hon. A. Roberts:** Very good contribution. You all could give her a little tap from this side.

**Dr. Griffith:** “Yuh see what a little slap could do?”

**Hon. A. Roberts:** “I would not laugh at that. I not gettin in dat. Mr. Speaker, I not gettin in dat. I am dealing seriously.” Some of the issues raised, I spoke with the committee who developed it and with your PR experience and HR and so on, those issues will be done in the recruiting process but will be noted, experience.

The sports administrator, being there for more than four years, it has been my experience that longevity in sports administration does not necessarily mean competence. Sometimes, especially in these sports, you can find young, bright, energetic people who will take seriously, but we take the point, which is that you want somebody who is competent, qualified, has a passion for sport and understands the processes necessary for elite sports. So we note that, very important.

In Bermuda, you said there was a stipulation for three months and so on and you thought that a reasonable time was not well defined enough. However, the legal team has said that we have very stringent case law here in Trinidad and Tobago, so that definition has been determined by the court, so it is actually defined and not just as you were afraid—“hairy fairy”.

Retired athletes: I hear what you are saying from Bermuda and so on that you would want something in that direction. We had considered that, but we believe, first and foremost, with this legislation you may have an athlete who may have gone up on the podium, collected their medal, known in their heart what they have done, immediately announce retirement, send a letter to TTADO saying they have retired and then they would not fall under the legislation. So we left it out.

So, for example, if an athlete won a medal in London 2012 and said on their arrival home, “I retire”. At the end of the year, in December, there are world rankings for track and field, for swimming, for cycling and so on, that athlete will be on the world rankings whether number one, two, three, four, five, Top 40, and therefore will still be caught in that pool. So we as TTADO, the Trinidad and Tobago Organization, could still test that athlete or any other athlete, whether it was American and so on coming here to train the year after. Therefore, that is why we left that out so that they can still be caught in the net and that they cannot play games to dodge because some of them who want to cheat, they are very creative and we have to keep monitoring. So that is why we left it out like that.

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Urine: we shall include urine. It was considered to be a biological sample, but we will specify. No problem whatsoever.

With regard to clause 19, with the distinction between “report” and “cooperate”—“report”, we put that because, obviously, as you stated, testing somebody for an illegal substance under the laws of Trinidad and Tobago and they are not caught within the act of doing it or with the paraphernalia, will not stand. However, TTADO will be responsible, if they get such a finding on an athlete, to report it to the police so that the police can treat with it in the future as they wish.

So, for example, if you get a finding of marijuana, cannabis, you report that. If the police feel that they would like to do an investigation, a sting operation or monitor the athlete to see when they are actually going to purchase and so on, they will have that information. So TTADO will have the responsibility, once they get that finding, to report it. That is why we had it that way.

The fee: if it was up to me, I would put the fee at \$100,000 because I think this thing is very serious. However, the reason TT \$25,000 was used is to keep it in line with some of our laws that exist here and so on and not require any special permission.

However, we monitor it and if it is not working and needs to be raised, no problem with that, we will just come to Parliament here and raise it. That is the reason why TT \$25,000 was chosen. “Um, yeah, ah coming to that—also, we agree—you said that the Appeal Panel was six, we agree to increase it to seven and make that seventh person a retired justice. Very good point!

**Hon. Member:** They did the research.

**Hon. A. Roberts:** Yes. Now, moving to the gyms, we could not put—*[Interruption]* You all do not harass my colleague from St. Joseph, please. He looks dapper in his dress-down for Friday. *[Laughter]* You see description, adjectives, you know. Some people might say “cuff”, some might say slap.

Gyms, we could not include—I would like to include everybody, you know; I was greedy for this—the physical nature of the gym itself. However, the gym, it consists of trainers. Trainers with responsibility for designing or working with athletes whether temporarily or on a sustained basis fall under this legislation in the—when you will see “athlete support personnel” in the definitions:

“a parent or guardian of an athlete who is a minor;

medical practitioner or paramedical personnel, including a psychiatrist and a psychologist;

a coach, trainer”—trainer will normally be in the gyms working with the athletes—“manager, official, agent or team staff;”

So that covers—even if you want to call yourself another name—

“or”—and we included—

“any other person, working with or treating or assisting an athlete...”

So that means, even if you have an assistant trainer in the gym who is working with the athlete over a sustained period and the athlete tests positive and there is any link, that person is found liable also under this, TTADO’s rules and WADA’s regulations. All right, so I agree with you, but we could not put the gym like Fitness Center or BioWorks.

Now, I listened to my colleague from St. Ann’s East and as a lady, as a woman, I heard the empathy for people who tested positive and I heard your heart bleeding for them. Unfortunately, with this situation, there is no time, space or energy for that. With anti-doping, historically the key principle has been and can only be one of strict liability. So where someone does not know—or was given it or took it by mistake or ought to have known—does not exist because you should know. You have to know. It is TTADO’s responsibility also to continue education.

The Trinidad and Tobago Olympic Committee, Mr. Tyrone Marcus, who is there, who was very instrumental in the Ministry of Sport’s legal department has been educating NSOs, coaches, trainers, everybody—this list. I am an international coach and every month I go and just scan through this [*Holds up document*] to make sure that—because they keep adding substances. I cannot tell George Bovell: you have a headache, go and just take a Tylenol or a Panadol. I have to ensure, and George Bovell has to ensure, that he reads every single ingredient; make sure what is in that and that it is not banned.

It is not okay for an elite athlete—Semoy Hackett, with all due respect, to say that she took a pain killer; elite athletes do not do that. They are not normal human beings. They cannot operate—George Bovell, when we went to China, there were reports the year before that in China beef, they were using some chemical that was giving a positive test for a substance. He refused to eat beef for the two weeks we were up there because he did not want to take that risk.

When he is at a world championship and he has to drink water, if he does not consume the entire bottle, either I hold it in my hand or he takes a fresh bottle.

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This is the life of an elite athlete. Number one: you are responsible for what is in your body so there can be no excuse about “granny give meh, pharmacist give meh; tantie give meh.” What is in you is in you. We may feel sorry for you because we “doh” know; you say you did not mean to cheat.

Lance Armstrong “cry on Oprah”. Lance Armstrong is the biggest disgrace known in sports and he could cry from now until “thy kingdom come”, and sportsmen and sportswomen and people who believe in sport and in not cheating will never forgive Lance Armstrong as long as he lives. What he perpetrated on the world was a crime as if he took a gun and stole and robbed and kidnapped people. It was a terrible thing, a dastardly act, over a sustained period. When people found him out, he sued them. He went to extreme means to protect his lies and cheating and to say that he had a ruthless desire to win—he had a ruthless desire to cheat and is a total disgrace and to even be on Oprah, I did not even want to see him!

### **5.35 p.m.**

So, we have no sympathy, empathy for cheaters; they are that and strict liability is exactly what it is. It is the foundation principle of the Court of Arbitration on Sport and all legal matters; what is in your system you are responsible for. I will give you some examples. Ben Johnson claimed that when he tested positive for stanozolol that it was undigested, that somebody had put it in his bottle. Irrelevant! Now, it was not true, right, which he admitted he was taking it long time, because in 1984 he was about 25 pounds lighter and less ripped, and in 1988 you saw this monstrosity coming out and he admitted it. But even if he said that somebody put it in his bottle it did not matter; it is in your system, your A sample is checked, it is positive for drugs or in this case negative, you check your B sample, that is it, you go through your appeal process.

Now what is interesting, the Court of Arbitration for Sport, and this is a point you were making, that we have to make sure that the process is as pristine as possible, but you know in any process you will always find people who want to try to manipulate it.

There was a case with Cesar Cielo. He is the Olympic swimming champion in 50 and 100 metres. He is the world champion, 50 and 100 metres. In 2011 in his Brazil championships he tested positive. Well, Brazil did nothing, so this is where I take your point, that TTADO must not play games. If it is a George Bovell, you must not protect a George Bovell because he has icon status. If “yuh cheat, yuh



cheat, go dong”. The country’s reputation is more important than anybody. There is not enough money that would be made to ensure that you twist or you tweak or you water down the process.

Cesar Cielo is a huge hero for Brazil. Brazil had just been, in 2009—2010, given the 2016 Olympics; he tested positive. The Brazilian TTADO version there did not do anything. When it was reported he was coming to world championships and he eventually—I think WADA found out and put a ban on him. They went and he appealed to the CAS before the world championship in 2011 in Beijing China, and the CAS, in a remarkable turn that has confused me, and may have sent the anti-doping movement back 50 years, stated—because his defence was that he had received from the factory a case of tainted supplement.

Now, understand, remember I just told you about strict liability? So it does not matter what tainted, where you get it from, how you take it, that is it. It is found, end of story, serve your sentence—and it was himself and three of his other colleagues. Okay? So the Court of Arbitration for Sport, for some unknown reason, stated, and I quote: that Mr. Cielo did not intend to cheat.

Now in my opinion—I am not a lawyer, the Member for Diego Martin North/East could probably tell you more, it looks like they have unravelled all the case law, all the precedent about strict liability, so anybody who tests positive now has the ability to make a defence that “I did not intend to cheat”. So even Lance Armstrong, if going before the Court of Arbitration could go and say, “Well I did not intend to cheat”, and has a possibility. So I am not sure why they did that, how they did that, all I will say is Brazil got the Olympics, it is big money for Olympics, Cesar Cielo is a big star and somehow that decision went against all other decisions in the history of the Court of Arbitration for Sport.

So I take your point, and I hope that those, whoever they are, who are appointed, will understand the seriousness of this, understand that the system must not be allowed to favour anyone, and strict liability is the principle. TTADO must, on that basis, educate everybody—from primary school to secondary school to coaches to gym instructors to trainers, massage therapists, to every single person. Pharmacists must know, “Listen, this is George Bovell coming in here, he coming to buy something,” a pharmacist must know, “Listen boy, not that nah. Hear nah, because dat on this list, take this”.

This is how serious this is because one instance can embarrass Trinidad and Tobago, and this legislation is very, very important, and I commend all of those who had an impact and a part to play in this—had I said Mr. Marcus, the Trinidad

*Anti-Doping in Sport Bill, 2013*  
[HON. A. ROBERTS]

*Friday, April 12, 2013*

and Tobago Olympic Committee, all the NGOs, Dr. Ali, everybody over the years who put this together to bring it forward, and we are here on this side, while we say that it requires a three-fifths majority, I would greatly prefer if it gets passed unanimously because, as the Member for St. Ann's East said, when our athletes perform "dey doh perform for People's Partnership, dey doh perform for PNM, they perform for every citizen in the Republic of Trinidad and Tobago". On that note, Mr. Speaker, 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:** Please advise when you are ready. All right, Members, may I suggest that we take the clauses as they relate to parts. The Bill is divided into parts, I should say, and there are several clauses under each part. I have before me an amendment to clause 32(1), so with your leave I would like to suggest that we proceed in taking the matters that are before us in parts. In part one, for example, we have six clauses, we will go with six clauses, one to six, and when we go to part two, we go from seven to 19, as an example. Okay? You all are okay with that?

*Assent indicated.*

**Mr. Chairman:** Anyone can stop me at any time if they need to clarify any matter, that is no problem—any Member that is.

**Miss Cox:** Mr. Speaker, I just have a concern. I just want to look back at—we spoke about the gym.

**Mr. Chairman:** Which clause?

**Miss Cox:** I will tell you where.

**Dr. Moonilal:** What clause?

**Mr. Chairman:** Which clause?

**Hon. Member:** In the definitions.

**Miss Cox:** No, clause 5.

**Hon. Member:** Let us do 1 to 4.

**Miss Cox:** Who the Act applies to.

**Mr. Chairman:** Let us do 1 to 4.

*Clauses 1 to 4 ordered to stand part of the Bill.*

*Clause 5.*

*Question proposed:* That clause 5 stand part of the Bill.

**Miss Cox:** 5(e), the concern is 5(e)—

**Dr. Moonilal:** 5(a).

**Miss Cox:** (e)—who the Bill applies to: national governing bodies, affiliate members, clubs, teams, associations, or leagues. And then we look at 7(1), which speaks about the health consequences of doping, including the use of anabolic steroids in fitness centres. So here we see that fitness centres are important to the whole process, so I wanted you to explain to me why gyms should not be under (e).

**Mr. Roberts:** “Yeah”, no problem.

**Mr. Chairman:** I am trying to follow. I am seeing clause 5, but I am not seeing any (e). I am not seeing (e). Where is (e) in clause 5?

**Miss Cox:** 5(a), (b), (c), (d), (e)—

**Dr. Moonilal:** After national governing bodies.

**Mr. Chairman:** Where is 5(e)? I am not seeing that.

**Mr. Roberts:** Oh, we have a different copy, they have two copies.

**Dr. Moonilal:** Clause 5(e), national governing bodies and their affiliate members, clubs, teams, right, and you are saying that the Bill applies to those—

**Miss Cox:** Why not gyms? Why gyms cannot be added?

**Mr. Roberts:** National governing bodies and their affiliate members, clubs, teams, associations, or leagues; the problem with gyms, all of these bodies fall under either the Olympic Committee, the Ministry of Sport as registered organizations and can host competitions.

Now, a gym is a different commercial entity. However, if people working in the gyms—that is why we went to the definition of “support staff”, so the people that make up the gyms are caught under this umbrella. The athletes that compete

or work out in the gyms, if they compete in any competition put on by these clubs, associations or bodies, they will be caught, but we cannot put the gym itself under this clause. We could not deal with that commercial entity. Okay?

**Miss Cox:** Thank you very much.

*Question put and agreed to.*

*Clause 5 ordered to stand part of the Bill.*

*Clauses 6 and 7 ordered to stand part of the Bill.*

*Clause 8.*

*Question proposed:* That clause 8 stand part of the Bill.

**Miss Cox:** Okay, concerning the role of the Minister—because nowhere it states the role of the Minister what he can and cannot do.

**Mr. Roberts:** “Yeah”, we discussed that—the Minister cannot do anything.

**Miss Cox:** See, it is not in this legislation. The other legislations have where the Minister—where it stops that the Minister cannot give direction in terms of an athlete or in terms of doping control, or in terms of so and so. That is clear, but it is not clear here.

**Mr. Roberts:** Well the reason it is made clear there is because they previously, in a section before, gave the Minister the right to recommend to their organization to do certain things and, therefore, once they gave their Minister that right to advise the committee, they then had to come to clarify what he could advise and what he cannot advise. In our law, the Minister “cyah advise nothing”, so there is no need to put in anything.

**5.50 p.m.**

The only thing in clause 38, the final clause, is that if recommendations come from any organization—the Minister in consultation with—to make recommendations, or if WADA comes with new laws and we have to update the legislation, then the Minister comes to Parliament to make those changes. That is the only other thing. This is intended to be an absolutely, pristinely, independent

organization, free from any interference whatsoever, so that is why we left out those. Other organizations, they put their Minister in, we left the Minister out completely, once it is functioning—besides the recommendation to the President—but based on the qualifications.

**Mrs. Gopee-Scoon:** Clause 8 speaks to the qualifications, the composition of the board and of course the experience, and so on, that are required skills. But this is a Bill which is about integrity, not only of the athletes but also of the athlete support personnel and also members of the board, I would take it. In view of that, I am wondering if in addition to the qualifications, the skills and experience, and so on, if you would not want to consider some kind of fit and proper designation clause as well, just to ensure that board members do in fact pass this bar before they are appointed.

**Mr. Roberts:** While we all agree with that, there is a convention, and everybody will understand that there is a fit and proper bar across the board.

**Mrs. Gopee-Scoon:** I am not too sure about that. [*Laughter*]

**Mr. Roberts:** We are not too sure about that, even when the former Integrity Commission was put, so we never know about that. But it is assumed and understood with all law that with the qualifications, people are fit and proper, and even when you are fit and proper and have a certificate, sometimes things go wrong. So we cannot legislate in that way, but we take the point.

**Mrs. Gopee-Scoon:** It sometimes is used; sometimes it is done.

**Miss Cox:** I would just like to add that I would have liked to see how many years of experience would be needed, particularly for the PR and HR persons.

**Dr. Moonilal:** In legislation, apart from possibly an attorney-at-law, it is not common to have for public relations or marketing persons a definitive limit on experience, say seven years or 10 years. I think they use that generally for attorneys-at-law given certain positions. So I do not think we would want to constrain that appointment with a number of years.

**Mr. Roberts:** Let me also let you know on the record that the process that is going to be utilized to select this will be one that is utilized for employing government or public personnel with advertisements, qualifications and so on, and there would be a committee set up that will go through the interview process and so on, and make recommendations. So I think within that process your concern will be addressed, in that you want somebody who is not only domestically qualified but understands international elite sport and the impacts abroad.

*Question put and agreed to.*

*Clause 8 ordered to stand part of the Bill.*

*Clauses 9 to 12 ordered to stand part of the Bill. [Crosstalk]*

*Clause 13.*

*Question proposed:* That clause 13 stand part of the Bill.

**Mrs. Gopee-Scoon:** Chair, thank you. Clause 13(b), should TTADO really be allowed to collect donations from national and international organizations, especially national organizations? I am concerned about the receipt of moneys, bribes and so on.

**Mr. Roberts:** That is a brilliant point. I think the problem is maybe if you would like to tighten up the definition. National organizations in this context mean those independent NGOs who deal with issues pertaining to TTADO. In other words national organizations do not include commercial entities and so on, because you want to ensure that TTADO is not influenced. For example, in the case of George Bovell, he is an endorsee of NP, so you do not want NP to fund TTADO and then there may be an issue with George Bovell and they have some influence. So those organizations are more like grant funding, the international ones, UNESCO and so on. Any local arms of those independent NGO grant funding, that is what it is.

That is why we also ensured that TTADO can approach the Minister of Finance and the Economy and borrow money to fund their activities, so that they do not become prey to any possible conflicts of interests with regard to collection of funds.

**Mrs. Gopee-Scoon:** Having regard to the fact that we have agreed, could we come up with some form of words which would protect what we intend?

**Mr. Roberts:** North/East. [*Laughter*]

**Mrs. Gopee-Scoon:** SC.

**Mr. Imbert:** You are confused. I am not a Member of the Government, but I will help you. [*Crosstalk*] I am not.

Since you are not prescribing a fine or custodial sentence for these organizations, you cannot do it for commercial entities because you would have to change the entire philosophy of the legislation, where this body could impose fines and custodial sentences. It would then become very complex.

The sanction that you have proposed is the withdrawal of funding. You cannot withdraw funding from NP, for example, because you do not fund NP. So that is the answer. Because the sanction is against the organization that is seeking funding from the Government, the sanction is the withdrawal of funding, but if you have a commercial entity—let us take Tiger Woods, for example. When he got into his problems, Nike and all these organizations, these private sector companies, they took the initiative and withdrew funding from him, on their own initiative, because they felt he should not be associated with them.

Take Lance Armstrong, for example—when he admitted to doping, all these private sector organizations and companies decided to withdraw funding and cancelled their support for him, but there is no law that compelled them to do that.

What happens in this case is that if the person is caught doping or the organization is caught supporting doping, the Government will stop funding them. This legislation does not have a framework where you are imposing a fine or a jail sentence. You cannot jail NP and fine NP, unless you also are going to jail and fine the directors of the basketball federation, for example. That is why you cannot take action against the private sector with respect to this legislation. You would have to change the whole philosophy of the legislation to do that. Has that dealt with it?

**Mr. Roberts:** Yes, but that went deeper. What we will also do—because I understand that is a very critical point—in TTADO's board relationship, the articles of association and those regulations under which they are governed will include that they are not to receive funding from commercial entities or any entity involved specifically with sport, in any form or fashion. So what funding they will receive from the Government of Trinidad and Tobago, from international or national NGOs, organizations like UNESCO—

**Mrs. Gopee-Scoon:** I understand.

**Mr. Roberts:** So they will not be able to take funds from any and everybody in that way.

**Mr. Imbert:** What will happen in practice is that once the public authority takes action, the private sector is going to withdraw. If you look at what has happened with all these disgraced athletes. Use Lance Armstrong again as an example—as soon as the international doping organization took action against him, all the private sector companies pulled out as well. It is natural because they do not want to be associated with this kind of practice.

**Mr. Roberts:** But Member for Point Fortin, that is a brilliant point and it is very important to ensure that as we stated, TTADO works totally independently.

*Question put and agreed to.*

*Clause 13 ordered to stand part of the Bill.*

*Clause 14 ordered to stand part of the Bill.*

*Clause 15.*

*Question proposed:* That clause 15 stand part of the Bill.

**Miss Cox:** In clause 15 it speaks about TTADO having to send annual reports and estimates and so on. Somewhere here it is mentioned that reports should be sent annually to WADO, and that is a stipulation.

**Mr. Roberts:** And reports will be, but not these reports. These reports are administrative in the general functioning of TTADO, and the Parliament is responsible for TTADO. TUEC, the committee underneath which deals with the actual number of tests, who tested positive and what went on, those will be sent to—

**Miss Cox:** So it is not needed in the legislation?

**Mr. Roberts:** It is not needed in the legislation. This is to ensure that the administration has to report to the Parliament on their running. So TTADO falls under the oversight of the Parliament, but TUEC and all the actual doping issues and tests, that report would go to WADA.

**Miss Cox:** Okay.

*Question put and agreed to.*

*Clause 15 ordered to stand part of the Bill.*

*Clauses 16 to 31 ordered to stand part of the Bill.*

*Clause 32.*

*Question proposed:* That clause 32 stand part of the Bill.

**Miss Cox:** There is supposed to be an amendment to clause 32?

**Dr. Moonilal:** Chairman, I beg to move that clause 32 be amended as follows:

- 32(1) A. Delete the word “six” and substitute the word “seven”.
- B. Delete in paragraph (a) the words “a Chairman and a Vice-Chairman” and substitute the words “a Chairman, being a



person who has served as a Judge in the Supreme Court of Judicature and two Vice-Chairmen”.

*Question put and agreed to.*

*Clause 32, as amended, ordered to stand part of the Bill.*

**Miss Cox:** Mr. Chairman, I do not know where this would fit in because it is not here. I just wanted to discuss the part about the retired athlete because I was not in total agreement.

**Mr. Chairman:** Which section of the Bill is that?

**Mr. Roberts:** No, it is just a general—

**Mr. Chairman:** Well let us deal with the clauses and we will come back.

*Clauses 33 and 34 ordered to stand part of the Bill.*

**6.05 p.m.**

*Clause 35.*

*Question proposed:* That clause 35 stand part of the Bill.

**Miss Cox:** Clause 35.

**Mr. Chairman:** Clause 35? Okay. Go ahead, Member.

**Miss Cox:** Would you all reconsider this fine?

**Dr. Moonilal:** Uh? Consider what?

**Miss Cox:** The fine of \$25,000.

**Mr. Roberts:** No. We will leave it now because what they said is that we kept in line with what exists in the country for now. However, if it is too light, we have no problem coming to Parliament and raising it, but we did not want to go up and above the norm, the conventional norms, for our jurisprudence right now.

**Dr. Moonilal:** What happens is that these fines are done and they are synchronized within a structure, and it was felt that it is commensurate with other offences and fines.

*Clause 35 ordered to stand part of the Bill.*

*Clauses 36 to 38 ordered to stand part of Bill.*

**Mr. Chairman:** Before I take the Preamble, I will allow you at this time to intervene again.

**Miss Cox:** Okay.

**Mr. Roberts:** What the Member was discussing was in some other jurisdictions they specifically state that the retired athlete must inform TTADO of their retirement and their return to elite competition. While I agree, and TTADO could do that in their rules, regulations and procedure, we thought about it, we discussed it, and I prefer—because of the system, as we described, that the cheaters are always ahead of the testers because they are better funded and have better doctors and so on—you want to leave athletes in the net as long as possible and not let them come out, and do not give them loopholes to play with the system.

So, if you retire, great for you. However, the rules of TTADO, and this legislation say it, that you retire in August, we could test you in December because you are still on the world rankings from the year before. So we have a longer time to catch cheaters.

**Miss Cox:** Okay.

**Mr. Chairman:** The question is that we go to the Preamble.

*Preamble approved.*

*Question put and agreed to:* That the Bill be reported to the House.

*House resumed.*

*Bill reported, with amendment.*

*Question put:* That the Bill be now read a third time.

**Mr. Speaker:** This Bill requires a special majority, a division is needed.

*The House voted: Ayes 34*

AYES

Moonilal, Hon. Dr. R.

Warner, Hon. J.

Dookeran, Hon. W.

Mc Leod, Hon. E.

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Sharma, Hon. C.

Gopeesingh, Hon. Dr. T.

Peters, Hon. W.

Rambachan, Hon. Dr. S.

Seepersad-Bachan, Hon. C.

Khan, Mrs. N.

Roberts, Hon. A.

Cadiz, Hon. S.

Baksh, Hon. N.

Griffith, Hon. Dr. R.

Baker, Hon. Dr. D.

Ramadharsingh, Hon. Dr. G.

De Coteau, Hon. C.

Khan, Hon. Dr. F.

Douglas, Hon. Dr. L.

Indarsingh, Hon. R.

Samuel, Hon. R.

Roopnarine, Hon. S.

Ramdial, Hon. R.

Alleyne-Toppin, Hon. V.

Seemungal, J.

Partap, C.

Mc Donald, Miss M.

Cox, Miss D.

Imbert, C.

Jeffrey, F.

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*Friday, April 12, 2013*

Browne, Dr. A.

Thomas, Mrs. J.

Gopee-Scoon, Mrs. P.

Volney, H.

*Question agreed to.*

*Bill accordingly read the third time and passed.*

#### **ADJOURNMENT**

**The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal):** Mr. Speaker, I beg to move that this House do now adjourn to April 19 at 1.30 p.m., and to serve notice that on that day it is the intention of the Government to debate two matters: the National Health Services Accreditation Authority Bill, 2013 by the Minister of Health, and the Motor Vehicles and Road Traffic (Amdt.) Bill, 2013 sponsored by the very distinguished Minister of Transport. Thank you. [*Laughter*]

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 6.15 p.m.*