

HOUSE OF REPRESENTATIVES*Friday, March 06, 2020*

The House met at 1.30 p.m.

PRAYERS[MR. DEPUTY SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Mr. Deputy Speaker: Hon. Members, I have received communication from Mrs. Glenda Jennings-Smith, MP, Member for Toco/Sangre Grande, who has requested leave of absence from today's sitting of the House. The leave which the Member seeks is granted.

INTERCEPTION OF COMMUNICATIONS (AMDT.) BILL, 2020

Bill to amend the Interception of Communications Act, Chap. 15:08, brought from the Senate [*The Attorney General*]; read the first time.

PAPER LAID

Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Office of Procurement Regulation for the year ended September 30, 2019. [*The Acting Prime Minister and Minister of Finance (Hon. Colm Imbert)*]

To be referred to the Public Accounts Committee.

JOINT SELECT COMMITTEE REPORT**(Presentation)****Social Services and Public Administration****Teenage Pregnancy**

Mrs. Christine Newallo-Hosein (*Cumuto/Manzanilla*): Mr. Deputy Speaker, I have the honour to present the following report:

Thirteenth Report of the Joint Select Committee on Social Services and

UNREVISED

Public Administration, Fifth Session, Eleventh Parliament on an Inquiry into the prevalence of Teenage Pregnancy and the State's capacity to minimise the occurrence of teenage pregnancy and provide services to teenage parents.

PRIME MINISTER'S QUESTIONS

Arrival of Vessels from China, Japan and Korea

(Monitoring Measures)

Dr. Surujrattan Rambachan (*Tabaquite*): Could the Acting Prime Minister state whether the Government is taking any special measures to monitor cargo as well as ships including fishing vessels and their crew arriving from China, Japan and Korea?

The Acting Prime Minister and Minister of Finance (Hon. Colm Imbert): Thank you, Mr. Deputy Speaker. In addition to existing travel restrictions for persons travelling within 14 days from the countries that have so far been identified and thermal scanning, the Government has also implemented enhanced surveillance measures at our seaports and airports. These include passenger and crew manifests with more information giving full travel history for passengers and crew to allow us to determine the risk of exposure.

Details of the last 10 port of calls have also been required. The Maritime Services Division has also communicated to captains to do active surveillance aboard ships. This is in addition to the regular Maritime Declaration of Health which is incumbent upon vessels and captains of vessels.

Mr. Deputy Speaker: Supplemental, Member for Tabaquite.

Dr. Rambachan: Mr. Acting Prime Minister, do you have any port health officials going on the boats to do either visual or using equipment to do some kind of testing on a random basis despite what might be communicated to you by the ship captain, or what have you?

Hon. C. Imbert: I am advised by the Minister of Health that this is happening, port health officers are visiting vessels to conduct additional surveillance.

Mr. Deputy Speaker: Supplemental again, Member for Tabaquite.

Dr. Rambachan: Are they doing so on their visits? Are they just doing a visual observation or are they using equipment to randomly test people?

Hon. C. Imbert: I am advised by the Minister of Health that they are currently looking at the declarations submitted by the captains and also interviewing the captains and the ship's doctors.

Mr. Deputy Speaker: I recognize the Member for Caroni East.

Dr. Gopeesingh: Hon. Acting Prime Minister, what is the position of the Government on the passenger cruise ships in terms of allowing passengers to disembark or refusing their admission into our seaports?

Hon. C. Imbert: Mr. Deputy Speaker, this question asked about cargo, fishing vessels and crew, I would not want to make any definitive statement about cruise ship vessels at this time. I am sure that that question can be posed in due course, but I would not want to speak out of turn because the question posed to the Prime Minister speaks to cargo and fishing vessels and crew.

Mr. Deputy Speaker: Member for Caroni East.

Dr. Gopeesingh: Yes, Mr. Deputy Speaker. Hon. Acting Prime Minister, you would see the question says "cargo as well as ships", and it is in that context I asked you about passenger ships and you are evading the question.

Shortage of N95 Masks

(Reasons for Sending Masks to China)

Ms. Ramona Ramdial (*Couva North*): Thank you, Mr. Deputy Speaker. Given there is a shortage of N95 masks, could the Acting Prime Minister indicate why the Government sent 13,000 N95 masks to China?

The Acting Prime Minister and Minister of Finance (Hon. Colm Imbert): Mr. Deputy Speaker, I am advised that the question is based on a false premise. It was not the Government that sent that donation of masks to China, it was the private sector. So the question is based on a false premise. However, I am advised by the Minister of Health that there is no shortage of N95 masks in the public sector. And I want to repeat that the 13,000 masks were sent by the private sector, not the Government.

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

Ms. Ramdial: Minister, are you aware that it is your Minister of Foreign and Caricom Affairs, Minister Dennis Moses, who made that statement to the media where he said 13,000 N95 masks were sent to China to help? [*Crosstalk*] He did not say the private sector. [*Crosstalk*]

Mr. Deputy Speaker: Prime Minister, please. [*Crosstalk*] Please. Please.

Hon. C. Imbert: Mr. Deputy Speaker, I do not know why the Member wants to ask and answer the question. The fact of the matter is that there is no statement by any Government Minister that the Government sent masks to China. The fact of the matter is masks were sent and they were sent by the private sector.

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

Ms. Ramdial: Mr. Deputy Prime Minister, are you aware in an article dated Wednesday, February the 12th, 2020, a *Guardian* article, Minister Dennis Moses was quoted as saying 13,600 masks were sent to China to help combat the COVID virus?

Hon. C. Imbert: Firstly, Mr. Deputy Speaker, there is no such post as Deputy Prime Minister, so I am not the Deputy Prime Minister. And, secondly, that comment made by the hon. Member refers to a newspaper article which may or may not be accurate, but even, let us assume it is, that does not indicate that the

Government sent the masks. [*Desk thumping*] And I want to reiterate my information that the masks were sent by the private sector. [*Crosstalk*]

Mr. Deputy Speaker: I recognize the Member for Caroni East.

Dr. Gopeesingh: Hon. Acting Prime Minister, in your statement a while ago that the State could be assured that there is no shortage of these masks, could you give an indication to the House what is the quantity that you may have available for use by health care personnel and workers, all together?

Hon. C. Imbert: Firstly, Mr. Deputy Speaker, I did not say any of the things that the hon. Member said I said. I said there is no shortage in the public sector. I find this a little strange what is happening today. The Member for Couva South clearly is aware that the Minister of Foreign and Caricom Affairs referred to a shipment of masks not a Government shipment but mixing up, and now the Member for Caroni East, or whatever it is, is now putting words in my mouth.

I want to repeat, I have been advised by the Member for St. Joseph, the hon. Minister of Health, there is no shortage of masks in the public sector. I am advised by the Minister of Health there are 23,000 masks in stock and 25,000 additional masks are on the way and are expected to arrive in Trinidad and Tobago within the next week or so.

Mr. Deputy Speaker: Supplemental, Caroni East.

Dr. Gopeesingh: When you say "in stock", Acting Prime Minister, is it held by the Ministry of Health and given to the regional health authorities or where is it stockpiled?

Mr. Deputy Speaker: I would not entertain that question at this time. You can use otherwise. Member for Tabaquite.

**Arrival of Persons at Cedros, Chaguaramas and Brighton Ports
(Surveillance Measures for Coronavirus)**

Dr. Surujrattan Rambachan (*Tabaquite*): Thank you, Mr. Deputy Speaker. Could the hon. Acting Prime Minister state what specific checks for the coronavirus are being done and by whom on persons arriving at Cedros as well as Chaguaramas and Brighton ports?

The Acting Prime Minister and Minister of Finance (Hon. Colm Imbert): The enhanced surveillance that I referred to in the answer to the first question which includes examination of the passenger and crew manifest, examining the full travel history of passengers and crew and also visits by port health to the vessels, examination of the declarations made by the captain, interviews with the ship's doctors, and so on, all of those enhanced surveillance measures are in place at all legal ports of entry.

Mr. Deputy Speaker: Supplemental, Tabaquite.

Dr. Rambachan: Is the Acting Prime Minister absolutely and unequivocally certain that there is port health authority, for example, in Cedros and that checks are being done in Cedros even with respect to the boats that are arriving from Venezuela with scrap iron?

Hon. C. Imbert: I could only go on what I am told by the relevant officials. I have to report how what is told to me by the Minister of Health, the Minister of National Security, and so on.

Mr. Deputy Speaker: Supplemental for Naparima.

Mr. Charles: I thank you. Could the Minister then indicate how many vessels have been checked at Cedros over the past 72 hours and by whom?

Hon. C. Imbert: Thank you, Mr. Deputy Speaker. I had not yet developed those superhuman powers of detection, but I will get the answer.

Mr. Deputy Speaker: Member for Tabaquite, you have a supplemental again?

Dr. Rambachan: Yes.

Mr. Deputy Speaker: Member for Tabaquite.

Dr. Rambachan: My question asked by whom were the checks being done. Is the Acting Prime Minister aware that the CMOH for Siparia, in the Siparia Regional Corporation area, had asked for quarters at Cedros in order to house persons to do checks and that those quarters were not provided, and therefore there are no personnel from the CMOH doing checks in Cedros?

Mr. Deputy Speaker: And the question is?

Dr. Rambachan: Is the Acting Prime Minister aware?

Hon. C. Imbert: I think it is a bit of a stretch, Mr. Deputy Speaker, to expect me to be aware of that. I am not aware.

Coronavirus Inter-Ministerial Committee

(Establishment of)

Mr. Barry Padarath (*Princes Town*): Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, through you to the Acting Prime Minister: Could the Acting Prime Minister indicate whether the Cabinet has considered establishing an inter-ministerial committee to address specific plans related to treating with the Coronavirus, now COVID-19, should it reach our shores?

The Acting Prime Minister and Minister of Finance (Hon. Colm Imbert): Thank you very much, Mr. Deputy Speaker. Yes, as already announced by the Minister of Health, a ministerial, or an inter-ministerial committee has been appointed. The committee is chaired by the Chief Medical Officer and includes representatives from various arms of National Security, the protective services, the Ministry of Education, the Ministry of Labour, the Ministry of Social Development, the Ministry of Tourism, the Ministry of Finance, Maritime Services Division, the Airports Authority, Civil Aviation Authority, Port Authority, the Tobago House of Assembly, the ODPM and TEMA, and the committee has

already held its first meeting on the 5th of March.

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

Mr. Padarath: Thank you, Mr. Deputy Speaker. Through you to the hon. Acting Prime Minister, Prime Minister, could you indicate whether or not it is the remit of the committee to start engaging stakeholders with respect to consultations on pursuing matters related to being prepared in anticipating whether or not the coronavirus reaches our shores in terms of stakeholder consultations?

Hon. C. Imbert: I am advised by the Minister of Health, yes, of course, that will be done.

Mr. Deputy Speaker: I recognize Caroni East. Princes Town, you will give way? Okay, Caroni East, I recognize.

Dr. Gopeesingh: Hon. Prime Minister, is there any active consideration by the Government or the Ministry of Health to appoint a “point person” who will indicate to the country on a daily basis or on a regular basis if needed, what is the situation of the country in relation to the coronavirus?

Hon. C. Imbert: Thank you very much, Mr. Deputy Speaker. As has occurred over the last several days the official spokesmen and “point persons”, if you want to use that terminology, with respect to this issue are the hon. Minister of Health and the Chief Medical Officer, both of whom have been authorized and are making official statements with respect to the coronavirus situation on a daily basis and also taking responsibility for coordination and action with respect to coronavirus.

Mr. Deputy Speaker: Supplemental, Caroni East, Member.

Dr. Gopeesingh: Would the hon. Acting Prime Minister indicate to the country, as far as the coronavirus testing is concerned whether the Ministry of Health has taken in consideration any other areas other than CARPHA for the testing of the coronavirus—any other laboratories?

Hon. C. Imbert: I am advised by the Minister of Health that at this time CARPHA is the only referenced laboratory for the testing for the coronavirus, even for the private sector. It is the only referenced laboratory that is—I am hearing it could be for other Caribbean countries as well, but in Trinidad and Tobago it is the only referenced laboratory that is authorized and accredited, if you want to use that terminology, to test for the coronavirus. And CARPHA, for those who do not know, because I get this question all the time, where is CARPHA?—CARPHA is at 16-18 Federation Park in Port of Spain.

Mr. Deputy Speaker: Supplemental, Caroni East.

Dr. Gopeesingh: If I would be allowed, Acting Prime Minister, would the hon. Acting Prime Minister indicate to the country what is the capacity and the efficiency of CARPHA to do these testing? Approximately how much would done per day in case there is a surge of testing required?

Hon. C. Imbert: I am advised by the hon. Minister of Health that so far, based on the caseload at this time, the turnaround time is four hours.

Prime Minister's Trip to Ghana

(Details of)

Mr. Rudranath Indarsingh (*Couva South*): Thank you very much, Mr. Deputy Speaker. Could the Acting Prime Minister state the purpose of the Prime Minister's current trip to Ghana, as well as the persons comprising the official delegation?

The Acting Prime Minister and Minister of Finance (Hon. Colm Imbert): Thank you very much, Dr. Deputy Speaker. The hon. Prime Minister, Dr. Keith Christopher Rowley, and also the Member for Diego Martin West, was invited to be the special guest of honour at the 63rd Independence celebrations of Ghana. This is a very high-esteemed honour and was accepted by the hon. Prime Minister.

The Prime Minister is also using this opportunity to pursue a number of collaborative arrangements with Ghana such as an air service agreement and potential expansion of opportunities for partnership in the energy sector, the agriculture sector, the financial services sector and trade.

The delegation includes Mrs. Rowley, the Minister of Public Utilities and his spouse, Dr. Alleyne, advisor to the Prime Minister on matters of agriculture; security officers, the press secretary and a videographer. [*Desk thumping*]

Mr. Deputy Speaker: Supplemental, Couva South.

Mr. Indarsingh: Could the Acting Prime Minister inform this House what is the financial cost to the taxpayers of Trinidad and Tobago, inclusive of support staff?

Mr. Deputy Speaker: I will not entertain that question. Supplemental, Naparima, proceed.

Mr. Charles: Could the Acting Prime Minister indicate why no technical staff, expertise, were part of the mission to inform the discussions that took place or is it another situation like occurred in Houston last year? That—

Mr. Deputy Speaker: Member, which question would you like to be answered?

Mr. Charles: Why no technical support staff accompanied given this level of discussions and the areas of discussion?

Hon. C. Imbert: Thank you very much, Mr. Deputy Speaker. The Member for Naparima is approaching the age which was a subject of query by the Member for Oropouche West [*Desk thumping*] and therefore should know, because I do not buy the argument of the Member for Oropouche West as you approach the age of 70 you have some faculty, intellectual faculty problems; I do not buy that argument. But the Member for Naparima is approaching the age of 70 and therefore should be very familiar with the esteemed Dr. John Alleyne, [*Desk thumping*] a renowned agriculturalist and technical expert in agriculture, and I just called his name, Dr.

Alleyne, advisor to the Prime Minister on matters of agriculture. I want to repeat, Dr. Alleyne is a distinguished technical expert in agriculture, world-renowned.

[Desk thumping]

Mr. Deputy Speaker: Supplemental, Member for Naparima.

Mr. Charles: Is the Acting Prime Minister aware that I am younger than his Prime Minister, his boss, to whom he reports? And the question is, since energy matters were a significant component of the discussions what does an agricultural expert have to do with the energy matters that are critical to this economy? *[Desk thumping]*

Hon. C. Imbert: Allow me, Mr. Deputy Speaker, to correct the record. What I find today is that Members opposite are making up their own reality. I never said that energy was a major component of the visit. What I said is that the Prime Minister is taking the opportunity whilst in Ghana to be the guest of honour at the 63rd anniversary celebrations of Ghana, which is a distinct honour, while he is there accepting that honour, he is taking the opportunity to explore cooperative and collaborative arrangements in a number of areas, and I listed them: agriculture, financial services, trade and energy. At no time did I say a major thrust of the Prime Minister's visit was to deal with matters relating to energy.

What I want to repeat is that the Prime Minister has specifically taken Dr. John Alleyne, advisor on agriculture, and if the hon. Member was reading the newspapers he would see that there has already been a news report that Trinidad and Tobago is to benefit from a new stock of ground provision from Ghana *[Desk thumping]* which is clearly as a result of the technical assistance provided by Dr. John Alleyne. *[Desk thumping]*

Mr. Deputy Speaker: Member for Naparima.

Mr. Charles: Given the wide range of areas discussed and the fact that we ran

into problems with respect to bad negotiations in Houston last year, why only in agriculture do we have the necessary expertise and why not the other areas that are also important?

Mr. Deputy Speaker: I will not entertain that question. Member for Couva South.

Mr. Indarsingh: Thank you, Mr. Deputy Speaker. Mr. Acting Prime Minister, given the presence of the Minister of Public Utilities on this official delegation, could you indicate to this House if any memorandum of understanding will be signed between the Government of Ghana and Trinidad and Tobago to improve the water supply in this country which citizens have been suffering for over the last five years?

Mr. Deputy Speaker: I would not entertain this question at this time. I recognize the Member for Oropouche East.

Guyana Elections

(Recognition of Granger Administration)

Dr. Roodal Moonilal (*Oropouche East*): Thank you very much. [*Desk thumping*]
To the Acting Prime Minister: Having regard to the recently concluded elections in Guyana, can the Acting Prime Minister confirm whether or not this Government has recognized the Granger administration as the new government of Guyana?

The Acting Prime Minister and Minister of Finance (Hon. Colm Imbert): Mr. Deputy Speaker, it may very well be that the Member for Oropouche East has better information than the Office of the Prime Minister of the Republic of Trinidad and Tobago. We in Trinidad and Tobago in the Office of the Prime Minister have not yet been informed as to the nature of the new Government of Guyana. As far as I call tell from anecdotal information and informal reports, that matter is still being determined, and since it is still being determined the question is

premature. [*Crosstalk*]

Mr. Deputy Speaker: I recognize the Member for Chaguanas West.

Mr. Singh: Thank you very much, Mr. Deputy Speaker. [*Crosstalk*]

Mr. Deputy Speaker: Please.

Mr. Singh: Mr. Deputy Speaker, is the hon. Acting Prime Minister aware of a joint statement released by the heads of mission of the United States, Britain, Canada and the European Union about credible allegations of fraud in the elections in Guyana and they have called upon the incumbent president Granger to avoid a transition of Government which they believe would be unconstitutional—

Mr. Deputy Speaker: Question please, Member.

Mr. Singh:—and would be based on a vote tabulation process that lacked credibility and transparency? Is the Prime Minister aware of this position of our significant allies?

Mr. Deputy Speaker: I will not entertain that question at this time. Supplemental, Oropouche East, proceed.

Dr. Moonilal: Thank you very much. Hon. Acting Prime Minister, in light of the statements by significant nations regarding this election, is the Government of Trinidad and Tobago prepared at well to issue a statement based upon developments in Guyana where they have now arrived at a conclusion that the electoral process was indeed fraud?

Mr. Deputy Speaker: I will not entertain that question. Member for Naparima.

Mr. Charles: Yes, thanks. Mr. Acting Prime Minister, given that Caricom has issued a statement indicating that they are dissatisfied with the results of the election, as indicated by the Prime Minister Granger, what is the position of our Government with respect to the Caricom statement on the matter?

Mr. Deputy Speaker: Hon. Acting Prime Minister.

Hon. C. Imbert: Firstly, I would not accept anything that the Member for Naparima says without checking it first, firstly; and, secondly, unlike the UNC, the PNM does not interfere in the internal affairs of another sovereign state. [*Desk thumping*]

Mr. Deputy Speaker: Supplemental, Oropouche East.

2.00 p.m.

Dr. Moonilal: Thank you very much, Acting Prime Minister, for the statement that the Government will not interfere. Are you aware that a Minister in your Government has already pronounced on this matter? [*Desk thumping*]

Hon. C. Imbert: No.

VAT Bonds

(Status of)

Mr. Barry Padarath (*Princes Town*): Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, to the hon. Acting Prime Minister: Could the Acting Prime Minister indicate a definitive date when the first tranche of VAT bonds would be made available since he publicly stated that it would be done in the first quarter of 2020?

Mr. Deputy Speaker: Acting Prime Minister.

The Acting Prime Minister and Minister of Finance (Hon. Colm Imbert): Consistent with my public statement, the target date is the end of the first quarter in 2020.

Mr. Deputy Speaker: Supplemental, Princes Town.

Mr. Padarath: Mr. Deputy Speaker, I think that the hon. Acting Prime Minister got the question wrong, because it asked for a specific definitive date, and you indicated that it would come in the last quarter. Your answer does not give us a definitive date, and that is what the question is asking. So I am asking for a

definitive date. [*Desk thumping*]

Mr. Deputy Speaker: Right, so your question is a definitive date?

Mr. Padarath: Yes.

Mr. Deputy Speaker: Your supplemental? Acting Prime Minister.

Hon. C. Imbert: Mr. Deputy Speaker, as far as I know the end of the first quarter is the 31st of March. As far as I know, and therefore I repeat, the target date for the issue of interest bearing Government bonds to deal with VAT arrears is the end of the first quarter, which is the 31st of March. That is the target date.

Mr. Deputy Speaker: Princes Town, will you give way to Caroni East or—

Mr. Padarath: Yes.

Mr. Deputy Speaker: I recognize the Member for Caroni East.

Dr. Gopeesingh: Would the Acting Prime Minister indicate what would be the value of the first tranche of bonds? And what would be the total value of the bonds?

Mr. Deputy Speaker: Let me hear the first question.

Dr. Gopeesingh: The question I asked, the first tranche, I am asking what would be the value of the first tranche of the bonds and the total value of all the bonds?

Mr. Deputy Speaker: I would not entertain that question also.

Dr. Gopeesingh: I was asking what was the first tranche of the bonds. It was incorporated in the question?

Mr. Deputy Speaker: You were asking two questions, which question—ask it again, please.

Dr. Gopeesingh: The first one, what is the value of the first tranche of bonds?

Mr. Deputy Speaker: Acting Prime Minister.

Hon. C. Imbert: Thank you very much, Mr. Deputy Speaker. You know, there is a general rule that you should not ask questions that where the answer is available

in the public domain. And if the hon. Member was here, which I think he was, because he asked me a supplemental, when the Member for Pointe-a-Pierre asked me the exact same question. I told the Member for Pointe-a-Pierre and the hon. Member for Caroni East, that the first tranche is going to be \$1 billion. I already said that. It is reported in the papers. It is reported in the *Hansard*. So why ask the question?

Mr. Deputy Speaker: Chief Whip, your—Member for Pointe-a-Pierre.

Reciprocating Gas Compressor Trains

(Purchase of)

Mr. David Lee (*Pointe-a-Pierre*): Thank you, Deputy Speaker, to the hon. Prime Minister. With respect to the purchase of three (3) reciprocating gas compressor trains by the National Gas Company (NGC) sometime between 2016 and 2018, could the Acting Prime Minister state what was the total cost of this purchase, known as the Beachfield Project?

Mr. Deputy Speaker: Acting Prime Minister.

The Acting Prime Minister and Minister of Finance (Hon. Colm Imbert): Thank you very much, Mr. Deputy Speaker. I am advised that the total cost of purchase of the three reciprocating compressors was US \$14 million. These compressors were intended to guarantee a steady supply in the domestic market in the Cassia Field if the bp TROC compression went down. However, bp has de-sanctioned the Cassia Compression Project and it is no longer required. As such, NGC is in the process of sending out proposals for an entity to purchase the compressors.

Mr. Deputy Speaker: Supplemental, Member for Chaguanas West.

Mr. Singh: Thank you. Could the hon. Acting Prime Minister indicate this cost of purchase of these compressors and—okay. [*Interruption*] I did not pay

attention.

Mr. Deputy Speaker: Clerk, go ahead.

URGENT QUESTIONS

Mr. Deputy Speaker: Proceed. National Security. Minister of National Security.

Hon. Member: What!

Mr. Deputy Speaker: Sorry, I went ahead. Urgent questions. Couva South, Member for Couva South.

Coronavirus

(Details of)

Mr. Rudranath Indarsingh (*Couva South*): Thank you very much, Mr. Deputy Speaker. To the Minister of Health: Could the hon. Minister confirm or deny reports that a female national has tested positive for the corona virus at a private medical institution on the 05th of March, 2020 and is currently in quarantine at the Caura Hospital?

Mr. Deputy Speaker: The Minister of Health.

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, I have asked the national community and all parties to come together on the issue of COVID-19, and that we should all be responsible: Government, Opposition, unions, media, business.

No matter what I say in the public domain, Members—one or two Members, not all, because there are some very responsible Members opposite on this COVID issue, but there are some who insist on inviting this virus into Trinidad and Tobago. Let me say categorically for the umpteenth time, according to the Ministry of Health's bulletin No. 4—we now send out bulletins twice a day—there have been 30 tests done at CARPHA which is non-political. To date there are no positive tests. The question asked about somebody in quarantine at Caura. Mr.

Deputy Speaker, there is no one, not man, woman, child, national, foreigner, UNC, PMN, union, business, there is no one at Caura under quarantine. I do not know how else to say it, especially to Devant Maharaj who takes instructions from the Member for Siparia. [*Desk thumping*] How else to get the irresponsible Members opposite, and there are some who are responsible. Let me say that. [*Interruption*] Caroni East is responsible, Barataria/San Juan is responsible, but there are some Members—[*Interruption*]

Mr. Deputy Speaker: Members! [*Interruption*] Members! [*Interruption*] Have your seat. Please! Hon. Member, a question was asked and the Minister is answering the question. Please! Please, let us maintain the decorum!

Hon. T. Deyalsingh: Thank you—

Mr. Deputy Speaker: Your time is up, Mr. Minister. Thank you. Supplemental, proceed.

Mr. Indarsingh: Mr. Deputy Speaker, at the risk of being chastised and “buffed” up, and the Minister losing his cool in this Parliament, could the Minister—

Mr. Deputy Speaker: Member, one second. One second! You have a question.

Mr. Indarsingh: Mr. Deputy Speaker—[*Crosstalk*]

Mr. Deputy Speaker: No, no, no.

Mr. Indarsingh: I am responding as a Member of the Opposition—[*Crosstalk*]

Mr. Deputy Speaker: Member, listen! Listen! Member, as you are fully aware, as you are fully aware, you have a preamble to your question, I would respect that you so oblige.

Mr. Indarsingh: Thank you, Mr. Deputy Speaker. Mr. Minister, given the impact upon the financial system as it relates to the coronavirus, the global financial system, could the Minister of Health guarantee the population of Trinidad and Tobago that there would be an adequate supply of medication into Trinidad and

Tobago given what is unfolding worldwide?

Hon. T. Deyalsingh: Mr. Deputy Speaker, the question betrays a total misunderstanding, and I use the word “ignorance” to mean lack of information. And you have two doctors, three doctors on your bench, speak to them before you ask technical questions. [*Interruption*] There is no specific treatment, there is no cure, there is no vaccine for COVID-19. We have in stock, as your Member for Caroni East would know, Fyzabad and Barataria/San Juan who could advise you that you treat flu like symptoms, whether it is H1N1, Influenza B, or COVID symptomatically. So, for instance, if the person has shortness of breath you would give them bronchodilators and oxygen. We have that. If their blood pressure is dropping, you give them medication to do that. There is no specific silver bullet drug, pill, tablet, injection, vaccine anywhere in the universe, Mars, Saturn, Uranus, Jupiter, the sun or the moon, to treat with coronavirus. You treat the patients symptomatically, and you support them, and your colleague right next to you could tell you that, and Caroni East could tell you that. And for those medications which are not specific to COVID-19, we have more than ample stock, and as I have said in the public domain, in case we run out, being a signatory to WHO and a financial member, we have we access to PAHO’s strategic stock in Panama for PPE and supportive medication, if and when required. Thank you very much, Mr. Deputy Speaker. [*Desk thumping*]

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

Mr. Indarsingh: Mr. Deputy Speaker, the enquiry was based on the fact that this virus has impacted upon already approaching 100,000 confirmed cases, 3,000-plus deaths, and it had nothing to do with treating the flu-like symptoms and so on. It was based on our concern on behalf of a population 1.3 million people [*Desk thumping*] whether the medical system will have a supply of drug such as insulin

and other related drug for the benefit of the population of this country? That is all.

Mr. Deputy Speaker: You answered already? Minister of Health.

Hon. T. Deyalsingh: But, Mr. Deputy Speaker, you do not use insulin to treat COVID-19. [*Crosstalk*]

Mr. Deputy Speaker: Please!

Hon. T. Deyalsingh: How uninformed can the Opposition be? Insulin is used to treat diabetes. If a COVID-19 person, like any other person, needs insulin they will get insulin. But insulin is not specifically used to treat COVID-19. Could Caroni East, Fyzabad and Barataria/San Juan please save the blushes of this Opposition, which clearly, clearly, does not know the first thing about COVID-19, but is intent on bringing it here and bringing panic to Trinidad and Tobago. Please assist the Member for Couva South, please assist Devant Maharaj, who acts on behalf of the UNC on social media. I beg of you the responsible people next door, Fyzabad, Caroni East, Barataria/San Juan, those three have been responsible so far. Thank you very much, Mr. Deputy Speaker.

Mr. Deputy Speaker: Next question, Member for Tabaquite. [*Interruption*]
Member for Tabaquite. Member for Tabaquite!

Dr. Rambachan: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker: Next question, please.

Coronavirus

(Training Measures in Place)

Dr. Surujrattan Rambachan (Tabaquite): Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, the sentence here is badly constructed with a “lil” typo, so I would read it correctly. Could the Minister—

Mr. Deputy Speaker: Why do you want to read—

Hon. Member: You “cyar” change it.

Dr. Rambachan: All right, I will read it as it is you know, but I want to state that it is not my mistake.

Mr. Deputy Speaker: Once again, remember the questions would have gone out to the Government already. Once it is that the Minister is in a position, kindly proceed.

Dr. Rambachan: Read it with the mistake?

Mr. Deputy Speaker: Well, no. Make the slight correction you want to, but again you will have to ensure that the Minister can answer.

Dr. Rambachan: Okay. Could the Minister indicate what training programmes have been instituted, and when, for health workers in hospitals who have to deal with coronavirus cases?

Mr. Deputy Speaker: The Minister of Health, you are in a position?

Hon. T. Deyalsingh: I will answer it.

Mr. Deputy Speaker: Proceed.

The Minister of Health (Hon. Terrence Deyalsingh): I will answer it. Mr. Deputy Speaker, I have been at pains to tell the national community that we are not training people specifically for COVID-19. As Caroni East will know, as Fyzabad will know, as Barataria/San Juan will know, training is an ongoing activity every month.

As they would know, you start to train at the start of every flu season. So, yes, we started training in October. What we had done with the training, because of the increased lethality of COVID-19 we have adapted the training using the standard operating procedure. So, we have customized for COVID-19. We have taught first responders on the case definition to look out for signs and symptoms. We have trained them for clinical management, we have trained them for IPC, infection prevention control, we have trained them how to put on and take off PPE,

and I must congratulate—and I have said it publicly, I congratulated the UNC for building the four-bed quarantine unit at Caura. And we have now improved on it, and another Minister of Health sometime in the future would benefit from your work and my work. That is how we deal with these things, non-politically. We have improved the stations for health care workers to put on their PPE and take it off, which was not there before. We have new safety measures and enhanced measures at Caura, enhanced port health training, and we have done retraining to transport suspected cases or confirmed cases.

As a matter of fact, GMRTT showed the public on Wednesday their isolation pod where somebody could be isolated within an ambulance system. So all of these are a combination of two things, one, standard operating procedures which we implement every flu season, from October, as Fyzabad will know, as Caroni East will know. But we have customized it and tailored it because of the lethality of COVID, which is about 30 times more lethal than H1N1 or Influenza B. So that is what we have done to secure the health and safety of our health care workers, and this is done at the RHAs. I cannot give you an exact figure for the number of persons trained. But each RHA under the guidance of the Chief Medical Officer will pull a cadre of first responders.

Mr. Deputy Speaker: Member. Minister, your time is up.

Hon. T. Deyalsingh: Thank you very much.

Mr. Deputy Speaker: Member for Laventille West, please? Please! Member for Mayaro.

Customs and Excise Division

(Bonding of Packages)

Mr. Rushton Paray (*Mayaro*): Thank you very much, Mr. Deputy Speaker. To the Minister of Finance: Given the public outcry by the business sector regarding

the inability of Customs and Excise to properly manage the “bonding” of all packages in the Express Logistics sector, could the Minister state whether he will reconsider this instruction until the Customs and Excise Division is properly resourced to do so?

The Acting Prime Minister and Minister of Finance (Hon. Colm Imbert):

Thank you very much, Mr. Deputy Speaker. I noticed today the questions are based on a number of false premises. There were no instructions by the Government to do this. I just want to make that crystal clear. The Government and the Minister of Finance did not instruct Customs to do anything with respect to what is known as the Express Release Consignments. What has happened, it appears, and I am now in the process of getting all the facts, what has happened, Mr. Deputy Speaker, is that apparently in 2011 or 2010, in the 2011 budget statement, the then Minister of Finance, Mr. Dookeran, had made a statement in the budget statement that goods, consignments of \$20,000 or less, or under \$20,000 would not require a formal customs entry.

In that statement he also said this not require an amendment to the Customs Act. It appears, based on preliminary research, that he was not correct. It does appear, that it did require an amendment to the Customs Act. That amendment was never made. So that what the Customs has done, which is I have received a report and I will ask further information, what the Customs has done is enforce the law. The law requires both an entry and a declaration. What is happening now with express consignments, the courier system, is that the courier services are now required to prepare an entry, which they were not doing before, and that is where the problems has arisen.

So that I have asked the Customs and Excise Division to explain to me exactly what is happening, what was done over the last 10 years or so, what are the

consequences and implications of what they are doing. We are looking at it from both sides: One side the ease of doing business, the other side we would want to avoid leakage of revenue and importation of illegal items. Because you have to understand that if there is no customs entry, the information is not being put into the computerized ASYCUDA system, making it virtually impossible for customs to do random checks and to check the manifest and so on to see exactly what the items are. So there is a problem, so we are looking at it from both sides to assist the businesses and also to make sure there is no revenue leakage and no open door for contraband items to come through under the guise of express consignments.

Mr. Deputy Speaker: Supplemental, Member for Mayaro.

Mr. Paray: Thank you very much, Mr. Deputy Speaker. Minister, taking into consideration what you have now said, the fact that we have collapsed on our ease of doing business index from 75 to 105, and this further delay now in terms of these packages, consignments for small business, can any intervention by the Government in terms of staying that decision taken by Customs and Excise to reduce the pressure that these small businesses are facing until the relevant adjustments can be made sometime in the future, rather than waiting now and putting a little more pressure on small business?

Mr. Deputy Speaker: Members, the time has elapsed but I will entertain the Minister of Finance for a response.

Hon. C. Imbert: Yes, Mr. Deputy Speaker, the fact that this has become a controversial issue was only really brought to the fore yesterday when a number of business organizations had a press conference. Prior to that there was no direct interventions or no direct entreaty towards the Minister of Finance. There were discussions apparently at a lower level between the business organizations and the Customs. The fact of the matter is we need to be very careful, understand what is

going on here. Prior to the 2011 budget, the value, the threshold for small items, small consignments that do not require formal entry was \$1,000. It was strangely and mysteriously moved from \$1,000 to \$20,000, just so. There is no science to it. And if you think about it, what we are being told is that some firms, not all, would bring in multiple shipments of \$19,000; 10 shipments, 20 shipments all valued \$19,500 to avoid the customs entry procedure, and that is creating a problem. So there are real problems here, we need to be careful, I do not intend to rush. I do not intend to take any kind of hard position on this. I understand the difficulties that the business community is talking about. I understand, but we need to be careful. It is not something to have a knee-jerk reaction and just jump into it. It is my intention sometime towards the end of next week, after I gather all the necessary information, to have a meeting with the courier services to see if we could reach some sort of amicable resolution to this matter.

Mr. Deputy Speaker: Thank you, Minister of Finance.

ORAL ANSWER TO QUESTION

The Minister of Health (Hon. Terrence Deyalsingh): Mr. Deputy Speaker, there is one question for oral response. It will be answered, and there are no written questions for responses. Thank you.

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

Trinidad and Tobago Television Limited

(Status of)

36. Mr. David Lee (*Pointe-a-Pierre*) asked the hon. Minister of Communications:

With regard to the stated efforts to ensure that the Trinidad and Tobago Television (TTT) Limited Channel remains viable, could the Minister state whether there are plans to reduce the number of staff this year?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, there are no plans to reduce the size of the workforce at TTT at this time. Thank you very much.

ADMINISTRATION OF JUSTICE

(ELECTRONIC MONITORING) (AMDT.) BILL, 2020

Bill to amend the Administration of Justice (Electronic Monitoring) Act, 2012 [*The Minister of National Security*]; read the first time.

JOINT SELECT COMMITTEE REPORT

PRIVATE SECURITY INDUSTRY BILL, 2019

(Adoption)

The Minister in the Ministry of the Attorney General and Legal Affairs (Hon. Fitzgerald Hinds): Thank you very much warmly, Mr. Deputy Speaker, I beg to move the following Motion standing in my name:

Be it resolved that this House adopt the Report of the Joint Select Committee appointed to consider and report on the Private Security Industry Bill, 2019 in the Fifth Session, Eleventh Parliament.

Mr. Deputy Speaker, you will recall that sometime in October of last year the Government presented to this House a Bill entitled the Private Security Industry Bill, 2019. When we so presented that Bill, Mr. Deputy Speaker, we had little interaction upon it in this House, and we asked that it be sent to a joint select committee. Mr. Deputy Speaker, that would have come as another instalment in this Government's genuine well thought out attempts to deal with the burgeoning crime situation that afflicts and continues to threaten the people of, and conceptually, Trinidad and Tobago. Mr. Deputy Speaker, that would have come after widespread consultations involving the regional body which we call Caricom IMPACS, full name, Caribbean Implementation Agency for Crime and Security. It

would have come after consultations with the very important Estate Police Association, the association of security companies, the security firms themselves and others.

I recall we had two symposia on those matters, one was sponsored by Caricom IMPACS. This would have come against the backdrop of the fact, Mr. Deputy Speaker, that the records that the Office of the Attorney General and Legal Affairs would show that we began formally dealing with the idea of regulating private security as far back as 1989. There are records in the Office of the Attorney General revealing that. When I served as a Minister in the Ministry of National Security between the years 2002—2005, the then Minister of National Security understood the importance of regulating the industry, and it was a major plank in his efforts to deal with the burgeoning crime problem even at that time. This would have come against the backdrop of the fact that the Member for St. Augustine, once holding the office as Minister of Legal Affairs proudly and accurately told us, that he did quite some work to advance these thoughts for its eventual presentation by this Government in October or thereabout of 2019.

This followed, Mr. Deputy Speaker, the action in the Cabinet, which sent to the Legislative Review Committee this Bill, the Private Security Industry Bill, 2019 the Supplemental Police (Amdt.) Bill, 2019, and the Supplemental Police (Amdt.) Regulations, 2019. The last two of those three, the Supplemental Police (Amdt.) Bill and the Supplemental Police (Amdt.) Regulations were necessary because as a result of the measures in this attempt to regulate the private security industry, it impacted the Supplemental Police Act and the Supplemental Police Regulations. In the main, Mr. Deputy Speaker, some of the responsibility of the Commissioner of Police under the Supplemental Police Act and the Supplemental

Police Regulations, which would have oiled the wheels of that Act which fell to the Commissioner of Police, with the introduction and the establishment of an authority to regulate private security, that latter authority would have taken over some of the responsibility that the Commissioner of Police had in superintending, in administering the supplemental police in Trinidad and Tobago.

As a consequence, and in recognition of that, Cabinet referred to your Joint Select Committee those matters, and they too won our attention. The membership of your Committee, Mr. Deputy Speaker, on this matter consisted of yours truly; Mr. Stuart Young, Member of Parliament; Madam Glenda Jennings-Smith, Member of Parliament; Brig. Gen. Ret. Ancil Antoine, Member of Parliament; my very good friend Mr. David Lee, Member of Parliament; Dr. Roodal Moonilal, Member of Parliament; Sen. Clarence Rambharat; Mr. Nigel De Freitas; Mr. Foster Cummings; Mr. Saddam Hosein; Mr. Paul Richards and Mr. Varma Deyalsingh; a really all-embracing bi-party, bipartisan if you like, and inclusive of independence, a committee of persons who I might say, as the Chairman of that Committee, who all distinguished themselves.

2.30 p.m.

Many—I must say, the Member for Oropouche East, he reminded us, for those who forgot, that he had done research into this area in other dispensations and brought to bear some of that experience on that Committee which the Committee is all about. We were ably supported in that work by Ms. Sheranne Samuel as our Secretary; the indomitable, hard-working Jacqui Sampson-Miguel as Secretary as well; Ms. Renee Batson, Assistant Secretary; and Krystle Gittens, a Graduate Research Assistant, and they deserved this Parliament's genuine commendation for their contributions to this work. [*Desk thumping*]

Mr. Deputy Speaker, during the Fourth Session, your Committee held 11 meetings on various days treating with these issues as you, the larger Parliament, had mandated us to do. In the course of our deliberations, we sought and received written submissions from the Air Support Tactical Security Limited; Allied Security Limited; Amalgamated Security Services Limited, three operators in the platform of private security; the American Chamber of Commerce of Trinidad and Tobago (AMCHAM); the Association of Security Companies of Trinidad and Tobago otherwise called ASCOTT, Estate Police Association of Trinidad and Tobago (the EPA) made fulsome submissions and contributions; Imjin Security Services Limited; Sygate Security Agency Limited; and, of course, the National Maintenance Training and Security Company Limited, our well-known MTS, a large player in the business as a state enterprise in the business of private security. And, of course, we did not limit it to that, we sought and received written submissions and they made an oral presentation to us, the Montreux Document Forum out of the Geneva Centre for Security Sector Governance.

The Montreux Document is not a treaty, Mr. Deputy Speaker, but it is a document which is signed onto by now about 52 nation states of this world and they are particularly concerned and have a lot of documentation following tremendous, intellectual work and research into the business of private security services and private armies, some of which operate in theatres of conflict in this world, in this troubled world. So we had the benefit of their international deliberations on the matter. Suffice it to say, in the view of all members of the Committee, and I venture to speak on our behalf, we had fulsome discussions from a wide cross section of players in the industry and benefited greatly from their thoughts and submissions.

Mr. Deputy Speaker, in the course of these deliberations, a number of key issues came up. So we went through the Bill that we took to the Joint Select Committee clause by clause and allowed every member of the Committee an opportunity to advance his or her thoughts on each of them: concepts, words, meanings in the very Bill. We did that. We were able to identify, very early, some of the key issues that may have stood out for our contemplation and we did identify, I would think, about 35. In fact, not about, 35 issues we identified as germane to the matters in front of us and the 35 issues that may have troubled a particular member or members and it required thought, analysis, and resolution. In fact, Mr. Deputy Speaker, I might tell you that of those 35 issues, 12 of them led to amendments to the Bill that was brought to your Committee. So 12 of these 35 issues led to amendments—some of which you will hear of in a short while—and 23 of those issues were resolved between us in terms of a satisfactory discussion, understanding of the matter, and we were all to see the back of it by way of resolution.

So, Mr. Deputy Speaker, we carried on the work over the period, as I indicated, and we are now before this Parliament again to debate the report of your Joint Select Committee. Mr. Deputy Speaker, we completed that work, and your Committee recommends that the Parliament agree with its proposals for the amendments to the Bill, as I alluded to a while ago, and these amendments are attached at Appendix II to this report. And your Committee further recommends that this Parliament consider and adopt this Private Security Industry Bill as amended. We have attached to this report a consolidated version of the Bill for ease of reference and, of course, all of the deliberations of the Committee are recorded herein.

Mr. Deputy Speaker, this attempt by the Government and the very commendable work of your committee to bring us with the report that is before this honourable House today is based on an understanding that there are about 50,000 or so private security officers, personnel, in Trinidad and Tobago based on information garnered from the Ministry of National Security. They worked either individually or on their own in some cases, and for the most part they work out of 268 private security outfits or firms. Hitherto, they have been unregulated, doing their own thing, complying with the laws, industrial relations laws to the extent that they do, and other laws of Trinidad and Tobago, but not regulated.

One of the ideas in the policy that supported this legislation was a clear understanding that if you have a national security arm of about 16,000 or so uniformed, sworn personnel who stand and vetted, and who stand in defence of the people of Trinidad and Tobago, and you had, as in all other countries of the world, a large private security industry operators, if you could regulate that sector and build bridges between that sector and the national or public national security platform, you would have done very well as a nation in the fight against crime and criminality especially in this world where terrorism is a major issue for our contemplation even as we speak here today in this House.

Parliaments have been attacked, businesses have been attacked, schools, hospitals. No place in this world is safe from the opportunist terrorist, and private security firms and their operators play a critical role in protecting the State in turn. It comes as well against a simple and banal understanding that if you have 50,000 security personnel operating in your jurisdiction, that is a 100,000 extra eyes. I heard the Attorney General talk about eyes everywhere and he is talking about the technology, cameras everywhere, along with other systems which other countries

use to protect itself against crime, and criminals, and terrorists, and those who threaten our well-being and our safety. But even with those cameras, there are rooms where there are monitors, and it takes human eyes to watch those monitors and to put actions and things in place to protect us anyway. So it comes right back to the human eyes.

And with a regulated private security industry, you find yourself and you build bridges between it collaboratively and the state sector, as has happened in other countries, and the country that first and most certainly comes to mind is the State of Israel. Notwithstanding all their other issues and challenges and all of that, insofar as private security is concerned, the private security sector plays a major role in the State of Israel and its protection, it being situated in a place where there is hostility all around, matters that I will not comment upon, but just for stating it as a simple fact. So much so, in that country, private security operators undergo the identical training with the identical weapons and strategies that the army and the police operate by in the State of Israel. So when you encounter a private security officer anywhere in that land, you are effectively encountering a well-oiled, well-armed, equally trained man as if you had encountered a soldier. So, Mr. Deputy Speaker, it also understands that you now have a 100,000 arms and 100,000 legs that could all be mobilized to the benefit of all of the people and the well-being of our citizens here and visitors in Trinidad and Tobago.

Mr. Deputy Speaker, the newspapers are replete with stories from time to time about the efficacy, the efficiency of security officers, private security officers, and sometimes the tragedy that befalls them as they carry out their lawful duties. One horrific incidence comes to mind. In Tobago, recently, we lost a private security officer there. I cannot remember the man's name. I extend condolences

on behalf of this Parliament, and the Government, and the people of Trinidad and Tobago, again but I have a newspaper clipping here, Saturday, November 09, 2019, where a security guard died after being shot during a robbery in Malabar, Malabar Main Road on November the 1st and he died. I read that he was the cousin of a Member of this House and I sincerely extend painful condolences to that Member and that man's family, and this is just one of so many circumstances.

Sometimes these officers out there are not suitably attired, they are not suitably trained, they are not suitably sufficient for the rigours of the job, the dangers of the job that they receive sometimes minimum wages to go to perform. It is hoped that in a regulated environment—and this Bill speaks to that—these circumstances will be addressed. It is hoped that the firms who hire them, operating on a higher regulated standard, Mr. Deputy Speaker, will commit offences, breaches of this law if they fail to equip, and they fail to provide them with the equipment, and the uniforms, and the training that they deserve in order to carry out the work that they must carry out. So in the main, I am saying that this Bill is not for the benefit of the Government per se, it is not for the benefit of my friend from Pointe-a-Pierre or the Opposition. It is for the benefit of the industry, it is for the benefit of the people of Trinidad and Tobago who are serviced by that industry. And all the stakeholders that I identified who came before us had an opportunity to contribute to these deliberations, and the Bill before you, Mr. Deputy Speaker—I will get into one or two of the areas very, very shortly—takes into account all of these matters.

Mr. Deputy Speaker, I recall when I piloted that legislation, the daily *Express* of Friday the 10th of May, 2019, in its editorial on that day under the rubric tightening up on security firms, expressed several valuable opinions therein. But

they concluded that editorial—and I simply say it for the record, and for me as Member of Parliament, to put on the record my admiration and my appreciation. You know, sometimes as politicians, we do not always agree with the editorials, the opinions of those who write them, but on this occasion, I found happy agreement and I would like to place on record the last paragraph of that editorial of that day which reads as follows, and I quote:

“It is plainly unsatisfactory to tolerate security businesses that are casual about acceptable employment practices, provision of training and certification, proper and safe equipment, insensitive to women’s needs, and not answerable for public complaints. The new bill, worthy of support by all in Parliament”—the emphasis was mine—“will set rules and standards for the security sector, and provide for sanctions against violators. Seeing all that is to be rectified, the question at once prompted is: what took the authorities so long?”

In answer to that question, Mr. Deputy Speaker, not by way of excuse but by way of explanation, I would say to the opinion writers in the *Express* it took us this long, including up to today, because we had to involved all of the stakeholders as we did in your committee, we had to hear the views and the intellect of the Member for Pointe-a-Pierre, we had to hear the views and the intellect of the Member for Oropouche East, and we had to hear the views of all else who participated in this, and I might tell you happily, Mr. Deputy Speaker, we had those views. We benefited greatly from them. There was agreement among us all on every concept, on every word, on every sentence, on every clause. It is not often that you get that, but those were my observations. We proceeded without rancour, without the usual fights that we would have. It was a case of genuine

questioning, wanting intellectual satisfaction to matters misunderstood, and I assure you, as I indicated, in 23 of those 35 issue cases, there was a satisfactory resolution, and I think the members of your Committee, if I might say so, deserve to be commended on that as well. I think so. [*Desk thumping*]

Mr. Deputy Speaker, let me therefore move to some of the provisions of the law that is before us, merely for elucidation so that Members of this Parliament and members of the national community who were not participants in the Joint Select Committee or involved in all of the background work that supported this Bill, may not be immediately aware of and deserve as citizens of the Republic, and as Members of this larger Parliament, to be reminded of. Those like the Brig. Gen. Antoine, he would have participated, he does not need this, but there are some in the national community.

This Bill requires a special majority, Mr. Deputy Speaker, because, as you know, section 4 and section 5 of our Constitution enshrines certain rights and responsibilities on all of us in this constitutional democracy, and the law says, for the most part, when you are going pass measures in this Parliament that are going to touch and concern, and affect or abrogate, in some instances, those rights, you require specified majorities. This Bill is one of them. The reason why this Bill is so described is because it touches the right to liberty, the right to the individual of enjoyment of his property, and the right of the individual in respect of private and family life. In respect of the right to individual liberty, section 4 provides that an:

“...individual shall have the right to liberty...and the right not to be deprived thereof except by due process of law.”

This right would be curtailed by clauses 49 and 59 of this Bill which empowers a security officer and a peace enforcement officer, something that is new by way of

definition, respectively, to detain a person whom he suspects is engaged in a lawful activity or who is committing an arrestable offence. The right of the individual to enjoyment of property is infringed by clauses 28, 29, 49 and 59 of the Bill, which empowers an inspector—an inspector here is a creature of the private security authority, the regulatory authority that this Bill establishes to go out there and to seek and obtain information from actors in the industry, from firms, in order to ensure absolute compliance with the dictates and the measures of this law. So we create this position of inspector and he or she has certain responsibilities, some of which permits him to go into people's otherwise private property, and therefore, it raises the constitutional issue as I have described it. And, of course, section 4(c) provides that:

“...the individual”— shall have the right— “to respect for his private and family life;”

And this right would be affected by one of the clauses here which allows the said inspector to require medical records of security officers and special security officers, two categories under this law.

That might be necessary sometimes if there, for example, Mr. Deputy Speaker, is a shooting incident and it is alleged, for any reason, that he who used the firearm—the security personnel—was under the influence of drink or drugged, then it will be necessary—as happens with police officers—to have that officer tested and checked to see whether the allegation is correct and to see whether, if correct, the impact of his being inebriated or under the influence of drugs would have affected his judgment and his actions in the matter so that a court ultimately or a decision maker could decide whether he acted sensibly, and reasonably, and lawfully as opposed to otherwise.

[MADAM SPEAKER *in the Chair*]

These are some of the matters that are affected by some of the measures in the Bill, Mr. Deputy Speaker, or Madam Speaker and Mr. Deputy, and as a result it requires a special majority. Let me move therefore, to—just let me move therefore to one of those areas for amendment. One of the amendments we proposed coming out of the Committee is an amendment to clause 29, and we are deleting the one that went to committee and we are substituting it with a new clause 29, and 29(1) will say or says:

“An Inspector may, during normal working hours, conduct a random inspection of a proprietary security employer and the security officers and special security officers in the employ of that proprietary security employer for the purpose of monitoring the compliance of the proprietary security employer, the security officers and special security officers with this Act, the Guidelines and the Standards.”

And, of course subclause (2) tells us:

“An Inspector shall not enter any building, or part thereof, in actual use as a dwelling without the consent of the occupier, except under the authority of a warrant issued under subsection (3).”

So here we introduced the need for a warrant, where a magistrate or a Justice of the Peace must be satisfied upon application or approach by an officer or by an inspector, that he has reached a certain standard in order to grant a warrant in order to carry out the investigation of the inspector. Subclause (3) says:

“If a Magistrate is satisfied by the information on oath that there is a reasonable ground for believing that any work performed or any condition existing in such building or part thereof contravenes the provision of this

Act, he may issue a warrant to an Inspector.”

“A warrant”— goes in subclause (4) to say—“issued under subsection (3) shall authorize the inspector named therein to enter the building, or part thereof at any time of the day within one month”—so he is limited by one month—“from the date thereof, accompanied by a police constable...”

Now that, I may pause to say, is significant because the presence of the police—the police has certain powers under the Police Service Act, Chap. 15:01, and in the company of the inspector, if other things are found, like if you go in there to investigate one thing and you find illegal firearms, firearms that are not registered by that security firm for use by that security firm, then the police officer present with the inspector can take possession of those and other actions could ensue.

So let me continue:

“...accompanied by a police constable, to inspect the building or part thereof in exercise of the powers conferred by subsection (1).”

All of this, subsection (5), subsection (6) of that clause 29, really deal with the constitutionality issue because it outlines in great detail what the law identifies to be and what we understand to be due process in satisfaction of the constitutional issue in this. But it requires the majority, and therefore, we offer that for the consideration of Members of this House.

There were other amendments to it. For example, in clause 4, we deleted the words “proprietary security organisation”—that posed particular difficulties—and we replaced that with the term “proprietary security employer”. So we know clearly that the:

““proprietary security employer”” means an individual”—and this is defined in clause 4—“or a body corporate, including a company which is wholly or

partly owned by the government, who employs an individual”— or— “other than an Estate Police employed by the State, a Statutory Authority or State Enterprise, to provide a security service;”

So that is defined along with many other definitions in the law for clarity and a clearer understanding.

We proposed an amendment in clause 85 to Schedule 1 where we say at A in Part I—well, the new item should read Schedule 1, 13:

“A security service operator shall ensure that every dog which it has in its possession...”—because some of these firms have K9 elements and operations and we, in consideration of the importance of treating these animals with the dignity they deserved considering the role they play—

Only a moment ago I was having a private conversation with the Member for Port of Spain North/St. Ann’s West, and he was telling me about the importance of dogs which the defence force has, which the police K9 branch has, which the prisons have, which the Customs has. As you would know, Madam Speaker, we have dogs that are cadaver dogs that could pick up the scent of a deceased human being; we have dogs that could identify the gun powder and the oils that would clean weapons; we have dogs that are specialized in identifying drugs of all descriptions, explosives where you are dealing with terrorists and terrorist activity. So they are very, very important. They are traditionally known as man’s best friends, and this legislation respects their contribution to national security in this anticipated, regulated environment and as such, we show that by saying:

“A security service operator shall ensure that every dog which it has in its possession or control, is provided with adequate and appropriate food, water, shelter, exercise and veterinary care as may be required.”

3.00 p.m.

Having said so, it may surprise you, Madam Speaker, that there are some firms, there are some employers, not only in security, who would not even take the time to provide their staff with some of the basic requirements for human sustenance, and so, Madam Speaker, those are just two of the issues.

I do not propose to be much longer because we have been working, as a nation, on these measures since 1989. We have records in the office, as I said earlier, that shows that. The Member for St. Augustine, as a part of the last governmental administration, tells us that he advanced some of this work. We went to the Joint Select Committee in October last year, we asked for an extension of time, we went into a new session, this the Fifth Session, we did a considerable amount of further work and fine-tuning on it and, Madam Speaker, the measures, as amended, are now before us.

I need say, in closing, that when we do this, we do this for the benefit of the people of Trinidad and Tobago. In this regulated environment, employers will be set with new and additional responsibilities for their personnel. The personnel will be set with new responsibilities and expectation. All of the statutory issues, whether it is NIS and health surcharge and all of that, some areas that proved to be problematic in the past would come in focus. The authority that is set up here, we consulted as well.

We found the Jamaican experience where they have a regulatory authority. We had some of the Jamaicans come here on the same IMPACS forum and told us what they do and how they do it. We benefited from that. Long before that, we got the regulatory authority out of the United Kingdom. We had a Dr. Clamp who was the director of that agency. We invited him to Port of Spain. He came. We

had an all-day symposium and he too shared with us precisely how the British regulated this. I think they are regulated since 1992, if my memory serves me correct. But I am saying all that to let you know that we really had the benefit of all the best practice experiences around the world.

And therefore, Madam Speaker, without more, I propose these measures to your larger House on the understanding and satisfaction that the other Members of your Committee would have no difficulty in supporting these measures. In those circumstances, I beg to move. [*Desk thumping*]

Question proposed.

Dr. Roodal Moonilal (*Oropouche East*): Thank you very much, Madam Speaker, for the opportunity to contribute on this Motion before the House today. The Motion reads:

Be it resolved that this House adopt the Report of the Joint Select Committee appointed to consider and report on the Private Security Industry Bill, 2019 in the Fifth Session, Eleventh Parliament.

And there we are. The private security industry is an industry that has been around, we estimate, for about 50 years in Trinidad and Tobago. There are indeed hundreds of companies and what could easily be tens of thousands of employees in this industry. The industry is extremely complicated in terms of the breadth of companies, size of companies, in terms of the particular workers involved with increasingly more members of the security sector being low paid, low-waged and indeed, low-skilled employees. Over the past 20 years or so, we have also had an increase in terms of the amount of female employees in this sector as well. Madam Speaker, the Minister indicated, and the Chairman of the Committee, that he can date this type of attempt at putting legislation in place back to 1989 and I

have no doubt that that is correct but I also remember by 1994, it was National Security Minister Russell Huggins, I believe, had also made some type of intervention on this matter. Madam Speaker, the Member for Laventille West is indeed correct when he pointed out that I had also spent some time—in terms of my own research over the years for academic pursuits—I had spent some time researching this area and indeed, writing on the private security industry. That also led me to interface with several of the players and several of key people involved in the industry and there are about five or 10 people who have been there really for many, many years and we did have the benefit of their contribution and their thoughts on this matter.

One interesting point to start with is that the major stakeholders here, all the stakeholders actually, agreed that there must be legislation, there must be law, there must be regulations, so that we do not have that obstacle where stakeholders believe that we ought not to do it or Parliament ought not to intervene or we should not develop regulations and law regulating the sector. So we have consensus that we must have regulation. What we may not have is consensus as to the extent of the regulations, to the extent of the law.

Madam Speaker, let me begin at the end. There was a meeting—first, the Member pointed out that the work of this Committee crossed the Fourth to the Fifth Session of the Parliament. Indeed, we saved the work so that we can continue in the Fifth Session. But, Madam Speaker, something very curious took place in this Fifth Session concerning this report and I would just point it out early. Madam Speaker, there was one meeting in the Fifth Session and only one meeting. It was on November 07, 2019.

Interestingly—and we have the records now as part of our report—

Joint Select Committee Report
Private Security Bill, 2019 (cont'd)
Dr. Moonilal (cont'd)

2020.03.06

committee members attending: Chairman, Mr. Fitzgerald Hinds, MP; Mrs. Glenda Jennings-Smith, MP; Mr. Clarence Rambharat, member, Senator; Mr. Nigel De Freitas, member; and Independent Senator, Dr. Varma Deyalsingh. Those who were excused and absent: Mr. Stuart Young, MP; Brig. Gen. (Ret.) Ancil Antoine, MP; Mr. David Lee, MP; Dr. Roodal Moonilal, MP; Mr. Paul Richards; Independent Senator; Mr. Saddam Hosein, Senator; and Sen. Foster Cummings. So you had one, two, three, four, five, six, seven here. You had about seven members absent from this final meeting. The meeting started at 2.41 p.m. and ended at three minutes past three. Now, so how much minutes? Twenty-two minutes.

Now, the custom has also been that when you make your first meeting of any committee, that meeting is there for the appointment of a chairman to discuss the quorum and plan your action. You may take the time as well to plan an agenda and say look, "We want to do a, b, c and this is the time we are looking at." So, Madam Speaker, it did not pain me that I was absent at that meeting. In fact, I was out of the country as well at that time and I was not at pains because you understand, Madam Speaker, the purpose of the first meeting. Incidentally, when you look at the records, unless I am mistaken, I would have attended 90 per cent of the meetings. I cannot recall missing any meeting of this Joint Select Committee, except the first meeting in the Fifth Session where the Speaker, your good self, Ma'am, will come and go through, what we are very familiar with, a process. That process took place; it started at 2.41.

Madam Speaker, upon being appointed Chairman, the Member for Laventille West took the Chair and then a discussion took place on the quorum and they agreed to have a quorum of three persons with representation from both

Houses. The “Terms of Reference” discussed. But there is a part here that is interesting:

“The Chairman invited Members to review the Final Report and provide feedback.

There was unanimous agreement by Members present to adopt the report as circulated.

The Secretary to the Committee was instructed to prepare the Final Report for presentation...”

Now, even the Member for Laventille West, I noticed the smirk on his face.

“The Chairman invited Members to review the Final Report and provide feedback.”

“Everybody say things good”. So within about 10 minutes of becoming Chairman, “report finish”. Seven persons absent at that first meeting and the Member for Laventille West got up and said, “Job well done” with a report on the private security industry that requires a constitutional majority. [*Desk thumping*] This is not a report that requires a simple majority. You are dealing with rights, you are dealing with powers, you are dealing with issues of confidentiality, privacy and in 22 minutes of a meeting—and when we checked the records, having presided, I believe, for 13 minutes of the meeting, report adopted, “everybody happy”.

Now, Madam Speaker, I do not know if the Member is serious or not, I do not know if the Member did not for any reason—because you know, Madam Speaker, I know I am developing quite a history with Members opposite where they may not want me on committees and so on, [*Laughter*] but on my absence at the first meeting, for the purpose of appointing a Chairman, report finalized, and no Member of the Opposition—myself, Pointe-a-Pierre or Sen. Saddam Hosein

were present. [*Desk thumping*] We were not present and again, at the first meeting of a committee, you can look at the records, I have been around this place for 20 years or so, generally you would have a few Members who would be absent themselves at the first meeting because it is not considered that the first meeting would really dive into the meat of an area to deal with the substantive matters. You would always plan your work and agree on quorum and agree on chairman. And so, sometimes the Members may not even agree—take part. In fact, we had a next committee where we appointed, I think, the Member for San Fernando West in his absence as chairman of a committee. He was not even there. But we got the good news that he was willing and able to be chairman. He was not there so we appointed him because we did not get the impression that he was going to rebel so he was appointed chairman. And I make that point that this cannot be real, [*Desk thumping*] you cannot take an important matter like this and treat it in that way.

Madam Speaker, another introductory point is that we believe that the Government is going about this in the wrong way, in that there is excessive bureaucracy with this Bill, excessive bureaucracy that can send a shock through this sector if it is passed in its present form. Because right through the Committee meetings, if you look at the records, Madam Speaker, myself Sen. Hosein, Pointe-a-Pierre and others kept speaking about bureaucracy, that we needed to reduce the bureaucracy, reduce the amount of institutional weight in the Bill to simplify matters more, to simplify. That came across strong.

Madam Speaker, even when we invited persons to attend—again, the verbatim notes are available—it was our impression, at least those of us on this side, that that was round one. It was a round one of interview, of examination. [*Desk thumping*] We could not believe that that was it. In fact, our understanding

was that the persons will be called back. In fact, the Chairman in the verbatim reports alluded to that when he said we will study your presentations in more detail and we can pick up some of these issues later. So persons were invited, they came. They made an introductory-type of five-minute statements, took a few questions, what we all believed to be round one and then we were going to come back and have further discussions in detail and in-depth. So persons in this sector were visibly taken aback when they heard that a Bill came to the Parliament for approval. They said, “What happened there?”, because much more needed to be said.

And, Madam Speaker, this involves giving licence to security officers. First, there are three or four different categories of security officer: peace enforcement officer, which is a new concept here; private investigator; and one or two others and you are going to give licence to the security officers. There is a bureaucracy. You are going for the companies, what could be 100 companies, have to be provided with a licence. I think it is still in the Bill, “sixty days”. I am seeing in the corrected version, “sixty days” and these are some of the issues that we raised. For example, the appointment of inspectors, we are not providing in this Bill for the qualifications of inspectors. It just says that they should be qualified but qualified in what? And serious powers they have: to enter property, to seize, to affect business but there is no qualification unless we are mistaken. So our position here is that this JSC report is inaccurate and incomplete. [*Desk thumping*]

The Member for Port of Spain North/St. Ann’s West may well speak because it is a matter dealing with the Ministry of National Security and so on but the Member himself was not there at this critical meeting when the report was adopted. And if truth be told, we have the attendance here as well, the Member for

Port of Spain North/St. Ann's West missed several meetings in an area that you would think that the Member himself would want to be there because this is a critical sector in national security and was not there for the final meeting as well. You see, Madam Speaker, we conclude that this report is inaccurate and incomplete and we ought not to adopt it in its current form. [*Desk thumping*]

In page 8 of the report, there are key issues that arose from the meeting of the Joint Select Committee. We were asking, for example, for international comparison as to what other jurisdictions established these specific types of security officers and the categories and so on, which jurisdictions were used to derive these categories and further issues we raised in terms of definition. Nowhere in the report did we get answers, Madam Speaker.

The powers of the private investigators pursuant to IX, clause 55 of the Bill, a special security officer is defined as a:

- “(a) close protection officer;
- (b) peace enforcement officer; or
- (c) private investigator,”

While the close protection officer and peace enforcement officer were defined in clause 4 of the Bill, nowhere does it define what are the duties and functions of a private investigator and we do not have private investigator legislation.

We raised an issue in clause 34. According to the Association of Security Companies of Trinidad and Tobago, ASCOTT, they said that we should change “sixty days” to “fourteen days”. A sixty-day wait is much too much for business. To wait 60 days for the authority to issue a licence allowing an officer to work is much too long. Imagine you have 30,000 officers who need to get a special licence, a licence from this authority and you have 60 days, you have to wait, what

will happen to all the security installations? What will happen to security on the whole? If persons are not properly licensed according to the law, they cannot work. There are also issues in this Bill which we believe that it could lead to further unemployment, reduction in terms of employment because of the unnecessary burden of bureaucracy that they are providing here. So that 60 days should really be 14 days or so, we recommend.

In terms of the powers of investigator, imagine there is no qualification stipulated as to what is the qualification for an inspector but that person has wide-ranging powers under this Bill. The qualification of an inspector is that of a constable who is the holder of a precept under the Supplemental Police Act.

Madam Speaker, we had another fundamental issue in terms of the composition of the authority where it is provided that the Authority be composed of a chairman and vice-chairman, both of whom must be attorneys-at-law with 10 years standing, appointed by the President, I believe, on the recommendation of—I just want to get it absolutely right. [*Crosstalk*] The Judicial and Legal Services Commission. Yes, it is at clause 8 we believe, Madam Speaker, I just want to read that for the record. Yes, the authority should have:

“(a) a Chairman...a Deputy Chairman...Attorney-at-law...appointed by the President on the recommendation of the Judicial and Legal Services Commission;

(b) the Commissioner”—of Police—“or a...officer...”
 —recommended by him above a certain rank;

“(c) a representative of the Ministry with responsibility for labour;

(d) a representative of the business sector...”

But here— this is the problem we had and it is still here.

“(d) a representative of the business sector who is not associated with the private security industry...”

So that person, by definition, is a business person but would not have had any years working with the private security industry, would not be involved in it, so it is just a business person. Whereas there was a recommendation by those of us on this side that the board, this authority, should have a representative of the employers [*Desk thumping*] of the security companies. We also recommended that because this is a low wage, low-skilled sector where there is enormous potential for abuse, the issue of worker protection should be a fundamental objective of the Act, [*Desk thumping*] which I believe in some part it is, but to reflect that now, apart from the law which we outlined, to reflect that a worker's representative should be on the authority.

You do not need to have a union to have a worker's representative that way. You have in this country the established labour groups and just as they provide representative to various areas and so on, Madam Speaker, they can be invited to put a representative on the authority to look after the interest of workers at the authority because this is an area, Madam Speaker, it is historically filled with discrimination, exploitation. There was a particular case one year where a female employee was fired and when we investigated why, the security manager said that she cannot fit into her uniform, well of course, she was pregnant so she was fired.

In this sector as well, people work double shift, triple shift, absolutely no extra pay, no extra benefit. Sometimes an employer will not even send “ah bread and cheese, ah sandwich to ah worker” when they begin a second shift all day, all night. Some persons may have security at their business place or homes and so on and your relief does not come, you stay without any compensation, food, water and

so on. The dogs as well. There is an area with K9 security, it is important, Madam Speaker, and some of the dogs themselves are malnourished. They keep them long hours working. So that this is why the stakeholders believe we need regulation but we do not need it so bureaucratic.

I mean, in a simple way, how do you give licence to 30,000 people in a short period of time? And there is a process. This is not a process like you go into a department in the Government and you apply for an ID card and you go and get your ID card and so on, it is not as simple as that. They have here, you have to satisfy all kinds of conditions and so on. [*Interruption*] I am reminded that we have a problem with getting a passport in the country and 30,000 people need to be licensed, 100 companies properly licensed, inspected, checking their financing, checking their organizational structure, vetting as well.

Madam Speaker, there was a situation in Trinidad and Tobago, I think last year or year before, where questions were raised in terms of a private security company working at the airport in Trinidad. Where did that private security company come from? And a person involved there, one of the principals of that company, it is believed was known to the police. So they are busy telling you about politicians and MPs and so on and not checking private security companies in this country, “who running dem” and whether those persons have been vetted to operate, of all places, in the Piarco International Airport. Not surprisingly, a few months after, we had several, several problems at the airport with security. Several, Madam Speaker. So the legislation is needed but you have to ensure that the process is flattened and that is a process—you know, others will speak but throughout this Bill, you have this issue of excessive bureaucracy. It involved drug testing as well and the complications arising from that: the time, the process

external to Trinidad and Tobago, in some cases and so on, that you need.

Madam Speaker, another issue that we flagged really—and this is why I am saying the Bill is incomplete and if we had a chance to spend—you know, you waited what could be 30-something years for this Bill, you waited 31 years for this Bill and you try to do it in 13 minutes and in 13 minutes, you approved it at the Joint Select Committee. And you waited 31 years for this, surely you could have waited for a few months again and let us sit down with the Government, Opposition, Independent and iron it out. A leading figure told me this is a recipe for disaster, it will send a shock through the system with excessive bureaucracy. And the powers—I mean, this is why we need the constitutional majority for this because the inspectors have enormous power and no requirement for academic qualifications, no disqualification—and you could correct me if I am wrong because it came up in the meeting too—no disqualification for offences such as dishonesty and so on. So you can hire people, it is left to the authority when we ask the questions in the meeting, they said, “No, no, no, the authority could decide” that but we wanted to put it in the law, some of these issues, what disqualifies someone and do not leave it. Do not leave it to the authority to stipulate everything; an authority which will not have the benefit of worker representatives and you do not need a union so do not feel you need a union for that, an in-house union.

And, Madam Speaker, the employer is not represented there, the people with the years, the decades and decades of knowledge in the sector. When we raised that, persons, I think, said, “Well it is conflict of interest because you will be employer and then you will be passing policy and so on, and you are a part of the sector.” Madam Speaker, there are many, many areas now where persons are

associated with a company and they sit on boards and so on, you declare your interest, of course, and you move on. So, Madam Speaker, the composition of the authority is a fundamental issue that we flagged as well.

Then the appointment of the Chief Executive Officer, we had some problems with that as well, Madam Speaker, in terms of the qualifications, some of it was dealt with. We had problems as well with the overall issue of qualifications in this Bill. We felt that you just cannot leave it open to the authority or anyone to prescribe minimum qualifications for security officers. Madam Speaker, a lot of robberies—when I say a lot, robberies, larceny and so on—you have a lot of cases where it is suspected, it is believed that persons have been charged, security guards have been charged in connection with robberies at several stores and banks and not just Trinidad and Tobago, across the world. There is a famous writer on this, Professor Nangati from Zimbabwe, a colleague of mine for many years and he has written and actually tabulated some comparative work in several of the southern African countries on private security industry, has pointed out that this failure to properly vet and put qualifications lead over time to more crime and that is an important piece of work there.

So, who is the head of a security company? That vetting is very, very important. And I think, in some measure, it is dealt with, in some measure, Madam Speaker.

3.30 p.m.

But Madam Speaker, a fundamental issue, and the Member raised it, when you look through the report as well there is another fascinating point about this, apart from the 13-minute meeting. In the beginning they say “issues that were raised”. And I am seeing “issue resolved”, “issue resolved”, “explanation

provided”. Madam Speaker, when you look at the report, many of these have not been resolved. Concerns have not been resolved, Madam Speaker. “Explanation provided”. When were all these explanations provided? In the 13-minute meeting? When Madam Speaker? We do not have it here.

The fines, the issue of fines as well. We had raised that in terms of ensuring that they be reasonable. I think there are still concerns about the fines, that they must be reasonable. And that, Madam Speaker, is an issue that, if the Committee had an opportunity to continue its work, we could have brought change there as well.

Madam Speaker, my colleague from Pointe-a-Pierre at some time will also speak on these matters in terms of the business perspective and how this Bill undermines, in some way, business operations. So I do not want to get into it too much, but to flag a certain—a few issues.

While you do have representation from the Ministry of Labour and Small Enterprise Development, it is also curious Madam Speaker, that you have the police, of course, represented there but not the—unless I have an old draft in my hand, you do not have representation from the Ministry of National Security. And you would think that the Ministry of National Security would be the Ministry that really drives this type of business. Because you have a Chairman, Deputy Chairman, Commissioner, a representative, a business person, someone from the Ministry with responsibility for labour. Now, when we say that, it is usually we are thinking about the inspectorate, the factory inspectorate, so to speak, or the OSHA. And we had raised this in the Committee as well, that we should amend further this section that deals with the composition of the board and have specifically representatives from the OSHA, not just the Ministry of Labour and

Small Enterprise Development, because the Ministry of Labour and Small Enterprise Development has factory inspectorate, has OSHA, has worker compensation, all issues there. Because what will happen is that the Ministry will put a representative.

Madam Speaker: Member for Oropouche East, your original 30 minutes are now spent. You have 15 more minutes to wind up if you wish. You may proceed.

Dr. R. Moonilal: Thank you, Madam Speaker. So what will happen, Madam Speaker, as a policy, the Ministry of Labour and Small Enterprise Development will put a representative from a particular department, but there is no guarantee, the way it is structured now, that the OSHA will be represented. And that is the key issue in this area. Because the Minister indicated as well that there are occupational hazards, there are enormous problems associated with this sector, conditions of work problems, and so on, health and safety problems, and so on. So that we would have preferred to see the OSHA properly represented there in terms of the board.

Madam Speaker, just a couple more points I think we will raise on this issue. The clauses, I already alluded to 29, which the Minister indicated that they had redrafted. But in redrafting it, it still did not take care of some of the concerns we had. Registering the companies, there are concerns that we raised with that as well. The issue of the affirmative or negative resolution in Parliament, we raised that as well.

Clause 15, we had a concern there. And I just want to read it so we are very clear. Madam Speaker, I really have to locate these things in the Bill, because I do not want to run the risk of not giving accurate statements.

Utilizing moneys in the fund, that was an issued raised. There shall be a

fund utilized in deferring the expenses incurred in carrying out the functions of the authority, the remuneration of allowances of members, officers in the authority, the capital and operating expenses, other expenses, and so on. We had raised some concerns about this fund, because this institution is funded by the taxpayer, appropriated by Parliament. Moneys would be paid by the authority, by way of fees, and so on. And we had a concern about the auditing of those moneys being paid and their relationship to the audit conducted by the Ministry of Finance, which is the usual and regular course of action.

Clause 19, I am just putting on record a few of the issues we raised.

“The Authority shall be exempt from stamp duties, corporation taxes, custom duties, purchase taxes, value added taxes, motor vehicle taxes...”

—and so on. We had a concern with this, in that—the concern here was simple. We are putting into law exemptions. The authority would be exempt from stamp duty, corporation tax, custom duties, and so on as an automatic matter. It is a clause. It becomes statutory whereas we believe that the Ministry of Finance, the Minister of Finance, and the Cabinet, by extension, should really be properly empowered to oversee this.

So let me give an example. If WASA or the EMA or somebody wants to bring in a vehicle, they want exemptions on all the duties and taxes, and so on, not a sporting car from Switzerland or Sweden. Madam Speaker, as it is now, this authority can purchase anything, and they go to the board and they say, “Look under the law we have exemption from taxes and custom duties and everything”; it is in the law.

Whereas, there was a case, I think recently, last year or so, with some of the authorities going wild with buying vehicles and buying up all types of things and

getting exemptions, Madam Speaker. There was a concern in the public domain about that, and that is why we raised this issue then at the meetings of the Joint Select Committee, that the Cabinet and the Minister of Finance should properly authorize any exemptions, notwithstanding it is a state enterprise like this.

You cannot just leave it to boards like these to say under the law they could exempt anything. Suppose they decided to buy 10 cars in the year to do their work, a car for the chief executive officer? And suppose they decided to do that. You have no ministerial approval. You have—now good governance requires that the Minister is kept informed and approves these things. And the Minister, worth his salt, would want to go to Cabinet and get Cabinet to approve it as well. And this has happened in the state enterprise sector all the time. Companies run away when you give them power. They run away. They buy all types of things. They spend all kind of money. I mean, we had the situation with the credit card, anybody remember that, where a Minister of Government fly all over the world and used her credit card to buy—I forgot what it was.

At the HDC, Madam Speaker, some years ago, before 2010, a particular managing director, Madam Speaker, before 2010, a particular managing director had to get some money. I think it was an emergency of one kind or another, and just went and take the money, gone. The Minister of Housing did not know. When we found out years after, he said it was an emergency, a medical emergency, and he paid back the money. Four years later, I think he paid back the money, Madam Speaker. So, these authorities can run away if you give powers like these. And again we had a key concern about 19. We had a key concern.

Madam Speaker, 21(2), why three months, Madam Speaker? When you put three months here, the three months will effectively be six months and sometimes

for years these reports never find themselves in the Parliament. The minimum level of qualifications for the post of CEO; well they explained that and they put something in that.

And this creature called the peace enforcement officer, I think we developed some idea about what it was in the meetings. And, again Madam Speaker, again, we needed to speak a bit more about that.

So, in closing, Madam Speaker, it is a difficult proposition to come today to the Parliament and ask the Opposition to support this in its present form, given that on reading it itself, if you read the report, if you read the synopsis at the beginning of explanations and so on, everything points to an incomplete piece of work, everything. And given the dramatic events of November 07, 2019, when at the first meeting of the session, the Chairman is appointed and in record time the report is finalized, everybody agreed. Four members, I think, were there present on that day, if I am not mistaken, seven absent and they agreed and they said: "Look, this is fine, let us go to Parliament". And I end by stating the obvious question that you will ask is: Well, where is the minority report? If you are speaking like that, where is the minority report? Madam Speaker, you cannot get a minority report when you ambush these joint select committees like this. [*Desk thumping*] We were never informed, Madam Speaker.

The other day, what we had to do, we had to stay in touch with the process, Madam Speaker, and at all material time we had to ask: When is the final draft coming? When is the deadline for our minority report? The time frame. We were not—and so we would not put in a minority because—and some Members, including Members outside of the Opposition, were just taken aback while the report came. In fact, when this report came to the Parliament, we thought it was an

interim report. We thought it was an interim report because we knew the amount of work we had to do. We know the stakeholders we had to be consulted further. And while we consulted stakeholders, employers, and so on, the large employers, and so on, this area has enormous small and micro operators, small business.

A company can have five people, 10 people. In the same sector in security, you could have 3,000 workers. So the small business sector, unless we are mistaken, who is not consulted, were not invited to come in, so we can engage with them and get their views, and so on. Because this will affect small business, Madam Speaker. It will affect small business.

And we know that the Member for Laventille West has a particular approach to joint select committees. He has worked in this area and he has been around for some time. I think early he was telling us about his stint 2002, 2005 or 7. I think after 2007, he was out of the compound for a while, and then, stayed out for a long time and returned in 2015, Madam Speaker. So we know him. And he has this way of moving like Flash, swiftly. He moves like Flash, swiftly, and you have to slow him down and tie him down and peg him down and keep him, rein him in sometimes because he is moving like Flash. He takes his time and asks a lot of questions, and so on. But, the business of meetings cannot be conducted this ways. And you cannot ambush the Opposition with critical legislation like this. Well you should not ambush anybody, but not this type of critical legislation.

So I ask the Government to rethink their position, to reconsider their position, and those of us on this side would be very happy to return to any other committee to assist the Government and the country with developing this legislation, because the Member for Pointe-a-Pierre and others will point out further defects in the Bill, Madam Speaker. I thank you. [*Desk thumping*]

The Minister of National Security and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker. Madam Speaker this Bill, this piece of legislation is long overdue. I do not think there will be single, sensible person in the industry or otherwise that can put forward any justification as to why an industry such as the private security industry, should not be regulated. That is the first point. The regulation of this industry, Madam Speaker, is long overdue.

As the Member for Oropouche East pointed out somewhere in his contribution, the persons who are employed in this industry are not the persons who are at the higher levels of our society, unfortunately. In fact, this is an industry, if we are being honest here today, where there is a tremendous amount of exploitation of persons. And it is irresponsible for anyone to say that there should not be regulation of this industry and it is not long overdue.

To set the record straight and to remind the population, through you, Madam Speaker, there were 11 meetings of this Joint Select Committee. There is nothing that is complex about the regulation of this industry. We are talking about the necessary regulation of private security firms. Immediately you understand that to mean that you should be regulating the owners of the company as to whether they should be granted licences and also regulating, through licences, those who will work on the streets, those who would be charged with the responsibility, and the dangerous responsibility of finding themselves sometimes in very secluded places alone, without support and without back-up at all hours of the early wee morning to offer a level of protection to property and persons all over the country. And that is what, quite simply, this legislation is about, Madam Speaker.

So what we are seeking to do, via this legislation, is to protect the workers.

So quite contrary to what was being suggested, that this would lead to a loss of jobs, this is about protection, not only of jobs, but more importantly protection of lives, protection of lives of some in our society who, unfortunately, up to this point in time, had no proper protection whilst you were being called upon to perform these tasks associated with private security officers of all different levels.

And I would like to start by commending the Member for Laventille West for the work that he took on personally—[*Desk thumping*]*—*in driving this process. Because you see, it must go on the *Hansard*, Madam Speaker, that the Member for Laventille West saw this particular assignment as being an essential and important one, and he himself went and drove the work by sitting for many hours, not only with the staff from the Attorney General and Legal Affairs office, but was also with the staff of national security. And I would like to thank all of the members of staff who assisted in the production of this piece of work. [*Desk thumping*]

And this legislation here today captures all of the necessary elements for the protection of the industry, but also of the public. Because you see, if the men and women working in this industry are properly protected, Madam Speaker, and they feel protected, and the law protects them, then the public is better served. And yes we in national security have a close relationship with these private security firms; some of them, the bigger, more reputable ones. But there are many, many, many, security firms in Trinidad and Tobago, that over a period of time, over decades, were granted authorization by national security to commence their firms.

And this piece of legislation, this Bill, seeks now to regulate the whole industry. So let us start. Eleven meetings, a lot of weather made, a lot of noise made, about the fact that on the 11th meeting, which was the only meeting in this Session, was where the report was finalized, and certain persons were missing.

But as the Member for Oropouche East told the population, he attended over 90 per cent of the meetings and at none of those meetings was anybody prevented from contributing and to making their points. And when you start by looking at the report, Madam Speaker, and you go through the key issues expressed by Members and stakeholders, and it talks about explanation provided, or Bill appropriately amended or issue resolved, it is being a little dishonest to suggest that under those lines, the explanation is not provided, the issues. What that is, is a synopsis of what went on at the meetings. So, for example, at the meetings I attended, the Member for Pointe-a-Pierre made a number of pertinent enquiries, suggestions, et cetera. And then we would sit down, along with the Independent Senator, along with others on the Committee, and we would work through the reasoning why.

And I think a good example of that is one of the last points raised by the Member for Oropouche East. He talked about the peace enforcement officer. And again, in his typical style, highlighted and made noise about what is a piece enforcement officer. I recall that meeting, and the Member for Pointe-a-Pierre is smiling because he recalls it as well, for the population, and to show you how well thought-out this Bill is, and how it took into consideration the submissions, the sensible submissions, of all who participated, this is a great example in the definition of a peace enforcement officer. We just come out of a carnival period. We just come out of a period where hundreds of thousands of revellers take to the streets all across Trinidad and Tobago. And in Port of Spain in particular, there are a number of large bands and I, part of my duty was to be out there and to see how things that we have been planning for months were functioning.

And I remember looking at some of these large bands and seeing thousands

of revellers walking, partying on the streets safely. The first line of defence were these peace enforcement officers. [*Desk thumping*] So for the first time, legislatively, peace enforcement officers is the definition given to the men and the women who provide private security by something as simple as walking alongside these bands and ensuring that the revellers who have paid to participate in the carnival bands were safe. They had never before been recognized or protected and we are doing that here today. [*Desk thumping*]

But of course in the typical fashion and style, because it is legislation that requires the support of the Opposition, we have to come here and hear: “If you want our support, do this”. “Yuh did not take me on. Yuh had 11 meetings and we were not there.” Everybody participated, and I challenge, I challenge the Members to show what it is, what it is in this Bill that has not been amended, that was not considered. Because you see, to make a point, or to have an alternate view that is not accepted, Madam Speaker, does not mean it is a fatal flaw to legislation.

So let us read into the *Hansard*.

“‘peace enforcement officer’ means an individual employed—

- (a) to prevent individuals from entering premises or to eject individuals from premises; or
- (b) to guide or cordon off individuals during an event;”

So these officers, as we have called them for the first time, are those, for example, who hold ropes or who hold a line along a carnival band to prevent outsiders from interfering with paid revellers. But it also encaptures, and the Member for Pointe-a-Pierre would recall this, it captures persons at events, for example in big stadiums, or in concerts away, et cetera, who are not private security officers as we know them. They are not walking around with a—they might just have a

fluorescent jacket on over them, and they are directing a crowd to make sure that people are safe, to ensure they are ushering crowds; and they exist.

And what we are doing here today to show, via one simple example, how far-reaching this Bill is, how necessary it is and how well thought-out it is, I will use that example from the Member for Oropouche East. [*Desk thumping*]

A lot of noise was made about clause 8 and the board. For the first time, what we are saying is we will regulate the private security industry, and we will set up an authority to do so. And for the population, through you, Madam Speaker, the sole purpose of this authority and its resources are to regulate this industry, to regulate the 30-odd thousand officers who exist. That is their only duty.

So it is not to say that the vetting process that we have put 60 days at, for the grant of a licence, either to the firm or to an officer, is something that the authority and its personnel should not be able to do, because that is the only duty they have. So the first line of attack, which is very easy to discard of, having listened to it and thought about it, is the composition of the authority itself.

So we heard a lot of fuss about workers not being represented, and it does not have to be a union, but contradicting on the other hand in the next sentence by saying there are a number of bodies that represent these unions. I assume that means like a NATUC, a FITUN, but those are unions, JTUM. They are the representatives of the union and there is nothing wrong with that. But it is provided for. Because you see, in looking at this:

“...a Chairman and a Deputy Chairman, each of whom shall be an Attorney at law of at least ten years’ standing and appointed by the...”—

JLSC. That is fine. The whole purpose of the authority is to regulate. So you are saying that lawyers have something special in the interpretation of law, protection

of rights. That is their job.

You then go down to:

“...the Commissioner, or a police officer of the rank of Assistant Commissioner...”

Again, that is very sensible to have the police participating at the board level of the authority. They are the experts in law enforcement. They are the ones who would bring to the table that level of expertise that is necessary. Because understand all the authority is there for is to regulate. They are not doing anything more than that, to ensure that the industry is working properly.

The next one.

“...a representative of the Ministry with responsibility for labour;”

There can be no better body that does not have a vested interest in the protection of workers than the Ministry of Labour and Small Enterprise Development. Unions as we know, in the choice of unions in this country, there is not a single body that represents the views of all unions. There are fights and disputes among the bodies of unions, even those three largest representative bodies. They do not see eye to eye. The Ministry of Labour and Small Enterprise Development’s purpose is to protect both the workers and the employers. So that is the immediately captured. So to try and mislead the population and say the workers would not have a say and the employers would not have a say is false. The Ministry of Labour and Small Enterprise Development is best suited to conduct that. [*Desk thumping*]

The next position is:

“...a representative of the business sector, who is not associated with the private security industry.”

This is the regulatory body. Suppose now, this body needs to decide whether to

take away a licence from somebody in the industry. How could you have somebody who is from the industry, an owner of a company in the industry? Suppose now they want to lead the charge? Because this is a multimillion dollar industry, eh. This is a multimillion dollar industry. The contracts some of these companies get are worth millions, tens of millions of dollars. So suppose now the person sitting on the board who is the owner of one of these companies, Company X, wants to get rid of his competitors Y and Z. Is that not a clear conflict of interest? So what we say is no, have somebody from the business sector who is not associated with private security industry. If I am the owner of the second largest company and the Member of Laventille West is the owner of the first and I am sitting on the board, and I want to get the contracts he is getting, I can manoeuvre via the board to get him out. So we said: “No, we are not allowing that. Have somebody sensible from the business sector sit here. Because at the end of the day, we should all know what a board does.” They do not get into the nitty-gritty, they are driving policy. But, if you have any fear that they have no room for representation, it is the next clause, the next 8(1)(e) that allows now:

“...four other persons suitably qualified by virtue of their knowledge of, and experience in matters relating to the private security industry.”

Maybe it is that the Member for Oropouche East was not prepared. Maybe it is in that 11th meeting he decided I was not going to read what they sent. I do not know. But exactly what he was complaining about is fully captured by this:

“...four other persons suitably qualified by virtue of their knowledge of, and experience in matters relating to the private security industry.”

So that captures the whole of what he spent 25 minutes screaming to the high heavens about.

4.00 p.m.

But I understand, because you see, you could have a degree in law, but never practise law before, so you do not know about the application of law, right? So then we go on to worker protection, another point made. Worker protection should be part of the Act, and a lot of noise about it, but quickly said it is a little part, the whole purpose of the Act is to protect workers and to protect the public.

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

Hon. S. Young: And I just talked about the composition of the board and how it achieves that. Another point that was made, you should have OSH, a representative of OSH on the board. Completely, with the greatest of respect for the Member for Oropouche East—in this instance and only in this instance, no more than that—OSH has overreaching jurisdiction over everything in Trinidad.

So to put a member of OSH on the board is nonsensical, because you will then be asking a member of OSH to be in a conflict position. The whole purpose of the Occupational Safety and Health Authority Act is to empower that body, to go anywhere, including to the Parliament, including to anywhere, including to the constituency office for the Member for Oropouche East, to check and see and to make sure it is a safe environment. So why would you have a member on the board? That the member on the board now finds himself in conflict, because I have seen it before. That OSH has gone in now to private security firms, is checking to see whether they are safe, they are secure, they are providing for their employees, and then pressure is put on the board member from OSH? No, OSH is a separate entity, OSH is an independent entity.

You know, Madam Speaker, what that point brought home to me, and it sums it up in my mind, the attack on the independence of certain bodies, and we

have seen it time and time again. So that is the reason why OSH is not part—
[*Interruption*] Yes, and you heard it. I was about to call some examples, but you just heard the Member for Naparima, the first utterance as I talk about an attack on an independent body, EBC. That is what Naparima says, so let the record reflect that that is immediately where the mind is. So OSH does not have to be on the board, OSH already has the jurisdiction in law to protect. Rubbish point.

Exploitation of workers, and they like to throw out these catchphrases to try and pretend that there is some association with the ground, and we are here to protect the workers, and we are here to protect those who are less fortunate, et cetera. The whole purpose of the legislation is to protect the workers. So to come here and talk about no overtime, no food and water, no relief, and you must take on another shift without even bread and cheese, and it is too bureaucratic, all of these are catchphrases that are being thrown out there but with no substance. But they have no anchoring, Madam Speaker, in the legislation that is before us.

And I say it for the record and for those listening and for all of the workers and for the estate association, constables association that are here. The purpose of this legislation is to protect your membership as you know. The purpose of this legislation, Madam Speaker—I will talk to who I want. The purpose of this legislation as I will say again, is to protect the workers in this industry and to protect the public. [*Desk thumping*] The ole talk about how do you give licences to 30,000 people. The purpose of the Authority is to regulate it.

As an example, we, in a two-week period with all of the screaming from the high heavens, all of the persons who said it could not be done, and it is now, maybe not for some people who are upset about the success of the registration process, but it is now being utilized as a prime example of how to get a registration

process done. In two weeks, we were able to register 16,523 Venezuelans and these are people—30,000 in 60 days. They will be able to do it, the Authority must be able to do it and that is their job that is what they are set up to do.

I heard the utterance, one of the persons recently, in a private security company, with respect to the airport, because you see this is what they like to do, create a sense of panic, fearmongering, attack institutions. So now the airport is not secure, et cetera. One of the persons in a private security company was a person of interest to the police. Well, that is the reason we are having the legislation. [*Desk thumping*] The legislation talks about regulating persons who are going to get licences to own the firm, with a more robust process, with a more robust process that presently applies.

And there is now a process with consequences, and what this process says is that it grants you a licence for three years. So it forces the people, which does not exist now. Because it was the Member for Pointe-a-Pierre who asked in one of our meetings, with all of these hundreds of firms that are registered, are they required to keep interfacing with the Ministry of National Security? The answer is no. You get your licence, you run off. And it is only if something goes wrong there is an intervention, and not necessarily an intervention by the Ministry of National Security.

So for the first time what this legislation is doing, is telling the firms after you get over the hurdles, you have been vetted, you have been approved and you get a licence, you have to come back every three years. Very sensible, things happen, maintain standards, keep people on their heels, make sure they are doing the right thing, there are consequences. If you do not fulfill those consequences, Madam Speaker, you will lose your licence. It does not currently exist, that is what

we are putting this in place for.

This cry of excessive bureaucracy, I guess you had to find some sort of catchphrase to attack the legislation. A licence procedure, a regulatory body, must have some level of bureaucracy. Where is the excessive bureaucracy? Not a single example of what is excessive bureaucracy with this Bill could have been provided. Just throw out the words, it sounds nice. You have to get a licence, this is what you need to do to apply, this is what you need to provide, you get it and you go on with your business. But you are going to be regulated, you have to account.

Another point that was made was an attack on the Chief Executive Officer, and what are the qualifications for the Chief Executive Officer, so I immediately went to the Bill, clause 22:

“The Board shall appoint a Chief Executive Officer, on such terms and conditions as it determines.”

That makes sense. 22(2):

“A person appointed as Chief Executive Officer shall—”

—and we set it out here, what are the qualifications:

- “(a) have at least ten years’ experience in law enforcement or security;
- (b) possess graduate qualifications in finance, marketing or business administration; and
- (c) have been positively vetted by the Board.”

What better do you need for a CEO of this authority than what I have just set out? And what you are seeing here is amendments to the qualifications, you know.

So I want to put on record, Madam Speaker, through you, that means that at the Joint Select Committee stage, submissions were made by members. Those submissions were taken on board with respect to the qualifications or lack of

qualifications, lack thereof of the CEO and it was amended and that is what we are proposing here today. So why come here now to try and mislead. I have it here he was referring—now, you see, he has a style, “he does just throw, throw, throw, throw”, right. That is the Member for Oropouche East, making a set of noise now as usual, because he has been shown to the population once again to be completely wrong. Right?

“23. The Chief Executive Officer shall be responsible for the day to day administration of the Authority and shall perform such functions as may be conferred on him by the Board.”

So it is all captured there. The board shall appoint a suitably qualified person who is positively vetted. So for the first time in this industry you are calling upon the persons who will be running the Authority on a day-to-day basis to be positivity vetted. That is a good step; that is a step in the right direction, Madam Speaker. So what is the attack?

And as they go on, what you are then getting into with this, Madam Speaker, and I wanted to spend some time on the security service operators. These are the firms that are now called upon to be licensed. And for the first time out of these hundreds of firms that are currently registered you are saying

“No person shall offer or provide security service as a security service operator unless—

- (a) it is a company;
- (b) none of its directors was convicted of an indictable offence within the past five years; and
- (c) it is the holder of an operator’s licence.”

And I want to point out to the population that here once again in the report that is

before you, there are amendments made to the original Bill in this instance. So it shows that once again there was proper consultation, discussion, and that amendments were made.

And I would like to put onto the record to support the Member for Laventille West, we had extensive consultation with the stakeholders in the industry, they came and they sat before us in a joint select committee. They made their points, they sent in extensive written submissions, I wish we had a copy here today to show how extensive it was and we listened to them. We listened to the industry.

Now, there are going to be competing interests, because what may be the interest of the employer, the owner of the firm, is not necessarily going to be in the best interest of the worker. But we listened to all. And you see some of the representatives here today, because it affects them, up in the public gallery, Madam Speaker, and I welcome them here today and I am happy to see them here. [*Desk thumping*] The Estate Police Association. Because they know the hardships that some of their members face; injured on the job, no insurance to provide for them, no status.

I can say that there are a lot of anecdotal allegations that right now in the industry there is use of a lot of illegal immigrants, persons who do not have work permits. This legislation for the first time specifies that you can lose your licence if you engage in that type of behaviour. [*Desk thumping*] Why not tell the population that is what this is about. As the Member for Laventille West said, this is not about PNM, there is no PNM security firm. I know that there was a UNC security firm, Mamoo bought it, EBSL.

Mr. Hinds: Yes. Warner had one too.

Hon. S. Young: Right. Criteria for an issuance of operator's licences, and this is

where we set out the 60 days, that you have 60 days to evaluate and to decide whether you are granting the licence or not. But as I have said, Madam Speaker, the answer to that concern is that is one of the authority's key and critical jobs and duties and they will get it done. There is nothing else for them to be doing. They do not need to be checking the roadsides, they do not need to be inspecting police stations, et cetera. So the granting of licences will be done in 60 days.

And at 35(1):

“An operator's licence shall be valid for three years.”

Completely commendable. Necessary in my view to keep the process of having them report to the authority going and to ensure that they continue to maintain the standards of their licence.

“Security Officers”, is the next section I want to go to, Madam Speaker. Part VIII of the Bill. And again—

Madam Speaker: Member for Port of Spain North/St. Ann's West, your original speaking time is now spent. You are entitled to 15 more minutes to windup your presentation. Yes, you may proceed.

Hon. S. Young: Thank you very much, Madam Speaker. [*Desk thumping*]

Mr. Hinds: Beautiful, beautiful.

Hon. S. Young: So now we are getting to the protection of the security officers who right now, as I said a short while ago, there is no requirement in law for them, unless you are going to precepted to carry a firearm. So what we have are instances right now, unscrupulous security firms and companies hiring illegal immigrants, presumably exploiting them, minimum wage, maybe even less because they will tell them you cannot complain to the authorities because you are here illegally and you could be—[*Interruption*]—right, you could be deported. But,

of course, charging for the provision of the service industry standards, so all they are doing is increasing their margins at the exploitation of these people.

So that is what this legislation is here. So we are saying you cannot hire those persons. That is not about loss of jobs, what you are now saying to the persons is go there and get licensed, make sure that you are not going to be exploited, follow the law, this is for your protection.

So it says at clause 43:

“An individual who wishes to offer or provide a security service listed under Part I of Schedule 3, other than as a close protection officer...”

Again I pause there, Madam Speaker, a great example of this legislation is it is for the first time recognizing that there are different services provided in private security service.

So you may have a static guard, you may have a close protection officer who the public will know as a bodyguard, you have the peace enforcement officer, you have private investigators. So we have categorized for the first time different categories of private security services being offered and this is what you require.

So they apply for the licence, you should be not less than 18 years, you have not been convicted on an indictable offence, nationally or internationally, and you have not been convicted of more than three years summary offences within 10 years immediately preceding the date of the application you could apply for the issuance of a security officer's licence. And again, say within 60 days of receiving your application, you would either be granted or not granted the licence.

So, of course, the reason—and again I will point out because the population cannot see what it is we are looking at. This whole section of what is required as the preliminary qualifications to become a security officer is amended. So again

that is a clear indication of the work of the Committee that when the Bill was presented to the Committee, there was discourse, there was discussion. And after consultation with the stakeholders as well, amendments were made along these lines, right?

This is one of the important ones. So before all it had said is, “an individual who has not been convicted of an indictable offence”. So they were a whole category because you see, you can elect for some serious offences, you can elect whether you want to have your matter summarily or indictably.

Dr. Gopeesingh: Thank you for giving way. I was just stating here—thank you, Madam Speaker. I see you have here three summary offences within a 10-year period. You really think that you want somebody to run a security company with three—

Hon. S. Young: It is not running a security company.

Dr. Gopeesingh: Go ahead.

Hon. S. Young: I am not now on who is running a security company, I am now on who can be a security guard. So you do not want to just categorize, because a lot of the persons who perform these duties may have been convicted of certain summary offences; obscene language, driving without a permit, driving without insurance. And we do not want to just make them unemployable now. So it is only for that category of workers. [*Desk thumping*]

And again, we employ the same three-year time frame here, Madam Speaker. So we are saying stay within the confines of the law, because within three years you will have to come back to get another licence. If you have fallen on the wrong side, you are not going to be employable in this area.

“Special Security Officers”, Part IX. So for the first time as I said a short

while ago, Madam Speaker, we have categorized, because we are dealing with the pragmatic side now, that there are close protection officers, peace enforcement officers or private investigators and we are requiring them to have a special security officer's licence.

There is a whole series of people out there who hold themselves out now as private investigators and they are not licensed. This is where we are trying to protect the public. There are also persons out there who hold themselves out as close protection officers. So they will say, Member for Caroni East, I will be your bodyguard and he may be none the wiser. But what we are doing now is protecting you because we are saying they have to be licensed. They will have to have a certain level of training to ensure that they do not go and fleece people out there.

So, Madam Speaker, contrary to what we have heard previously, it is my submission that the work of your Committee that was set up to carry out the examination of the Bill, did so. They did so after extensive consultation, not only with stakeholders, but also with others. They did so, and at those Committee meetings the Chairman listened, we discussed. Amendments were made where it was felt amendments should be made. And up to this point in time I have not heard a single justifiable submission as to what further amendment is necessary.

But I will say, because I have the conversation between the Chairman and the Attorney General, that the Government is not closed to considering if anything justifiable and legitimate is put forward for amendments to this. But at the end of the day this piece of legislation which is long overdue is all about protection and regulation of an industry that requires it.

One of the other points that was made that should be responded to, is the point that talks about things being tax-free. So what the authority is buying is

being tax-free. And ironically as I sat here and I listened, I said that sounded familiar. And it was when we were doing the public procurement legislation and we were in Opposition and we looked at that same clause and we were saying but you are creating this body and as usual why are we giving a body the opportunity to be tax-free, will they abuse it, et cetera.

There is no piece of law, no piece of legislation that is passed that stops anybody from abusing it, because by definition the fact that people break law means that they do not necessarily respect the law. For the authority to get up, get off its feet, do what it needs to be done, it is felt by us as legislators that there is nothing abnormal, nothing unusual and they can be granted this same facility. Is there going to be oversight? The answer is yes. Because at the end of the day before they can spend money, they need to get the money.

So there is a budgeting process, a national budgeting process that will give them subventions, their line items, it will be looked at how the money is expended. They will be audited, they will have to produce a report for the Minister of National Security. The Minister of National Security has the right and can always ask the Minister of Finance to send in the Central Audit Committee as we have done as an administration time and time again when there is any allegation, we believe that they may be misspending, et cetera. There is no need to worry or create a sense of panic that is any lack of accountability, there is nothing unusual with this provision, so again that is the response to that.

So, Madam Speaker, in summary and in conclusion, I say there should be no justifiable fear in us getting on with what is long overdue. I heard it suggested by a previous speaker—it may have been the Member for Oropouche East—that this industry is 50 years old in Trinidad. Fifty years old unregulated, exploiting

potentially some of the most vulnerable in our society in their jobs and their job places.

Now is the time for us to get on with it. There is nothing that is frightening in this piece of legislation, nothing of concern, but as I say if we miss something, I have not heard anything so far, we are prepared to listen and it is not too late for amendments to be made in those circumstances. Madam Speaker, with those few words, I thank you. [*Desk thumping*].

Mr. David Lee (*Pointe-a-Pierre*): [*Desk thumping*] Thank you, Madam Speaker, to join this debate. I just listened to the—and I know we are going to tea shortly. And I just listened to the Member for Port of Spain North/St. Ann's West, the Minister of National Security, and he looked up into the public gallery and he recognized the Estate Police Association. But I want to ask the Member if he read through the document submitted by the Estate Police Association that was submitted to the JSC Committee that we are discussing the report. It is like a 50-page document and I just want to quote something, because he talked about looking after the interest of the EPA and I just want to quickly quote the opening page when they submitted their report to us; the EPA—this is the association—was with:

“...great surprise...”—the Bill was—“laid in the Parliament of Trinidad and Tobago for enactment into legislation on Monday 6th May, 2019 by the Minister in the Ministry of the Attorney General and Legal Affairs, the Honourable Fitzgerald Hinds.”

It goes on to say, Madam Speaker, on this occasion, he talks about there always had been a collaborative effort between the Government, whichever government was in power, and the association. But they go on to say:

“On this occasion, however, the Association must state its dissatisfaction with the process currently being used to enact legislation to reform the security industry. The Association was not consulted on the subject of security industry reform for the Private Security Industry Bill 2019 by the Ministry of the Attorney General and Legal Affairs, or invited by the Ministry to submit a response on the same subject, or sit in committee, or invited to discussions, or even made aware that the Ministry of the Attorney General and Legal Affairs was proposing to enact legislation to reform the industry.”

Hon. Member: What is the date of that?

Mr. D. Lee: The 9th of August, 2019. Okay. So it is a 50-page document. I will go further into it, because some of statements that my colleague the Member for Oropouche East was talking about, having an OSH member and so forth, when you go through this document from the EPA, a lot of the recommendations were the recommendations or concerns of the EPA that is right here in the public gallery, Madam Speaker. [*Desk thumping*]

So it is disingenuous by the Member for Port of Spain North/St. Ann's West to say this afternoon they are looking after the workers' rights and the EP Association, and they never took the care to really go through this 50-plus page document. And this is where my Member, the Member for Oropouche East was talking about that this is like when we were in our committee stage was round one. Because we never had the opportunity to discuss workers' rights and the situation that would have kept the workers, that is associated with this private security industry, Madam Speaker. So I am a bit taken aback where the Minister of National Security is talking about looking after the rights of the workers and the

exploitation of workers.

And we created, I must say we started good work in that Committee. That Committee was started back in, I think, based on the report, Madam Speaker, on June 26, 2019. What is interesting, this afternoon when the Member for Laventille West was piloting the Bill, referred to me as his “good friend” and I said, you know, in my mind, that is trouble here this afternoon. Because I want to go back to when we started up that Committee back in 2019, Madam Speaker, and in some discussions with the Member for Laventille West who was the Chairman of that Committee, I asked him if he would do things differently in this Committee. And he said, “What would you like”? I said well, at the end of the report, whenever that final report is done, you would give the members on that Committee a seven-day window to review the report before it is laid in Parliament—

Hon. Member: What!

Mr. D. Lee:—so we can discuss it. Now, Madam Speaker, if you go to the Minutes of July the 3rd:

“MATTERS ARISING

Paragraph 5.3: Member Lee suggested and the Committee agreed that the Committee’s final draft report will be circulated for consideration by Members, seven days prior to laying same in Parliament.” [*Desk thumping*]

And, Madam Speaker, this is where I thought things would have been different in this Committee, chaired by my friend, the Member for Laventille West. [*Crosstalk*] Because I have sat down on several other committees, not—I am a newcomer to the Parliament. And when I have the pleasure of sitting in a committee, the Insurance JSC chaired by the Member Diego Martin North/East, and his style was engaging, he gave the opportunity to the Opposition to engage themselves in that

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Committee and a fulsome—

Hon. Member: True.

Mr. D. Lee:—report, and he always gave the Opposition—

Madam Speaker: Hon. Members, it is now 4.30. This sitting is suspended. We shall resume at 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Madam Speaker: Member for Pointe-a-Pierre. [*Desk thumping*]

Mr. D. Lee: Thank you, Madam Speaker. Before we broke for tea I was making the point that these joint select committees, I had the pleasure of sitting on the Insurance Joint Select Committee, chaired by the Member for Diego Martin North/East. And also I am part of the Joint Select Committee for Energy Affairs, and the Member really allows all members to participate, hear them, and at the end of the report like in the Insurance, it was a consensus, it was three-fifths that was required. When we came to the House here we had no issue, the Opposition supported the Insurance Bill and the report, and all went well.

So, Madam Speaker, when as being a Member in the Fourth Session, that started in the Fourth Session on this Joint Select Committee for the Private Security Industry Bill, 2019, we really had some good and I would say, some healthy discussions in several of those meetings. In the Fourth Session we held 11 meetings, and I have the Minutes of those meetings and really and truly, Opposition at any point in time would have at least have had two members present at all times, in all those 11 meetings in the Fourth Session. It is unfortunate that when the Fourth Session ended, and the work of the Committee was saved and carried over into the Fifth Session, the first meeting which I think was on the 7th of

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November, 2019, which was no different than our first meeting that we had on June 26, 2019, where you, Madam Speaker, would have come and set the tone of nominating a Chairman and so forth. And as the Member from Oropouche East would have mentioned in his contribution, that after you left the Chair, the Member for Laventille West took the Chair for 13 minutes, and everything was okay, and told the Committee that he would send the final report to Parliament.

The 7th of November, I think, was on a Wednesday, and on Friday the report was laid in Parliament. And if you have to reflect back on the second Minutes in the Fourth Session where the Committee was promised by the Chairman that before the final report is laid, all members of the Committee would have gotten seven days to review that report, discuss it among ourselves, and what we were hoping to achieve, I was hoping to achieve, that when that final report comes to Parliament, it would have been a signed-off report by all members, because it would have been agreed upon and it would have sent a good message, a good signal to the Parliament and to the country, Madam Speaker, but that did not happen.

Madam Speaker, this Bill, this report that is in front of us that has the Private Security Industry Bill, requires a three-fifths vote, majority. And when you look at the different clauses of that Bill that was discussed in the Committee, and it is in here in this report, the clauses 4 and 5 of the Constitution affect clauses 49 and 59 of this Bill, 28, 29, 49 and 59 as I mentioned. And those clauses are very serious clauses in respect of the erosion of the rights of citizens of Trinidad and Tobago.

Madam Speaker, the Member for Port of Spain North/St. Ann's West made mention in his debate the definition of "peace enforcement officer". Now, when we were back in the Fourth Session, in the Committee stages, the Committee had a

problem with trying to come up with a definition of what was meant by the “peace enforcement officer”. At the time the Chairman, the Member for Laventille West was not too sure of the definition or interpretation of how it was defined in the Bill, as opposed to the reality in Trinidad and Tobago. And it was only after other meetings, other Committee meetings that we engaged the Member for Port of Spain North/St. Ann’s West, and he was able to give us some clarification that this “peace enforcement officer” is similar to the security that protects the bands at carnival time.

And I would say a little bit more on that because those groups of individuals that are hired on Carnival, the two days of Carnival to protect the masqueraders in the particular bands, again, that is being regulated as part of this Bill, Madam Speaker, and we had issues with that and it needed some more fleshing out at committee stage, Madam Speaker. Because those individuals that provide that service the two days of Monday and Tuesday of Carnival, it is of a very short temporary nature. And a lot of the band owners really would pull these workers or these security individuals from all throughout Trinidad and Tobago, to give them as they say a “bligh”, a two-day short-term work, Madam Speaker. And we had serious issues with that as far as tying that in to this Private Security Industry Bill.

I want to also agree, Madam Speaker, that in all the discussions that we have had at the Committee stages, all the meetings that we have had, I want to agree again with the Member for Oropouche East, when we always felt that while we were going through clause by clause, that it was like round one and would have to come back and really bring stakeholders in front of us, especially small and medium-sized security firms, to hear their views and to assist or understand what are their concerns, Madam Speaker.

Madam Speaker, we do agree, the Opposition does agree that the private security industry requires regulation, I think that is a given. But it is how we approach the regulating of that industry, Madam Speaker. Madam Speaker, when you go through the different clauses of the Bill that was part of the report, it really, and that is why I keep saying that a lot of work still had to be done at the Committee stage, because the Bill impacts the security service operators, the proprietary security organization, the security officers, special security officers, the Private Security Service Review Council, Madam Speaker, offences and penalties, and then you had Schedules 1, 2 and 3, the code of conduct of security officers, the code of conduct of security owners—of companies, Madam Speaker. And really and truly, a critical piece of legislation like this as the Member for Oropouche East had mentioned 30 years in the making, that another month or two would not be unreasonable for the Chairman to continue the work—and he did do good work, we did do good work, I mean, our sessions at the Committee stage were very long sessions as compared to other committee members. We would have maybe some days we would have had three/four-hour committee meetings, because it required the kind of work on this particular piece of legislation, Madam Speaker.

So, Madam Speaker, it is a lot more work that has to be done. And I am still in awe why the Member for Laventille West would have wrapped up or ended prematurely the report or discussing the Bill. Madam Speaker, I just want to go back to what the Member for Port of Spain North/St. Ann's West said when he referred to the Estate Police Association, Madam Speaker. And the Estate Police Association is a critical association that would be affected by this piece of legislation, Madam Speaker. And that is why they took the time and care to submit a 50-page document, Madam Speaker. And if one was to go through this document

which I did, I felt that they should have been given a hearing, a one on one hearing without other security firms and other associations in front of the Committee, Madam Speaker. Because they are a different kind of association, a different kind of situation as compared to the private security owners, Madam Speaker. And they had made several recommendations, and while they would have submitted it in writing, it would have been nice to be able to discuss it with them one or one with the Committee. And I think they would have felt happy in doing that, Madam Speaker.

Madam Speaker, when the Member for Oropouche East was talking about members of the board, the make-up, the composition of the board, some of the recommendations by the EPA, of the different types of individuals they would have liked to see, on the composition of the board, they mentioned, “It is proposed”, and I quote here on page 13 of their document:

“It is proposed that the constitution of the statutory board be amended to include a suitably qualified person from the Occupational Safety and Health Authority...”

Madam Speaker, and the Member for Oropouche East had mentioned that, but was chastised for mentioning something like that, by the Member for Port of Spain North/St. Ann’s West. They also, the EPA also recommended a member who:

“...include a suitably qualified person from the Office of Disaster Preparedness and Management.”—Madam Speaker.

They also mentioned and recommended that they also have sitting on that board:

“...a...qualified person from the Equal Opportunity Commission.”

And I think the Equal—if I try to understand why they would want a member from the Equal Opportunity Commission to sit on that powerful board, Madam Speaker,

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is to bring equality and fairness to the security guards, the security men and women, who would have been under the ambit, and the watch, and licensed by the board, Madam Speaker. They also had mentioned that:

“It is proposed that the constitution...should be amended to include a representative from”—JTUM—“Joint Trade Union Movement...and a representative from the National Trade Union Centre...”

So Madam Speaker, they were looking at a holistic composition of boards from all walks throughout Trinidad and Tobago, walks of life, profession, et cetera, Madam Speaker. And it would have been nice to have them in front of us, to hear and be able to discuss with them their concerns. Now, Madam Speaker, they did a very comprehensive clause by clause analysis of the Bill and their concerns. And one of their major concerns was the protection of the workers, the protection of the security men and women of this country that would have fallen under this new piece of legislation, Madam Speaker. Because I heard both Members, Laventille West and the Member for Port of Spain North/St. Ann's West, talk about the exploitation of workers and this piece of legislation supposed to protect them.

Madam Speaker, in all our deliberations at the Committee stage on the JSC, we did not have the time and we were hoping, my other members, we were hoping that one of those meetings would have been able to flesh out and discuss the issues of workers' rights, insurance compensation, the type of insurance that the security guard—would have been covered, et cetera, Madam Speaker. And that did not happen, Madam Speaker. So, there was a lot of stuff, Madam Speaker, that had to continue.

Madam Speaker, when you look at the different clauses in this Committee report, Madam Speaker, when you look at the—I just want to go down to clause

78, page 39 of this report. Clause 78 says, and it is about in the area using security services in contravention of the Act, Madam Speaker, 78 says:

“(1) No person shall utilise or obtain a security service listed under Part I of Schedule 3, unless he is satisfied that the provider of the service is licensed to provide that service.”

Now, what that talks about, Madam Speaker, is that you have individuals who might hire their own security guard, and this is where we had an issue and it needed to be fleshed out, that those individuals who hire their own security guard to protect their homes, now fall under the ambit of this piece of regulations, Madam Speaker. And the offences and fines that go along with if those individuals, those homeowners, or business owners, do not carry out the proper rules and procedures as designated here, would have been fined and it is very onerous. It is like, I think something like five years in jail and so forth, Madam Speaker. So we needed to flesh out that sort of—those areas that we had some concerns with, Madam Speaker.

Madam Speaker, overall the Bill in itself, as I said it required a lot more work, and we agree with the regulations, Madam Speaker, and we felt that a lot more could be done. Madam Speaker, I do not propose to hold us much longer, but I would feel and I would agree with my Member from Oropouche East that right now in this way that the report is done and presented before us, we have issues with it, and we would like it to go back to a committee stage so that we can finish the good work that was started, Madam Speaker. With those few words, I thank you. [*Desk thumping*]

Madam Speaker: Member for D’Abadie/O’Meara.

Brig. Gen. (Ret.) Ancil Antoine (*D’Abadie/O’Meara*): Thank you, Madam

Speaker. I thank you for this opportunity to contribute to this debate as a member of the Joint Select Committee to consider and report on the Private Security Industry Bill, 2019. This is a long overdue piece of legislation, Madam Speaker, as this industry needs regulation. It is an industry filled with exploitation of workers, it is a low-paying industry, and it is an industry where workers work very long hours for very little pay. I want to commend the Member for Laventille West for his enthusiasm, his dedication, [*Desk thumping*] the energy he put out and he placed into the work of this Committee. I really want to commend him, he did a lot of work in terms of this Committee.

As everyone said, we had about 11 meetings, and the contribution from the Member for Oropouche East speaks of this Bill being fraught with excessive bureaucracy. But this is an industry that requires a measure of bureaucracy for it to run smoothly. So, I am not too sure I support him and his perspective, that there is excessive bureaucracy in this industry. The Member for Laventille West had a dynamic methodology to work through these 11 meetings of this Committee.

He invited the office of the Chief Parliamentary Counsel to provide a legal interpretation of the Bill. He engaged the stakeholders in public meetings and in written submissions, and he also invited submissions from the public. In the public hearings we had the Association of Security Companies of Trinidad and Tobago, we had the Estate Police Association, and we had Amalgamated Security Services attend the public hearings. So, I find that the Member of Parliament for Pointe-a-Pierre is disingenuous and really playing to the public gallery, because I see members of the EPA here. Because they were invited to give written submissions, he himself says that the submission was about 50 pages, and they attended the public hearing, and they were allowed to contribute. What he did not

say, obviously it was in his mind, and he did not put it towards the Committee, is that he wanted them to return for a one on one meeting, and for the life of me I cannot understand why he did not bring this to the attention of the Committee.

Again, in his mind as well, he seems to want to discuss workers' rights, and exploitation, and low wages, et cetera, but again, he did not bring it to the members of the Committee. The key to this Committee was the matrix put together by the CPC. Because in this matrix at every meeting adjustments were made, corrections were made, additions were made, subtractions were made to the matrix, and then the next meeting the updated matrix would come again, and then we will go through the whole process and we deal with whatever meant to be dealt with and it would be updated over and over for each meeting.

So, there was a continuous dialogue between all members of the Committee, and continuous interpretation by the CPC for the issues that came up. And there are quite a number of issues that came up during the course of the meeting. And again, for the life of me, I cannot understand my colleagues on the other side, because not all meetings were chaired by the Member for Laventille West. The Independent Senator, Paul Richards chaired some of the meetings in the absence of the Chairman, and we all had lots of discussions and we dealt with all the issues that came up.

One area that we needed to deal with was in terms of definition, and the definition of "private security industry" came up. What we felt, the first definition was inadequate, the CPC went and came up with another definition because we felt that they did not cover all aspects of the industry. So we included the aspects of the industry that dealt with electronic security, those dealing with CCTV, access control and vehicle location, they were included. And the definition that we finally

settled upon was:

“‘private security industry’ means the industry which offers or provides security services and includes security service operators, proprietary security employers, special security officers and security officers;”

That is the definition we settled on. And we broke it down into five different categories of officers: private security officers; special security officers; close protection officers; peace enforcement officers, that the other members mentioned; and private investigators.

In terms of the officers, there was a lot of debate and discussion in terms of the minimum level of qualification and training for officers and confidentiality of these officers. Because we felt that if an officer is a close protection officer, where he is in close proximity to a major player, he would be privy to a lot of confidential discussions, confidential matters, phone calls, et cetera. So there was a need to look at the confidentiality and a clause was examined and put in place to deal with the confidentiality of these officers. And we also looked at the code of conduct and adjustments were made to the code of conduct as well.

There was also need and we addressed it, and we spoke about punitive measures in terms of officers fail to adhere to the standards and qualifications. And the punitive measures for failure by security officers and special security officers to adhere to the standards and guidelines. So, we put in punitive measures for those who would break their code of conduct.

Another area that had a lot of discussion, and took several meetings to conclude was the role of the inspectors. And mainly because it was felt that these inspectors would have to enter into private property. And there was a lot of concern about these inspectors having the ability to go into private dwellings, and

it was decided that they would have to create inventory of items that they removed or requisitioned. And again, just like the officers, personal sanctions would have been placed against those who overreach the authority. And of course, we also looked at suitably qualified officers not just on the board, but in terms of the inspectors and in terms of the officers.

And clause 29 that we finally decided upon:

“29(1) An inspector may, during normal working hours, conduct a random inspection of a proprietary security employer and security officers and special security officers in the employ of that proprietary security employer for the purpose of monitoring the compliance of the proprietary security employer, the security officers and the special security officers with this Act, the Guidelines and the Standards.

(2) An inspector shall not enter any building, or part thereof, in actual use as a dwelling without the consent of the occupier, except under the authority of a warrant issued under subsection (3).”

So we went into detail in terms of these inspectors to ensure that they complied with the law, and that they did not abuse their power, especially when they were dealing with private property, entering into people’s private dwellings. Clause 5 says:

“(5) An Inspector authorised under subsection (4) to enter a building or part thereof shall, if so required, produce evidence of his authority, before entering and shall not enter the building or part thereof unless twenty-four hours’ notice of the intended entry has been given to the occupier.”

So we looked at officers, we looked at inspectors, we looked at firearms, we said that all the companies involved who have firearms must ensure that the firearms

are in good working condition, that they are secured at all times. We even went and as mentioned by some of the other players, looked at the dog handlers. And we agreed that legislation should stipulate that handlers of dogs adhere to the stipulations of the Dog Control Act and receive the prescribed training in the control of dogs. And we also think that the dogs should be well taken care of, healthy, et cetera, as the case may be. So we looked at that as well.

So I felt that the Committee took a comprehensive detailed investigation into this entire Act, so that we would look after the interest of those involved in the Act in terms of especially, as I say again, it is a low-paying industry with long hours, but also we looked at the other citizens who would be impacted by the officers and the inspectors, the dog handlers as the case may be, so that your interest would be adhered to.

We looked at drug testing and background screening of the officers involved. And it was felt that a percentage of the workforce should be drug tested.

5.30 p.m.

Clause 36(7) says:

“A security service operator shall—

- (a) cause a drug test to be conducted annually in the prescribed manner, on a random selection of not less than ten per cent of the security officers and special security officers in its employ...”

So we looked at drug testing of the operatives, and a percentage of the force, should be drug tested, and (b) says:

- “(b) cause a drug test to be conducted in the prescribed manner, on a security officer or special security officer in its employ, where there are reasonable grounds to suspect that the officer is under the

influence of alcohol, dangerous drugs or any other substance, which may impair his ability to perform his duties.”

Again, this is an industry that deals with different types of security officers, close protection officers, security officers and officers under the influence of drugs, whether it is alcohol or such, could be detrimental to the people they are sworn to protect.

We also looked at licences. We agree that no general licence should be approved, no license—across the board licence should be approved—but licence will delineate the actual category of service and the category of products. In the case of somebody having to wait six months for a licence, it was felt that a temporary licence for a period of three months should be issued and after three months, this temporary licence could be revoked or it could be made permanent after three months. So we looked at the issue of licence, rather than somebody waiting six months to get a licence, we looked at different jurisdictions where a temporary licence was provided and we agreed that temporary licences should be provided for the operators.

The Estate Police Association that my friend from Pointe-a-Pierre seemed to engage—because I know that they are here in the public gallery—and they participated. As I said again, they sent in their written submissions, they participated in the public meeting, and I believe that if the Members on the other side wanted us to engage them further, they should have said so and I did not see any problem. I would have supported an additional meeting as the case may be, if we wanted to go on a one-on-one with the Estate Police Association, I find it would have been a good idea, because they had a lot of concerns. Again, as I said, it is a low paying industry, long hours, and I felt that the Committee would have

spent the time to deal specifically with the Estate Police Association and their concerns.

Shortfalls: I felt there was some shortfalls at the registration of the—and these were corrected, especially because of the matrix. The registration of the proprietary security and the MTS, they had been omitted and they were included, and we looked at the insurance requirements of the security companies. Because, obviously, in an industry like this, there would be claims against false arrest and the abuse of force, especially when you are dealing with close protection officers, you are dealing with security officers, sometimes the tempers get, you know, out of hand. Sometimes, again, as the Member for Port of Spain North/St. Ann's West mentioned, these people worked Carnival day in terms of security et cetera, you know, and the alcohol around, tempers flare, and we looked at the insurance requirements for the companies so that false arrest could be dealt with as well as the abuse of force.

The lack of members on the private security authority board, for ASCOTT, and the other security company and the EPA, OSHA, these were discussed, and if the Members on the other side needed further discussions, I am of the opinion that they just needed to bring it to the attention of the Chairman and the members of the Committee and time would have been given to them.

So, Madam Speaker, as a Member of the Committee, I felt that the meetings were very productive. I must say that I was impressed with the professionalism of the CPA and the matrix that they produced week after week—CPC sorry, the CPC, my apologies—week after week allowing us to make adjustments, allowing us to revisit things that we thought we had passed, and we would go back and revisit them and discuss them. I felt that the methodology used by the Member for

Laventille West was adequate and it helped us come to the conclusions of this Committee.

So, in concluding, I would like to, once again, thank the Member for Laventille West on the enthusiasm, the energy placed into this Committee, and I would hope that the Members on the other side would have brought up the issues, if they had problems with it so that we could have dealt with it at the committee stage, and I thank you. [*Desk thumping*]

ADJOURNMENT

The Minister of Social Development and Family Services (Hon. Camille Robinson-Regis): Madam Speaker, I beg to move that the House do now adjourn to Friday the 13th day of March at 1.30 p.m. Madam Speaker, at that time we will do the Real Estate Agents Bill.

Madam Speaker: Hon. Members, there is one matter that qualifies to be raised on the Motion for the adjournment of the House. I will now call upon the Member for Tabaquite.

Migrant Children from Venezuela

(Government's Roles and Responsibilities)

Dr. Surujrattan Rambachan (Tabaquite): Thank you very much, Madam Speaker. Madam Speaker, I thank you for allowing me the opportunity, once again, to bring another matter which I think is of national and international importance for the attention of the Government, and I think for all citizens given the fact that the Government created an avenue for Venezuelan refugees or migrants or what have you, to come into the country and to be registered.

Madam Speaker, as you recognize now, I have been bringing these social issues before the Parliament. I spoke one time about the ADHD for children and I

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am now doing research, Madam Speaker, to see how well the Ministry of Education has, in fact, implemented the recommendations of the Parliament. I brought the matter of violence, the unacceptable rate of violence against children. Today I am bringing this matter of the education of migrant children from Venezuela and the social and economic obligations, roles and responsibilities of the Government of Trinidad and Tobago.

Madam Speaker, it is a very big topic and 10 minutes is a short time in which to say something, but I think my objective is to bring these matters back into the national space, and I think it is important to do that. Madam Speaker, I bring this matter also against the background that it has international implications for us as a country, given us having international obligations under the Geneva Convention on the status of refugees and the United Nations Convention on the Rights of the Child.

Madam Speaker, among the commitments is the obligation, or if you wish to use the word “commitment”, to provide access to public education to all children regardless of their legal status and access to legal work by refugees. However, Madam Speaker, in an article published internationally, Refugees International it is called, by Melanie Teff, on the 27th of January, 2019, entitled: “Forced into illegality: Venezuelan refugees and migrants in Trinidad and Tobago”. There is a paragraph which sums up the predicament of the migrant children from Venezuela. But let me just say, Madam Speaker, according to the research I have been doing, there are about approximately 5,000 Venezuelan migrant children in Trinidad and Tobago at this time, and most of these are not being educated in any formal sense. In fact, some are not getting any education at all.

Madam Speaker, this is the quotation from the article:

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“...the absence of refugee legislation and migration policy, the inability to work legally, the threat of detention, and the lack of access to public education for refugee children will result in constant fear and hopelessness about the future for Venezuelans living there.”

The moment we opened our doors to Venezuela migrants and refugees, we came under, I believe, a moral obligation in order to provide certain services for them. I know that they go to the medical services, to the hospitals and so on, but I think the future of these children is imperilled, especially if they do not have a foundation in terms of their education, because one of the questions I would like to raise with the Ministry of National Security and the Government is this. If you have registered them and you are saying that they have one year in Trinidad, are you really going to send them back? What is going to happen at the end of that year? And if for one year those children in their very formative years are not given the opportunity for education, what is going to happen to them?

Madam Speaker, according to the United Nations Children’s Fund (UNICEF), every child should be able to get an education despite their status and UNICEF has published a document entitled: “A child is a child” which outlines and:

“...calls for increased collective efforts by governments, communities and the private sector to provide uprooted children with access to education and health services, and to shelter, nutrition”—and also—“sanitation.”

In other words, as participants, us as a country, in the work of the UN and signatory to several UN resolutions defending human rights and the rights of the child, we must accept that a child’s migration status should never be a barrier to accessing basis services.

Madam Speaker, I would like to place on record, I think the appreciation of everyone in Trinidad and Tobago to organizations like, Is There Not a Cause (ITNAC), an active NGO, launched a year ago, a one-year school programme for children of Venezuelan migrants on August 06, 2019, and it was an initiative called the Learning Space to school some 100 children from toddlers to teenagers. Their concern is finances and volunteers, but I think that the efforts of La Romaine Migrant Support (LAMS) currently serves 80 children and has a waiting list of over 50 more. There are lots of Venezuelan children not going to school in south Trinidad.

The group is attempting to fill the gap that the Government, I believe, has in a sense, left open—the Government has left open. However, they are facing the ineptitude of the current administration. This organization, La Romaine Migrant Support, has applied for NGO status since April 2019 and my latest information is that they have not gotten it as yet. But what this has done, it is actively hindering them from receiving grants from institutions such as the US Embassy and otherwise. Look, we are putting ourselves in the country in a very bad light. Amnesty International has been pleading with the Government to assist in the education of these children.

Now, we have had some negative kinds of statements being made, for example, by the President of TTUTA Lynsley Doodhai in 2019. He raised concerns about the difficulty of locals to get their children in schools, and he thought that, you know, the first priority then should be the local children, and then we had a situation where the Minister of National Security made a very interesting statement. At a June 6th media briefing, the hon. Prime Minister said:

“If the Catholic church, in its pastoral work, gets involved with trying to

educate...children who are not going to school, that is acceptable in TT.”

But the Minister of National Security, Mr. Young, cautioned at the same briefing:

“There is no guarantee of space in our schools. Our first priority is educating our nationals.”

Now, I want to know where is the policy then? Is it that they are not going to be given a space in school or what have we? If not, then why not work with the NGOs to make sure that the children get some kind of education? If that is what you have in the short run, why not strengthen the NGOs who are willing to do this work, why not strengthen the Catholic Church who seems to have a very, very deep interest in doing this pastoral work.

But another stumbling block is that access to public school education in general has been stymied by the inability of these Venezuelan parents to obtain a student permit from the Immigration Department for their children, and this is coming from Rochelle Nakhid, coordinator of the Living Water Community Ministry to Migrants and Refugees. Living Water is, of course, the UN refugee agency local partner.

Madam Speaker, in addition to that, you have a situation where LAMS—again I make the appeal—applied for NGO status, they are not getting it. Now, things are going on locally. On November 18, 2019, the *Guardian* newspaper reported that the United National Children Fund partnered with the Living Water Community to provide 600 Venezuelan migrant children with tablets so that they can pursue their education in Trinidad, and they were also to be used as part of a blended online face-to-face institution programme certified by the Caribbean Examinations Council, CXC. They did that because the Minister of Education as quoted in the article said that the children could not be accommodated in the public

school system.

Madam Speaker, I think that this is a very serious situation, a really, really, very serious situation and one that, you know, somebody has to pay attention to. Somebody has to pay attention to this. We just cannot hide from this problem. We have accepted these people in the country as migrants. These children are in a very difficult situation. Madam Speaker, I can take you to a couple homes in the village of Fyzabad where six and seven children are in a home between the ages of one and eight and not going to school at all. In some cases, I am trying myself now to provide a teacher who will work along with a parent, Spanish and English, to see if you can, at least, put some basic learning into these children, because, you know, I see their future as being very imperilled because of this.

Madam Speaker, there are lots of buildings that are empty right now. Some of them were to be built as ECCE centres. Why can the Government not allow some of these NGOs to use them in order to educate these children and perhaps educate other children side by side? [*Desk thumping*] In my own constituency of Gasparillo there is one there and it is now covered by grass and covered by vines and so on. There is one in Waterloo. There are activity centres that have been built in the country that are closed simply because the Government would not put electricity in them and what have you and so on that can be used in order to show that we have a social conscience in this country, that we have a social responsibility. [*Desk thumping*] I thank you, Madam Speaker.

The Minister of Education (Hon. Anthony Garcia): Thank you very much Madam Speaker, and thank you very much for giving me the opportunity to respond to the Member for Tabaquite. Madam Speaker, the first point I want to make is that we must clear our minds with respect to the difference between

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migrant children and refugees. The policy or the position of this Government is that these children are regarded as migrant children, they are not regarded as refugees and, therefore, in dealing with these children, our process must be different from dealing with refugees. That is the first point I want to make, and I think the Member for Tabaquite in his contribution confused the issue between migrant children and refugees. He mixed them up and there is a clear distinction, Madam Speaker.

Secondly, every person in this country was well aware of the position of this Government on this issue. It was made clear from the very beginning that our priority had to be given to nationals, children who are nationals of this country. We never for one moment said that we are going to deny these migrant children of an opportunity to access education. What we said is that priority must be given to our children and, again, the Member for Tabaquite is misconstruing the position of Government.

Madam Speaker, he spoke about why do we not give NGOs the opportunity to educate these children. I want to reemphasize that in our school system there are two types of schools: we have the Government schools and we have the denominational schools. We have what is referred to as a dual system in our education where the church plays an important part. Madam Speaker, I have been having discussions with the Catholic Board as high up as the Archbishop in an effort to ensure that children of migrants are given an opportunity but, at the same time, it is made clear that we cannot place this burden on the shoulders of Government as though we are neglecting our position.

The Member for Tabaquite spoke about our 2030 agenda for sustainable development and also the United Nations position on the rights of the child. We

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Hon. A. Garcia (cont'd)

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are well aware of that, Madam Speaker, and we are working towards that. We believe that every child should have access to an education and this is one of the pillars upon which we based our education system, and to say that we are not following this is not correct. We are fully aware of our position and of our responsibilities and we are doing everything to ensure that our children are given the first preference.

He asked the question, what is going to happen to these children after one year? It is expected that this situation will be reviewed. And, again, the Minister of National Security has been saying this over and over. After one year, the situation will be reviewed. They are not here for all times. Their position here will be assessed and on the basis on this assessment, it will be decided—the Government will decide our next step forward. I want to make the point again, Madam Speaker, that the Government of Trinidad and Tobago and, by extension, the Ministry of Education is aware of our responsibilities but, at the same time, our greater responsibility must be to the children of this nation who are nationals. Thank you very much. [*Desk thumping*]

Question put and agreed to.

House adjourned accordingly.

Adjourned at 5.55 p.m.