

HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

The House met at 1.30 p.m.

PRAYERS

[MR. DEPUTY SPEAKER *in the Chair*]

**LEAVE OF ABSENCE**

Mr. Deputy Speaker: Hon. Members, Mr. Ganga Singh MP, Member for Chaguanas West, has requested leave of absence from the sittings of the House from September 26th to 28th, 2018. Mr. Prakash Ramadhar MP, Member for St. Augustine, and the hon. Faris Al-Rawi MP, Member for San Fernando West, have requested leave of absence from today's sitting of the House. The leave which the Members seek is granted.

PAPERS LAID

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Mayaro-Rio Claro Regional Corporation for the year ended September 30, 2008. [*The Minister of Finance (Hon. Colm Imbert)*]
To be referred to the Public Accounts Committee.
2. Ministerial Response of the Ministry of Health to the Seventeenth Report of the Public Accounts Committee on the Examination of the Audited Financial Statements of the Trinidad and Tobago Bureau of Standards for the financial years 2009 to 2013. [*The Minister of Planning and Development (Hon. Camille Robinson-Regis)*]
3. Ministerial Response of the Ministry of the Attorney General and Legal Affairs to the Seventeenth Report of the Public Accounts Committee on the Examination of the Audited Financial Statements of the Trinidad and

UNREVISED

- Tobago Bureau of Standards for the financial years 2009 to 2013. [*Hon. C. Robinson-Regis*]
4. Ministerial Response of the Ministry of Agriculture, Land and Fisheries to the Third Report of the Joint Select Committee on Land and Physical Infrastructure on an Inquiry into the strategies for diversifying the type and number of agricultural commodities produced locally. [*Hon. C. Robinson-Regis*]
 5. Ministerial Response of the Ministry of Agriculture, Land and Fisheries to the Fifth Report of the Joint Select Committee on Social Services and Public Administration on an Inquiry into the adverse health effects of fireworks. [*Hon. C. Robinson-Regis*]
 6. Ministerial Response of the Ministry of Finance to the Thirteenth Report of the Public Accounts (Enterprises) Committee on the Examination of the Audited Accounts, Balance Sheet and other Financial Statements of Union Estate Electricity Company Limited for the financial years 2008 to 2015. [*Hon. C. Robinson-Regis*]
 7. Ministerial Response of the Ministry of Finance to the Follow-up Report of the Joint Select Committee on State Enterprises on an Inquiry into the Administration and Operations of Caribbean Airlines Limited. [*Hon. C. Robinson-Regis*]
 8. One Hundred and Eighth Report of the Salaries Review Commission of the Republic of Trinidad and Tobago in relation to the Offices of Information Commissioner and Deputy Information Commissioner, Ministry of Communications. [*The Minister of Public Administration (Hon. Marlene McDonald)*]

9. Notification of Her Excellency the President, in respect of the nomination of Mr. Harrikrishen Baldeo for appointment to the Office of Deputy Commissioner of Police. [*Hon. C. Robinson-Regis*]

**JOINT SELECT COMMITTEE REPORTS
(Presentation)**

Human Rights, Equality and Diversity

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

**Perceived Inequality Faced by Single Fathers
in Trinidad and Tobago**

Eighth Report of the Joint Select Committee on Human Rights, Equality and Diversity on the Examination of the Perceived Inequality Faced by Single Fathers in Trinidad and Tobago with Specific Focus on Custody Matters, Policies and Access to Programmes and Services.

**Treatment of Detainees and Conditions of Holdings Cells
in Trinidad and Tobago Police Stations**

Ninth Report of the Joint Select Committee on Human Rights, Equality and Diversity on the Examination of the Treatment of Detainees and Conditions of Holdings Cells in Trinidad and Tobago Police Stations.

**Finance and Legal Affairs
National Insurance System of Trinidad and Tobago**

The Minister of State in the Ministry of Education (Hon. Dr. Lovell Francis): Mr. Deputy Speaker, I have the honour to present the following reports:

Fourth Report of the Joint Select Committee on Finance and Legal Affairs on an Inquiry into certain aspects of the National Insurance System of Trinidad and Tobago.

**Land and Physical Infrastructure
Trinidad and Tobago Inter-island Ferry Service**

Fourth Report of the Joint Select Committee on Land and Physical Infrastructure on an Inquiry into the Trinidad and Tobago Inter-island Ferry Service with specific focus on the Procurement and Maintenance of Ferries.

Trinidad and Tobago Revenue Authority Bill, 2018

The Minister of Finance (Hon. Colm Imbert): Thank you, Mr. Deputy Speaker. I have the honour to present the following reports:

Report of the Joint Select Committee established to consider and report on the Trinidad and Tobago Revenue Authority Bill, 2018.

Gambling (Gaming and Betting) Control Bill, 2016

Report of the Joint Select Committee appointed to consider and report on the Gambling (Gaming and Betting) Control Bill, 2016.

PRIME MINISTER'S QUESTIONS

Mr. Deputy Speaker: Member for Princes Town. [*Desk thumping*]

**'Jacqueline Wilson' Report
(Publicizing of)**

Mr. Barry Padarath (Princes Town): Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, through you to the hon. Prime Minister, question number 1: Given that the Prime Minister has had the 'Jacqueline Wilson' Report for over three months without advising or commenting on its content, could the Prime Minister indicate when the 'Jacqueline Wilson' Report will be made public?

Mr. Deputy Speaker: Hon. Prime Minister.

The Prime Minister (Hon. Dr. Keith Rowley): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, I simply want to tell my colleague that Trinidad and Tobago has in office a responsible Prime Minister, [*Desk thumping*] and the fact that a report exists does not automatically mean that the Prime

Minister should be commenting on the matter or making it public because to do so in some instances could jeopardize the basis on which the report had been instituted. In this particular case, Mr. Deputy Speaker, the report has been received. The report contains information that is damaging to persons who had been referred to, and in keeping with the proper practice and the expected practice of natural justice, the relevant public official has made that report available to those persons so that they may comment as required before the report can be advanced any further. At least one of those persons had asked for additional time, and the matter is being dealt with in that civil and sane and sober way. At the end of the proceedings, at some appropriate time when all these checks have been done, and that persons have been given the opportunity to respond to the relevant public officials, then the report is likely to go further.

Mr. Deputy Speaker: Member for Princes Town.

Mr. Padarath: Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, to the hon. Prime Minister, in light of public money having been expended on this particular matter, and it is a matter of public interest, could the Prime Minister indicate whether the findings contained in the report presented to him on June 04, 2018 confirms his justification for removing Mr. Smith from the Cabinet as a Minister?

Mr. Deputy Speaker: I will not entertain that question, hon. Member. Member for Princes Town, question number 2.

**Children's Life Fund Legislation
(Amendment of)**

Mr. Barry Padarath (*Princes Town*): Thank you, Mr. Deputy Speaker. Question 2 to the hon. Prime Minister: In light of the recent upsurge in cases of children being denied funding by the Children's Life Fund, could the Prime Minister state if the Government is considering amending legislation to assist these children?

Mr. Deputy Speaker: Hon. Prime Minister.

The Prime Minister (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, I am not aware of any upsurge in denial. The very basis on which the fund has been established by legislation indicates that denials could be on our part of the process, because it is not every applicant that will find favourable response. And, Mr. Deputy Speaker, the legislation has put in place proper and appropriate persons who will make the evaluation and determine whether the funds would be expended on a case by case basis. To the best of my knowledge that is happening, and therefore the Government has no position at this time to amend the legislation.

Mr. Deputy Speaker: Member for Princes Town.

Mr. Padarath: Thank you, Mr. Deputy Speaker. To the hon. Prime Minister: Is the Prime Minister aware of five children in the past month whose parents are making public pleas for financial help because the Life Fund has denied them, even though their conditions are life-threatening or leads to fatal conditions because the definition in the law prevents them from getting help?

Mr. Deputy Speaker: Hon. Prime Minister.

Hon. Dr. K. Rowley: Mr. Deputy Speaker, the evaluation, as is done, will allow those who are best able to make the decision to make it on behalf of the citizenry, and if there are extenuating circumstances, then those circumstances can be identified and looked at. But in the context of the law, I have to be guided by what is in the law and what the experts tell us on the particular matter.

Mr. Deputy Speaker: Supplemental, Member for Princes Town.

Mr. Padarath: Thank you, Mr. Deputy Speaker. I am happy to hear the words of the hon. Prime Minister with respect to this particular matter. Hon. Prime Minister, then, would you give us an undertaking that in consultation with the Attorney General and others that you will be able to give us, at some later date,

whether or not looking at the legislation again in terms of assisting these children could be done?

Mr. Deputy Speaker: Hon. Prime Minister.

Hon. Dr. K. Rowley: I am not giving in that any such undertaking because I do not want him to put words in my mouth. What I am saying is that the legislation, and the whole process of evaluation, as far as I am aware, is what is at work, and therefore I am not aware at this point in time that we are in a position to make changes to the legislation so that every applicant who makes an application is guaranteed of a favourable response.

Mr. Deputy Speaker: Member for Princes Town, question number 3.

**Ambassador Christopher Thomas OAS Report
(Publicizing of)**

Mr. Barry Padarath (*Princes Town*): Thank you, Mr. Deputy Speaker. Question 3 to the hon. Prime Minister: Could the Prime Minister indicate when the findings of the report prepared by Ambassador Christopher Thomas into Trinidad and Tobago's vote at the Organization of American States (OAS) with respect to a fee waiver from Dominica would be made public?

Mr. Deputy Speaker: Hon. Prime Minister.

The Prime Minister (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, the best way—on consideration, the best way to make that public is for the report to be laid before the relevant committee of the Parliament, and that would be so done.

Mr. Deputy Speaker: Member for Naparima.

Mr. Charles: Thank you, Mr. Deputy Speaker. Could the Prime Minister tell us if the report allocated blame for the embarrassment which occurred at the OAS? Did it allocate blame, and was the Minister of Foreign and Caricom Affairs in any way at fault?

Mr. Deputy Speaker: Hon. Prime Minister.

Hon. Dr. K. Rowley: Mr. Deputy Speaker, the report makes no reference to any wrongdoing on the part of the Minister, and the Minute, it can best be made available so that the Members of Parliament could come to their own conclusions.

Mr. Deputy Speaker: Member for Tabaquite, question number 4.

**WASA and Trinidad and Tobago Electricity Commission
(Employee Reduction)**

Dr. Surujrattan Rambachan (*Tabaquite*): Thank you, Mr. Deputy Speaker. Hon. Prime Minister, given the admission by the Minister of Public Utilities that WASA's workforce is much larger than required, could the Prime Minister state whether the Government intends to reduce employment levels at WASA and Trinidad and Tobago Electricity Commission at this time?

Mr. Deputy Speaker: Hon. Prime Minister.

The Prime Minister (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, the focus of the Government at this time with respect to employment at WASA and T&TEC is to improve their efficiency and effectiveness of those two agencies. And in so doing, and at the same time, we are not at this time considering any reduction in staff at WASA and T&TEC at this time.

Mr. Deputy Speaker: Supplemental, Member for Tabaquite.

Dr. Rambachan: Thank you, Mr. Deputy Speaker. The Minister also said that they will be cutting the number of contractors at WASA in order to keep the number of workers, but if you have an already oversized workforce, would that not be carrying a burden for the Government that is unproductive?

Mr. Deputy Speaker: Hon. Prime Minister.

Hon. Dr. K. Rowley: I see it the opposite, Mr. Deputy Speaker. If you are paying contractors and you are also paying workers on the establishment, and you focus

on removing the contractors and have the workers do the job for which they are being paid, then you are in fact saving money. [*Desk thumping*]

Mr. Deputy Speaker: Member for Tabaquite.

Dr. Rambachan: Is the Prime Minister agreeing that, one way or the other, persons who are now even employed as contractors at WASA are going to lose jobs?

Mr. Deputy Speaker: Prime Minister.

Hon. Dr. K. Rowley: WASA was not created to create jobs, it was created to supply water, and if you have people who are being paid twice for the same job, then the consideration is not reducing jobs by contractors, but using contractors only where they are absolutely essential, and allowing the WASA staff on the WASA payroll who can do the jobs to do those jobs, and I think that is reasonable and fair. [*Desk thumping*]

Mr. Deputy Speaker: Member for Tabaquite, question number 5.

**WASA
(Increase in Water Rates)**

Dr. Surujrattan Rambachan (Tabaquite): Thank you, Mr. Deputy Speaker. Prime Minister, given the sizeable subsidies granted to WASA averaging \$2 billion per year, could the Prime Minister indicate whether the Government intends to increase water rates to offset some of these subsidies?

Mr. Deputy Speaker: Hon. Prime Minister.

The Prime Minister (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, my colleague would know that the matter with respect to water rates is a matter for the independent Regulated Industries Commission, and they would make the necessary recommendations to the Government. No such recommendation is before us at this time, however, the Commission constantly reviews the situation. WASA would

make its submissions to the Commission, and at the end of that process, what the Commission recommends to the country is what would be considered.

Mr. Deputy Speaker: Supplemental, Member for Tabaquite.

Dr. Rambachan: Is the Prime Minister in agreement with the statement that the Government is not in favour of continuing with these heavy subsidies to WASA?

Mr. Deputy Speaker: Prime Minister.

Hon. Dr. K. Rowley: I have no idea what he is talking about, statement, Mr. Deputy Speaker.

Mr. Deputy Speaker: Member for Pointe-a-Pierre.

Closure of Petrotrin Refinery (Basis of Decision)

Mr. David Lee (*Pointe-a-Pierre*): Thank you, Mr. Deputy Speaker. To the hon. Prime Minister: Based on an announcement that the Government intends to close the Petrotrin Refinery, could the hon. Prime Minister state the official professional opinions and/or recommendations that were sourced and subsequently used to arrive at this decision?

Mr. Deputy Speaker: Hon. Prime Minister.

The Prime Minister (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, the Cabinet appointed a very competent and experienced board to conduct the business of Petrotrin. That board used the company's records and hired professional expertise, and on the basis of the data and the information collected, the board has made those recommendations and decisions which had been advanced to the Government. The board has been happily advised, and the board has made use of all the pertinent information in coming to conclusions which are being acted upon.

Mr. Deputy Speaker: Member for Pointe-a-Pierre, supplemental.

Mr. Lee: Thank you, Mr. Deputy Speaker. To the Prime Minister: Is the Prime

Minister stating that he is not aware of the different professional opinions or individuals that were recommended that the board used to recommend the closure of Petrotrin to Cabinet?

Mr. Deputy Speaker: Hon. Prime Minister.

Hon. Dr. K. Rowley: I said no such thing. What I have said, Mr. Deputy Speaker, should suffice to tell my colleague that as Prime Minister I am not supplanting myself into the role of the board or the management of Petrotrin.

Mr. Deputy Speaker: Member for Oropouche East.

Dr. Moonilal: Thank you very much. To the Prime Minister: In light of his response, is the Prime Minister saying categorically that the decision to close the refinery is a decision solely of the board of directors and not any specific report or any specific professional consultant?

Mr. Deputy Speaker: Hon. Prime Minister.

Hon. Dr. K. Rowley: Mr. Deputy Speaker, I do not wish to have Members of the other side put any words in my mouth; my words are very clear. I said no such thing. I said no such thing. I said the responsibility for being advised on the circumstances surrounding Petrotrin's business had been done by the board and recommendations made to the Government, and it is no one report that would have been done. The circumstances of Petrotrin are quite broad and a number of inputs would have gone into it, including the specific and multitudinous components from expertise in all areas of the company's business.

Mr. Deputy Speaker: Member for Pointe-a-Pierre.

Mr. Lee: Thank you, Mr. Deputy Speaker. To the hon. Prime Minister: Could he state, specifically, was it the Cabinet that took the decision to close the refinery or the board of Petrotrin?

Mr. Deputy Speaker: Hon. Prime Minister.

Hon. Dr. K. Rowley: Mr. Deputy Speaker, for clarification once again, the board, having done the analyses very carefully, deliberately and conscientiously made recommendations to the Government, and the decision was taken by the Government and transmitted to the company by way of the board to the workers and their representatives. As a matter of fact, Mr. Deputy Speaker, on the very first occasion that this matter—this decision was taken by the Cabinet, the Government made it quite clear that it was advised of the state and the circumstances surrounding Petrotrin, and those recommendations from the board were accepted by the Government. And I want to say, finally, the Government has no intention of running away from its responsibility of governing the affairs of Trinidad and Tobago, and that includes Petrotrin. [*Desk thumping*]

Mr. Deputy Speaker: Member for Pointe-a-Pierre, question number 7.

**Petrotrin Refinery
(Preferential Options to Purchase)**

Mr. David Lee (*Pointe-a-Pierre*): Thank you, Mr. Deputy Speaker. To the hon. Prime Minister: Given the Government's offer to the Oilfields Workers' Trade Union (OWTU) of a preferential option to purchase the Petrotrin Refinery, could the Prime Minister indicate the other options the Government intends to pursue if this offer is not accepted by the OWTU?

Mr. Deputy Speaker: Hon. Prime Minister.

The Prime Minister (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, the Government's position is quite clear. The Government's position is that the refinery would be excised as a separate entity from the rest of Petrotrin's business and therefore become an independent and separate asset. At that stage it was intended that if the OWTU can put a proposal to the Government that they would get favourable consideration; the first option. That was immediately dismissed by

the union. However, we are being told that some interest is being shown now. Subsequent to that, I myself, in response to OWTU correspondence directed to me, I replied in writing saying to the OWTU, if they can put a proposal forward in the context of sane business that can stand rigorous scrutiny, and it is serious business, that it would be treated with respect and dignity like any other. Having said that, they were also told if other proposals are made to the owners of the asset, and those proposals are superior, then the public interest will prevail.

Mr. Deputy Speaker: Supplemental, Pointe-a-Pierre.

Mr. Lee: Thank you, Mr. Deputy Speaker. To the Prime Minister based on his answer just now, could the Prime Minister state if his Cabinet or his Government is entertaining any other proposals other than OWTU at this time?

Mr. Deputy Speaker: Prime Minister.

Hon. Dr. K. Rowley: I am not aware that the board is in receipt of any other proposal, but I am aware that there are other persons who might have been indicating that they would have an interest in the event that the refinery becomes available for consideration. A refinery can attract attention from any person anywhere, and what we are saying is that we are open to see what is available once the asset has become separated from the business of Petrotrin as a separate entity. So any discussion on this matter is a discussion about the refinery as a standalone item.

Mr. Deputy Speaker: Member for Caroni Central, would you give way to the Member for Pointe-a-Pierre?

Dr. Tewarie: Okay.

Mr. Deputy Speaker: Member for Pointe-a-Pierre, supplemental.

Mr. Lee: Thank you, Mr. Deputy Speaker. To the Prime Minister based on his response, and based on the entire issue of Petrotrin—and my question is: Is the

Prime Minister stating that the Government has taken a decision now not to close the refinery of Petrotrin?

Mr. Deputy Speaker: Prime Minister.

Hon. Dr. K. Rowley: Mr. Deputy Speaker, my colleague is being deliberately mischievous. I have been very clear. I spoke about the standalone item; I spoke about only dealing with this aspect of it when the refinery is separated from the rest of Petrotrin's business. So that question is mischievous and meant to mislead.

Mr. Deputy Speaker: Member for Caroni Central, you still have a question?

Dr. Tewarie: Yeah. It is just to clarify that issue, Prime Minister. As I understand you, the recommendation of the board then would have been to Cabinet that the refinery be excised from the rest of Petrotrin, but not to close or to sell, simply to excise, and the decision is now being explored whether to close or to sell. Is that correct?

Mr. Deputy Speaker: Prime Minister.

Hon. Dr. K. Rowley: No, it is not correct. The excision involves closure of the operation. So we excise it, and we said in simple English from day one that the heart of the problem is the importation and refining of crude, and, therefore, the excision carries with it a cessation of the importation of crude. And we also—I am aware that the board has indicated when the importation of crude will cease, and therefore it is quite clear that we are excising the refining, you stop the importation and refining of other people's crude, and, of course, then we spoke of no idea of sale. We said, opportunity, whatever that opportunity is, whether it is sale, lease, supply of crude by a third party, whatever, we will look at what options are available to us once the refinery is in that state. Those were said in clear English over and over, and I wish that this be clarified for you. Thank you very much.

Dr. Tewarie: Yes, you did.

Mr. Deputy Speaker: Members, before questions on that, the question has expired. So I will move on now to the Member for Couva South.

**Operations of Petrotrin
(Working Committee to Restructure)**

Mr. Rudranath Indarsingh (*Couva South*): Thank you, Mr. Deputy Speaker. Could the Prime Minister inform this House why the Government failed to ensure that the representatives of the OWTU were appointed to the Working Committee to restructure the operations of Petrotrin in keeping with the Memorandum of Agreement signed between both parties on the 3rd of April, 2018?

Mr. Deputy Speaker: Hon. Prime Minister.

The Prime Minister (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, I am not sure what Working Committee he is talking about. If you are talking about the board, then as Government I could respond to that; about a Working Committee within the company, I cannot respond to that.

Mr. Deputy Speaker: Supplemental, Member for Couva South.

Mr. Indarsingh: So, Prime Minister, are you telling the House that you are not aware of a clause 2 of a memorandum of understanding which was signed between Petrotrin and the OWTU of which the Government is the shareholder and has the responsibility for Petrotrin?

Mr. Deputy Speaker: Prime Minister.

Hon. Dr. K. Rowley: The responsibility for the conduct of Petrotrin's business is a matter for the board and will not be substituted by the Cabinet. What I am saying is that with respect to any matter of a working committee to conduct Petrotrin's business is a matter for the board of Petrotrin and not for the Cabinet.

Mr. Deputy Speaker: Supplemental, Member for Couva South.

Mr. Indarsingh: Prime Minister, as the head of Cabinet which has the

responsibility of being the shareholder, could you advise this House if you are aware that this MOA is registered at the Ministry of Labour and Small Enterprise Development, and, by extension, the Industrial Court of Trinidad and Tobago?

Mr. Deputy Speaker: Prime Minister.

Hon. Dr. K. Rowley: If the Member wants to get into a discussion on the futility of such a registration, I am not aware of any procedure by which an MOA is registered, but I am not the Minister of Labour and Small Enterprise Development. I am not a labour expert. I know of no dispute at Petrotrin as a pathway for any registration, so therefore I cannot help the Member.

Mr. Deputy Speaker: Member for Couva North.

**Tobago House of Assembly
(Audit Report)**

Ms. Ramona Ramdial (*Couva North*): Thank you, Mr. Deputy Speaker. Could the Prime Minister confirm whether the Cabinet received the Audit Report on the missing \$10 million from the Tobago House of Assembly intended for the Virgin Atlantic Airways International?

Mr. Deputy Speaker: Hon. Prime Minister.

The Prime Minister (Hon. Dr. Keith Rowley): The Cabinet has received no such report.

Mr. Deputy Speaker: Supplemental, Member for Couva North.

Ms. Ramdial: Can the Prime Minister say how soon before the Cabinet receives this report?

Mr. Deputy Speaker: Prime Minister.

Hon. Dr. K. Rowley: Mr. Deputy Speaker, I would like to advise my colleague that the Tobago House of Assembly, in the conduct of its affairs, does not report to the Cabinet in that way. The Tobago House of Assembly under the THA Act

reports to the Parliament and is audited by the Auditor General.

Mr. Deputy Speaker: Member for Naparima.

**“The Group DC”
(Renewal of Contract)**

Mr. Rodney Charles (*Naparima*): Thank you, Mr. Deputy Speaker. Could the Prime Minister indicate whether the Government's contract with the Washington based “The Group DC” will be renewed?

Mr. Deputy Speaker: Prime Minister.

The Prime Minister (Hon. Dr. Keith Rowley): Yes. The answer to that question is, yes.

Mr. Deputy Speaker: Member for Naparima.

Mr. Charles: Would the Prime Minister enumerate the achievements if any of the group since October 2016, when the two-year contract was awarded?

Mr. Deputy Speaker: Member, I would not entertain that question. Member for Naparima, next question.

2.00 p.m.

**Ferry Vessels from Australia
(Procurement Process)**

Mr. Rodney Charles (*Naparima*): Could the Prime Minister indicate the procurement process used in the acquisition of the two ferry vessels from Australia and the dates of any public advertisements in this regard?

The Prime Minister (Hon. Dr. Keith Rowley): What I could do, Mr. Deputy Speaker, is to tell my colleague that the process that we used to acquire the two ferries from Australia is not the one that was used to acquire the Damen fleet. [*Desk thumping*] It is also not the one that was used to acquire the vessel from China. [*Desk thumping*] The process that we have used—[*Crosstalk*]

Mr. Indarsingh: *The Galleons Passage.*

Mr. Deputy Speaker: Members, please! I would like to hear the answer. Proceed.

Hon. Dr. K. Rowley: The process that we have used is, one, to determine what kind of vessel we want; two, who can help us to buy it; and, three, we sought the assistance of the Government of Australia to help us to buy these vessels, which are made in Australia. Those processes involved the Government of Trinidad and Tobago and the Government of Australia.

What we did was to access the funding through the Government of Australia's facilities, and we also used the Trinidad and Tobago Coast Guard's expertise to examine the vessels which are intended for the Coast Guard. And, of course, with respect to the passenger ferry for the sea bridge, we are familiar with the quality of the equipment that we had already bought, used ones, and now we are buying similar ones, except that these ones would be new and to our own specification. And that is as clear a process as we have had in this country for the last God knows how long.

Mr. Charles: Would the Prime Minister not admit that best practice methods call for shipbuilders to be asked to submit bids for these vessels, and in this regard when were bids invited and to whom?

Hon. Dr. K. Rowley: Mr. Deputy Speaker, from day one we made it very clear that since we decided to use the best aluminium hull catamarans which are—the two companies that make them, we allowed them to compete, and it is the competition between the two companies that gave us the choice of what we want, and getting the best price through best practice.

**Closure of Petrotrin
(Security for Confidential Documentation)**

Dr. Roodal Moonilal (*Oropouche East*): Question No. 12. In light of the

imminent closure of Petrotrin, could the Prime Minister indicate the steps taken to secure confidential files, documents, expert reports, employees' statements and other information in relation to the AV Drilling "fake oil" scandal?

The Prime Minister (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, as I said earlier on, the Government has appointed a very responsible and experienced board at Petrotrin and the board is required to secure all the company's assets, including its files and its documents of all kind.

Dr. Moonilal: Thank you very much. Could the Prime Minister indicate whether or not there is any update on the purported report of this matter to the DPP?

Hon. Dr. K. Rowley: Mr. Deputy Speaker, this matter is a matter between Petrotrin and its contractors, and I have no information about any report to the DPP.

Dr. Moonilal: Could I ask: In light of the amount of money, \$100 million, involved in this fake oil scandal—possibly more—does the Prime Minister consider it prudent for the Government to have some idea as to securing confidential documents and files and not—

Dr. Gopeesingh: Rely on—

Mr. Deputy Speaker: One question, Member.

Dr. Roodal Moonilal:—managers at a lower level at Pointe-a-Pierre?

Mr. Deputy Speaker: Which question, Member?

Dr. Moonilal: Twelve.

Mr. Deputy Speaker: No, you asked two questions in your—

Dr. Moonilal: I am asking the Prime Minister: In light of the \$100 million involved, does the Prime Minister believe that the Government should have some interest in securing the files and confidential data, and not leave it to Petrotrin?

Hon. Dr. K. Rowley: Mr. Deputy Speaker, if you were told that the Cabinet was

in Petrotrin rummaging through Petrotrin's files or overriding the board in interfering with Petrotrin's files, I am sure my colleagues would be the first here to accuse the Cabinet of misconduct.

Mr. Deputy Speaker, I want to say it again for the record: The Government has appointed responsible persons to conduct the affairs of Petrotrin, and whether it is \$99 million or \$120 million, as in the Eden Gardens scandal, the board is responsible for looking after the company's assets and files. [*Desk thumping*]

Dr. Moonilal: Could I ask the Prime Minister to state categorically whether the Prime Minister has any business or private interest in AV Drilling and this scandal?

Mr. Deputy Speaker: I will not entertain that question.

Hon. Dr. K. Rowley: If you think the Prime Minister has any business in there, come outside and say that. [*Desk thumping and crosstalk*]

Hon. Members: Go outside and say it! Go outside and say it!

Mr. Deputy Speaker: Members, hold on. [*Crosstalk and continuous desk thumping*]

Hon. Member: Call Gary!

Mr. Deputy Speaker: Members; Members; Members; Members.

Mrs. Persad-Bissessar SC: Governance by fight!

Hon. Member: Friends and family!

Mr. Deputy Speaker: Members; Members, I am on my legs at this time, and I will not tolerate any outburst like that again in this Chamber. Okay, Members? Members. Couva South, please. Member for Siparia, please.

Mr. Indarsingh: We want no "badjohnism".

Mr. Deputy Speaker: Minister of Finance. Right. Member for Oropouche East, there is one more question to be answered under "supplemental", do you have a

question?

Dr. Moonilal: Yes, definitely, Sir.

Mr. Deputy Speaker: Proceed.

Dr. Moonilal: Can I ask the very calm Prime Minister whether—

Mr. Deputy Speaker: Member, Member, have a seat. I would like the question, no preamble. Proceed.

Dr. Moonilal: The question to the hon. Prime Minister is: Could the Prime Minister give an undertaking that the matter of AV Drilling and this fake oil scandal will be reported to the police by the Government of Trinidad and Tobago?

Hon. Dr. K. Rowley: Mr. Deputy Speaker, for the umpteenth time, any reporting of that nature would have to be done by Petrotrin, and it is the board of Petrotrin that has the responsibility for making—[*Crosstalk*]
—Mr. Deputy Speaker, could I be protected?

Mr. Deputy Speaker: Members. Member for Princes Town, I do not want to demand my respect, right? I deserve it, please. I am now on my legs. Member for Siparia, the Prime Minister is answering the question, let us hear the answer. Proceed.

Hon. Dr. K. Rowley: For the benefit of my colleagues, for the umpteenth time, regardless of what label or how serious the matter is, it is Petrotrin's business and any such reporting, the authority for reporting it is the authorities at Petrotrin. And if my memory serves me right, I may be mistaken, but I seem to have seen where it has been said that the matter had been reported to the DPP by the board of Petrotrin. I do not know what—I do not know what—they are asking the Government to do. There is no role other than that for the Government. [*Desk thumping*]

And as far as I am aware—[*Interruption*]
—again I am being advised that the

DPP would have indicated that the matter had been sent to the police, and I do not know what my colleagues are inviting the Government into. In case you all do not know, the board of Petrotrin is acting as an agent of the Government of Trinidad and Tobago. [*Desk thumping*] So there is no other Government, but there is a pathway of authority, and I will not accept your invitation to meddle in the business of Petrotrin however you think. [*Desk thumping*]

Mr. Indarsingh: You are closing down to hide that scandal! [*Crosstalk*]

Mr. Deputy Speaker: Members; Prime Minister and Naparima, you all are free to go to the back and have your discourse.

Hon. Members: Go outside!

Mrs. Persad-Bissessar SC: Go outside; go on “de” pavement!

Mr. Deputy Speaker: Members; Members! Naparima, Members! Hon. Prime Minister, let us proceed to Urgent Questions. I recognize the Member for Pointe-a-Pierre.

URGENT QUESTIONS

Petrotrin Refinery Closure (Supply of Fuel)

Mr. David Lee (*Pointe-a-Pierre*): To the Minister of Energy and Energy Industries: In light of the reports that the Petrotrin Refinery would be closed on October 01, 2018 and other reports that it would be done in a phased manner, could the Minister state the strategic steps taken by his Ministry to ensure the supply of fuel is not disrupted during this period?

The Minister of Energy and Energy Industries (**Sen. The Hon. Franklin Khan**): Thank you very much. Mr. Deputy Speaker, Trinidad and Tobago consumes approximately 25,000 barrels of liquid fuels per day or approximately 3.9 million litres, comprising of aviation fuel, diesel, super and premium gasoline

and some small amounts of regular.

The refinery will be closed on a phased basis during the month of October. Upon its closure, there will be a 20-day supply of fuel from stock to start with. Steps are currently being put in place for the importation of supplies from international traders. RFPs from 13 reputable international suppliers and traders are currently out, and we do not forecast any disruption in the supply to the travelling public. Fuel is an internationally traded commodity that is well available on the international market, and trust me— and I want to give the country the assurance—there will be a smooth transition from refinery fuels to imported fuels.

Mr. Lee: Could the Minister, based on his answer, also give the assurance to the travelling public that the price of fuel would not increase?

Sen. The Hon. F. Khan: That is a matter for the Minister of Finance.

Dr. Moonilal: To the Minister of Energy and Energy Industries: Could the Minister confirm today, whether indeed on October 1st, which is the coming Monday, the refinery will be closed or not operational or half closed?

Sen. The Hon. F. Khan: The answer is no. The transition process starts on October 1st. It will be shut down on a phased basis. It is a process plant, you just do not take off a switch and stop a refinery. I mean, understand that. So it is a phased basis, and you have to secure the plant, you have to save the plant, because the plant may come into use later on. It is as clear as day.

Dr. Gopeesingh: For your partners to lease it!

Venezuelan Livestock (Smuggling of)

Mrs. Gayadeen-Gopeesingh (*Oropouche West*): Thank you, Mr. Deputy Speaker. To the Minister of Agriculture, Land and Fisheries: In light of reports indicating an increase of various livestock animals being smuggled from

Venezuela to areas within the south-western peninsula, could the Minister indicate what initiatives are being conducted to ensure various zoonotic diseases, namely foot and mouth disease, does not become an epidemic?

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Thank you very much, Mr. Deputy Speaker, and I thank my colleague for this important question. It is similar to a question I responded to in April, but I understand the context of the question.

I want to make two points first, that is to say that the risk of the movement of live animals, meat and meat products across borders is not a new risk, and because of that this country has a statutory regime which involves permitting for the entry of meat, meat products and animals. However, given the activities in the south-west peninsula we understand that there is a heightened risk of the movement of live animals.

The second thing I want to say is that the Ministry of Agriculture, Land and Fisheries has a technical supportive role in relation to this matter. The matter of law enforcement is handled in this country, and particularly in the south-west, by the Ministry of National Security, Immigration, the Customs, the police officers who work down there. But the Ministry is involved in six things in relation to this particular issue. Number one, we have increased our support to the Ministry of National Security, particularly in the south-west peninsula. We have increased our surveillance across the country, particularly as it deals with livestock. We have increased our surveillance in the places where meat is sold on the retail market. We have increased our training to farmers, livestock farmers around the country in particular, to bring awareness to the risk of working with, trading with and dealing with illegally imported animals and illegally imported meat.

Mr. Deputy Speaker, we have increased our information to the public,

warning about the risk of consuming, purchasing, dealing, trading, interfering with illegally imported meat and illegally imported animals. And, we continue to work with the Ministry of Health in relation to dealing with the matter involving meat, meat products and live animals. Thank you.

Mrs. Gayadeen-Gopeesingh: Hon. Minister, are you aware if there are any reports of guns and drugs smuggled with these animals and brought into the country?

Mr. Deputy Speaker: I would not entertain that question. Member for Fyzabad.

**Forest Reserve AC Primary School
(Plans to Repair)**

Dr. Lackram Bodoë (*Fyzabad*): To the Minister of Education: Could the Minister indicate the plans to urgently—I suspect there is a typo here—repair the Forest Reserve Anglican Primary School as a result of the earthquake of August 21, 2018?

Mr. Deputy Speaker: One second; you are telling me that there is a typo? It is not “reconstruct”?

Dr. Bodoë: No, “repair”.

Mr. Deputy Speaker: All right, go ahead. I will give you the opportunity.

Dr. Bodoë: Sure, thank you. So, could the Minister indicate the plans to urgently repair the Forest Reserve Anglican Primary School as a result of the earthquake of August 21, 2018?

The Minister of Education (Hon. Anthony Garcia): Thank you very much, Mr. Deputy Speaker. Following the earthquake of August 21, 2018, the Ministry of Education received reports of damage to Forest Reserve AC Primary School. In its immediate response to this and other schools so stricken, the Ministry of Education obtained the assistance of the Designs Engineering Branch of the Ministry of

Works and Transport, by way of visits to the school by experienced structural engineers to conduct a visual assessment of these structures.

In the case of the Forest Reserve AC Primary School, the outcome of the visit was a report that there appeared to be significant structural distress meriting further, more in-depth assessments, and that in the interim the school should not be opened.

The Ministry has therefore taken steps to have the students decanted to safe locations. The Standard 5 class has been accommodated at Siparia Road Presbyterian Primary School, and the Ministry has approached the Ministry of Community Development, Culture and the Arts for the use of the Oropouche Community Centre to house the other classes.

In addition, the Ministry is preparing to have an in-depth structural analysis of the school carried out, following which structural retrofitting aimed at making the affected structural frame and elements restored to required strength. Thank you very much.

Dr. Bodoë: Thank you for that response, Minister. Can you indicate a time frame as to when the 114 students who are currently not housed can be expected to be accommodated at the Oropouche Community Centre?

Hon. A. Garcia: Mr. Deputy Speaker, I just indicated that the Standard 5 classes are at present being accommodated at the Siparia Road Presbyterian Primary School. We have been in contact with the Ministry of Community Development, Culture and the Arts, and they have given us the assurance that they will make available to us the Oropouche Community Centre to house those students. It is our hope that before the end of this week the remaining students will be housed in that facility.

Thank you very much.

**CNG Converters
(Safety Standards for)**

Dr. Lackram Bodoë (*Fyzabad*): To the Minister of Energy and Energy Industries: Given the recent accident involving a school bus and an exploding compressed natural gas tank, could the Minister indicate whether there are safety standards for CNG converters and the mechanisms to monitor these standards?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you very much, Mr. Deputy Speaker. In the recent vehicular incident involving a CNG converted bus, the CNG tank did not explode. Investigations are under way by the Ministry of Energy and Energy Industries and the Fire Services Division. All parties, including Massy Automotive Components Limited and NGC CNG, are cooperating fully with this investigation.

There are local and international standards mandated by the Ministry of Energy and Energy Industries. These are set out in the NFPA 52/2017 Trinidad and Tobago Standards, and it draws from the US National Fire Protection Standard. This overarching standard adopts and incorporates international standards and practices relative to CNG. It has been incorporated into the laws of Trinidad and Tobago as the CNG regs under the Petroleum Act, and is administered by the local agencies including the Ministry of Energy and Energy Industries and the Trinidad and Tobago Bureau of Standards. It is continuously monitored and enforced through the issue or withdrawal of valid CNG service licences.

Dr. Bodoë: Thank you, Deputy Speaker. Minister, can you indicate whether these are subjected to annual inspections?

Sen. The Hon. F. Khan: It is a one-year licence and its renewal calls for annual inspections by the Ministry of Energy and Energy Industries.

ANSWERS TO QUESTIONS

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

Thank you very kindly, Mr. Deputy Speaker. There are four oral questions and we will be answering all four. There are six written questions and we will be answering all six. Thank you very much.

Mr. Lee: Mr. Deputy Speaker, just some clarification. Last sitting we had some unanswered questions that were rolled over. Seeing that the Parliament is going to be prorogued soon, would the Leader of Government Business undertake to send us in writing the answers to the questions that still have to be answered?

Mr. Deputy Speaker: Hon. Member, the week has not completed, so I will ask the Leader of the House to give us some feedback.

(Hon. C. Robinson-Regis): Mr. Deputy Speaker, as you said, the week has not come to an end.

Mrs. Persad-Bissessar SC: So, we would sit tomorrow and—

Hon. C. Robinson-Regis: If you would like.

Mrs. Persad-Bissessar SC: Not at all.

Hon. C. Robinson-Regis: Okay.

WRITTEN ANSWERS TO QUESTIONS

Vacation Camp Programme (Hosting of)

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

Could the Minister state:

- a) whether the Ministry will be hosting a national vacation camp programme; and
- b) if the answer to part (a) is in the affirmative, the locations of these vacation camps?

**YTEPP Training Bus
(Vacation Period Use)**

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

Could the Minister state:

- a) whether the Youth Training and Employment Partnership Programme (YTEPP) training bus and other training buses will be utilized for the July/August vacation period; and
- b) if the answer to part (a) is in the affirmative, where these training buses shall be located?

**Secondary School Vacancies
(Technical/Vocational Field)**

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

Could the Minister state:

- a) the current number of secondary school vacancies in the technical and vocational fields; and.
- b) the number of these vacancies that are expected to be filled for the re-opening of the school term in September 2018?

**Innovation and Entrepreneurship
(New Programmes Offered)**

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

Could the Minister state whether new programmes in the areas of Innovation and Entrepreneurship will be offered to students entering tertiary education institutions from August 2018?

**University Graduates
(Plans for Placement)**

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

Could the Minister state the specific plans to be implemented by universities

under the Ministry's responsibility to strengthen the placement of local and regional graduates from July 2018?

**Renewable Energy Projects
(Details of)**

299. Mr. David Lee (*Pointe-a-Pierre*) asked the hon. Minister of Energy and Energy Industries:

Could the Minister state for fiscal 2018:

- a) the renewable energy projects/initiatives that were undertaken;
- b) the specific date/timeline for each project/initiative listed in part (a);
- c) the breakdown of the total cost for each initiative/project listed in part (a); and
- d) the total amount spent as at July 31, 2018?

Vide end of sitting for written answers.

ORAL ANSWERS TO QUESTIONS

**San Fernando Fishing Port
(Lack of Amenities)**

286. Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*) asked the hon. Minister of Agriculture, Land and Fisheries:

Could the Minister indicate the actions initiated to address the lack of security, lights and proper toilet facilities at the San Fernando Fishing Port?

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Thank you very much, Mr. Deputy Speaker. The upgrade of the San Fernando Fishing Port is part of the larger San Fernando waterfront redevelopment project which is in its planning and engineering phase. However, as part of the Ministry's regular fishing port improvement programme, electrical upgrades to the San Fernando Fishing Port have been completed, and the Fisheries and Engineering Divisions of the Ministry are currently working with the Electrical

Inspectorate and T&TEC to get the reconnection of the electrical supply to the facility.

With respect to the security on the site, the contracts for the watchmen who were hired were short-term. They have come to an end and the Ministry has worked with the Ministry of National Security to increase patrols in the area.

Finally, Mr. Deputy Speaker, there are toilet facilities at the site which the Ministry recognizes require some repairs, and we are currently making arrangements to make sure that these are repaired and functional. Thank you.

Mrs. Gayadeen-Gopeesingh: Hon. Minister, who is the contractor that was hired to do these activities?

Sen. The Hon. C. Rambharat: Mr. Deputy Speaker, I am not in a position to answer that question. I will be happy to provide the information to the Parliament.

Mrs. Gayadeen-Gopeesingh: What is the cost incurred thus far?

Sen. The Hon. C. Rambharat: Likewise, Mr. Deputy Speaker, I will provide that in writing. Thank you.

Multiple Sclerosis (Drugs for Treatment of)

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

In light of a recent statement by a local neurologist that multiple sclerosis is currently being treated with first-line 20-year-old drugs, could the Minister state whether any action has been taken by the Ministry to source modern drugs for the treatment of multiple sclerosis?

The Minister of Social Development and Family Services (Hon. Cherrie-Ann Crichlow-Cockburn): Thank you, Mr. Deputy Speaker. The Ministry of Health recently completed the treatment protocol and registration for the use of an

additional drug, fingolimod, for the treatment of multiple sclerosis.

Provision has already been made for fingolimod to be included in the estimates of drugs needed for fiscal year 2019 for use at public health institutions.

Thank you, Mr. Deputy Speaker.

**Garment Production Facility
(Status Update)**

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

Could the Minister provide a status update inclusive of the commencement date of the Garment Production Facility referred to in the 2018 Budget Statement?

The Minister of Trade and Industry (Sen. The Hon. Paula Gopee-Scoon):

Thank you very much, Mr. Deputy Speaker. I am very glad to be in this House. This project is under review, and discussions are being held between the Ministry of Trade and Industry and the Ministry of Education. There are clear benefits to be derived from the garment production facility to Trinidad and Tobago, which include increased local garment manufacturing capacity, increased garment exports from Trinidad and Tobago and increased employment opportunities for the fashion industry through this facility. However, the business model and project scope are at this time under review. Thank you, Mr. Deputy Speaker.

Mr. Lee: To the Minister: Minister, in relation to this question, on 25th of October, 2017, in your budget presentation in the Senate, you said that an MOU would be signed in November 2017 based on diversification in the local garment production facility, and its roll-out would start in March 2018. Could you state if this happened please?

Sen. The Hon. P. Gopee-Scoon: I had just implied this has not happened. The

project is under review and is being re-scoped, and of course we are looking for grant funding for this particular project.

Mr. Lee: Could the Minister state if this would be part of the budget presentation next week again? [*Crosstalk*]

Mr. Deputy Speaker: Members, please.

Sen. The Hon. P. Gopee-Scoon: It would be mentioned. [*Laughter*]

Dr. Gopeesingh: And still not done.

**Marinas and Public/Private Partnership
(Details of)**

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

Could the Minister state:

- a) the number of marinas that have been developed for the period October 02, 2017 to July 01, 2018 and the operational date for each development; and
- b) the number of public-private partnerships achieved for the period October 02, 2017 to July 01, 2018 and the operational date for each partnership?

The Minister of Communications, Minister of National Security and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Mr. Deputy Speaker. There were no new marinas developed or operational for the period October 02, 2017 to July 01, 2018. However, as the public is very aware, NIDCO had put out a request for proposals for the development of a marina facility in Tobago that was originally scheduled to close on the 27th of June, 2018. It was extended to the 27th of July, 2018. In addition, proposals were received and are currently being evaluated.

In addition, in July 2018, UDeCOTT issued a request for expressions of interest to identify suitably qualified entities to submit proposals to develop Invader's Bay in Trinidad, in accordance with the conceptual development plan that includes a marina. The deadline for proposed EOIs was August 30, 2018.

With regard to marina development, there were no new public/private partnerships achieved or operational for the period October 02, 2017 to July 01, 2018. However, the Government is in the final stage of negotiations with the Government of China for the development of a ship-repair, dry-docking facility in La Brea, and this investment will take the form of a public/private partnership, and for the first time a Chinese state entity is willing to invest up to 30 per cent equity in the project. [*Desk thumping*]

2.30 p.m.

Mr. Deputy Speaker: Supplemental, Member for Oropouche East.

Dr. Moonilal: Thank you very much. Minister, just for absolute clarity—we do not have the benefit of the text you are reading—are you saying that proposals were received and are being evaluated, while at the same time there was an extension of the date to submit proposals? Could you just read over that?

Mr. Deputy Speaker: Minister.

Hon. S. Young: Thank you very much. The proposals, the date for the closure of the RFPs being submitted was July 27, 2018. We are now at the end of September 2018, the proposals were received by July 27, 2018, and are in the process of being evaluated at a time subsequent to the receipt of the proposals which is where we are now.

Mr. Deputy Speaker: Member for Pointe-a-Pierre.

Mr. Lee: Thank you, Mr. Deputy Speaker, to the Minister. Could the Minister state the relationship to what he read out in the marinas related to Tobago, could

the Minister state if the process has been finalized, and have they chosen a contractor for the marina in Tobago, one George Bovell?

Mr. Deputy Speaker: Member. Proceed Minister.

Hon. S. Young: Thank you very much. Mr. Deputy Speaker, it is quite upsetting that once again, a Member of Parliament is abusing parliamentary privilege and maligning the names of innocent citizens. As I just said, the proposals that were received are in the process of being evaluated. The name that he has called is not a contractor involved in it, but is in fact the chairman who has given, as a citizen of Trinidad and Tobago, his time to assist the evaluation committee that is evaluating the proposals that have been received. And we will not allow or permit those on the other side to continue to relentlessly attack citizens of Trinidad and Tobago who do not have parliamentary privilege.

Mr. Deputy Speaker: Member for Oropouche East.

Dr. Moonilal: Thank you very much. Again, for clarification from the Minister: Minister, how do you know who are the contractors involved or who are not involved in tendering for this, that you can tell us that the name is not a contractor.

Mr. Deputy Speaker: Minister.

Hon. S. Young: Once again, the citizens of Trinidad and Tobago should notice that those on the other side have a fascination with contractors and we know why. At no point in time did I say that anyone was a contractor, I said proposals have been received. It was the Member of Parliament for Pointe-a-Pierre, Mr. Deputy Speaker, who maligned a citizen saying that he was the contractor. I am clarifying the record here. Well, they cannot be a contractor if nothing has been awarded. It is not SIS; it is not Kallco; it is not the others that you favoured.

Mr. Deputy Speaker: Member, Minister, address the Chair, please. [*Crosstalk*] Members. All right, Members. [*Crosstalk*] Member for Couva South, I am on my

legs. Proceed, Clerk.

PERSONAL EXPLANATION

Absence from the House (Mr. Maxie Cuffie)

The Parliamentary Secretary in the Ministry of Public Administration

(Mr. Maxie Cuffie): [*Desk thumping*] Mr. Deputy Speaker, as you would be aware, I was away from the House for an extended period during this last Session. And before the close of this year, I wanted to offer an explanation for my absence. I know there was much speculation as to when I would be returning, and I want to thank the Members on this side, especially the hon. Prime Minister, [*Desk thumping*] for their support during the period of my illness.

As was reported in the media, I suffered a stroke on September the 5th last year and had to seek medical attention. I first went to the Port of Spain General Hospital where I was administered and sent to St. Clair to receive a drug which the hospital did not have, and I went abroad to seek further medical attention.

I want to thank the House for the leave that was granted. I want to thank my constituents of La Horquetta/Talparo for their prayers and support during that period. I also need to thank God for the undeserved kindness that led to my recovery.

I received tremendous support from the Members on this side. I received great care from the hospital and from the St. Clair Medical Centre which has led to my recovery now. I wish to thank everyone. I thank the Member for Siparia for her welcome back last week.

There is one Member I wanted to thank, the Member for Barataria/San Juan. When I returned I met a lady who said she was a staunch UNC supporter, and she welcomed me and told me she had been praying for me and all her friends had

been praying for me because the Member for Barataria/San Juan had told them that they needed to pray for me; I was a good man. [*Desk thumping*]

I saw various statements in the media issued by Members opposite in their quest to have my time away cut short, and the Member for Barataria/San Juan said that what was happening was provided for in the Standing Orders, and I thank him for that. And even as I recognized that it was a ploy to weaken my spirit, but I will let them know that I was always guided by the Holy Spirit [*Desk thumping*] and that is why I am here today.

I thank God, I thank my constituents, and I thank the people of Trinidad and Tobago who have welcomed me back in tremendous ways. And as we move to the next Session, I would like to say that as we close this period I have made a vow to serve my constituents and the people of Trinidad and Tobago to the best of my ability in this Session and future Sessions of Parliament, by God's grace. And, Mr. Deputy Speaker, I thank you very much. [*Desk thumping*]

Mr. Deputy Speaker: Leader of the House.

STANDING ORDER 79(3)
Continuation of Bills in the Fourth Session

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very kindly, Mr. Deputy Speaker. Mr. Deputy Speaker, in accordance with Standing Order 79(3), I beg to move that in the Fourth Session of the Eleventh Parliament the proceedings on the following Bills be resumed:

The Income Tax (Amdt.) Bill, 2018;

The Trinidad and Tobago Revenue Authority Bill, 2018; and

The Gambling (Gaming and Betting) Control Bill, 2016.

Thank you very much, Mr. Deputy Speaker.

Mr. Deputy Speaker: Hon. Members, [*Device goes off*] the Member with the

device, kindly exit the Chamber. And please, Members, put all phones on silent or switch them off accordingly.

Question put and agreed to.

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

Senate Amendments

The Acting Attorney General and Minister in the Ministry of the Attorney General (Hon. Fitzgerald Hinds): [*Desk thumping*] Thank you very much, Mr. Deputy Speaker. I beg to move the following Motion standing in my name:

Be it resolved that the Senate amendments to the Miscellaneous Provisions (Supreme Court of Judicature and Children) Bill, 2018 listed in Appendix II on the Second Supplemental Order Paper be now considered.

Question proposed.

Question put and agreed to.

Mr. Deputy Speaker: Members, I have been advised that there is an agreement to consider all of the clauses together. Is this the wish of the House?

Assent indicated.

Long title.

Senate amendments read as follows:

Long Title	A. Delete the words “the Indictable Offences (Preliminary Enquiry) Act, Chap. 12:01,”.
	B. Insert after the words “Chap. 46:04,” the words “the Family Law (Guardianship of Minors, Domicile and Maintenance) Act, Chap. 46:08,”.
Insert New Clause 1A	Insert after clause 1 the following new clause: “1A. This Act comes into operation on such date as

is fixed by the President by Proclamation.”.

Clause 4 Delete paragraph (b) and insert the following new paragraph:

“(b) in section 2, in the definition of “guardian”, by deleting the word “child” the first, third and fourth times it occurs and substituting the words “younger child or older child” and the second time it occurs by substituting the words “younger child or older child and ” .

Clause 8 A. In paragraph (d), in the chapeau, delete the word “section” and substitute with the word “sections”.

B. In paragraph (d), insert the following new subsection:

“Residents To be Notified	2B. The policies published in accordance with section 2A shall be brought to the attention of all residents of a Rehabilitation Centre.”.
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C. Insert the following new paragraph after paragraph (g):

“(ga) by inserting after section 4 the following new section

Prohibited 4A.(1) The Commissioner shall be
punishment responsible for ensuring that each and

restraint resident is not subjected to –

- (a) corporal punishment;
- (b) restraint or force as a form of punishment;
- (c) the reduction or change of diet as a form of punishment; or
- (d) the restriction or denial or contact with family as a form of punishment.

(2) Where a person alleges that a resident at a Rehabilitation Centre has been the subject of any form of the prohibited methods of punishment referred to in subsection (1), the person shall report the matter to the Commissioner and the Authority and the Commissioner and the authority shall investigate the allegation and on its completion shall notify the person who made the allegation of the findings.

(3) Notwithstanding subsection (1)(b), the Superintendent may order that a resident be put under restraint –

- (a) for safe custody during removal or transportation from the Rehabilitation Centre;
- (b) on the direction of the Medical Officer

on medical grounds; or

(c) for the purpose of preventing the resident from:-

(i) injuring himself or others;

(ii) damaging property; or

(iii) creating a disruption.

(4) The Superintendent shall give written notice of an order for restraint without delay to the Authority, Children's Probation Officer, the Medical Officer and the resident and shall state –

(a) the grounds for the restraint; and

(b) the period of the intended restraint.

(5) On receipt of the notice referred to in subsection (4), the Medical Officer shall inform the Superintendent whether there are any reasons why the resident should not be put under restraint and the Superintendent shall give effect to any recommendation made by the Medical Officer.

(5A) Any recommendation made by the Medical Officer under subsection (5) shall be brought to the attention of the resident, the Children's Probation Officer and the Authority by the Medical Officer.

(6) The Medical Officer may at any time recommend that the restraint on a resident be removed.

(6A) Any recommendation made by the Medical Officer under subsection (6) shall be brought to the attention of the resident, the Children's Probation Officer and the Authority by the Medical Officer.

(7) A resident shall not be kept under restraint without supervision and no longer than necessary, nor shall be kept for longer than twenty-four consecutive hours without a direction by the Court.

(8) On any application made pursuant to subsection (7) the resident shall be afforded the right to be heard.”.

B. In paragraph (k), delete the words “of Prisons”.

C. In paragraph (1), in section 12A-

- (a) delete the words “of Prisons” wherever they occur;
- (b) insert after subsection (1) the following new subsection:
“(1A) An application made by the Commissioner under subsection (1) shall be brought to the attention of the resident and the resident shall have a right to be heard by the Court.”;
- (c) delete subsection (4);
- (d) renumber accordingly;
- (e) insert after subsection (4), as renumbered,

the following new subsection:

“(5) An application made by the Commissioner under subsection (4) shall be brought to the attention of the resident and the resident shall have a right to be heard by the Court.”.

D. In the marginal note in section 12D insert after the word “Parent” the words “, guardian or person with responsibility for the child”.

Clause 9 In the marginal note, delete the words “all legislation” and substitute the words “any written law”.

Insert New Insert the following new clause after clause 9:

Clause 9A “Collecting 9A. In any written law, for the
Officer purposes of attachment of earnings
 and maintenance orders, Collecting
 Officer means –

- (a) a person so appointed, designated or required to perform the functions of a Collecting Officer with regard to any act required by or for the Judiciary pursuant to any Rules of Court or any law; or
- (b) any person who has been so appointed or designated under

any written law.”.

Clause 10 A. In paragraph (a)(i), in the definition of “appropriate adult” in paragraph (b), delete the words “welfare worker” and substitute the words “welfare officer (probation)”.

B. Delete paragraph (b) and substitute the following paragraph:

“(b) in subsection 4, by inserting after subsection (7) the following new subsections:

“(7A) Corporal punishment shall not be used in relation to –

- (a) a child in a Nursery, Children’s Home or Foster Home;
- (b) a resident in a Rehabilitation Centre; or
- (c) a child in the custody, care and control of a fit person.

(7B) A person who contravenes subsection (7A) commits an offence and is liable –

- (a) on summary conviction to a fine of five thousand dollars and to imprisonment for six months; or
- (b) on conviction on indictment to a fine of fifty-thousand dollars and to imprisonment for ten years.”;”.

Clause 11(a)(i) Delete the words “word “2016”” and substitute the words “,

2016”.

11(a)(iii) Delete after the words “temporary residence licence” the word “and” .

11(a)(v) and (vi) Insert after paragraph (iv) the following new paragraphs:
inserted

“(v) by deleting the definition of “community residence” and substituting the following definition:

“Community Residence” means a Children’s Home or a Rehabilitation Centre; and

(vi) by inserting in the appropriate alphabetical sequence the following definition:

“child charged” has the meaning assigned to it under section 1A of the Child Rehabilitation Centres Act;”.

11(ca) inserted Insert after paragraph (c) the following new paragraph:

“(ca) in section 3(2), by deleting the words “community residence” wherever they occur and substituting the words “Children’s Home”.”

11(e)(i) Delete the words “Community Residence” and substitute the words “community residence”.

11(f)(i) Delete the words “Community Residence” and substitute the words “community residence”.

11(g)(ii) In paragraph (A) –

(i) delete the words “word “three”” and substitute the words “words “three years””; and

(ii) delete the words “word “one”” and substitute the words

“words “one year””.

- 11(h)(ii)(B) Delete the words “Conditional Licence” and substitute the words “conditional licence”.
- 11(h)(iii)(A) Delete the words “Conditional Licence” and substitute the words “conditional licence”.
- 11(j) Delete and substitute the following paragraph:
“(j) in section 11(3), by deleting the words “,being not less than six months after the date of the notice;””.
- 11(l) Delete the words ““Community Residence” and”.
- 11(m) A. In subparagraph (i), delete the words “Community Residence” and substitute the words ““community residence” wherever they occur”.
- B. In subparagraph (iii), delete the words “residence” and substitute the words “community residences”.
- 11(n) In clause 17B, delete the words “Children’s Homes” and substitute the words “Community Residences”.
- 11(s)(ii)(A) Delete the words “Community Residence” and substitute the words “community residence”.
- 11(t) Delete paragraph (t) and substitute the following paragraph:
“(t) in section 24, by deleting the words “community residence” wherever they occur and substituting the words “Children’s Home”.
- 11(z) Delete the word “and” after the word “;”.
- 11(aa)(iii) Delete the full stop after the word “Homes” and substitute the words “; and”.

11(ta) inserted Insert after paragraph (t) the following new paragraph:

“(ta) in section 25-

(i) in the marginal note, by deleting the words “community residences” and substituting the words “Children’s Homes”; and

(ii) by deleting the words “community residence” wherever they occur and substituting the words “Children’s Home”;

11(ab) inserted Insert after paragraph (aa) the following new paragraph:

“(ab) by deleting the words “community residence”, “community residences” and “rehabilitation centre” wherever they occur and substituting the words “Community Residence”, “Community Residences” and “Rehabilitation Centre” respectively.”.

Clause 12(a) A. Delete the definition of “Court’s Custodial Bank Account” and substitute the following definition:

“Custodial Trust Bank Account” means an account which is a public account for the purposes of section 116 of the Constitution and is held under the name of the Judiciary of Trinidad and Tobago at a Financial Intermediary in Trinidad and Tobago for the purpose of receiving and paying out moneys pursuant to a maintenance order;”.

B. Insert the following definition in the appropriate alphabetical sequence:

“Financial Intermediary” means a financial institution as defined

by section 2 of the Financial Institutions Act or such other institution that may be approved by the Treasury.”.

C. Delete the definition of “Magistracy Registrar and Clerk of the Court” and substitute the following definition:

“Magistracy Registrar and Clerk of the Court” means a person holding the office of Magistracy Registrar and Clerk of the Court listed in the Second Schedule of the Judicial and Legal Service Act;”.

12(b)(i) Delete the words “Registrar and the”.

12(b) (ia) Insert after subparagraph (i) the following new subparagraphs:

and (ib) “(ia) by inserting after subsection(4) the following new inserted subsection:

“(4A) Notwithstanding subsections (3) and (4), for the purposes of maintenance orders, the Collecting Officer shall be in the case of an order made by the High Court, the Registrar of the Supreme Court;” and

(ib) in subsection (9), by inserting after the word “therefrom” the words “except as authorised by Court order, Rules of Court or any other written law;”.

12(b)(ii) Delete and substitute the following new subparagraph:

“(ii) by repealing subsection (10) and substituting the following new subsection:

“(10) The Collecting Officer shall pay the amount stated in the maintenance order directly to the applicant or any

other person named in the order where the applicant or the person is resident in the town in which the office of the Collecting Officer is located.”.

12(b)(iii) Delete and substitute the following new subparagraph:

“(iii) by inserting after subsection (11) the following new subsections:

“(11A) Notwithstanding subsections (10) and (10A),

payments may also be –

(a) received into the Custodial Trust Bank Account, electronically; and

(b) paid out to the applicant electronically –

(i) in the case of payments out of the Custodial Trust Bank Account, by transferring the payments into an account at a Financial Intermediary or on to a pre-paid debit card issued by a person licensed under the Financial Institutions Act which pre-paid debit card the applicant has registered with the Court Executive Administrator for that purpose; or

(ii) by directing the bank where the Custodial Trust Bank Account has been opened, to pay the moneys to the applicant on production of identification and to provide the Court Executive Administrator with proof of payment out.

(11B) Electronic records of payment out to the applicant shall suffice as proof of payments out.

(11C) A requirement under any written law for moneys to be paid to –

- (a) the Court;
- (b) the Judiciary;
- (c) a Magistrate;
- (d) the Registrar and Marshal;
- (e) the Court Executive Administrator;
- (f) a Marshal;
- (g) a Deputy Marshal;
- (h) a Second Deputy Marshal;
- (i) a Marshal Assistant;
- (j) a bailiff;
- (k) a Magistracy Registrar and Clerk of the Court;
- (l) Collecting Officer; or
- (m) Collector of Revenue,

is satisfied by those moneys being paid into a Custodial Bank Account held for that purpose.

12(b)(iv) A. In sub-clause (14)-

- (a) delete word “Court’s”; and
- (b) insert after the word “Custodial” the word “Trust”.

B. In sub-clause (15) -

- (a) delete the word “payment” wherever they occur and substitute the word “payments”; and
- (b) delete the word “receipt” and substitute the word “receipts”.

- 12(c) A. In subparagraph (ii) delete the word “and”.
- B. In subparagraph (iii) delete the full stop and substitute the words “; and”.
- C. Insert after subparagraph (iii) the following new subparagraph:
 “(iv) by inserting after section 51(1), the following new subsection:
 “1A. Rules made under subsection (1) shall be subject to negative resolution of Parliament.””.
- Clause 13(a)(i) In the chapeau, delete the words “Sequence” and “definition” and substitute the words “sequence” and “definitions”, respectively.
- 13(c) In subparagraph (i) –
- (a) in subsection (2A)(a), delete the word “twenty-eight” and substitute the word “thirty”; and
- (b) in subsection (2B)(g), delete the word “administration” and substitute the word “administration”.
- 13(ca) Insert after clause 13(c) the following sub-clause:
 “(ca) in section 22(1A), by deleting paragraph (e) and substituting the following paragraph:
 “(e) is a child in need of supervision in accordance with section 50A of the Children Act;”.”.
- 13(d)(ii) In subclause (2), delete the words “Community Children’s” and substitute the words “Children’s Community”.
- 13(f) A. Delete the words “five thousand” and substitute the words “fifty thousand”; and
- B. Delete the words “three years” and substitute the words “five

years”.

Clause 14(a) Delete and substitute the following paragraph:

“(a) in section 3-

(i) by inserting in the appropriate alphabetical sequence the following definitions:

“anonymised” includes:

(a) the removal of sensitive data while preserving its format and data type;

(b) the process by which original data containing identifiers is replaced with consistent placeholders while preserving their format and data type; and

(c) the process of separating disclosable data from non-disclosable data by the blocking of words, sentences or paragraphs before releasing a document in response to a records access request;

“consistent placeholders” means the same replacement words whenever the original identifiers are to be replaced.”; and

(ii) in the definition of “children matter”, by deleting paragraph (f) and substituting the following paragraphs:

“(f) matter, in relation to a child, where –

(i) there is an application for a Protection Order under the Domestic Violence Act;

(ii) there is the enforcement of a Protection Order

under the Domestic Violence Act; or

(iii) the child is a victim or an affected bystander;

(fa) matter concerning wardship; and”.

14(b) Delete

14(ca) inserted Insert after paragraph (c) the following new paragraph:

“(ca) in section 20 –

(i) in subsection (2), by deleting the words “a judgment and ruling of the Family Court shall” and substituting the words “the proceedings, judgment or order of the Family Court may”;

(ii) by repealing subsection (4), and substituting the following new subsection:

“(4) The Family Court may, in any proceedings before it, order that copies of any proceedings, judgment or ruling be anonymised by the Family Court Records Management, Court and Law Reporting Subunit before they are published.”; and

(iii) in subsection (5), by deleting the words “involving a child” and substituting the words “before the Court”.

14(e) A. In subsection (2), delete the words “a judgment and ruling of the Children Court shall” and substitute the words “the proceedings, judgment or order of the Children Court may”.

B. Delete subclause (4) and substitute the following new subclause:

“(4) The Children Court may, in any proceedings

before it, order that copies of any proceedings, judgment or ruling be anonymised by the Children Court Records Management, Court and Law Reporting Subunit before they are published.”.

C. In subclause (5), delete the words “involving a child” and substitute the words “before the Court”.

Mr. Deputy Speaker: Attorney General.

Mr. Hinds: Thank you, yet again, Mr. Deputy Speaker. I beg to move that this House agree with the Senate in the amendments of the long title, new clause 1A, clause 4, clause 8, clause 9, clause 10, clause 11, clause 12, clause 13 and clause 14 of the Miscellaneous Provisions (Supreme Court of Judicature and Children) Bill, 2018.

Mr. Deputy Speaker, the Senate recently considered the Bill as I have just described it, and in that consideration, addressed and made some amendments to 12 pieces of legislation as that Bill consisted of. I will begin, naturally, with the long title.

In the long title, Mr. Deputy Speaker, we at A propose that we agree with the Senate that the words in “Indictable Offences (Preliminary Enquiry) Act Chap. 12:01” be deleted and we:

“Insert after the words ‘Chap. 46:04,’ the words ‘the Family Law (Guardianship of Minors, Domicile and Maintenance) Act, Chap. 46:08,’”

The reason for that is because “the Indictable Offences...” is not in the Bill, and it was inserted, if you like, in the Family Law Act. It is to be inserted in the Family Law Act.

We consider here today the insertion of a new clause 1A, Mr. Deputy

Speaker. After clause 1, we insert the following new clause, a proclamation clause actually, and it is as follows:

“1A. This Act comes into operation on such date as is fixed by the President by Proclamation.’.”

And the reason for this, Mr. Deputy Speaker, is to permit the implementation of different aspects of the Bill and therefore, stagger if you like, the proclamation of the elements of it in order to ensure that the State is fit and ready to give life to those provisions of the Bill rather than, as has happened in the past, where we proclaimed law and the State was not in a place of readiness, and this saw us go through the court system to the advantage of those who sought to pounce on us, notwithstanding they were the ones who did it. So, this is a sensible provision and it is designed to protect the State against that kind of recklessness and wantonness, Mr. Deputy Speaker.

As for clause 4, this has to do with the Summary Courts Act. And it is proposed and we consider here today, to delete paragraph b and insert the following new paragraph:

“(b) in section 2, in the definition of ‘guardian’, by deleting the word ‘child’ the first, third and fourth time it occurs and substituting the words ‘younger child or older child’ and the second time it occurs by substituting the words ‘younger child or older child and’.”

And we do this, Mr. Deputy Speaker, because we are amending the definition of the concept or the term “guardian” in the Summary Courts Act, and we are expanding that definition to include the business or the concept of the older child.

In clause 8, which has to do with the Child Rehabilitation Centre Act, it is proposed that:

“In paragraph (d), in the chapeau, delete the word ‘section’ and substitute the word ‘sections’.”

And B:

“In paragraph (d), insert the following new subsection:”

Mr. Deputy Speaker, we are amending our proposal for the Commissioner of Prisons to make policies. You will recognize, Mr. Deputy Speaker, Members will recognize that there is a provision for the Commissioner of Prisons to make policies. And we are amending it such that he must bring these policies to the attention of the residents under his care in the rehabilitation centre or centres and the residents therefore, must be notified. So:

“2B. The policies published in accordance with section 2A shall be brought to the attention of all residents of a Rehabilitation Centre.”

And this insertion is to bring this provision in tandem with the Children’s Community Residences (Rehabilitation Centres) Regulations, 2018. It is quite sensible and it is commended to this House for our consideration.

As for C, we:

“Insert the following new paragraph after paragraph (g):”

So, we insert a (ga), by inserting section 4 of the new following—*[Interruption]* I am dealing with it, Member for Siparia, if you will be quiet.

Mr. Deputy Speaker: Members, Member, please.

Mr. Hinds: This has to do, as the side note suggested, with “Prohibited punishment and restraint”. And my friend, the Member for Siparia, is insisting that she could read it, but very often—anyway, let me leave that alone.

Mr. Deputy Speaker, what we are doing here in subsection (c) and which states:

“for the purpose of preventing the resident from:—

- (i) injuring himself or others;
- (ii) damaging property; or
- (iii) creating a disruption.”

We are changing the word from “disturbance” which now exists in the document, in the Bill that is before us, from “disturbance” to “disruption”. This was a recommendation that came from the other place, and we propose it for the consideration of this House today.

In (5A), it says:

“Any recommendation made by the Medical Officer under subsection (5) shall be brought to the attention of the resident, the Children’s Probation Officer and the Authority by the Medical Officer.”

This has to do with, as I indicated, the restraint of the residents of such a centre, and it is a new insertion, (5A), and it imposes a requirement on the Medical Officer or any recommendation, sorry, made by the Medical Officer, should be brought to the notice of the three persons identified in that new subsection (5A).

As for subsection (6A), another new insertion, and the idea is where we are to remove the restraint, the Medical Officer must as well inform the resident, the Children’s Probation Officer and the Authority of the decision to remove the restraint of the resident in the circumstances.

As for subclause (7), it says:

“A resident shall not be kept under restraint without supervision and no longer than necessary, nor shall he be kept for longer than twenty-four consecutive hours without a direction by the Court.”

This insertion of the words “without supervision” and inserting the words “without

a direction by the Court” is designed to give additional protection, not only to the resident, but to those who are responsible for imposing restraint where necessary, and bringing the court and its jurisdictions to bear to ensuring that there is fairness and actions that are consistent with the law and the Constitution of this land.

Subclause (8), again, a new insertion which deals with the right to be heard. And this provision is saying that:

“On any application made pursuant to subsection (7) the resident shall be afforded the right to be heard.”

That is to say, when a restraint is to be imposed upon him or to be removed from being upon him, in either case, Mr. Deputy Speaker, the resident should be accorded an opportunity to be heard as consideration of both those actions is executed.

As for B, in paragraph (k) we support the view that we should remove the words “of Prisons” because using the word “Commissioner” instead of “Commissioner of Prisons” because “Commissioner of Prisons” is already defined in the legislation.

Mr. Deputy Speaker, we propose as well, the insertion of a new (1A) which reads:

“An application made by the Commissioner under subsection (1) shall be brought to the attention of the resident and resident shall have a right to be heard...”

As well, it requires some renumbering and that is as obvious as you can get it, and subsection (5) as subsection (4) as a consequence of the renumbering.

As well, Mr. Deputy Speaker, in clause—and let me say in passing that subsection (6) references section 54(1)(b) of the Children Act, where the court may

make an order for leave from the rehabilitation centre—where an application might be made to the court for leave for the resident from the rehabilitation centre for educational or vocational or other useful and developmental—

Mr. Lee: Mr. Deputy Speaker, 44(10), please. I just want to draw to your attention 44(10).

Mr. Deputy Speaker: Overruled.

Mr. Hinds: Mr. Deputy Speaker, this time-wasting, we are not on that today. Mr. Deputy Speaker, we have in the very clause 8, in D, we include some words in the marginal note, and these words we insert in section 12D after the word “Parent” the words “guardian or person with responsibility for the child”.

Clause 9, Mr. Deputy Speaker, in the marginal note we propose that the words “all legislation” be deleted and substitute the words “any written law”. This is simply a drafting issue and it tidies up the intention of the measure there at.

We propose an insertion of a new clause 9A which is to be effected because prior to this amendment there was no definition of “Collecting Officer” in the Family Law Act, and the Attachment of Earnings (Maintenance) Act where the term is used.

So, we insert a new clause 9A, and this is on the basis of an undertaking given by the Attorney General in the Senate, just to demonstrate to our friends on the other side, we keep our word.

As for clause 10, the definition of an “appropriate adult” was inserted, but needed a correction of the term for “welfare officer (probation)” in keeping with the Probation of Offenders Act.

Mr. Deputy Speaker, the business of corporal punishment came before us here, and we insert a new subsection (7A). Corporal punishment and its

application on children has been gaining the attention of the national community for some time. There was a time in this country when children in school were the subject of corporal punishment by teachers.

Some time back in the 1990s, there was a joint select committee, Mr. Deputy Speaker, and a recommendation was made to remove the application of corporal punishment from the schools, and the Member for Siparia was at front and centre of that. I was on that joint select committee myself. [*Interruption*] Mr. Deputy Speaker, if you look at—

Mr. Deputy Speaker: Silence.

Mr. Hinds:—sections 426 and section 427, we now impose a further restriction. And this restriction is to effectively debar any person other than the natural parent of the child or guardian from being able to apply corporal punishment.

Mr. Deputy Speaker, this imposes as I indicated, a further restriction on the application of corporal punishment. And it was suggested in the other place that there ought to be a sanction for breach of that lawful imposition, and as such a new (7B) has been inserted and it reads for the benefit of the public, notwithstanding my friends are protesting that they have it in front of them, but this further restriction says:

“A person who contravenes subsection (7A)...”—

—as I have just explained it:

“...commits an offence and is liable—

- (a) on summary conviction to a fine of five thousand dollars and to imprisonment for six months; or
- (b) on conviction on indictment to a fine of fifty-thousand dollars and imprisonment for ten years.”

So that if a child or a resident, well, child or resident, is in the centre, a rehab centre, and corporal punishment is applied, those are the sanctions that would meet the offender. It does not mean that they are not permitted under the law to impose discipline on the child, but as it relates to corporal punishment specifically, we now have this further restriction and the sanction for breach thereof.

3.00 p.m.

Mr. Deputy Speaker, I then move to clause 12 which touches and concerns the Family Law (Guardianship of Minors, Domicile and Maintenance) Act of the Miscellaneous Provision (Supreme Court of Judicature and Children) Bill, 2018, as we are discussing. Clause 12(a) streamlines the definitions of Custodial Trust Bank Account, Financial Intermediary and Magistracy Registrar and Clerk of the Court to be consistent with the electronic payments into and out of court. I call it a Bill—because I am not sure whether it has been yet assented to and proclaimed—2018. Clause 12(b)(i) and clause 12(b)(ia) and clause 12(ib) inserted, this ensures that the registrar is the collecting officer for the purposes of orders made by the High Court. Clause 12(b)(ii), substitute the office of the collecting officer for the payment and collection of maintenance moneys for the post. Clause 12(b)(iii) allows for the payment of maintenance moneys electronically consistent with the electronic Payments into and out of Court Bill, 2018.

Clause 12 (b)(iv) is a drafting issue, just tidying up, and Members can see that. And as for clause 12(c), the original amendment in the Bill sought to substitute the rules of the committee for the Minister, in terms of the making of those rules, and the prescription of the forms and fees. This clause includes the requirement for negative resolution of Parliament for rules made by the rules committee consistent with section 78 of the Supreme Court of Judicature Act,

Chap. 4:01. We insert as well in clause 12, after 51(1) the following new subsection, and it says that:

“...these rules shall be subject to negative resolution of Parliament.”

Having amended section 51 of the Family Law Act, and removed the Minister as being the one to make the rules, it is substituted with the rules committee, who will make rules and prescribe forms and fees.

I now move to clause 13, which has to do with the Children’s Authority, and these are pretty minor drafting issues for the most part. But, Mr. Deputy Speaker, let me add, that clause 13(c)(a) introduces the new terminology for a “beyond control child” in section 22(1)(ae) of the Children’s Authority Act, now termed “a child in need of supervision”, in section 61 of the Children Act, Chap. 48:01. Mr. Deputy Speaker, there are two different methods of treating with this group of children. One exists under section 22(1)(ae) of the Children’s Authority Act, where the Children’s Authority is empowered to determine that a child is beyond control. The other exists under section 61 of the Children Act which empowers the court to deem a beyond control child, a child in need of supervision.

However, such a power to deem a child beyond control or in need of supervision as the case may be, should properly reside with the court as provided in the Children Act, and the existence of these two separate streams was in an effort to properly provide for the protection of our children. It now has become real and revealed that this is not necessary so we will confine ourselves to one. The intention, Mr. Deputy Speaker, is to give the court the power to do this in all cases, and we will proceed no further with the amendment that appears in the Bill in front of us. So, Mr. Deputy Speaker, in—

Hon. Member: Stop reading.

Mr. Hinds: Yes, that is all right. As well, we are introducing a new concept of anonymization in children's matters, for the protection of the children. In this amendment, Mr. Deputy Speaker, the idea is that the child or resident need not be referenced in anyway when reporting is done in any matter concerning such a child. And this includes, (a) the removal of sensitive data while preserving its format and data type, and it includes as well the process by which original data containing identifiers is replaced consistent with place holders while preserving their format and data type.

So, this is a recognition, Mr. Deputy Speaker, that when reporting is being done there are ways that those who know how, can identify the child concerned, and what we are doing here is by introducing this concept of anonymization, it is to protect the child's identity in all circumstances. As well, Mr. Deputy Speaker, we are making an effort here in relation to a child, we are providing for a more detailed definition of domestic violence issues and that is before us.

Mr. Deputy Speaker, on the question of anonymization in the Family Court, we are dealing with the matter as well, as it relates to court reporting. So, clause 14 (ca) is inserted precisely for that purpose. And we do the same in respect of the Children's Court, so clause 14(e) is inserted to achieve that purpose. At the end of the day, it is hoped that these measures will properly protect children in the circumstances as I have described them.

Mr. Deputy Speaker, these are the amendments that would have come to these measures from the other place. I want to commend them to my friends on the other side, and as such, I beg to move. [*Desk thumping*]

Mr. Deputy Speaker: Hon. Members, the question that this House agree with the Senate in the amendments to long title, clauses, new clause 1A and clauses 4, 8, 9,

10, 11, 12, 13 and 14 of the Miscellaneous Provisions (Supreme Court of Judicature and Children) Bill, 2018.

Question proposed.

Mr. Deputy Speaker: I recognize the Member for Princes Town. [*Desk thumping*]

Mr. Padarath: Thank you, Mr. Deputy Speaker, for the opportunity to contribute in this debate today.

Mr. Deputy Speaker, in piloting the amendments the hon. Member for Laventille West seemed to be at pains to explain really a lot of the rationale, which I thought that he would have dealt with in terms of the amendments before us. And I am sure I speak for many of us when I say, if there was any day that we missed the substantive AG was really today. [*Desk thumping*]

Mr. Deputy Speaker, I will deal not with clause 1 and 2, all the way to 14, but really deal with the substantive issues that are found in these amendments, and that is why we are here today. Mr. Deputy Speaker, if you would allow me one moment just to put into context where we are and how we got here. In the absence of not being able to provide a voice through debate in the House, the Bill went to the Senate, and today we are dealing with the amendments from the Senate. Having had the opportunity to read the *Hansard* of many of the Independent Senators and the Opposition Senators, as well as Members of the Government, it was clear really what were the defining issues in terms of the way forward in terms of providing amendments to this specific clauses that was contained in the Bill.

But, Mr. Deputy Speaker, again, in providing a bit of context before I go into the substance, and right off the bat, I can tell you which particular clauses we have concern with and which we believe still exist some loopholes. I would really

like to commend the Senators, in particular—

Mrs. Robinson-Regis: Mr. Deputy Speaker, Standing Order 48(1), please. Senate amendments, but he is going into the substance of the Bill.

Mr. Deputy Speaker: Overruled, proceed.

Mr. Padarath: Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, it seems the Member for Arouca/Maloney is anxious to get us to the amendments.

Mr. Deputy Speaker: Proceed! Proceed!

Mr. Padarath: And right off the bat I can tell you which ones we are particularly concerned about, and those are clause 8, clause 10 and clause 14, and I would go into the substance of the issues we have with these amendments, and how we find that there are some loopholes that exist in clauses 8, 10 and 14, and how they can be addressed.

However, Mr. Deputy Speaker, I will not miss the opportunity to thank, really, the Senators, especially the Independent Bench and the Opposition Bench for bringing us, because this is a far cry, a very far cry from the initial Bill that was sent to the Senate. The substantive Attorney General, in the committee stage, made a particular statement, and when he made that statement, the hon. Attorney General, the substantive one, in the Senate, I looked at the clauses and I was instantly concerned by some of the challenges in these clauses. And the hon. Attorney General made mention, that in advancing this Bill and making the amendments, the Government was receiving technical cooperation and advice from the Government of Canada, and I would put that into context when I go into the clauses of the Bill.

Mr. Deputy Speaker, if we look at clause 8, in particular, clause 8 has to do, in most part, with the Havana Rules. For those who may not be familiar with the

Havana Rules, the Havana Rules is the United Nations minimum standard with respect to the administration of justice for the protection of juveniles deprived of their liberty. When you look at clause 8, 8C, in particular, this really comes from the Havana Rules in the year 1990. Prior to that we had the Beijing Rules in 1985. And the Member for Laventille West jumped ahead from '95 and went closer to '99/2000, when the Member for Siparia was the Minister of Education, and these Havana Rules dealt with the issue of corporal punishment as identified in 8, C. But it dealt with many other issues with respect to the administration of justice in terms of juvenile centres and rehabilitation centres. And what got me very concerned in this particular clause, is that while we deal substantively with the Havana Rules, there were two Havana Rules in here that was left out, and I would really like that acting Attorney General indicate to us, what were the reasons for omitting these two particular Rules in clause 8, C if we were taking from the Havana convention.

You see, Mr. Deputy Speaker, in the Havana Rules it also deals with solitary confinement of young persons in juvenile centres and the rehabilitation centres. It also deals with cruel and unusual punishment. When you look at clause 8, C, the Havana Rules have been in most part implement here, but those are two serious omissions, and I would not like to think that they were purposely cherry picked. I ascribe no motive for cherry picking of the Havana Rules, but except to say that these are two areas that we really should be concerned with, especially if the Government of Canada is providing us with the technical advice and cooperation. Right now the Government of Canada, in many of their provinces, are facing issues with respect to their cherry picking of the Havana Rules, especially when it comes to young black males. And therefore, if they are looking to have us mirror their legislation in a totally different society in terms of how our society is made up,

both ethnically and otherwise, I cannot see how the Government of Trinidad and Tobago can allow clause 8, C to be advanced with the omission of solitary confinement and cruel and unusual punishment.

Mr. Deputy Speaker, I would also like to speak about the harmonizing of legislation, and the Member for Laventille West did say that these 12 pieces of legislation were being reviewed today. He spoke about a proclamation clause in terms of operationalizing the legislation. Clause 8 deals with the Child Rehabilitation Centre Act, and a lot of the issues and challenges that we in the Opposition have, have to do with clause 8. The hon. Attorney General, the substantive Attorney General took great issue in the committee stage when the amendments were being put forward with respect to comments of a very piecemeal approach. And here you would see in clause 8, if you go through A, B, C, and it has subsections in this as well. A very extensive clause, Mr. Deputy Speaker, you would see that we are amending various parts of the Child Rehabilitation Centre that should have been foreseen and we should have known that it would have come up. And therefore, I am asking that we look at this holistically, separate and apart from the Havana Rules, I would like to go into some of the other issues that are contained in clause 8.

Mr. Deputy Speaker, if we look at clause 8, C, 4A(1), it speaks about the Commissioner and the role and responsibility that the Commissioner will now have in terms of administering the—sorry, not administering, but the role and responsibility with the Commissioner to ensuring that each resident is not subjected to, and then it goes into what the areas are. So, in substance, Mr. Deputy Speaker, what we are doing now is that we are giving a greater role and authority to the Commissioner, and in clause 8, C, 4A(1), which goes on to (2)—I like to

look at comparative legislation, Mr. Deputy Speaker, especially in our presentation, especially where the substantive Attorney General told us in the amendments that the law is constantly evolving. And therefore, when I saw this particular clause giving that power and authority to the Commissioner I looked to see what the other jurisdictions had, and in the other jurisdictions, it is while that we were giving this authority to our local Commissioner of Prisons, in effect, in other jurisdictions, especially in the UK and the US, in the US they have something called the Custodial Inspectorate, in the UK they have the jail and juvenile centres inspectorate. And, Mr. Deputy Speaker, it works in tandem with their version of the Commissioner of Prisons, but it also gives an additional authority for those in the system, who understand the system, who practise in the system. And while the argument may be put forward that here the Commissioner of Prisons is really the overarching person and that there will be units under him. He or she may not be doing the work directly. But that there will be units to bring effect to this. I raise the point of ensuring that we have qualified and competent persons who we pass on this authority to, who understand their role and responsibility and who can exercise this role and responsibility under clause 8, C, 4A(1).

Mr. Deputy Speaker, I also would like to— under this particular clause, again, 4A(1), is the issue of support for the Children's Authority. And, again, while we are giving additional responsibility and roles to the Children's Authority, we have heard from time and time again the challenges experienced under the Children's Authority. I have asked in the House, and I am on clause 8, C, 4A(1). I have asked time and time again, when the Minister of National Security was the Member for Point Fortin, I asked it numerous times in this House—

Mrs. Robinson-Regis: The Member for Point Fortin.

Mr. Padarath: Sorry, the Member for Point Fortin was then the Minister of National Security. My apologies. Thank you, Member for Arouca/Maloney. I asked about the complement of officers in the child protection unit, since then we have gotten different versions from different Members of the Government, and this is an operationalizing issue, the Attorney General in the House at this moment, the Member for Laventille West said that they were ready to operationalize. Similarly, in the Senate, the substantive AG did indicate that they were ready to operationalize. However, I would like in the wrapping up that the Member for Laventille West give us a clear indication of the kind of support that exists in the children authority through the child protection unit, to ensure that this role and responsibility would be carried out effectively. Mr. Deputy Speaker, we need to have an idea of the training and the competencies that exist in the Children's Authority if we are giving them this additional role and responsibility, and that they can carry out that particular mandate.

Mr. Deputy Speaker, clause 8, C, 4A(2) gives the authority to the Commissioner and the Children's Authority to investigate complaints in breaches against the rules, identified particularly, the Havana Rules. So while we in 4A(2) under clause 8, are giving that authority to the Commissioner and the Children's Authority to investigate these complaints of breaches, it provides some degree of comfort, but I am not totally comforted by it. And that is why when you look at other jurisdictions, you look at the United Kingdom, now a lot of Havana Rules applies to 176 countries in the world.

Now, while we share our common jurisprudence with commonwealth nations that will give us the opportunity to harmonize and synergize legislation, it

also gives us the opportunity to see what the international conventions look like in terms of applying it to our domestic laws. And under 8, C, 4A(2), I am not totally comforted that these joint offices will have—and we have seen, Mr. Deputy Speaker, we have seen in a small society like ours, even though it may not exist, there have been allegations of collusion, of cover up, of these sort of breaches. And therefore, Mr. Deputy Speaker, I will go back to a commonwealth jurisdiction, the United Kingdom, from where our jurisprudence really came from, but also in the US where they sought to synergize and harmonize their laws, they were able to ensure that you had independent inspectorates outside of the Commissioner of Prisons and outside of the Children's Authority to ensure that there were a greater degree of comfort to those making the allegations of breach, and therefore, those are some of the things I would like for the acting Attorney General to consider under 8, C, 4A(2).

Mr. Deputy Speaker, much has been said about corporal punishment under clause 10. Again, the Member for Laventille West did speak about Trinidad and Tobago's progress, and let me say, when the issue of corporal punishment first arose in Trinidad and Tobago it was because of the sanctions of the United Nations Convention that brought us to that point. [*Desk thumping*] The United Nations at that point was saying to Trinidad and Tobago, like they were saying to the rest of the world, that children have rights, children have privileges, and therefore you have to treat them in a particular manner, and you cannot subject them [*Desk thumping*] to cruel punishment. And corporal punishment at that time was considered to be part of cruel punishment. And what did we do? Through the Member for Siparia and the Joint Select Committee, we synergized what was international law and convention by the United Nations with domestic legislation.

[*Desk thumping*] And that is why today the Member for Laventille West could say, “Well, you know, we are just taking it one step further and we are synergizing.” Hypocrisy! This Government opposite was the same one who chastised us for conforming to international convention through the United Nations. Some of them do not even know if that was the United Nations Convention that exists up to today, and therefore when we see it in clause 10, when we see it in clause 10, I am asking that Government consider that the culture that Trinidad and Tobago has is one where our society sometimes believes that they have to beat you in order to learn. And under clause 10 this can have a very different effect, it sometimes contributes to psychological, rebellious scarring, and under clause 10 you will see (7B)(a), and for a summary conviction with respect to corporal punishment, while traditionally summary convictions have had a much lower threshold with respect to fines and sentencing, I believe that the fine should be doubled of what is being proposed, while there is a raging debate in other jurisdictions.

Mr. Deputy Speaker, you may be surprised to know, in Australia, in Queensland, the MP for Queensland is right now advocating for the reintroduction of corporal punishment with respect to juvenile delinquencies in terms of drug crimes. Today, we are trying to do quite the opposite by giving a greater degree of protection to the juveniles and the persons who reside in these centres. Therefore, I am asking, as again, these summary convictions usually carry lower threshold, I am asking that we consider increasing it. I believe that similarly, other jurisdictions when you look at India, you look at New Zealand, you look at Canada, and again when the Member for San Fernando West was in the Senate, the Member for San Fernando West spoke about, that the Government of Canada was

offering the support. And I am quite surprised to see that a lot of what exists in terms of the fines and so on, in the Canada legislation does not exist or was not put forward. I do not know if it was advanced by the consultants of the Canadian Government and it was not accepted by the Member for San Fernando West, but it would really be a good idea to have an appreciation of what technical advice the offered in terms of making these particular amendments.

Mr. Deputy Speaker, I also would like to refer to, again, clause 10, in relation to the National Commission on Children in terms of those that are affected by the rehabilitation process in juvenile centres, and clause 8 speaks directly to the Child Rehabilitation Centre as reflected also in clause 10. And if we look at some of the other jurisdictions that have these national commissions, for instance India, Canada, New Zealand, a lot of the work put into clause 10 can be found in National Commissions for Children. I think we have reached the stage in our country where a lot of our youths are affected in one way or the other in terms of whether it is through gangs, whether it is through crimes, and I think it may be a good thing for Government to consider that while you are advancing these amendments that you also show a greater degree and duty of care in terms of the prevention, and not only the rehabilitation. And that is why today I would actually call for Government to set up a National Commission for Children with respect to juvenile and rehabilitation centres. [*Desk thumping*]

And, Mr. Deputy Speaker, without being disparaging or negative, a lot of the constituencies that Members opposite represent and are elected year after year, election after election, a lot of the young people from these constituencies are the ones that are most affected. And therefore, Mr. Deputy Speaker, again, clause 10, in terms of synergy and harmonizing with what the other countries and the

jurisdictions have put into their legislation, I would really like to have an idea of what the Government of Canada was proposing, and why did we only take piecemeal, and we did not take the entire thing.

Mr. Deputy Speaker, also, with respect to clause 10, while this clause allows for investigations of breaches to be done, it also means that there is a greater responsibility and a greater onus under the law of persons who are in charge and who are responsible for carrying out the mandate of the law in these juvenile centres. And therefore, I would like to see in the law a greater fleshing out of the duty of care role between those persons who are the administrators, and those that are administrating. [*Desk thumping*] And that duty of care must be very clear and succinct in the law. I believe that that is another loophole. And, we have seen, and I recently came across in the faculty of law, University of Manitoba, again, in Canada, the same country who is providing technical assistance to with respect to these amendments, they are making amendments to their own laws, but you know what, Mr. Deputy Speaker, in the amendments before us we are going back to the same old laws that the Canadians have and we are not advancing and moving with where they are moving to. [*Desk thumping*] And, Mr. Deputy Speaker, when you look at Dean Deborah Peeks published article, or on June 06, 2016, and updated on June 19, 2017, I am deeply concerned when the dean of the faculty of law of Manitoba can say that in the Canadian legislation that they are targeting prisoners, juvenile delinquent prisoners as they described them, with mental disability, indigenous or black women, and they are prompted by increasing attention for the media court oversight bodies and medical professional. Governments are being forced to respond although the practice of solitary remains entrenched, as well as cruel and unusual punishment.

3.30 p.m.

And again, Mr. Deputy Speaker, when we look at the amendments, starting from the amendment as I said that we have particular concern with, amendment 8, all the way up to 10 and 14, in most parts it does not reflect the cultural issues of Trinidad and Tobago. And therefore, I am asking whether or not we just really took wholesale—you know, I have said in this Parliament time and time again, that it appears that some people just do not do their homework, that they just take what is given to them and they do not go to see what the other jurisdictions have, what the other jurisdictions are doing to update their laws, Mr. Deputy Speaker. And today we are coming back with the same old, same old, same old, and when the Member for San Fernando West is told about that in the Senate with respect to these amendments by Senior Counsel on the Independent Bench, the Member takes offence to that.

Mr. Deputy Speaker, this is not about being offensive and showing up the incompetence. We all know the incompetence on the other side, [*Desk thumping*] but it is not about that today. It is about advancing good law, it is about advancing, looking at the amendments before us, and instead of saying, “Well, clause 1 say, so by so by so”, what are really the issues identified, the major substantive issues identified in the amendments? And, Mr. Deputy Speaker, as I said, I have gone through most of them, I know the clause 14 deals with the anonymization of children with respect to the cases and so on. Again, while we are doing all of these things and we are being told that we are ready to operationalize, we have seen time and time again where laws just remain on the statute books, and in effect, nothing is happening.

Mr. Deputy Speaker, I would like to know with respect to this same clause

14: How many cases have been heard before the Children Court so far? I would like to know, what are the statistics with respect to the Children's Authority, those who are in the rehabilitation centre? So when you come to tell me about the anonymization under clause 14 in these amendments, essentially you should have been telling me how many children these are affecting. [*Desk thumping*] How many children will benefit from those things? [*Desk thumping*] What support are you providing to the Judiciary to ensure that these amendments could be properly advanced?

You see, Mr. Deputy Speaker, it is very nice to stand up and say, "Well, clauses 8, 9, 10, 11, so by so, says 12 pieces of legislation will be reviewed, clause 8 deals with the rehabilitation centre", et cetera. But when you cannot tell the population how it will affect them, how it will advance the course of justice in terms of the administration of justice, in terms of the juvenile centres and the rehabilitation centres, Mr. Deputy Speaker, when you look at the amendments, and if you allow me to return to clause 8, you are giving a greater degree of authority and power but you are not saying what the safeguards are.

And, Mr. Deputy Speaker, if you can tell me these are not loopholes and this is not oversight, as I said, I will not like to say that people are being lazy, but there is a pattern that continues to exist, where piecemeal, piecemeal, piecemeal, is coming before us, and then they run back to the Parliament, two-three weeks later, two-three months later, to amend, amend, amend, and that is what we are doing today. [*Desk thumping*] That is what we are doing today.

So you rush it through the thick—the dead of the night, refusing to allow the Opposition to have a proper say, you take it to the Senate, rush it through, and when we tell you that there are loopholes in these amendments, Mr. Deputy

Speaker, I expect that you can stand up and tell us what you are going to do to remedy these loopholes as indicated, through amendment 8, through amendment 10, through amendment 14.

I know the Member for Arouca/Maloney was very anxious for us to get to the clauses. I know she is an attorney as well and maybe she may be able to provide some support to the Member for Laventille West. [*Crosstalk*] But, Mr. Deputy Speaker—[*Crosstalk*—all I know, you are a “bush lawyer”, Member for Arouca/Maloney, [*Laughter*] but I am hoping that even—

Mr. Deputy Speaker: Members. [*Crosstalk*] Members, two Members cannot be on their feet at the same time.

Mr. Padarath: Mr. Deputy Speaker, I am hoping that in the absence of the Member for San Fernando West, the substantive Attorney General who seemed very au courant with what the issues were and the issues are, that the others would be able to provide some level of support to the Member for Laventille West if he is not familiar with the amendments in its totality, but I would particularly like if he spends a significant amount of time dealing with clause 8 in its entirety.

As I said, there are many loopholes that exist there and if they take the chance to harmonize and synergize the legislation with other jurisdictions, including Commonwealth jurisdictions, namely the UK—and not just stick to what the Government of Canada is telling them, even though the Government of Canada is not advancing their own legislation—Mr. Deputy Speaker, through the advice that they are providing to us, I would really like to see going forward that some of these amendments are addressed.

As I said, the anonymization is a very important area in clause 14. It gives a greater degree of protection to children in terms of reporting, in terms of public

interest and public knowledge. I would also like, Mr. Deputy Speaker, for my edification, and I am sure for others as well, how other pieces of legislation, for instance, other pieces of legislation with respect to public interest—clauses—will affect for instance, the freedom of information, et cetera, will affect information like this and these particular clauses. As I said, I am not fully au courant in terms of clause 14 but I would like some edification on this particular matter in terms of the compatibility and the comparison with other areas of the law, Mr. Deputy Speaker.

Mr. Deputy Speaker, I also would like to deal with subsections (7A) and (7B), under clause 10. I know I did mention it before, except to say I would like to return to it to make another point.

Mr. Deputy Speaker: Member, Member. You said what clause?

Mr. Padarath: Clause 10.

Mr. Deputy Speaker: No, you now mention clause 7.

Mr. Padarath: No, no. I said clause 10, under (b), (7A) and (7B).

Mr. Deputy Speaker: Oh.

Mr. Padarath: Yes, I was just returning to that to make an additional point, Mr. Deputy Speaker.

Mr. Deputy Speaker: I thought you were going—a different clause.

Mr. Padarath: Sorry, no, my apologies. And essentially it says:

“(b) in subsection 4, by inserting after subsection (7) the following new subsections:

‘(7A) Corporal punishment shall not be used in relation to—

- (a) a child in a Nursery, Children’s Home or Foster Home;
- (b) a resident in a Rehabilitation Centre; or

(c) a child in the custody, care and control of a fit person.””

Mr. Deputy Speaker, I—

Mr. Deputy Speaker: Hon. Member, before you move on, your initial 30 minutes has expired. You care to avail yourself of the additional 15?

Mr. Padarath: Yes, thank you.

Mr. Deputy Speaker: Proceed.

Mr. Padarath: Mr. Deputy Speaker, I know in advancing the amendments in the other place, the substantive Attorney General, did indicate that there was a need in the definition and a lot of what the Member for Laventille West went through dealt with harmonizing and synergizing the definitions across various pieces of legislation, and I do appreciate that. I think it gives a greater degree of ensuring that we do not encounter, before the courts, many problems with respect to proper definitions. But I took particular notice of a Senior Counsel on the Independent Bench, who felt that this was a very untidy process, the way in which it was approached, and that Senior Counsel made the very important point, again, that if we are looking to synergize and harmonize from different pieces of legislation definitions, it must be done in a more holistic manner as opposed to the way in which it is being done and advanced through these amendments.

I know the substantive Attorney General has said time and time again, Mr. Deputy Speaker—and he said it in terms of advancing these amendments in the Senate—that: “Listen, we cannot always get all the law right on the first shot. We cannot bring a perfect Bill. We cannot bring perfect amendments, but, give us points for trying.” Mr. Deputy Speaker, I do not begrudge the Government for taking the opportunity to try, but there must be a serious effort especially if you are advancing these particular amendments the way in which you are doing. And I

would really like to implore the Member for Laventille West and others, that rather than deal with the less substantive issues, let us deal with the substantive issues that we have identified and chart a way forward so we can lend support to ensure that there is progress in terms of these juvenile centres, these rehabilitation centres. And really, what is the way forward outside of incarceration and rehabilitation and what are the preventative methods? We are hearing a deafening silence with respect to Government on that other limb and that is why I return and I reiterate my call for a national commission with respect to these rehabilitation centres and these juvenile centres. [*Desk thumping*]

Mr. Deputy Speaker, in summarizing, clause 8 in its entirety needs to be relooked at with respect to the Havana Rules and Guidelines. And while I appreciate that these are rules and these are guidelines, also take a look to see what other countries have done to synergize their legislation. Do not take just wholesale, what the Government of Canada is telling you because they are encountering problems right now with their own legislation and they are advancing that and they are being criticized by their own legal luminaries for targeting specific groups. And therefore, if the cultural and ethnic reality does not exist in their legislation, do you think they will want to put it in ours?—they have any interest in that? No. And therefore we must look after our own interest. And that is why I say I return to clause 8; look at it in its totality, look at it in terms of international rules and conventions.

The other clause that we have issue with is the issue of the corporal punishment clause, the indictable and summary convictions. I am asking that the fines be relooked at. We are asking for the role of the Commission and the Authority with respect to the investigations, that that also be relooked and also to

give a greater duty of care to persons who are the administrators of these institutions.

Mr. Deputy Speaker, with those words I thank you and the House for the opportunity to be able to contribute to the amendments. I will continue to be a voice for—especially for the young people, whether they are those who are incarcerated or not, whether they are incarcerated or they have to pay a fine of \$400 or whether that their—or whether or not, Mr. Deputy Speaker—

Hon. Member: Speak, speak.

Mrs. Robinson-Regis: Mr. Deputy Speaker—

Hon. Member: What is the problem?

Mrs. Robinson-Regis: 48(1). “What is he talking?” [*Crosstalk*]

Mr. Deputy Speaker: Member, just stick to the clause. You are summarizing, you know what I mean. You have been “going good”.

Mr. Padarath: Mr. Deputy Speaker, the Member for Arouca/Maloney only likes to speak about those who are beaten and not those whose hands you received the beating at. Mr. Deputy Speaker, but as I said with those few words, I would like to thank you for the opportunity to contribute to the amendments before the House today. [*Desk thumping*] Thank you.

Mrs. Newallo-Hosein: [*Desk thumping*] Thank you. Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, I just want to congratulate the Government for bringing this most important legislation, the amendments. It is unfortunate that it has to come as amendments and I want to say why it is unfortunate because this here is of great, great importance. It was under our political leader and former Prime Minister—

Mr. Deputy Speaker: Silence.

Mrs. Newallo-Hosein:—who under her astute leadership, brought the Children’s Authority into establishment. And therefore, it is something very dear not only to her heart, but to our heart. [*Desk thumping*] This is very dear to our heart. It is dear

to my heart because during my time of study I did two homes as my thesis, and that is St. Michael’s and St. Jude’s. And therefore this here is very important. And what is so sad is that, you know, we have to read of different loopholes in concurring with my colleague whom I congratulate for an excellent debate. [*Desk thumping*] We have—and Mr. Deputy Speaker, if I can just refer to an article dated, Sunday 29 October, 2017, in the *Newsday*, written by Janelle De Souza. She interviewed a Dr. Margaret Nakhid-Chatoor.

And Dr. Nakhid-Chatoor was stating that:

“Ten per cent of the world’s”—

Mr. Deputy Speaker: Hon. Member, I know you have just started your discourse but I want you to stick to the amendments and I would prefer if you, you know, identify your amendment and then you can use your supporting documents to support, you know, the particular clause, please, rather than just to start with your information.

Mrs. Newallo-Hosein: Sure, Mr. Deputy Speaker. I am referring to clause 4:

“...in the definition of ‘guardian’, by deleting the word...and substituting the words ‘younger child or older child’...”

It was an amendment that was brought from the Senate and I just want to state that the reason why it is so important is because there is a differentiation between the “child” and stating a “younger child” and an “older child”, for a number of reasons.

One of them, of course, is that there are different treatments that would involve when you are treating a child as opposed to an adult. And one of the things that we have noticed is that in this clause it is so important for it to be clarified and that is why we came here, to clarify it so that when it goes out to the court system to enforce, to adjudicate, that judges are not left wondering, what does this Bill mean? Because, you know, sometimes there is an interpretation and judges interpret it as they see fit, as in the case with Brian Seepersad. Why is it that this has to come to the House because of the fact that it was interpreted that there was not—the Children’s Authority did not satisfy the courts that this system was in place to provide for the care of an individual? And this is why this House has to now sit today to deal with amendments.

It is important, and I do agree with my colleague who made the comment on clause 8. It spoke about the—clause 8 speaking about:

“The Commissioner shall be responsible for ensuring that each resident is not subject to—”

—and went through the various punishments. I would not go through it, but I am going to relate to one aspect of that clause, and that is, the fact that cruel and unjust punishment was not addressed. And why is it important, Mr. Deputy Speaker? It is because when we were dealing with 54A, which ties in to clause 8, you find that there was a call for clarity on this section which deals with persons being transferred to adult prison upon attaining the age of 18. And that is so important, Mr. Deputy Speaker, because the fact that the Bill changes the name from “juvenile court” to “rehabilitation”, it means that you are looking to rehabilitate the child back into society.

Now, if the child, according to 54A, if the child reaches 18, the child is

automatically—who is now an adult, is automatically transferred to an adult prison which really curtails and forfeits the whole idea of rehabilitating the person. And as such, I am asking the acting Attorney General, to please consider putting into place, which is with other jurisdictions, that when a child turns 18 years old, juvenile probation cases are, yes, prosecuted based on the age of the child at the time the crime was committed. And the juvenile justice system can maintain jurisdiction over a case until the client turns 21.

In other words, it does not stop at 18 if the court sees fit that the child is in fact being rehabilitated. It can be continued until the age of 21 and even 25 as opposed to just stopping the rehabilitation process and reverting to corporal punishment in a different penal system. I think that it will not promote what it is we are trying to achieve here and that is, to save the child, to make sure that the child is properly rehabilitated and for the child to be able to come back into society to function as a normal citizen of Trinidad and Tobago. And as such, I think it is very important for the Government to reconsider, when they are dealing with clause 8, to consider 54A, that they may in fact be contravening their very own law that they are trying to protect the child from, and that is from corporal punishment and so forth.

In clause 4 as well, coming back to the “younger child” and deleting the words, we do concur, however, I do agree that it is to avoid ambiguity and to not set precedents, because we do not want to be able to have different interpretations outside there, especially when it is that you are dealing with rehabilitation of the child. So I think that is important for the wording to be very important. If not, you know, then I am going to ask: What is the difference between—besides the change of name? And will there be rehabilitation in the truest sense of the word? And

how effective is the system? How many persons have been successfully rehabilitated? And these are questions that—I think that they know—I would like the Minister to answer and show us so that we can provide—look at and see that there is in fact the teeth that are necessary in the legislation to enhance and to bring about the proper processes for our children.

My concern is, you know, in same clause 8, why is there a differentiation, and I think I concur with my colleague as to, why is there a difference in the Commissioner of Prisons' functioning as opposed to the Children's Authority? And if the Children's Authority will be in power to set the standards for the management of all rehabilitation centres, why not empower the Children's Authority to have oversight, as opposed to the Commissioner of Prisons? So that is a concern that I would like the hon. Attorney General to answer. And of course, in section 2A, you have the concern of the training programmes for officers and residents of a rehabilitation centre.

My question is: Who will be conducting the training specifically geared towards children and has anybody been identified with regard to this type of rehabilitation and programme? Especially when after having read Dr. Nakhid-Chatoor, you see that there is a lack and there is a need for such training facilities to be implemented in children's homes. So if we do not have it right now, then you know, we are putting this into law but there is nothing in place really, after the law has been implemented, for such training centres to exist and to have the necessary training of the personnel who will be assisting with the reduction of recidivism of residents. So this is a question that I would like especially for the hon. Attorney General to address when he is summarizing.

In clause 8, there was a mention of—inserting in section 4A(1), a new

subsection where an allegation is made to the Commissioner of Prisons and the Authority pursuant to subsection (2):

“...the Commissioner of Prisons and the Authority shall forthwith conduct an investigation into the allegation and notify the person making the complaint of the findings of the investigation upon completion.”

I did not see any mention of that and I want to know: Can we request a timeline for the conduct and findings? And it must not be open-ended but it must appear that we have justice being served to the residents.

I saw in clause 8, I am not sure if it is a typographical error or what, but I just wanted to know in (2), you have “authority”, “the matter”—

“(1), the person shall report the matter to the Commissioner and the Authority, and the Commissioner and authority shall investigate the allegation...”

I noticed it is a common “a” and I do not know if it was an error or if it actually denotes that another “authority”, lesser, will be responsible and I would like to have that clarified as well. Again, in clause 8 (7):

“A resident shall not be kept under restraint without supervision and no longer than necessary”—you continue saying—“nor shall he be kept for longer than twenty-four consecutive hours without a direction by the Court.”

And again, although there is a time frame in where the resident shall not be kept longer than 24 hours, consecutive hours, there is really no time frame in terms of not being kept under restraint without supervision. And I think it is important to indicate such time frame. I think that the Government could avoid being chastised for that in a court of law.

I really found other than that, that the other clauses really were superficial

and I think that there are still a number of loopholes that are in this amendment that should be looked at and closed in. We have different persons coming up indicating such matters. And so, as such, I would like to indicate to the Minister if he can in fact, when he comes back again, because I know we will come back again, that the House will be given the opportunity to properly flesh out all that is before us. Because at the end of the day, Mr. Deputy Speaker, we all want what is best for our nation's children. We want to be able to see rehabilitation in a truest sense of its word and we want to be able to empower the authorities that are responsible for such rehabilitation and to bring about the necessary change.

And there is one other thing before I conclude—because I do not want to stay long, I know I have my other colleague to contribute—there is the area where in section 7, it speaks about allowing a member of the Bar of any Commonwealth country to become a High Court judge. And there are concerns about that matter, Mr. Deputy Speaker. I wish that the hon. Attorney General would bring some clarification in that matter. Is the Government implying that we are dissatisfied with the state of Judiciary in Trinidad and Tobago? There is the concern of reciprocation and, of course, why erode what is already perceived to be uncertainty and despair? And if we look at the newspaper, we would look at Justice Frank Seepersad indicating that. And therefore, I think it is important for us to not look outside when we have the necessary, the properly qualified judges and lawyers who could in fact fill those positions. So there is no question as to the increase in the number of judges so that you can have a free flow of these cases, but really and truly, why do we have to go outside?—and it is something that I would like us to look at before we conclude this matter.

In concluding, I want to just thank the Senate for really going through these

amendments. I know that they fought very hard to ensure that they brought across very solid advice. I know that they did not get all and I really would like to ask the Government to reconsider the matters that were brought before us that did not reach on the amendment paper. And the reason being is because we want to avoid the loopholes, we want to avoid whatever situations that are out there that we know that are happening all around the world, I do not have to go into it again, because of the fact that the Member for Princes Town brought a comparative jurisdiction's legislation. And so I would like to—I am just saying, please let us, as we as legislators have found the time and are making every effort to ensure that our laws are in keeping with modern societal needs, upholding conventions as we seek to streamline the processes in relation to the treatment of children and children matters. I do thank you.

4.00 p.m.

Mr. Deputy Speaker: Member for Siparia. [*Desk thumping*]

Mrs. Persad-Bissessar SC: Thank you very much. In rising to speak on this Motion that the Senate amendments to the Miscellaneous Provisions (Supreme Court of Judicature and Children) Bill, 2018, be considered—just a few points. I just want to first endorse the comments made by my colleague. I will not keep you much longer, Mr. Deputy Speaker. I endorse those comments and I really—if you permit me just one second to say I was very touched by the comments of our colleague from La Horquetta/Talparo today.

Hon. Member: Yeah. [*Desk thumping*]

Mrs. Persad-Bissessar SC: I know on the last day when I rose to welcome him back to the House, I noted that people said, “Were you surprised?”—and whatever. But I want to just register, on a human basis, I think we are all very happy to see

that he is making recovery. [*Desk thumping*] So now that he, having spoken today, I commend him, and God's blessings for your continued recovery as you proceed. [*Interruption*] I am not looking at election. This is a human level of a colleague to a colleague—[*Desk thumping*]

Hon. Member: Yes. Tell her. Tell her.

Mrs. Persad-Bissessar SC: If you see everything on elections level, I do not. [*Crosstalk*] So Senate amendments, Sir, to this Bill—[*Interruption*—my colleague tells me she has a meeting so we will let her go very shortly.

I look at the new clause A. My colleague from Princes Town touched on it slightly but I think it is something that we need to pay much attention to. This provision was not in the original Bill. It is an amendment that was moved in the Senate with respect to inserting a proclamation clause. What this means, Mr. Deputy Speaker, is the Bill will not come into effect until the Cabinet issues notification to the President for the law to be proclaimed. Only then will it come into effect. This clause was not there before it went to the Senate and, therefore, it meant that it would have been assented to by the President once it passed both Houses of the Parliament. So this is now a delay mechanism. And my question to the hon. Acting Attorney General is, do we have a time frame? I know you said you are keeping it to make sure to implement. Do we have a possible time frame within which you will bring this into effect?

The fact that we are here today to debate these amendments is because your Government thinks this is exceedingly important. We received notice of this, I think it was only yesterday—of these amendments. And these amendments, there are about 14 amendments to a 14-clause Bill. The original Bill was 14 clauses. Colleagues have mentioned it—14 amendments being brought; given notice

yesterday for today. So the Government obviously sees, by bringing us out with such short notice, that this is exceedingly important. And therefore, I again ask, when is the possible date for proclamation, given something you say is so important?

And I ask this further, hon. Deputy Speaker, in light of the fact there are so many pieces of legislation that we rushed through the Parliament in this session, in the last session, and they are still not proclaimed. We come and we are told [*Desk thumping*] that they are so important. They are all given proclamation clauses to delay implementation. So it is as though we are “spinning top-in-mud”, spending hours in this Parliament, and then the law is not proclaimed.

Up to today, the procurement legislation, having gone through five years— [*Desk thumping*—five years previously, it is relevant—

Hon. Member: And “dey buying boat”.

Mrs. Persad-Bissessar SC: Yes, and procurement is taking place. So here we are, we want to protect the children; we want to help them; we want to help those in special homes, and so on; I think it is imperative that some indication be given and some assurance that Government will move to implement this law—

Hon. Member: With haste.

Mrs. Persad-Bissessar SC: Well, I would not say, with haste, but with due course, with sufficient concern to address the problems here.

The second clause I would address, hon. Deputy Speaker, is the very one dealing with corporal punishment. And I know my colleague from Princes Town dealt at length with it, but I think it is important to register that the Government is now seeing reason and sense, that you cannot allow corporal punishment to go unpunished as an unlawful action in these situations that this Bill is now looking at

with respect to the children and children in homes, and so on. [*Desk thumping*] In this very Parliament, I was chastised by several persons on the other side for doing—

Hon. Member: La Brea.

Mrs. Persad-Bissessar SC:—for doing exactly this with children throughout the nation. This is important because the research has shown, when you bully a child, or beat a child, that child, too, becomes an abuser and a beater in later life. The evidence is there. Empirical evidence is there. So I am very happy that this has been inserted—this amendment—to punish corporal punishment:

- “(a) a child in a Nursery, Children’s home, or Foster Home;
- (b) a resident in a Rehabilitation Centre; or
- (c) a child in the custody, care and control of a fit person.”

And therefore, there is also the fine of \$5,000; imprisonment for six years.

So this, I think, is a very vital insertion, or amendment, in the Bill and we welcome that amendment. I again ask finally, please give us some time frame for implementation of such important legislation to protect children and those in a vulnerable position.

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

Mr. Deputy Speaker: Attorney General, Member for Laventille West. [*Desk thumping*]

Mr. Hinds: Thank you very much. Mr. Deputy Speaker, I would like to thank Members of this House who made very long and winding contributions on matters that really had to do with some very minor amendments, including, of course, a few new clauses. [*Crosstalk*] Let me very, very quickly—

Mr. Deputy Speaker: Members, Members, silence.

Mr. Hinds: Let me very, very quickly respond to the Member for Siparia to remind her, and to remind this country, that on the 6th of June, 2018, these measures were presented in this House, but on that day, in their wanton recklessness—[*Crosstalk*]*—they walked out of the House; they abandoned their constituents; and today—*

Dr. Moonilal: Mr. Deputy Speaker—

Mr. Deputy Speaker: Member for Laventille West—Oropouche East, yes?

Dr. Moonilal: Mr. Deputy Speaker, 48(1). I “doh” know which amendment exactly he is referring to.

Mr. Deputy Speaker: Member, “reckless”—

Mr. Hinds: I withdraw the word “reckless”.

Mr. Deputy Speaker: All right. Proceed, proceed.

Mr. Hinds: But they walked out, recklessly and abandoned their constituents, and today coming to play—[*Crosstalk*]*—coming to play—[Crosstalk]* I am on my legs. [*Crosstalk*]

Mr. Deputy Speaker: Member. Member. Member, please.

Dr. Moonilal: Just cite the amendment.

Mr. Hinds: So the bottom line is, Mr. Deputy Speaker, we are here today to deal with a few amendments from the Senate and I would like to thank Members of the House for contributing accordingly.

Let me say, Mr. Deputy Speaker, that in respect of the proclamation clause, I did touch the matter in my opening comments here, but I must now elucidate. We have had the experience in Trinidad and Tobago of assenting to legislation, and a Cabinet led by the Member for Siparia, notarizing or instructing or directing His Excellency to proclaim the legislation, giving full effect to the measures without

the State being in a position to carry out the dictates and the mandates of the very legislation.

Mrs. Persad-Bissessar SC: Name one.

Mr. Hinds: In respect of the Children's Authority and the rehabilitation centres as they were established under the Member for Siparia as Prime Minister and leader of a Cabinet, the Attorney General—a former Attorney General, a Senator—came to this House and passed legislation for the establishment of rehab centres. They proclaimed it and then when the Government changed, when they were thrown out of office by the people of Trinidad and Tobago—

Mr. Charles: “Dey throw yuh outta Beetham”.

Mr. Hinds:—the law was then proclaimed, but there—[*Crosstalk*]

Mr. Deputy Speaker: Member, one second. Member for Naparima, I am hearing your statement, and please, please, please. Proceed.

Mr. Hinds: And then turned around with the help and advice, no doubt, of Senior Counsel Kamla Persad-Bissessar, in the courthouse—

Mrs. Persad-Bissessar SC: You love that name.

Mr. Hinds:—went to court—

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

Mr. Hinds:—and challenged—

Mr. Deputy Speaker: Member, again, I know you are winding up and you are trying to make reference to some of the comments that were made; please, bring it home.

Mr. Hinds: So just to conclude on the point, Mr. Deputy Speaker, we are a thoughtful and caring and other-than-reckless Government. We have put in the proclamation clause in order to ensure that the mandate of the law, the dictates of

the law, can immediately be carried out in accordance with that law when it is proclaimed. So we have put in a proclamation clause and we will put the systems in place to ensure that it is done, and as soon as that is done, it is only then we will notify Her Excellency to proclaim the measures. And that is the way of good governance. That is the way it ought to be done. So let me settle the mind of the Member for Siparia on that score.

Mr. Deputy Speaker, the question was raised by the Member for Cumuto/Manzanilla, very briefly, the question of more judges. I would simply like to say to the Member and our friends on the other side that they complain we are seeing an upsurge in criminal activity in Trinidad and Tobago, and therefore, we have passed legislation creating many new offences, whether it is in the anti-terrorism law and other such prevention-of-corruption bits of legislation. A whole host of new financial crimes have been, and are being created; money laundering offences. We have created and we need more specialist courts—this is not our decision—on the recommendation of the Judiciary. We need more specialist courts to deal with certain issues in Trinidad and Tobago. And there is now well known a discernible shortage of criminal lawyers and criminal judges and criminal courts.

So the measure that we bring here today that the Member for Cumuto/Manzanilla commented upon, where we move the strength of the Judiciary from 49 to 65, it is because we recognize, for example, in the Family Court—the Member for Princes Town asked the question—there are over 2,000 matters in the Family Court. And just to assist the Member for Princes Town—and I am quoting here from the Annual Report 2017—2018, of the Judiciary, recently produced, under the rubric, “Improving Court Services”. And for the benefit of the Member

for Princes Town and to answer his question, let me give him the statistics as garnered by the Judiciary—for his benefit.

Insofar as the Family Court is concerned, matters filed in property matters, 9; divorce matters, 2,623. In respect of the Children's Authority, 35 matters filed; maintenance matters, 1,342; custody matters, 565; other matters, 880; protection orders, 192. And the statistics show an increase in the numbers of these matters. So just to answer the Member for Princes Town, those are some of the facts.

In terms of criminal matters, as I spoke about increased criminal activities, we have in Port of Spain, total matters—a snapshot of the High Court under 2017—2018, we have total number of matters disposed in the High Court, eh, 167—

Mrs. Persad-Bissessar SC: This is civil you are talking about?

Mr. Hinds: This is criminal I am quoting here now. And the probability of disposing a matter under one year is 11 per cent. And we complain about crime in the country. So we need more judges, and that is the basis. That is the rationale—and along with a recommendation from the Judiciary—while we are, in these measures, improving the number of judges.

I do not propose to be very long because my friends on the other side went all over the place. But, Mr. Deputy Speaker, I would like to say, in answer to the Member for Princes Town before I retain my seat, in respect of the Child Protection Unit, there are a minimum of 160 and more—well, 160 employees there. The law itself makes provision and mandates the kind of training they should have undergone. They have been trained—

Mr. Padarath: Mr. Deputy Speaker, would the Member give way?

Hon. Member: No.

Mr. Hinds: They continue to be trained—no! [*Crosstalk*] No, no. And, Mr. Deputy Speaker, I assure the Member for Princes Town—[*Interruption*]—they had an opportunity on the 6th of June. I assure the Member for Princes Town that in respect of training, the people there are adequately trained, and as it becomes necessary, more training, more personnel, will be brought to bear. So, Mr. Deputy Speaker, without more, the measures have been put before you—

Mr. Padarath: What about the Havana Rules?

Mr. Hinds: Well, in respect of the Havana Rules—[*Crosstalk*]

Mr. Deputy Speaker: One second. Members, I am not going to tolerate Members shouting across the floor at other Members. I am not going to tolerate it. There is a procedure; there is a Standing Order, a format of how we do things in this House. Proceed, Member.

Mr. Hinds: If I am not mistaken, I heard a Member who spoke from the other side here today make mention of the name of a child who is before the court in serious circumstances. When I spoke earlier today, I mentioned the need for anonymization, keeping the identity of the children who are in need of protection, who are in conflict with the law, out of the public domain, and I am sure I heard a Member mention the name of one such child in this House, recklessly, today. That is not what we are about. We are a responsible Government.

And I am being asked about the question of solitary confinement. That matter is a matter that is now being canvassed before the Privy Council, and since its outcome is uncertain we have taken the logical and sensible decision to treat with that matter as soon as—and we expect it should not be long—the Privy Council pronounces on this question. And we give the assurance that when that court pronounces—our highest Court of Appeal—we will treat with the matter in

some kind of omnibus, if you like, or miscellaneous provisions Bill to account for the question of solitary confinement.

So with those few words, Mr. Deputy Speaker, I beg to move.

Question put and agreed to.

ADJOURNMENT

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

Thank you very kindly, Mr. Deputy Speaker. Before I move the adjournment, I would just like to indicate that we are coming to the end of this session of the Parliament and I would like to thank my colleagues on both sides for the work that we have been able to conclude during this session. We have asked for some of the Bills to be carried over, and that it is quite normal. I would also like to indicate that as we come to the end of this session, that we look forward to doing quite a lot more in the coming session.

I would like to put on record that with regard to the questions that were asked, the Government was able to answer all the questions that were posed, [*Desk thumping*] both orally and questions that were for written answer. Yes, we have delivered every single answer that was requested. Indeed, with regard to Urgent Questions, we also were able to answer Urgent Questions and the Prime Minister's Questions. So I would like to just put that on record.

I would again like to thank Members for the last year and we look forward to the coming year. With those few words, Mr. Deputy Speaker, I adjourn this House sine die again. [*Desk thumping*]

Question put and agreed to.

House adjourned accordingly.

Adjourned at 4.19 p.m.