

**HOUSE OF REPRESENTATIVES**

*Monday, April 27, 2020*

The House met at 1.30 p.m.

**PRAYERS**

[MADAM SPEAKER *in the Chair*]

**LEAVE OF ABSENCE**

**Madam Speaker:** Hon. Members, I have received communication from Dr. Surujrattan Rambachan, MP, Member for Tabaquite. The leave which the Member seeks is granted from attendance at today's sitting.

**PROVISION OF A SAFE ENVIRONMENT**

**Madam Speaker:** Hon. Members, the provision of a safe environment for all Members of Parliament and staff remains one of our overriding considerations as we continue our collective fight against COVID 19. At previous sittings on March 20<sup>th</sup> and March 25<sup>th</sup> of this year, I announced the following measures:

1. Upon entry into the Parliamentary Complex, the requirement that everyone must sanitize their hands.
2. The suspension of committee meetings and Chamber tours.
3. The reconfiguration of seating arrangements in the Chamber to allow for social distancing.
4. The reduction in the number of persons in the Chamber while allowing for the maintenance of a quorum.
5. The provision of alternate accommodation appropriately outfitted for Members to monitor the proceedings in the Chamber in real time.
6. The provision of appropriate accommodation for support staff of the Government as well as the Opposition.

7. In the event that division is called, Members will be allowed a maximum of three minutes to return to the Chamber before the count commences. Members are reminded that once a Member enters the Chamber before the result is declared that Member shall be allowed to vote.
8. The reduction of parliamentary support staff from 5.00 p.m. Those measures continue to remain in force.

The following additional measures have been approved by me as Speaker as we advance our efforts against COVID-19.

**Temperature Screening:** All persons inclusive of Members, Parliament staff, security personnel and support staff of Members are now required to undergo temperature scanning via handheld, non-touch temperature scanner, upon every entry into the Parliamentary Complex. Should any individual test above 37.5 degrees Celsius further screening shall be facilitated by the Ministry of Health. Hon. Members, regardless of the outcome of that further screening, the individual shall not be permitted entry into the Parliamentary Complex.

**Use of face masks:** All Members are required to wear face masks at all times while in the Parliamentary Complex, including in this Chamber. Black cloth masks are approved for use in the Chamber. A sanitized individually wrapped, reusable black cloth mask free of charge has been provided and offered to every Member who may not possess a black mask and requires one.

Given these current unusual circumstances, while in no way wishing to interfere with Members' right to speak, I once again appeal to Members to be considerate with the use of their speaking time, so that the sitting is not too lengthy.

I strongly recommend that the House foregoes the suspension at 4.30 and further that the House should not sit beyond the automatic hour of interruption, that is, 8.00 p.m.

Lastly, hon. Members, further restriction to the number of persons being permitted in the Chamber has become necessary. I wish to advise that no visitors shall be permitted entry to the Public Gallery, save and except five media personnel. I thank all Members for their continued cooperation.

### **PAPERS LAID**

1. Audited Financial Statements of the Caribbean Industrial Research Institute for the financial year ended September 30, 2014. [*The Minister of Finance (Hon. Colm Imbert)*]  
*To be referred to the Public Accounts (Enterprises) Committee.*
2. Value Added Tax (Bond-Payment Refund) Regulations, 2020. [*Hon. C. Imbert*]
3. Administrative Report of the Ministry of Planning and Sustainable Development for the period October 2013 to September 2014. [*The Minister of Social Development and Family Services (Hon. Camille Robinson-Regis)*]
4. Civil Proceedings (Amendment) Rules, 2020. [*The Attorney General (Hon. Faris Al Rawi)*]
5. Family Proceedings (Amendment) Rules, 2020. [*Hon. F. Al Rawi*]
6. Children Court (Amendment) Rules, 2020. [*Hon. F. Al Rawi*]

### **UGENT QUESTIONS**

#### **Approved Private Laboratories for COVID 19 Testing**

Urgent Questions (cont'd)

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**Dr. Lackram Bodoë** (*Fyzabad*): Thank you, Madam Speaker. To the Minister of Health: Could the Minister state which private laboratories have been approved by the Ministry of Health for COVID 19 virus testing?

**The Minister of Health (Hon. Terrence Deyalsingh)**: Thank you very much, Madam Speaker. Madam Speaker, as of today, five applications have been approved. I am sorry, five applications have been received and none have been approved. Thank you very much, Madam Speaker.

**Madam Speaker**: Supplemental, Member for Fyzabad.

**Dr. Bodoë**: Minister, just to clarify, are you saying that these have been considered and not approved?

**Hon. T. Deyalsingh**: Yes.

**Madam Speaker**: Member for Barataria/San Juan, supplemental.

**Dr. Bodoë**: Thank you, Minister, could you indicate to me whether CARPHA is an accredited body for labs?

**Madam Speaker**: Minister of Health.

**Hon. T. Deyalsingh**: CARPHA may not have the legal authority but out of an abundance of caution to protect the health of the country, we are subjecting all labs, whether it is in the private sector or in the public sector, to the quality assurance process as directed by the Chief Medical Officer in conjunction with PAHO and CARPHA. As you say, we cannot legislate for everything but out of an abundance of caution we do not want to make the mistake of other countries with false negatives especially. And we have already received false negatives from private labs at the start of this issue. Thank you very much, Madam Speaker.

**Madam Speaker**: Member for Barataria/San Juan, question number two.

### **Food Service Pickup**

**Dr. Fuad Khan** (*Barataria/San Juan*): To the Minister of Health: Is the Minister reconsidering the decision regarding the total closure of delivery and pickup orders by the food service industry since this has worsened the liquidity problem in the industry, invoked major hardships in the working poor, and seriously inconvenienced essential workers both inside and outside the health sector?

**Madam Speaker:** Minister of Health

**The Minister of Health (Hon. Terrence Deyalsingh):** Thank you very much, Madam Speaker. Madam Speaker, this question is particularly troubling coming from a medical doctor. The newest, absolute newest information is that COVID-19 as of three or four days ago is now posing major clotting problems for young adults in their 20s, 30s and 40s. People are dying now because their blood is clotting.

Let me give you an example, Dr. Sharon Fox, MD, PhD, is saying “We must learn lessons from the dead”. Dr. Adam Cuba, he says, “Tubes quickly become clotted when they collect blood in tubes”. He is saying patients are making clot all over the place and he is a haematologist and Associate Professor of Medicine.

Madam Speaker, it will be reckless of a government to ignore this new scientific data and simply open up the economy without a concern for patients’ lives. We have said from the beginning, that all decisions made will be made based on science, will be made on data and this new evidence throws another spanner into the works. So people in their 20s, 30s and 40s who my friend wants to open up for, if a government knows that, we have a duty to protect them and save their lives and the decisions going forward will be based on science and data. Thank you very much, Madam Speaker.

**Dr. Khan:** Minister, could you, based on your last answer say, are you aware that the United States of America, United Kingdom, Italy, Spain, Australia, Taiwan, and South Korea to name a few, those developed countries have allowed food

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service delivery and curbside pickup to maintain worker employment and service. Are you then saying that what they are doing is wrong?

**Madam Speaker:** Minister of Health.

**Hon. T. Deyalsingh:** I am saying what we are doing is right. What we are doing is to save lives of Trinidadians and Tobagonians. What we are doing is right. I do not compare us to any other country. As a matter of fact, many of those countries are now suffering a second wave of infections which are going to dwarf the first waves. Is that what the UNC is prescribing for us in Trinidad and Tobago? I hope not, Madam Speaker. Thank you very much.

**Madam Speaker:** Supplemental, Member for Barataria/San Juan.

**Dr. Khan:** Minister, based on the data that you have indicated from the Ministry of Health, where there is a miniscule death rate and the curve seems to have flattened out to a pancake, are you then saying that you will continue to punish the population with lockdown of the food service delivery industry?

**Madam Speaker:** Minister of Health.

**Hon. T. Deyalsingh:** I am so happy to hear the UNC say a miniscule death rate because that is in direct contravention to their public utterances. It means that we have done a wonderful job and I thank the Member for recognizing that. I thank the Member for recognizing that.

**Hon. Member:** You want to keep it so.

**Hon. T. Deyalsingh:** We have done the— And we want to keep it so. Lives are our first priority. And we have a range of social packages that other Ministers could speak to, but we want to keep people alive so that they can enjoy the rest of 2020. Thank you very much.

**Madam Speaker:** Member for Pointe-a-Pierre.

**Registered School Feeding Programme Recipients**

**UNREVISED**

**(Provision of Food Cards)**

**Mr. David Lee** (*Pointe-a-Pierre*): Thank you, Madam Speaker. To the Minister of Social Development and Family Services: Can the Minister say whether parents of students registered for the School Feeding Programme have been provided with food cards?

**Madam Speaker:** Minister of Social Development and Family Services.

**The Minister of Social Development and Family Services (Hon. Camille Robinson-Regis):** Thank you very much, Madam Speaker. Madam Speaker, I am really surprised to get this question from the Member of Parliament for Pointe-a-Pierre, especially given the fact that all Members of Parliament were involved in the issuing of food cards to parents of children who are on the School Feeding Programme. So I do not know where this is coming from. I do not know how the Member of Parliament for Pointe-a-Pierre could ask this question, especially since all Members of Parliament got a list from which they were to glean the parents of those students who were on the School Feeding Programme. They were initially provided with 50 cards, then they got 47 cards. All Members of Parliament should have collected a certain number of cards. So Madam Speaker, I am very, very surprised that a Member of Parliament could ask this question.

**1.45 p.m.**

**Madam Speaker:** Supplemental, Member for Pointe-a-Pierre.

**Mr. Lee:** Thank you, Madam Speaker. To the Minister: Minister, are you saying then that all parents of all children who are registered on the food card programme will be getting a card? [*Desk thumping*]

**Hon. C. Robinson-Regis:** Madam Speaker, what I am saying is that each Member of Parliament was supposed to get 500 cards. That would facilitate 20,000 families—20,500 families as a matter of fact. And so, again, I am surprised that

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the Member of Parliament is asking this question. The list was provided and children whose parents who were on this list were supposed to be given food cards. Madam Speaker, it may be that not every single parent got. But, Madam Speaker, in the main, most, if not all parents, were supposed to get the food cards.

**Madam Speaker:** Supplemental, Member of Pointe-a-Pierre.

**Mr. Lee:** Thank you, Madam Speaker. To the Minister: Minister, in Pointe-a-Pierre alone I have over 3,000 children registered on the food programme and you have only given me 500 to date. Are you telling us that, in time, all children will get a food card?

**Hon. C. Robinson-Regis:** Madam Speaker, I repeat. The children who were registered with the Ministry of Education were supposed to be given food cards on this programme. Madam Speaker, I am also saying if not every parent got a food card, that would be a very miniscule amount and consequently most if not all parents whose children were on the School Feeding Programme were covered.

### **Distribution of Masks**

**Ms. Ramona Ramdial** (*Couva North*): Thank you. Thank you, Madam Speaker. To the Minister of Health: Could the Minister state how soon before his Ministry starts the distribution of masks as was promised three weeks ago to the citizens of Trinidad and Tobago?

**The Minister of Health (Hon. Terrence Deyalsingh):** Thank you. Thank you very much. Madam Speaker, this question is based on a false premise because we have already started the distribution of masks [*Desk thumping*] as we had said, through FEEL. [*Desk thumping*] FEEL to date has distributed, starting week before last, 6,000 masks in Trinidad, 2,000 in Tobago. They will be receiving an additional 15,000 to 20,000 by this weekend, and the Government's thrust through NIPDEC, tenders have been received—they were received last Friday. The tenders



will be evaluated this week. Successful tenderers would be classified according to capacity, small medium and large, and they will be producing masks. They will liaise with the Ministry of Health and the NGOs to distribute masks by the thousands. So, the promise made three weeks ago has been kept through FEEL and we are going to deepen the process as we move forward. Thank you very much, Madam Speaker. [*Desk thumping*]

**Ms. Ramdial:** Thank you, Madam Speaker. Minister, what is the total number of masks to be distributed to the citizens of Trinidad and Tobago?

**Hon. T. Deyalsingh:** Madam Speaker, I have just said FEEL has distributed 6,000 in Trinidad, 2,000 in Tobago. They will get another 15,000 to 20,000 this weekend, and through NIPDEC many other hundreds of thousands will be distributed. In addition to that, individuals are making masks. You could make your own mask at home as I have done with an old t-shirt. You get four and five masks out of that. So between the NGOs, the Government, and private sector I cannot give you a figure but it will be in the hundreds of thousands. Thank you very much, Madam Speaker. [*Desk thumping*]

**Ms. Ramdial:** Minister, at what cost to the Ministry of Health is the mask initiative being undertaken?

**Hon. T. Deyalsingh:** Madam Speaker, there is no cost to the Ministry of Health. The Ministry of Health is not purchasing masks. The masks are given to FEEL by the private sector. So we are not buying masks. There is no thieving going on with masks. [*Desk thumping*] There is no corruption with masks. Right? Mamoo is not making masks. [*Desk thumping*] Right? So there is no cost—direct cost to the taxpayer. This is an all of society approach. The private sector is partnering with FEEL to make the masks available to citizens of Trinidad and Tobago free of charge. [*Desk thumping*]

**Students with Visual Disability****(Access to Online Educational/Course Content)**

**Mrs. Christine Newallo-Hosein** (*Cumuto/Manzanilla*): Thank you. Question No. 5 to the Minister of Education. Could the Minister indicate what is his plan for students with a visual disability to access online, the Ministry's entire educational/course content at all respective levels?

**The Minister of Education (Hon. Anthony Garcia)**: Madam Speaker, I am very happy to be given the opportunity to explain what we are doing with respect to providing avenues for learning. Madam Speaker, the Ministry is making efforts at ensuring that students with a visual disability are catered for as we chart the way forward with plans and programmes that will cater for all our students.

Madam Speaker, with respect to the plan for students with a visual disability to access online, the Ministry of Education took the following action. One, the Ministry of Education's Online Learning Management System provides for progressive support depending on the severity of the disability. This support includes the following functions and features:(a) Provision of good contrast images between background and foreground.

(b) Use of colours.

The systems allow all users to customize their visual settings ensuring font size and type are easily customized. All images have the function of allowing a text or vocal description of the images, closed captions for videos, transcripts also for videos. The courses are designed from concept to maximum accessibility. All content can be read aloud by various browsers and the ability is fully integrated with Moodle as an assistance tool for all learners with literacy or accessibility challenges with text or documents. Thank you very much.

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**Mrs. Newallo-Hosein:** Thank you, Madam Speaker. Hon. Minister, are you aware that the initiatives that you have described are really for persons who are partially blind and not totally? And, therefore, Sir, I am asking, is the Minister aware that Mr. Wade, who was responsible for providing the embosser and Braille service for computer and all cellphones and hardware and software, his contract has not been renewed? Would the Minister reconsider that so that the children who are visually impaired can in fact get their online services?

**Madam Speaker:** Member for Cumuto/Manzanilla, I ascertain that there were three questions in that one question. Could you please say which is the question you are asking?

**Mrs. Newallo-Hosein:** Thank you, Madam Speaker. Can the Minister advise how these services will be provided when the lone person who is responsible for providing the services, Mr. Wade, is no longer there?

**Hon. A. Garcia:** Madam Speaker, I humbly submit that that is an issue that has to be dealt with other places. I certainly do not have the information here. Thank you very much.

### ANSWERS TO QUESTIONS

**The Minister of Social Development and Family Services (Hon. Camille Robinson-Regis):** Thank you very much, Madam Speaker. Madam Speaker, there are six questions for oral answer, we will be answering four. We are asking for a two-week deferral for questions 45 and 62. There are three questions for written answer, we will be answering all three questions.

### WRITTEN ANSWERS TO QUESTIONS

#### Ministry of Health and RHAs

#### (Moneys Spent in Legal Fees)

**58. Mr. Rushton Paray (Fyzabad)** asked the hon. Minister of Health:

Could the Minister provide the amount spent on legal fees by the Ministry of Health and each of the Regional Health Authorities (RHAs) for the financial years 2016 to 2019?

**Ministry of Health and RHAs**

**(Moneys Spent on Media Advertising)**

59. **Mr. Rushton Paray** (*Fyzabad*) asked the hon. Minister of Health: Could the Minister provide a list of the sums spent on media advertising and public relations events by the Ministry of Health and each of the RHAs for the financial years 2016 to 2019?

**Nurse Trace, New Lands and La Savanne Circular,**

**New Lands Guayaguayare**

**(Details of)**

61. **Mr. Rushton Paray** (*Fyzabad*) asked the hon. Minister of Housing and Urban Development:

With regard to the Land Settlement Agency's Developments located at Nurse Trace, New Lands and La Savanne Circular, New Lands Guayaguayare, could the Minister advise:

- (a) the current condition and state of readiness of these developments;
- (b) the current criteria being used to allocate lots within these developments; and
- (c) the names, current addresses and application dates of each recipient of lots for these developments?

*Vide end of sitting for written answers.*

**ORAL ANSWERS TO QUESTIONS**

*The following questions stood on the Order Paper:*

**Government Rentals****(Details of)**

- 45.** Could the hon. Minister of Public Administration indicate:
- a. the number of government rentals that did not have:
    - i. fire certificate approval; or
    - ii. OSHA approval; or
    - iii. town and country approval for the period 2005 to February 29, 2020;
  - b. the duration of those rentals in part (a) and a list of these properties?  
[*Dr. F. Khan*]

**Naval Assets****(Details of)**

- 62.** Could the hon. Minister of National Security provide:
- (a) a breakdown of the total naval assets available to protect our maritime borders; and
  - (b) the list of naval assets in part (a) that are currently operational and in service? [*Dr. S. Rambachan*]

*Questions, by leave, deferred.*

**Poole RC School****(Details of)**

- 60.** **Mr. David Lee** (*Pointe-a-Pierre*) on behalf of Mr. Rushton Paray (*Mayaro*) asked the hon. Minister of Education:

With regard to the Poole RC School, could the Minister provide:

- (a) the circumstances surrounding the school's closure during the last school term;

- (b) the actions being taken for this school to fully resume operations; and
- (c) the reasons that the Ministry's commitment to provide these students with maxi taxi transportation to St. Theresa RC School has not materialized to date?

**The Minister of Education (Hon. Anthony Garcia):** Thank you very much, Madam Speaker. Madam Speaker, following an inspection of the Poole RC School on the 4<sup>th</sup> of September, 2017, by a structural engineer from the design engineering branch of the Ministry of Works and Transport, a recommendation was made to demolish the building. As a result, the school was closed. Subsequently, Poole RC was located at the St. Therese RC School on the 29<sup>th</sup> of August, 2019, following consultation with the relevant stakeholders.

The Ministry of Education, through its various divisions, has collaborated with the Catholic Board of Education in order to decide on the best course of action so as to fully resume operations at Poole RC School. As a result, a team of engineers from the Ministry of Education, along with members of the Catholic Board of Education, visited the school site and they suggested utilizing pre-engineered structures for school operations. The Ministry of Education is currently investigating this along with other options.

At the time of relocation, no request for transportation was made to the Ministry of Education. Madam Speaker, the parents' request for transportation was brought to the attention of the School Supervision and Management Division by the principal of the school only on February the 4<sup>th</sup> 2020. The Ministry of Education has since put measures in place for the Public Transport Service Corporation to facilitate the transportation of 60 students for the upcoming school term by way of maxi-taxi concessionaire service from Poole RC to St. Therese RC.

Thank you very much.

**UWI Penal/Debe Campus  
(Commencement Date)**

**63. Mr. Fazal Karim** (*Chaguanas East*) asked the hon. Minister of Education:  
With regard to the University of the West Indies (UWI) Penal/Debe Campus, could the Minister provide the expected commencement date for classes and the areas of study?

**The Minister of Education (Hon. Anthony Garcia):** Madam Speaker, the Ministry of Education has been advised by the administration of the St. Augustine Campus of the University of the West Indies that it is aiming to commence operation at the Penal/Debe Campus from September 2020. It is proposed that the campus will deliver eight existing programmes at the new site: one, Humanities and Education: four programmes from Diploma in Education to Masters in Education; two, Science and Technology, one programme—N1—Pre-Science in Mathematics, Physics, Biology, Chemistry and Computer Science; three, Food and Agriculture: two programmes, Certificate in Environmental Geography and Diploma in Agriculture and four, Medical Sciences, one programme, Pre-Health Professions Programme.

The campus will also be the new home of the University of the West Indies School of Business and Applied Studies which is currently utilizing space at the Naparima Boys College in San Fernando. The UWI Roytec will provide 13 programmes offerings ranging from certificate level to bachelor level studies. The new premises at the south campus will offer more space to expand programme offerings.

While the University at the South Campus are almost in a ready state, the appropriate lead time required for an effective September 20<sup>th</sup> commencement will

be dependent on the level and duration of disruption as a result of the measures put in place to curb the spread of COVID 19. Thank you.

**Mr. Karim:** Thank you very much, Madam Speaker. Hon. Minister, will you be able to say how many of the 100 dormitory rooms on this campus will be outfitted for use by COVID 19 patients?

**Madam Speaker:** I would not allow that as a supplemental question.

### **UTT Tamana Campus**

#### **(Details of)**

**64. Mr. Fazal Karim** (*Chaguanas East*) asked the hon. Minister of Education:  
With regard to the University of Trinidad and Tobago (UTT) Tamana Campus, could the Minister provide the total completion cost and the expected opening date?

**The Minister of Education (Hon. Anthony Garcia):** Madam Speaker, I am always very happy to respond to questions from my good friend, they are so easy to answer. The University of Trinidad and Tobago (UTT) has advised that the completion budget for phase one of the UTT Tamana Signature Building Complex is estimated at TT \$2.2 billion. To date, \$1.86 billion has been expended with a further \$352 million required for completion. Phase one comprises the east block, the central plaza, the west block and the physical plant which are at different stages of completion as follows. The east block, this is nearing completion with some corporate staff beginning to occupy offices. This block should be ready for the September 2020 semester. The central plaza, 80 per cent complete; the west block, 75 per cent complete; the physical plant, 75 per cent complete.

At this time and especially with the current crisis facing not only Trinidad and Tobago, but the entire globe, as a result of COVID 19, the Ministry is unable to provide an accurate date for the expected opening of the University of Trinidad



and Tobago's Tamana Campus. Thank you.

**Madam Speaker:** Supplemental. Member for Chaguanas East.

**Mr. Karim:** Thank you very much, Madam Speaker. Hon. Minister, might you be able to say what sums of money were transferred from UTT's main account over the last financial year to allow for the construction of this Tamana Campus.

**Hon. A. Garcia:** Madam Speaker, he asked a direct question and my direct answer is, I am not at this point able to answer that question. Thank you very much.

### **UTT Campuses**

#### **(Conversion to Primary and/or Secondary School)**

**65. Mr. Fazal Karim** (*Chaguanas East*) asked the hon. Minister of Education: Could the Minister provide the number of UTT campuses that are expected to be converted to a primary and/or secondary school?

**The Minister of Education (Hon. Anthony Garcia):** Thank you very much, Madam Speaker. The Ministry of Education is actively engaged in efficiency strategies, one of which entails maximizing existing resources towards the improvement of the entire education system in Trinidad and Tobago. As national institutions in the tertiary education sector moves towards centres of excellence and programme clustering and consolidation with an increased impetus to convert and promote blended and online modalities, some existing structures may become available for alternative uses.

The Ministry along with these institutions are constantly in dialogue to determine which sites, if any, may be practical and best fit for conversion for the much needed primary and secondary school spaces. Tertiary education institutions in response to the economic challenges of recent years, and in an effort to achieve financial sustainability, have embarked on cost reduction and programme

consolidation exercises. UTT is no exception and, as such, exercises are ongoing.

In pursuance of this, the UTT is evaluating the following: reduction of the number of campuses while maintaining all existing programmes; conversion through blended online modes of delivery. This is being done university wide currently and expedience in completing the Tamana Campus to accommodate classes for a multitude of campuses. Thank you.

**Mr. Karim:** Thank you very much, Madam Speaker. Madam Speaker, could the Minister indicate whether any UTT campus has been closed down and given way to accommodating any primary school in this country?

**Hon. A. Garcia:** Madam Speaker, this is another question that is so easy to answer. No UTT campus has been closed down to accommodate any primary or even any secondary school.

**Mr. Karim:** Thank you very much, Madam Speaker. Is the Minister aware that the St. Sylvan Waterloo—sorry, Carapichaima EC School now currently occupies the UTT's Waterloo Research Campus?

**Hon. A. Garcia:** Madam Speaker, I am well aware of that, but I answered the question before. No primary school has been—no UTT campus has been closed down to accommodate any primary or secondary school. That is a facility that was brought on board to assist the students in that school. But, again, I reiterate, no campus has been closed down.

**Mr. Karim:** Thank you very much, Madam Speaker. Will the Minister confirm then that at some time in the future the Waterloo Research Campus of UTT will be in operation once again after the return of the St. Sylvan Carapichaima EC School to its proper location?

**Hon. A. Garcia:** Madam Speaker, again, this question is based on a wrong premise, but again, to facilitate the Member for Chaguanas East, I must say that as

soon as operations are in order and things are put in place, we will ensure that our UTT campuses are back to full operation. Thank you.

**Madam Speaker:** Questions 45 and 62 are deferred for two weeks.

### **DEFINITE URGENT MATTERS**

#### **(LEAVE)**

#### **Continued Education for Students**

#### **(Government's Inability to Provide)**

**Mr. Fazal Karim** (*Chaguanas East*): Thank you very much, Madam Speaker. Madam Speaker, in accordance with Standing Order 17 of the House of Representatives, I hereby seek your leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely the Government's inability to adequately prepare and provide for the continued education of our nation's students at all levels of the education system.

The matter is definite since the effects of the COVID 19 pandemic have caused uncertainty regarding the opening of the new school term since the closure of schools on Monday the 9<sup>th</sup> of March 2020. The matter is urgent, because the sitting of examinations and graduation at all education levels will significantly impact students' career paths and the Government has yet to effectively address the absence of operations and administrative structures such as online learning and assessment.

The matter is of public importance, because to quote the late Dr. Eric Williams, "The future of our nation lies in the children's school bags", school bags which are, at this time, devoid of laptops and other such tools, which have now become critically necessary for their education. I thank you, Madam Speaker.  
[*Desk thumping*]

**Madam Speaker:** Hon. Members, you do know that for a matter to qualify under

this Standing Order it must be of such a sudden and urgent nature that there was no other opportunity for it to be addressed prior. A matter that qualifies under this Standing Order seeks to get answers from the Government on a sudden emergency in circumstances where no Government position or policy has been made public. It therefore causes the setting aside of the business of the House to treat with this urgent and abrupt matter of public importance. The threshold is therefore very high. This is why I always direct members to Standing Order 16. That allows for the discussion of the matter sought to be raised. If the issue persists, Members can also utilize Standing Order 35. In some instances, Members take the advice, but in others, Members do not.

Hon. Member, I am not satisfied that this matter qualifies under Standing Order 17. I advise that the Member, if he wishes, may pursue this matter under Standing Order 16. Member for Oropouche East.

### **Bolivarian Republic of Venezuela**

#### **(Illegal Gasoline Trade)**

**Dr. Roodal Moonilal** (*Oropouche East*): Thank you very much, Madam Speaker. Madam Speaker, I hereby seek to move the adjournment of the House today under Standing Order 17 for the purpose of discussing a definite matter of urgent public importance, namely the use of institutional and infrastructural capacity in the energy sector to facilitate an illegal gasoline trade with the Bolivarian Republic of Venezuela.

The matter is definite because it pertains explicitly to widespread credible information in the international press which revealed that sea vessels have been clandestinely moving gasoline via Point Lisas to shipping ports in Aruba and elsewhere in the region as decoys to send fuel to Venezuela.

The matter is urgent because this very serious incident places Trinidad and

Tobago in a rogue state category of countries acting as third-party intermediaries to prop-up an autocratic and illegal Government.

The matter is of public importance because this development can lead to dire economic sanctions being imposed on US energy companies and manufacturing enterprises doing business in Trinidad and Tobago. I so move. [*Desk thumping*]

**Madam Speaker:** Hon. Members, in the interest of time, I will not repeat what I said earlier, but it applies. Hon. Members, I am not satisfied that this matter qualifies under this Standing Order. I advise that the Member may, if he so wishes, pursue this matter under Standing Order 16.

### ARRANGEMENT OF BUSINESS

**The Minister of Social Development and Family Services (Hon. Camille Robinson-Regis):** Thank you very kindly, Madam Speaker. Madam Speaker, in accordance with Standing Order 122(1), I seek your leave to move a Motion for the suspension of Standing Order 24(3) which provides the time limit for Statements by Ministers.

**Madam Speaker:** Hon. Members, leave is granted. Leader of the House.

**Hon. C. Robinson-Regis:** Thank you very kindly again, Madam Speaker. Madam Speaker, I beg to move that Standing Order 24(3) be suspended to permit the Minister of Finance to complete his statement.

*Question put and agreed to.*

### STATEMENT BY MINISTER

#### COVID 19 Pandemic

#### (Financial Response of Government)

**The Minister of Finance (Hon. Colm Imbert):** Thank you very much, Madam Speaker. Madam Speaker, I am authorized by Cabinet to make a statement to this honourable House on the economic effect and financial response of the

Statement by Minister (cont'd)

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Government to the COVID 19 pandemic. Please note that this is a statement on our current financial efforts and should not be construed as a plan for recovery from the economic effects of the virus since that is being handled in another forum.

Madam Speaker, we are in an unprecedented public health and economic crisis brought about by the novel coronavirus known as COVID 19. The economic effects of this pandemic could not have come at a worse time. Firstly, there has been a 35 per cent decline in natural gas prices since September 2019, as a result of weak demand, restarting of nuclear power plants in Japan and sharp increase in the availability of LNG from non-traditional exporters. Add to this, an unprecedented collapse of oil prices over the last three months, caused initially by a price war between Russia and Saudi Arabia which drastically reduced the price of oil from \$60 a barrel in January to \$30 a barrel in March and then, the global economic shutdown resulting from COVID 19 which so depressed the demand for oil that out of nowhere last week, the May futures price for West Texas Intermediate oil dropped to US 1 cent per barrel and then turned negative for the first time in history.

This crisis is global in scale and scope and the outlook is subject to extremely high uncertainty in the context of its unfolding character. With over 3million confirmed cases of the virus worldwide and over 200,000 deaths so far, no one can really say for certain what next month will bring. Recognizing the sheer magnitude and impact of this COVID 19 pandemic, therefore, this PNM administration, under the leadership of the Prime Minister, Hon. Dr. Keith Rowley, came to the early conclusion that a comprehensive response and mobilization of all available resources and expertise at all layers of the public and private sectors was necessary. The response represented an urgent imperative to survive the health and economic crisis. Madam Speaker, we are confronting a crisis, the like of which we

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have never seen before. Worldwide, the virus is causing tragic loss of life and the lockdown needed to contain it has severely depressed world economic activity. As a result, the global economy is projected by the International Monetary Fund to contract sharply by at least 3 per cent in 2020, much worse than during the 2008—2009 financial crisis.

In a baseline scenario, which assumes that the pandemic fades in the second half of 2020 and containment efforts can be gradually unwound, the global economy is projected to grow by 5.8 per cent in 2021 as economic activity normalizes, helped by policy support. However, Madam Speaker, there is extreme uncertainty about the global growth forecast. The economic fallout is affected by factors which interact in ways that are hard to predict, such as the spread of the virus, the intensity and efficacy of containment efforts, the extent of supply disruptions, the repercussions of the dramatic tightening in global financial market conditions, shift in spending patterns, behavioural changes, such as people avoiding shopping malls and public transportation, social distancing and confidence effects. Most countries around the world face a multilayered crisis comprising a health shock, domestic economic disruption, plummeting external demand, capital flow reversals and a collapse in commodity prices. For us in Trinidad and Tobago, we are profoundly affected by volatile commodity prices.

Madam Speaker, the impact on Trinidad and Tobago is not different to anybody else. We face the same problems as the rest of the world. Since our assumption of office in September 2015, this Government has met its public commitment to transparency and accountability in all public matters. Today I propose to share with Members of the honourable House the principal elements in our comprehensive package of policies which are in place to address this unprecedented humanitarian public health and economic challenge posed by the

COVID 19 pandemic. But first of all, I would like to express the sympathy of this administration to all families and communities which have been affected by this pandemic. I would also like to commend our devoted and hard-working health care personnel, medical practitioners and essential workers for their collective responsibility for ensuring the containment of this pandemic in Trinidad and Tobago. [*Desk thumping*] They are all doing a tremendous job.

Madam Speaker, while the breadth, depth and duration of the effects of the virus are still uncertain, our strategic initiatives have been swift as we seek to slow the spread of the disease and minimize its economic consequences. We have been successful. We acted decisively, even before the World Health Organization had declared the virus as a pandemic on March 11, 2020. As a result, the number of known and confirmed case as of today is limited at 116, with eight associated deaths, and these in the main have resulted from patients who had contracted the disease through overseas travel and from primary contacts. In addition, 59 people have recovered and have been discharged from our health facilities. Moreover, following international guidelines, we have been ramping up our diagnostic testing capability to identify infected persons. Thus, we will be able to conduct tracing for treatment and isolation in a controlled environment. We are ensuring that a systematic resumption of economic activity would take place in healthy and safe surroundings. This Government will protect the lives of our citizens at all costs. [*Desk thumping*] We will not be reckless with human life.

Further, notwithstanding the recommendation of some Members opposite that we use dangerous pharmaceutical products designed for other uses to treat patients infected with the virus, we in this Government shall continue to rely on the best scientific and medical advice from the World Health Organization and other reputable international bodies. [*Desk Thumping*] Substantial budgetary resources



are being directed to the health sector and this is aided by external financial support. Additional medical personnel are being hired, medical equipment and PPE are being sourced, hospitals and medical facilities are being upgraded and commissioned, and specific sites are dedicated to treating infected people. Step-down convalescing facilities are in place. We have created a health system parallel to the traditional health facilities to specifically respond to the pandemic.

In terms of international financial assistance to address the unprecedented financial demands of COVID 19, we are sourcing US \$300million or TT \$2billion from various multilateral agencies: US \$20 million from the World Bank, US \$130 million from the IADB and US \$150 million from the Development Bank of Latin America, also known as CAF. We are also pursuing a further US \$500 million or TT \$3.4 billion for budgetary support from other external sources. We have also raised TT \$500 million locally to pay for the increased demands for goods and services for the regional health authorities and to settle aged trade payables in the health sector. In terms of the cash flow for the Ministry of Health and the RHAs, in the face of this pandemic, therefore, we are on a strong footing.

Madam Speaker, Trinidad and Tobago is not only impacted by the economic consequences of COVID 19, but as an oil and gas exporting country, the economic financial and social consequences are being further compounded by the dramatic drop in oil and gas prices. The worldwide demand for crude has crashed in the context of “stay home” lockdown orders. As I indicated earlier, on April 20, 2020, the price of West Texas Intermediate took an unprecedented turn entering negative territory for the first time in its history. The WTI June 2020 delivery for crude oil is currently US \$15 per barrel and the natural gas June futures price is US \$1.82 per MMBtu. Notwithstanding this, the April 2020 *World Economic Outlook*, published by the IMF, is forecasting a price of oil of US \$35.61 per barrel in 2020

and US \$37.87 per barrel in 2021. While the latest US Energy Information Administration Short-Term Outlook estimates WTI to average US \$29.34 for the rest of 2020, which if correct, will put the price of our local Molo crude at around US \$32 per barrel, above its break-even price of \$28. The US EIA also estimates that natural gas will average US \$2.11 per MMBtu in 2020. However, oil and gas price forecasts are exceedingly problematic at this time.

As a result of these developments and the consequent erosion of our oil and gas tax revenue base, as well as the exceptional social support being channelled to our citizens, the country's economic and fiscal outlook and budget is being recalibrated. It should be noted that this year's budget was based on an oil price of \$60 and a gas price of \$3. Madam Speaker, our early and initial response to the pandemic was proactive in nature. A containment framework to minimize the spread of the disease was swiftly put in place and appropriately strengthened. We closed our borders. We closed our schools and some businesses. We limited, initially, public gatherings to 10 persons. We encouraged adjustment to business practices and working arrangements. We emphasized the importance of social distancing and deepened such efforts by placing restrictions on all non-essential activities on a limited period of time. These restrictions, as you would have heard the hon. Prime Minister said, would be re-evaluated on or before the 10<sup>th</sup> of May, 2020.

We implemented, subsequently, more stringent measures to deepen social distancing and shelter-in-place by reducing the number of persons who can congregate to five, by advising that face masks be worn in public spaces and by imposing time restrictions on the operation of businesses which are permitted to remain open. We operationalized immediately a parallel health care system with all the necessary equipment, infrastructure and personnel for COVID 19 patients

and persons under quarantine with no significant disruption or interference to our main health care system. Madam Speaker, as we sought to mitigate the health impact of the pandemic on our citizens, we recognized that economic activity would be curtailed significantly. Indeed, there was no doubt that those containment measures would have a most severe economic fallout on some of our major employment-creating sectors: tourism, hospitality, manufacturing, trade, distribution, construction, agriculture, personal and professional services, and arts, entertainment and recreation. We have responded quickly with a broad set of policy measures aimed at providing social protection, assisting the poor and vulnerable, protecting businesses, jobs and incomes, maintaining financial resilience, and sustaining economic activity.

Madam Speaker, a targeted and sizable financial support programme for an initial period of three months at a cost of approximately \$4.5 billion is providing a safety net for the most vulnerable households and businesses. Over 75,000 households, comprising over 200,000 nationals of Trinidad and Tobago, have benefited from additional social support measures implemented by the Ministry of Social Development and Family Services so far. [*Desk thumping*] To date, over \$65 million has already been spent or committed by that Ministry on COVID 19 relief measures. These measures include over \$25 million worth of food cards, distributed to Members of Parliament, to assist parents for a three-month period whose children would normally receive meals through the School Feeding Programme and for other needy persons in their constituencies. Existing food card recipients have also had their food cards topped up with additional funds at a cost of over \$17 million and over 30,000 persons in receipt of public assistance or disability assistance have been given additional assistance at a cost of over \$22million. Food hampers have also been sent to all regional corporations.

In addition to the above, the Ministry of Social Development and Family Services is currently processing applications for income support grants of up to \$1,500 per month per household, for persons who are outside of the NIS and BIR systems who have lost their jobs or incomes as a result of COVID 19 measures; that is persons in the informal economy. Rent relief grants of up to \$2,400 per month are also available. It is expected that these social support measures will cost up to \$200million for the period up to July 2020.

Today, Madam Speaker, the Government has decided to expand the reach of its food support programmes by enlisting the assistance of our churches and religious bodies. Grants totalling \$10 million per month for three months, May, June and July, will be given to religious bodies in proportion to the size of their congregations for them to distribute food to the poor and needy in accordance with their existing procedures and programmes. This will cost \$30million.

Additionally, a further \$10 million per month for food support will be given to the Ministry of Rural Development and Local Government for distribution within the 14 municipal regions in Trinidad, again for the months of May, June and July, at a cost for a further \$30million. Emphasis in these food support programmes would be placed on the supply of fresh produce as well as traditional processed foods. In the Ministry of Finance, we are well-advanced for the arrangements for the payment of salary relief grants, designed for persons who are registered for national insurance and whose employment has been terminated or suspended without pay as a result of the public health regulations. These grants are for up to \$1,500 per month for up to three months.

As of Friday, March 24, 2020, 30,300 applications for salary relief grants had been received, comprising 11,452 hand-delivered applications from TTPost locations or 38 per cent of the total and 18,758 applications received online by

email or 62 per cent of the total. Earlier estimates of online applications given to us, which were based on the assumed byte size of a typical application, proved to be inaccurate. Indeed, for those who are not Internet savvy, the statistics now justify the use of police stations for the physical collection of forms and TTPost offices for the drop off of completed applications. I am pleased to report that although only two weeks have elapsed since we began to receive applications at TTPost outlets, we have processed and authorized the first batch of 1,000 salary relief grants. If all goes according to plan, these grants will be wired to recipients tomorrow and arrive in their bank accounts by Wednesday, April 29, 2020. Thereafter, we expect to be able to increase our capacity to be able to process and deliver up to 10,000 new grants per week as we speed up and streamline the process. These grants are eventually expected to reach as many as 100,000 persons at a cost of \$400 million.

An interesting statistic is the fact that 88 per cent of the salary relief grants application—88 per cent of the salary relief grant applications received so far have been found to be fully compliant in terms of identification documents, certification from their employers of loss of employment, bank account information, and so on. At this time, I think it is important that we in Trinidad and Tobago look at what is being done in other countries in terms of financial support in the face of COVID 19. Some people, Madam Speaker, in Trinidad and Tobago tend to exaggerate at times and I have heard complaints and demands that our salary relief grants should be given without question, without documentation, without application forms, without eligibility criteria, and in one day as well. I have heard it said that this is what is occurring in the USA, for example. However, Madam Speaker, in reality, in the United States, unless you are already registered with the Internal Revenue Service for income tax with all your personal and private information, including

banking information entered on the IRS database, and you have filed your last year's tax return, and you have a social security number, their equivalent of our NIS, you have nothing to get in terms of COVID 19 relief. Persons in the informal economy in the United States are simply not eligible for relief. The equivalent in Trinidad and Tobago is workers who are not registered with the Board of Inland Revenue or the National Insurance Board.

The same applies in Canada, you must be registered for tax with the Canada Revenue Agency otherwise you will not get any financial assistance from the Canada Revenue Agency during the period of this pandemic. Further, in the USA, if you are not registered for electronic banking it is estimated to take as much as five months to receive any money, if at all. We, on the other hand, are giving relief to nationals of Trinidad and Tobago in the formal economy, that is persons who are registered for tax and/or national insurance and to our nationals in the informal economy, that is nationals of Trinidad and Tobago who are not currently registered for tax or NIS, but are counted in the official CSO statistics as being part of the national labour force. We are also giving assistance on a monthly basis over a three-month period, whereas in the United States, the grant is a one-off payment.

In this context, it should be noted that whereas our labour force is estimated at 620,000 persons, only 420,000 persons are registered for national insurance in Trinidad and Tobago, which means that 200,000 persons or 32 cent of our labour force are outside of the formal system. This is a serious matter, Madam Speaker, which must be addressed when life gets back to normal. It is not fair for those persons who faithfully pay their taxes and NIS contributions for so many unregistered workers to be outside of the system. Madam Speaker, in addition to our individual financial assistance we are improving the cash flow for the business sector to maintain employment. Payment of outstanding arrears of VAT refunds to

businesses is being accelerated thereby easing the financial and economic burden on businesses during this strenuous time and facilitating in the process some measure of business continuity. Importantly, by this measure, we envisage the preservation of jobs at a time when most persons need them.

In March 2020, we issued over 3,800 VAT refund payments in cash to businesses with outstanding arrears of \$250,000 per VAT period or less at a cost of \$260million. Last week, we made the decision to pay out a further \$200 million in cash in VAT refunds to businesses owed between \$250,000 and \$500,000 per VAT period, bringing the total of VAT refunds paid out in cash within a period of four weeks to \$460million. The residual VAT arrears are being settled through the imminent issuance of \$3billion in interest-bearing VAT bonds as a result of the recent amendment of the Value Added Tax Act. These bonds will bear interest at a rate of 3.3 per cent over three years and for those businesses who wish to cash them in, from all our discussions, we expect them to be converted by financial institutions at par, 100 cents on the dollar.

Madam Speaker, we are also taking the opportunity to expedite income tax refunds to individuals. To date, \$116million in income tax refunds of \$20,000 or less has been paid to 17,195 individuals, with 124 million approved for payment to another 7,900 individuals within the next two weeks, thus clearing off all outstanding individual income tax refunds at a cost of \$240million. [*Desk thumping*] Between VAT refunds and income tax refunds, therefore, we would have paid out \$700 million in cash [*Desk thumping*] in a two-month period, [*Desk thumping*] all designed to inject money into the economy to keep people in jobs during this difficult period. Accelerated payments of corporation tax refunds are also being seriously considered.

Additionally today, Madam Speaker, today I had the privilege to sign an

agreement with the bodies representing the credit union sector to provide them with \$100million in funds for soft loans to their members. [*Desk thumping*] With these funds, credit unions will now be able to provide affordable loans of up to \$5,000 per month for three months or \$15,000 in total to their members to carry them through this period. These loans will be priced at half the usual interest rate and will have very favourable repayment terms. [*Desk thumping*] We are also in the final stages of preparing a Government-guaranteed soft loan programme for small and medium-sized enterprises to be administered through the commercial banks. With respect to the availability of foreign exchange for the importation of food, pharmaceuticals, sanitary products, PPE and other essential supplies during the period of COVID 19, Cabinet last week approved the establishment of a special foreign exchange window through the Eximbank, providing US \$25million per month for three months, in the first instance, to establish importers with a track record of bringing in these items. This special forex window is to ensure that there are no shortages of these essential items.

And we have not left out Tobago. We are sending \$50million to the Tobago House of Assembly for the Tobago Regional Health Authority and other COVID 19-related expenses, and a further \$5million to Tobago for their enterprise development programme to help small businesses. We are also making available a special fund of \$50million to provide grants to Tobago hoteliers for hotel upgrade and refurbishment, so that when hotels are permitted to reopen their businesses, their hotel plant will be ready to receive visitors. We have also today initiated the process for wire transfer of funds in the amount of TT \$2,000 or US \$300 to our Trinidad and Tobago students at the UWI campuses at Mona, Jamaica and Cave Hill, Barbados, who are not on national scholarships. National scholars at the two campuses have already received their personal maintenance allowances through



our Unit Trust facility up to May and in several cases, up to June to assist them with the purchase of food in April and May, in the first instance. These funds are being sent to the university bursars at the two campuses for distribution to our students.

Other students at regional universities, such as our students in Cuba, for example, will also be assisted in due course. The measures we have taken to contain the virus thus represent an essential investment in our individual and collective health. The fiscal support is providing relief to those who have lost their jobs and to low- and middle-income households. This expanded fiscal relief programme is supported by enhanced financial policies.

Madam Speaker, the Central Bank is acting to provide stability to the financial system and to support the flow of credit to the economy. The emergency measures adopted by the Central Bank have been reserved for truly rare circumstances such as those we face today. The Central Bank is helping the economy navigate through these difficult circumstances. Reserve requirements for the commercial banks have been reduced by the Central Bank from 17 per cent to 14 per cent and the repo rate from 5 per cent to 3.5 per cent. As a result, commercial banks have reduced their prime lending rates from an average of 9.5 per cent to 7.5 per cent. The narrowing spread between lending rates and deposit rates will surely bring about improved efficiency within the banking system. It should be noted that whereas the reduction in the prime lending rate has an automatic beneficial effect on loans that have a variable interest rate, the commercial banks have advised that loan agreements with fixed interest rates require one-on-one consultation with the commercial banks to discuss possible reductions.

Additional liquidity through the freeing up on \$2.6billion, previously held in reserve, is facilitating the reduction in lending rates. Liquidity in the banking system is now in the vicinity of \$46billion. The banks are also providing a moratorium on mortgages and instalment loan payments. Penalties are being waived on overdraft facilities on a month-by-month basis. Credit cards now have reduced rates and increased limits. Banks are being encouraged by the Ministry of Finance to reduce mortgage interest rates and there will be discussions between the banks and the Ministry of Finance on this issue and interest rates generally. Moneylenders have reduced interest rates and deferred payments. Credit unions are being encouraged to exercise forbearance. The Trinidad and Tobago Mortgage Finance Limited and the Home Mortgage Bank are deferring mortgage payments up to three months, in the first instance. A review could extend these deferrals to a further six months. The Housing Development Corporation is deferring mortgage payments of up to two months which could be extended in the context of the evolving situation. The National Enterprise Development Company (NIDCO) will receive funding to assist clients with soft loans to fund their projects.

**2.45 p.m.**

The Trinidad and Tobago Chamber of Commerce and the Trinidad and Tobago Manufacturers Association have agreed to encourage their members to retain employees for a limited period of time; four weeks in the first instance. Import duty and VAT is being waived or remitted on certain medical and emergency supplies being imported to mitigate the COVID 19 pandemic.

Madam Speaker, the comprehensive social, financial and economic support package of measures has expanded our expenditure envelope, in the context of a serious erosion of our tax base caused by the collapse of oil prices. Accordingly, our fiscal deficit for fiscal 2020, which was originally estimated at \$5.3 billion, is

now expected to expand to \$15.5 billion, \$10.2 billion higher than was envisaged in our fiscal 2020 Budget.

In calculating this revised deficit, we have taken note of the fact that the collapse of the price of WTI oil to US \$0.01 per barrel last week is having an adverse effect on other oil prices. For example, Brent oil, which is closer in price to our local crude than WTI, has dropped to \$20. Such low prices were previously undreamt of. Notwithstanding the forecasts of the US Energy Information Administration and World Economic Outlook of the IMF of oil in the \$30 range and gas in the \$2.10 range for the rest of 2020, therefore, our latest revenue projections are based on conservative prices of \$25 per barrel for oil for the rest of the year and \$1.80 per MMBtu for natural gas. This results in a projected loss of revenue in fiscal 2020 of \$9.2 billion, to which must be added another net \$1 billion in extraordinary expenditure. Within that \$9.2 billion revenue loss, we estimate a loss of \$3.8 billion in taxes on incomes and profits, and losses of \$750 million in business levy and Green Fund levy, \$600 million in taxes on goods and services and international trade, \$2.5 billion loss in royalties and production sharing and \$1.2 billion loss in profits from state enterprises, among other areas.

There is no question, Madam Speaker, that fiscal 2020 will be exceptionally difficult even if the pandemic fades in the second half of the year, thus allowing for a gradual lifting of the containment measures and a re-opening of the economy. Indeed, the April 2020 World Economic Outlook envisages a partial recovery in 2021. However, there is tremendous uncertainty around the outlook, given that it can get worse.

In 2020, therefore, our objective is to keep the economy moving, stimulate economic activity, provide financial assistance to individuals and businesses, and keep as many people employed as is possible, including all workers in the public

sector. We cannot allow this pandemic to destroy our economy and, therefore, while a reallocation of priority areas for spending is inevitable, it is our intention to maintain our original expenditure target of \$53 billion for fiscal 2020. For that reason, we have been in discussions with certain multilateral institutions and development banks with a view to ensuring that in addition to domestic financial resources, appropriate external financing is available to meet the requirements of the expanded fiscal deficit in 2020 and 2021.

Further, we have taken steps to allow for emergency drawdowns from the Heritage and Stabilisation Fund not exceeding US \$1.5 billion or TT \$10 billion in any given year, for budgetary support in exceptional circumstances, such as the current pandemic.

I wish to thank all Members of this honourable House for unanimously supporting the amendments to the legislation governing the Heritage and Stabilisation Fund to allow for such drawdowns. As a country, we have long recognized the importance of building up a foreign exchange buffer through our HSF which now has a net asset value of US \$6.1 billion, US \$500 million more than when we assumed office in September 2015, [*Desk thumping*] despite withdrawals totalling US \$600 million since then and the collapse of the US Stock Market last month.

Madam Speaker, I must emphasize to the national community and to those Members opposite who seem obsessed with generating misinformation, that in rolling out our expanded fiscal and social relief programmes we have not yet withdrawn \$1 from the Heritage and Stabilisation Fund. Let me repeat, we have not yet withdrawn \$1 from the Heritage and Stabilisation Fund. I wish to assure all concerned, therefore, that drawdowns will be made from the Fund in a structured manner, only as and when required, and not arbitrarily or by “vaps”. We will also

tap the domestic capital market for such resources which are necessary, and this is being facilitated by the recent amendment to the Development Loans Act, which created substantial headroom for funding mechanisms.

Again, Madam Speaker, there is tremendous misinformation being propagated about this increase in the borrowing limit. For the record: of the \$10 billion in additional borrowing that was approved by this House some weeks ago, the Government has so far only utilized \$500 million or 5 per cent of the new limit. The exaggerated rumours of the Government capriciously accessing \$20 billion in additional funding and spending it recklessly are thus totally false. We have also sourced external financing for both budgetary and balance of payments purposes, thereby preserving our foreign exchange buffers, and we continue to explore this avenue for budgetary support.

Madam Speaker, we consider policy and delivery execution to be an essential requirement to ensure that our citizens are able to steer through this crisis and come out of it more resilient, and we are preparing for the recovery. On April 16, 2020, the hon. Prime Minister established a 22-person committee to develop and design a road map for Trinidad and Tobago post-COVID. The Committee is chaired by the Prime Minister and comprises Ministers and esteemed representatives from the business community, senior public servants, academia and non-governmental organizations.

Madam Speaker, to sum it up, we recognized very early the characteristics of this crisis. It was fast moving and required quick and effective action which we initiated almost immediately. Our proactive approach has saved us much of the pain and distress that other countries now face. In response to the economic and financial crisis caused by the pandemic, we sought to access financial resources quickly to provide space for priority expenditure, public health and safety

measures, actions to protect vulnerable people and maintain household incomes. Like the rest of the world, we are working with the multilateral institutions while focusing on domestic solutions, and we have rapidly ramped up how to deliver support in the face of a national shutdown. We already have a better understanding of the challenges, risks and trade-offs which we will face as we gradually restart our economy. We are confident that the road map committee will bring a degree of certainty to the shaping of our future.

In closing, we have faced challenges in the past and survived. With the help of all our citizens and Almighty God, we shall do so again on this occasion. I thank you. [*Desk thumping*]

**Mr. Charles:** Thank you, Madam Speaker, Standing Order 24(4), I rise. Given that in New York State they have conducted 30,000 COVID tests per million; in Louisiana 26,000, in New Jersey, 25,000; and in the UK 100,000 per day; that is the target, would the Minister not think, given the fact that we have only conducted less than 1,000 tests per million of population, do we have adequate information to base the projections that you have announced today? And could it be that the difficulty in the money actually reaching the citizens may be a consequence of the fact that we have underestimated the level—

**Madam Speaker:** Member, Member for—[*Interruption*]

**Mr. Charles:**—and pervasiveness of the COVID community spread.

**Madam Speaker:** Member for Naparima, one, you are allowed one question based on the statement, to permit for clarity or further elucidation. I do not believe that the questions you have asked are in conformity with Standing Order 24(4).

### MISCELLANEOUS AMENDMENTS BILL, 2020

Bill to amend the Summary Courts Act, Chap. 4:20; the Oaths Act, Chap. 7:01; the Limitation of Certain Actions Act, Chap. 7:09; the Summary Offences

Miscellaneous (Amdt.) Bill, 2020 (cont'd)

2020.04.27

Act, Chap. 11:02; the Dangerous Drugs Act, Chap. 11:25; the Mental Health Act, Chap. 28:02; the Children Act, Chap. 46:01; the Shipping Act, Chap. 50:10; the Plant Protection Act, Chap. 63:56; the Financial Intelligence Unit of Trinidad and Tobago Act, Chap. 72:01; the Income Tax Act, Chap. 75:01; the Central Bank Act, Chap. 79:02; the Financial Institutions Act, Chap. 79:09; the Companies Act, Chap. 81:01; the Securities Act, Chap. 83:02; the Caribbean Industrial Research Institute, Chap. 85:52; and the Motor Vehicles and Road Traffic (Amendment) Act, 2017 (Act No. 9 of 2017); and to repeal the Magistrates Protection Act, Chap. 6:03 [*The Attorney General*]; read the first time.

*Motion made:* That the next stage be taken on Wednesday, April 29, 2020.  
[*Hon. F. Al-Rawi*]

*Question put and agreed to.*

### **ARRANGEMENT OF BUSINESS**

**The Minister of Social Development and Family Services (Hon. Camille Robinson-Regis):** Thank you very kindly, Madam Speaker. Madam Speaker, given the fact that we are in the midst of a global pandemic, I have been in communication with the Chief Whip, seeking agreement that speaking time be reduced as long as these circumstances require. However, as at this time, there has been no agreement. Consequently, in these circumstances, Madam Speaker, I seek your leave, in accordance with Standing Order 122(1), to move a Motion for the suspension of Standing Order 45(1).

**Madam Speaker:** Hon. Members, leave is granted.

**The Minister of Social Development and Family Services (Hon. Camille Robinson-Regis):** Madam Speaker, I beg to move that during the period of this global pandemic that has impact Trinidad and Tobago that this House suspends Standing Order 45(1) in order for the time limit for speeches in debates to be

limited to 20 minutes with no extensions. Thank you, Madam Speaker.

*Question put.*

**Hon. C. Robinson-Regis:** Division.

**Madam Speaker:** Hon. Members, having regard to the procedure that I have explained, we will start the count at 3.01.

**Dr. Moonilal:** Madam Speaker, may I ask just ask for clarity, while we wait to take a vote? Is there something happening?

**Madam Speaker:** Having regard to the fact that I realize we have been staggering Members, you may have been outside, Member for Oropouche East.**Dr. Moonilal:** Sure.

**Madam Speaker:** The procedure is when a division is asked for, so that all Members who are here would be given an opportunity to vote, and as you know Members are scattered throughout the Complex, Members would be given three minutes to come into the Chamber before the vote commences. That is why we are waiting three minutes.

**Hon. C. Robinson-Regis:** Madam Speaker, as we allow Members to come in and take their seats to allow for the vote, I would like to indicate that I would like to amend the Motion slightly. Do I have your permission to do this, Ma'am?

**Madam Speaker:** Leave is granted Member.

**Hon. C. Robinson-Regis:** Thank you very kindly. Madam Speaker, I would like to amend the Motion to indicate that the time limit for speakers in debates be limited to 20 minutes, with no extensions. However, the mover of the Motion or Bill be allowed 30 minutes and the first responder be also allowed 30 minutes, and all other speakers 20 minutes. Thank you, Madam Speaker.

**Dr. Moonilal:** Madam Speaker, a Motion was put and voted on before. Let us vote on that Motion and let them come later with another one. You cannot do that.



**Madam Speaker:** I have granted leave for the Motion to be amended and put.

**Mr. Lee:** Madam Speaker, can I seek some clarification on the second—

**Madam Speaker:** Member for Pointe-a-Pierre, I have not recognized you. So, hon. Members I will now put the question; that during the period of the current global pandemic that the time limit for speakers in debates be—*[Interruption]*

**Mrs. Persad-Bissessar SC:** You had Imbert talking for an hour.

**Madam Speaker:** Member for Oropouche East.

*Question again put.*

**Madam Speaker:** And we now take the division.

*The House divided:*           Ayes   21           Noes   13

AYES

Robinson-Regis, Hon. C.

Rowley, Hon. Dr. K.

Al-Rawi, Hon. F.

Imbert, Hon. C.

Young, Hon. S.

Deyalsingh, Hon. T.

Hinds, Hon. F.

Mitchell, Hon. R.

Forde, E.

Garcia, Hon. A.

Gadsby-Dolly, Hon. Dr. N.

Dillon, Hon. Maj. Gen. E.

Crichlow-Cockburn, Hon. C.

Webster-Roy, Hon. A.

Francis, Hon. Dr. L.

Arrangement of Business (cont'd)

2020.04.27

Jennings-Smith, Mrs. G.

Olivierre, Ms. N.

Leonce, A.

Antoine, Hon. Brig. Gen. A

Cuffie, Hon. M.

Cudjoe, Hon. S.

NOES

Lee, D.

**Mrs. Persad-Bissessar SC:** No, this is very unfair.

**Mr. Charles:** I agree, very unfair. No.

**Madam Speaker:** I would like to caution all Members. It is either you vote yes, no or you abstain.

Karim, F.

Tewarie, Dr. B.

Moonilal, Dr. R.

Newallo-Hosein, Mrs. C.

Khan, Dr. F.

Indarsingh, R.

Singh, G.

Bodoe, Dr. L.

Ramdial, R.

Gayadeen-Gopeesingh, Mrs. V.

*Question agreed to.*

## ADMINISTRATION OF JUSTICE

### (ELECTRONIC MONITORING) (AMDT.) BILL, 2012

*Order for second reading read.*

**UNREVISED**

Administration of Justice (Amdt).  
Bill, 2020 (cont'd)  
Hon. S. Young

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**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. I beg to move:

That a Bill to amend the Administration of Justice (Electronic Monitoring), Act, 2012, be now read a second time.

Madam Speaker, we are here this afternoon to debate what I hope is the last piece of the puzzle for us at national security to be able, to implement electronic monitoring and to add the great asset, based on the use of technology in electronic monitoring, which the laypeople may know and appreciate as ankle bracelets, into the whole spectrum of managing safety and security in Trinidad and Tobago.

The Administration of Justice (Electronic Monitoring) (Amdt.) Bill, this Bill, seeks to amend the Administration of Justice (Electronic Monitoring) Act, No. 11 of 2012, which is not yet proclaimed, in order to facilitate the smooth implementation of the electronic monitoring system in Trinidad and Tobago and the proclamation of this long outstanding piece of legislation.

The Act provides for the use of electronic monitoring devices as part of the criminal justice system. It allows the court to impose a sentence of electronic monitoring for an offence committed in lieu of a sentence of imprisonment or as a condition of bail. Electronic monitoring may also be imposed as a condition of a protection order made under the Domestic Violence Act, or of a pardon granted under section 87(2) of the Constitution by the Mercy Committee, or by a competent authority empowered to grant early release. This immediately allows, Madam Speaker, us in national security, working closely with the Judiciary, to release certain persons from prison in certain instances but continue to monitor them for the safety and security of society, but to allow them the opportunity to

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have some, albeit, limited movement.

It also importantly allows for the first time, with respect to domestic violence, a very important asset in that those who protection orders may be made against may, in certain circumstances, have themselves imposed with these electronic bracelets. So that we in national security, and in particular the Trinidad and Tobago Police Service, would be in a better place to protect those who very often seek these protection orders.

The Ministry of National Security has implemented several proprietary measures towards the operationalization of this Act. For instance, the Electronic Monitoring Unit has been established for the purpose of implementing and maintaining a system for electronic monitoring in accordance with section 4(1) of the Act. The unit will provide, inter alia, real time tracking of the location of persons placed on electronic monitoring and report any alarm notifications, signal loss, device malfunction to the police or the relevant personnel. The unit has been staffed. These staff members include the manager, the deputy manager, the liaison officer, shift monitoring operators and business operating coordinators. The unit has also developed several standard operating procedures and conducted numerous outreach exercises and workshops. We are ready to begin the implementation of this important tool and we are in the process at national security of employing more staff, so that we can increase the net that can be monitored, via this monitoring device.

The specifications for electronic monitoring devices have been approved by order, Legal Notice 1 of 2014, pursuant to section 9 of the Act. An electronic monitoring system was procured and commissioned by Amalgamated Security Services Limited, who has been engaged to provide a full turnkey solution for the

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supply, delivery, installation, commissioning and maintenance of an electronic monitoring solution. The installation of the required hardware and software for the system, both at the main site and at the backup site has been completed and the devices were tested throughout Trinidad and Tobago and are in proper working order, Madam Speaker.

In accordance with section 18(1) and (2) of the Act, an approved police response mechanism has been established in collaboration with the Trinidad and Tobago Police Service and a police liaison has been assigned to the Electronic Monitoring Unit to coordinate the police response mechanism. This liaison from the Trinidad and Tobago Police Service will assist the unit when there are any alarm notifications concerning the breach of a condition of the electronic monitoring.

An Electronic Monitoring Implementation Committee was established in 2016, to make recommendations with regard to the implementation of the electronic monitoring system in Trinidad and Tobago. This committee included representatives from the Judiciary, Electronic Monitoring Unit, Trinidad and Tobago Prison Service, Trinidad and Tobago Police Service, Office of the Director of Public Prosecutions, Probation Services, the Legal Unit of the Ministry of National Security and the Office of the Chief Parliamentary Counsel. The committee considered the draft regulations that were required for the implementation of the Act and made certain recommendations. Arising out of meetings held by this committee, it was determined that several areas of the Act needed to be amended to ensure the efficient implementation of the systems. And that is what we are here to deal with today, Madam Speaker.

**3.15 p.m.**

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I would like to use this opportunity to thank the Office of the Attorney General, the Attorney General himself and Legal Affairs for all of the assistance they provided National Security, with us to be able to reach a stage where we are ready to implement now, and we just look forward to the passage of this Bill.

The amendments proposed to the Bill include inter alia ensuring that all employees of electronic monitoring units take an oath of secrecy to not disclose any information received during the performance of their duties. Moreover, the staff will also be obligated to maintain confidentiality even after their employment with the unit has ceased, allowing the court the discretion to impose electronic monitoring as a condition of bail for offences listed in the First Schedule, where bail is granted. This is essential as the First Schedule offences include shooting or wounding with intent to do grievous bodily harm, kidnapping, trafficking in drugs, et cetera.

C. Making provision for an applicant who is granted a protection order to consent to being issued a protection device that would monitor, inform, and alert the application if the person against whom the protection order is made comes within the specified proximity of the applicant.

Madam Speaker, this is an important tool in itself. What it would allow is certain persons who have protection orders the ability to be warned in advance if anyone who is the subject of one of these ankle bracelets, this electronic monitoring device, comes within the sphere of what the court orders, they should not breach. It will also come straight—it comes straight, the signal comes straight to the Electronic Monitoring Unit who will then have the police respond, but importantly alert the potential victim, the applicant who applied for the protection order for their safety and protection. This will hopefully assist greatly in the cases

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of domestic violence in Trinidad and Tobago, and in particular, some of the fatal accidents that we have had in the past as a preventative measure towards that.

We have also sought to ensure that the Rules Committee can make court rules for the purposes of this Act. The Bill aligns with the Ministry of National Security's strategic objectives and the Trinidad and Tobago police force services crime fighting strategies and operations. The TTPS has recently launched a Gender-Based Violence Unit, and the Electronic Monitoring Unit would work along with this unit to ensure that persons who obtain the protection order can be monitored, thereby providing an additional safety mechanism. There are many other benefits, Madam Speaker, to be gained from employing electronic monitoring. For example, it can also be imposed in lieu of a sentence, especially for minor offences. This would reduce the number of persons being sent to our nation's prisons. It is approximated that the electronic monitoring system is also more cost effective on the nation's coffers, as it costs less to monitor a person than to incarcerate them.

The proposed amendments can also boost public safety, as persons who are out on bail for serious offences such as shooting, or wounding with intent to do grievous bodily harm, trafficking in dangerous drugs and other like crimes can be monitored as a condition of their bail.

Madam Speaker, the Bill contains 25 clauses, and the clauses are as follows, and designed particularly to address certain deficiencies that were seen and sought after wide consultation with those who would implement and utilize the system.

Clause 4 seeks an amendment by an insertion of definitions for words not previously defined in the Act. New definitions are introduced as a result of the proposed amendments and amendments of words previously defined. For

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example, “authorised officer” defined as it is used in proposed section 4A. “Court” amended to reflect the current judicial positions in the criminal justice system. This administration, Madam Speaker, has worked from day one to reform the criminal justice system under the Office of the Attorney General, and in doing so created a number of posts like Masters and others, so it is now marries with that to ensure that we have the proper judicial positions captured.

We also amend who is an “occupier”. It was used in the Act but not previously defined properly, so the definition of “occupier” is now defined broadly to include “any person exercising control over the premises” which would include a licensee or holders of a power of attorney, et cetera. It also gets into the definition of “protection device” and it is now included as a term proposed in section 10A. The definition of electronic monitoring device was also amended to include telecommunication networks as part of the electronic monitoring system, marrying the type of technology available in areas such as national security to provide a broader network and mapping of persons who may be wearing these devices. The definition of “respondent” was amended by deleting certain words.

Clause 5, the insertion of a new section 4A to provide for the director to delegate his functions. An important express provision allowing the director who must provide evidence to court, reports to court, and other certain duties to be provided to allow the director expressly to delegate those duties. So the amended allows that he delegate his functions to an authorised officer. Therefore, in cases where the director is absent or otherwise unable to perform his or her functions, any authorised officer can do so.

Clause 6 inserts a new section 6A to empower the director to issue standard operating procedures. These standard operating procedures have already been



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drafted and are ready as soon as we operationalize this system.

Clause 7 section 8 repealed and replaced with an amended section 8 that provides for confidentiality of information. The previous—well, the existing Act is deficient in this aspect and what we are doing is seeking to close that deficiency. The proposed amendment ensures that all employees of the unit take an oath of secrecy not to disclose any information from the unit, other than in the proper course of employment, Madam Speaker. Disclosure of information in contravention of the oath is a summary offence. This provides for a more robust system.

Clause 8 of the Bill inserts a new subsection 10(2)(c), (d) and (e). The amendment gives the court the greater discretion in the imposition of electronic monitoring. Under the Act the current section 2—section 10(2) specifies that the court may also impose electric monitoring as a condition of bail or as a protection order made under section 5 of the Domestic Violence Act. The amendment proposed now includes probation orders under the Probation of Offenders Act, Community Service Orders and under Community Service Orders Act, as well as a catch-all which allows the court to exercise discretion in cases deemed fit. Therefore, Madam Speaker, this particular amendment gives the court greater discretion to determine when electronic monitoring could and should be imposed.

Clause 8 inserts a new section 10(3A), a clause that gives the court the discretion to impose electronic monitoring as a condition of bail for offences listed in the First Schedule where bail is granted or in the case of a child. This is essential as the First Schedule offences contains certain offences, but the amendment makes it clear now that persons charged with these serious offences, once out on bail, that the court can impose electronic monitoring as a condition of

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bail.

Madam Speaker, this is an excellent tool and will help the Trinidad and Tobago police service, in particular where we have instances of persons who have been charged with serious crimes, for example, illegal firearms, gun offences, trafficking in narcotics, et cetera, who decide to continue in a life of crime, it will permit the Trinidad and Tobago Police Service through national security to continue to monitor on a full-time basis, and an immediate real time basis the exact locations, thereby making policing a lot easier.

We propose to amend section 10(5) and (7) by deleting “the Court shall commit the person to custody” and replacing it with “may commit...to custody or grant bail as the Court deems fit”. This amendment allows to court to exercise its discretion as to whether bail may still be granted in other conditions although the accused declines to consent to electronic monitoring.

Clause 9 of the Bill inserts a new section 10A that provides for the protection device to safeguard an applicant who obtains a protection order. This makes provision for the applicant to consent to being issued a protection device. This device would ensure that the person against whom the protection order is made does not come within the specified proximity of the applicant. So, an applicant going for a protection order can now, once this legislation is passed, apply to the court for the person whom they are fearful of to be captured with one of these electronic monitoring bracelets and thereby offers them a different level and a higher level of protection for the applicant. And as I explained before, if the potential accused comes within a certain radius of the applicant we would be able to alert them in advance and also dispatch the police to their protection, making it real time protection, and hopefully avoiding some of the heinous crimes we have

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witnessed in the past few years.

Clause 10 inserts a new subsection 11(2). This proposed amendment allows for decision makers when determining whether to grant a pardon, to request a report from the director, this report will aid in the decision making in determining the suitability of the person for the programme.

Clause 12 changes—amends section 13(1) by repealing it and replacing it with a new section 13(1). This amendment removes the requirement for the application form to be prescribed. The required form would be created by the Rules Committee of the Judiciary and would form part of the rules to be developed for electronic monitoring. The requirement that the criteria for application be prescribed by Regulations was also removed to allow the Judiciary more judicial discretion. One of the things we are seeking to achieve with the passage of this Bill is a greater level of separation of powers, allowing the Judiciary more discretion in how they apply this tool.

Clause 14 of the Bill inserts a new section 16(1A) that deals with individuals who negligently damage the device to make them liable for the replacement cost of the device. Clause 14 amends section 16(3) of the Act to allow for the court to send copies of the order to any other party the court considers necessary to inform. This proposed amendment would allow the court to issue orders to any other party deemed necessary. For example, in appropriate cases, a copy of the order may have to be sent to the prison service if the person was in custody prior to the order being made.

Clause 15 of the Bill amends section 18(2) of the Act by providing for a breach to be reported to any police officer in charge of any police station, rather than an old archaic methodology of having to inform a police officer in charge of

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the police station in the magisterial district. This of course, brings it completely in line with how the Trinidad and Tobago Police Service now operates, that regardless of where a crime is committed, any individual in Trinidad and Tobago can report that crime at any particular police station, at any police station and not restricted to one in a magisterial district.

Clause 16 inserts a new section 19(2A) that provides for the director to notify the court forthwith of any proposed change in circumstances. The amendment ensures that the director informs the court of these changes and it would allow the court to be informed, and if necessary summon the respondent or person. So, if someone continues to breach their order or someone continues to operate in a certain manner that is inconsistent with what the court was seeking to achieve, the director can provide that information to the court for the court to amend its order.

Clause 17 of the Bill seeks to repeal section 22(2) which section had previously provided, or it was dealing with, the Evidence Act. So section 14B repealed by section 24 of the Administration of Justice (Indictable Proceedings) Act.

Clause 19 now deletes section 251)(b), (c) and (f). The deleted subsections were considered to be matters that should be left up to the court's discretion. So, the participation of the Judiciary, Madam Speaker, in the whole drafting of this Bill has ensured that they are allowed more discretion in how they apply their powers.

Clause 20 inserts a new section 25A to allow the Rules Committee to make rules of court for this Act. This insertion again allows the Rules Committee to make rules for the use of electronic monitoring in the criminal justice system. The Fourth Schedule introduces and inserts this new oath of secrecy that we are seeking

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to ensure that there is more accountability and statutory accountability by those we are charging with the responsibility of manning this unit.

Madam Speaker, it goes without saying that this is an important tool. Unfortunately, the Bill was passed in 2012, it has never been proclaimed. We have—there was a procurement of the necessary equipment, it is all now set up, they have a home, we have staffed it, we are ready to go, and we respectfully suggest and respectfully submit, Madam Speaker, that this is a necessary tool and it has taken too long for us to get to this stage for us to introduce electronic monitoring into the criminal justice system in Trinidad and Tobago. And certainly the end users, the benefactors of this system, including those who unfortunately suffer the scourge of domestic violence, will benefit from the implementation of this. And we at National Security are ready to operationalize it once this legislation is passed. With those few words, I beg to move. [*Desk thumping*]

*Question put and agreed to.*

**Dr. Roodal Moonilal** (*Oropouche East*): Thank you. Thank you very much, Madam Speaker. Madam Speaker, it is a pleasure to join this debate early to participate in debating a matter again that was introduced by the former administration of the Member for Siparia, the Member, former Prime Minister Mrs. Kamla Persad-Bissessar.

Madam Speaker, on that occasion when it was introduced in December 2011, I also had the opportunity to speak on this Bill, and participated at a time when those who sit opposite today in government had serious reservations about this Bill, its policies, its implementation and the extent to which this Bill could bring any relief in managing offenders. Madam Speaker, in doing my research I could not help but read the contribution of the Member for Diego Martin

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North/East who incidentally responded to the Government at the time, and responded to the then Minister of Justice, and apart from telling us that electronic monitoring started in 1964 by the Gable brothers, poured scorn on this policy measure, indicating that the technology was not there and not ready, and the technology by itself creates the biggest problem that will lead to catastrophe and disaster. Today, the Member for Diego Martin North/East, I assume, has changed his mind as he is entitled to, and supports this Bill and this measure.

Madam Speaker, in the now very limited time available to Members, I would like to take the Bill and just to raise a few issues and colleagues on my side would continue. But of course I would not have the time to make a considerable introductory remark about the vision of the former administration led by the Member for Siparia in bringing this Bill, the DNA Bill, and other matters through a Ministry of Justice, that had a vision for managing offenders for pre- or post-trial release of persons in the circumstance where it was not necessary to remain in lock-up, in jail, and those persons, whether they be the youth or senior persons, could have continued to contribute to society, could have continued working, attending churches and religious institutions, doing social work, spending of course valuable moments with their families and so on, so that the family unit could have remained intact and not be destroyed as we know it can be when persons go to jail.

It was also another fundamental policy objective that persons, Madam Speaker, that this would also ensure that the police had the know how to monitor persons who may then leave where they are supposed to be and be in the vicinity where a crime is committed. So, there was in fact an element to lead to detection that if a crime is committed in one area and you look at the records and you could have seen an offender who is out with an electronic bracelet was in the exact

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location when a crime was committed, it helps as well the police with detection. This was also earmarked to be supervised not only by an electronic monitoring unit but by the National Operation Centre which we created as this umbrella organization in security to monitor the work of institutions like this, so that this, the NOC, could have had real time knowledge, real time information, and be acting simultaneously. As soon as something happens the NOC was on the case to ensure all other related institutions and divisions would collaborate so that we would immediately put a stop to any criminality that could happen at that time.

Madam Speaker, this Government came in 2015, and I am happy that the Minister of National Security indicated that the Legal Notice that approved the devices was No. 1 of 2014. So when we were in office we did approve the devices, and 2015 this Government entered and since then to now they have been unable, as so many things, they have been unable to implement the electronic monitoring system in Trinidad and Tobago.

Madam Speaker, I also speak from a position of having information, possibly more than other Members, because this matter has occupied the attention of the National Security Joint Select Committee, where the key persons from National Security, persons who have been hired on the electronic monitoring unit and so on, manager, deputy manager, pursuant to the legislation, those persons have come time and time again to the JSC and they have also made presentations and we have taken questions and so on, to them so we have some knowledge of what has been happening.

I begin by saying, Madam Speaker, that at no time during two years of JSC meetings, listening to the technical people in electronic monitoring, did anyone go on record and indicate that there was need to amend the parent legislation. I have

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looked through the verbatim reports. Madam Speaker, these were also held in public so that one could look at the television, the parliamentary channel, and monitor the discussion on monitoring. So that, at no time did we know that or did we get any hint that legislation needed to be amended to implement.

Today, the Minister told us something striking. The last time we heard a report on this was in January 2020, a few months ago, it was not long ago, presumably before we went into this pandemic mode and so on. But even at that meeting on January 2020, we did not hear of any intention to amend. So today I am taken aback that the Minister is saying that committee appointed, made recommendations for amendments, the amendments are here today, and that was the recommendation of the committee dealing with Regulations. And you know, Madam Speaker, it is really interesting today, in a time when we are driven by this pandemic, when all things have changed, when even where I am standing to speak to you has changed, we look around and it is a dramatic reflection of a catastrophe that has befallen us, we are here today to deal with electronic monitoring and not issues directly revolving the COVID 19 management of that crisis. Today we should have been dealing with legislation that brings relief to all those persons who are unemployed, the businesses that have closed, the small business sector. Today we are dealing with electronic monitoring.

I listened to the abbreviated statement from the Minister, and I hope it is because he did not have enough time to tell us how is this connected to COVID 19. Is it that the prisoners that are to be released, some of them, not all, would be outfitted with electronic monitoring devices? But, Madam Speaker, system we could have done that before with the parent legislation. If it had been proclaimed and implemented, we could have done that. It provided for an area where persons



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could enjoy early release, and a condition of early release could be electronic monitoring. But the Minister did not make that link. I am hoping in his winding-up, I am hoping the Attorney General as he speaks later, would tell us that link between COVID 19—his COVID 19 strategy and electronic monitoring. Because if there is none, then I put it to you, Madam Speaker, that really, this is a complete waste of time. Because if we had waited four and a half years for electronic monitoring, an extra few months, an extra month or two to get over this pandemic, you know, we ought not to have been here if this does not have a direct link to COVID 19 strategies. And I am hoping that you could indicate that because, Madam Speaker, we are aware the Member for Chaguanas West, the Member for Siparia reminded us that all over the world in Turkey and elsewhere they have taken programmes on board that release, that give early and conditional release to the prison population as a strategy to manage overcrowding and to manage social distancing and so on.

Incidentally, Madam Speaker, when I was trying to make the link between COVID 19 and this legislation, what struck me is that without electronic monitoring all of us are still in a period of lockdown, because we are in our homes, we do not have a bracelet on our feet but we are expected to be in the home all the time day and night. And this is really part of the condition of electronic monitoring as well, that persons could be released to stay home but do not leave the home, and if you leave home there are some consequences of that.

Madam Speaker, another missing point, another blind spot by the Minister, is that the Minister made reference to these Regulations and I do not have time to go back now into our verbatim and read, and the Minister of course was not present at those joint select committee meetings because I do not think he is a

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member of the Joint Select Committee on National Security. But, we were told of these Draft Regulations and I am asking the Minister or the Attorney General to tell us today, has the Cabinet approved those regulations? Yes or no? And if they have approved it, when did Cabinet approve it? If they have not approved it, when is it likely to be approved? Because those Regulations pose a very significant part of this operation, and a couple weeks ago I believe, the Member for Fyzabad, in asking a question dealing with a the protection of children, asked a question on electronic monitoring, and the Attorney General told us that the Regulations were already prepared, that they were approved, we believe they were approved. I just wanted the Attorney General to remind us today when did Cabinet approve those Regulations? And to tell us when would the regulations be subjected—arrive at the Parliament because in the parent legislation, there is a requirement for negative resolution. So Members of Parliament can indeed file a Motion to annul the Regulations, and there is a process and a time frame to do that. The Member—the Minister of National Security of course is concerned with Barbados and has his own problems with the Barbados Government and people, and may not have had time to reflect on those Regulations and tell us exactly when the Regulations will come to Parliament, when would Opposition Members and the national community have a chance to read it, so we can decide whether or not we file a Motion to annul pursuant to the parent legislation, which has not changed. That has not changed.

So, the blind spot here is really Regulations. Because that created a problem for the last few years. This was supposed to be implemented, according to the parliamentary records, in September 2017, and the keep back then were Draft Regulations. First to begin, Madam Speaker, you would be amazed to know they had to have draft policy, and when you finish draft policy you get draft regulation.

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So, the Cabinet had to approve policy, then the Cabinet had to approve regulations, and that delayed, delayed, delayed.

Another amazing feature of this programme here is that the Government had intended to implement a pilot project, small project to start. Then this very Government changed their mind midstream, by July 2017 I believe. Cabinet changed their mind, they said “No we don't want a pilot study now we want a national programme.” They had to go back out and do more work. Then you had to use iGov to procure a provider what is called an electronic monitoring provider. So they did that, and iGov got involved, we heard something about procurement and so on, some of us had some doubts about certain areas, but we understand a local provider has been selected, but that local provider is in partnership with an Israeli-based company. And they have been selected, we understand the devices are ready, things are ready to go. And just as they are ready to go, amendments come. So this in a sense is a keep back as well. Just as they were ready, they were tested, and I think the contract took some time, but the contract I think for—unless I am mistaken, TT \$10.3 million. That contract has been signed, provider is ready, foreigner partner is ready, and we have amendments.

Madam Speaker, let me state that we are not in opposition to the amendments although I would just go through one or two that may disturb us. But those are the more a ripple effect and I am hoping that the Attorney General for one, would listen to some of the concerns on specific clauses and try to address those clauses.

Madam Speaker, the matter—yes July 2017 I am seeing in my notes, this was supposed to start, Madam Speaker, and we are now in April 2020, Madam Speaker. Then we were promised August 2018 incidentally, just to get the time,

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we are in April 2020. Madam Speaker, this project, like many projects, it took a pandemic to open the Couva Hospital, it took a pandemic to use, Madam Speaker, to accelerate the Arima Hospital, Point Fortin Hospital, and it took a pandemic to get electric monitoring, because I suspect this is related to their strategy of COVID 19 management, particularly with that matter of the prisoners.

**3.45 p.m.**

Madam Speaker, there are two matters I want to raise very briefly in the amendment Bill. First, Madam Speaker, when I looked at it, I was concerned but then, on further research, I understand that my concern may not be terribly rooted in any problem. But we are now making several changes throughout the Bill and the clauses are there—again, I do not want to spend too much time on the clauses because it is there, everybody can see it. Where before in the Bill passed in 2012, we had “parent or guardian”, we are now substituting now to put “parent, guardian or person with responsibility for the child”.

We were concerned that this came at all the time, “person with responsibility for the child”. I was informed, of course, that is captured in—that concept is captured in other legislation enforced, so it is consistent with that. But one, you know—the layman reading this would, of course, be concerned with the notion of a person with responsibility for the child because that could be subjected to which person or it may not be a person, it could be persons, and what would be the test and so on to arrive at that but it is in other legislation, and I imagine that that has been worked out.

Madam Speaker, there is an amendment here that we have a concern with. The Act is amended by inserting after section 4, the following section 4A. So, a 4A comes into the Act now and the 4A says:

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“The functions of the Director under this Act may be delegated in writing by him to an authorised officer who shall be a member of staff of the Unit acting under and in accordance with his general and specific directions.”

Now, Madam Speaker, I am very concerned with that and I am asking the Attorney General and the Government to reconsider that. You see, this unit established—now this, Madam Speaker, to use layman language, in a sense is a “macoing” unit for a good cause because you are monitoring persons. It is really non-secret surveillance, so to speak. But you are still undertaking surveillance, you are still undertaking very sensitive work and this is why the Government moves now to put an oath of secrecy because they understand the nature of the confidentiality and privacy that is required. But doing this, the functions of the director could be delegated.

Now, Madam Speaker, the director, as we understand it, is appointed through the Public Service Commission as a public officer with all the protections of a public officer. That person can stand up to the Government of the day, the Minister of the day and say, “Hello, I am a public officer. I have a duty and I want to do my duty. You cannot fire me willy-nilly. You cannot hire me willy-nilly. I am a public officer.” But, Madam Speaker, other members of this electronic monitoring unit are hired on contract, which the law provides for, but they are contract employees with specific terms and so on. What happens now with this amendment is the director can delegate to a contract officer to take important decisions and to implement important decisions that deals with surveillance, with secrecy.

Madam Speaker, it could well be that persons who are under electronic monitoring surveillance and so on, are persons who are part of the political

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structure, are persons who are part of civil society, and for one reason or another, it could be any offence once not captured in schedule one, they could be under electronic monitoring through this process, and you are delegating to contract workers that right to make decisions to undertake important functions of a public officer.

It is like if a Permanent Secretary— you put in the law that the Permanent Secretary can delegate to contract officers, critical functions that the Permanent Secretary alone should undertake— critical decisions. We have a concern with that.

Madam Speaker, the next concern we have, and I wanted the Attorney General to reflect if he could on this. There is an amendment to the original Act and the Minister of National Security spoke of it, of course. And the Minister told us that, “Listen, in the original Act when we passed in 2012, it was— if there is a breach of the surveillance equipment, and in a simple way, somebody is supposed to be in one house and they got the data, telecommunications data tell us, they have left that home and they are going to somewhere else, a beep goes off or some type of flagging, and you inform police.”

In the original Bill, we had a situation where you inform the police officer in charge of the station in the magisterial district where the person was living. Now they are changing it to say any police officer in charge of any station and the Minister explained that somewhat, but I want to go further since we are amending.

Now again, in two years of joint select committee National Security, we have not heard of amendments, no one in the technical and professional area of electronic monitoring alerted us to amendments. We have it here. I want to propose since we are amending that this matter be dealt with differently.

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Madam Speaker, a policeman in charge— we are not dealing with the police station, we are dealing with a police officer in charge of a police station, not a police station. In the real world, police officers move around. Today it could be one person in charge of the Besson Street Police Station, tomorrow it is somebody else. The next day, that person who was acting there, he goes on vacation, somebody else is “in charge of the police station”. And the proposal could be, Mr. Attorney General, that when a breach takes place, a violation of the conditions of electronic monitoring, the Commissioner of Police is informed forthwith and the Commissioner, meaning the Office of the Commissioner, not the man himself, the Office of the Commissioner and the Commissioner of Police, in real time the technology is there, they communicate whichever police station they need to. Because as the Bill is now, in a practical sense, Madam Speaker, if something happened in Point Fortin, you could contact any police station and make a report, contact the police station in Arima and make a report, but it concerns a violation of an offender in Point Fortin, that police station still has to contact another one, and another one.

Madam Speaker, in real life, I remember asking a senior police officer once in one district. I said, “Tell me something, I just need to get some advice for a next district of a matter going on. Who is the policeman in charge of that station?” He looked at me and said, “I want to tell you something, I really doh know, you know. I doh follow de changes.”

So one police officer in charge of one area will not even know who is the police officer in charge of a next area, and that by itself creates a problem. Because, Madam Speaker, we are dealing with a situation where a person could be on the way to do grievous bodily harm to another person, a victim of domestic

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violence or so, or a child and instantly you need to react, and I am saying that that amendment should say that when there is a violation, a trigger as we say, of the electronic monitoring bracelet, the Police Commissioner, Office of the Commissioner— we could word it and so on— is informed immediately and he will then inform the relevant police station or stations, whoever is in charge.

I think that is a much better way as we are reconsidering it now because as it is now, you inform one station, one station has to inform a next station. They are not even sure who is in charge and who is not in charge and by then, “Mr. Offender” reaches the victim, and anything can happen, whether it is injury or worst, death. So in real time, something has to happen and I am asking the Government to reconsider that, and as part of the law, the Commissioner of Police should be informed, and he will take that quick action to deal with it.

Madam Speaker, another issue that is raised in these amendments, and this is why I am saying unless these amendments have to do with COVID 19 strategies— I shudder to think that this Government called us out here on a day today where we are bathing in Lysol and wearing masks everyone and so on, that we came today, and this has nothing to do with COVID 19. This will get me angry, Madam Speaker, and I am hoping that we will know what this is connected to COVID 19 and so on. Because even the extended and indefinite statement of the Minister of Finance to some extent had to do with our pandemic, Madam Speaker, but this must also be dealing with the pandemic. “Doh mind” he did not agree with the electronic monitoring at that time, Madam Speaker.

Madam Speaker, there is another bureaucracy that occurs here. Now, if it took four and a half years for regulations to appear, and as a Member of Parliament, Madam Speaker, neither myself nor any colleague have seen these



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regulations. They are invisible regulations not known to the Parliament. They may be known to the Minister, maybe even Cabinet but not to the Parliament.

Madam Speaker, we are now talking about the Judiciary getting more involved—the Rules Committee, Madam Speaker, and I am looking at clause 20 here:

“25A(1) The Rules Committee...under...the Supreme Court of Judicature Act”—and so on—“...make Rules of Court...for the purposes of this Act.”

Right so, Madam Speaker, when this is passed, as I am sure most certain it will pass, we have to go now to the Rules Committee of the Judiciary to create more rules and it is not a simple thing as the Minister of National Security would like us to believe. It is not the Judiciary sitting down—Madam Speaker, I understand I have 11 minutes left?

**Madam Speaker:** Your time is up at 4 o'clock and 20 seconds.

**Dr. R. Moonilal:** Four?

**Madam Speaker:** Yes.

**Dr. R. Moonilal:** Okay. Thank you, Madam Speaker, yes. So it is not a situation, Madam Speaker, in real world with bureaucracy and so on, that the Rules Committee will just invent these things and make it up. This is a serious matter. Surely, the Attorney General's Office, Ministry of National Security, the Electronic Monitoring Unit, the Cabinet has to see these rules. They have to go and be approved, and go through a process because we were not told up to January 2020, at the JSC on National Security, that we had amendments—we needed amendments.

We were told the keep back was signing the contract. The keep back was the regulations needed to be approved by Cabinet. That is what we were told.

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Now we have amendments. When you put these rules in place and all in dialogue, and negotiations and discussions have to take place, and certainly, the Government will want to see the rules and give some type of tacit support for the rules—the approval may not be necessary but you have to support— Madam Speaker, it takes more time.

So, could we ask therefore the Government to tell us that even with the passage of this today, when do you foresee that this Act will be implemented? When is your deadline to implement? It is not a problem anymore of hardware, it is not a problem of software. I understand, Madam Speaker, it is not even a problem of human resources because they have hired, I believe, the human resources to at least start. But it is passage of the Bill, it is the Rules Committee, it is the regulations that must be laid, Madam Speaker, and if the Opposition, in particular, and the wider community believes that those regulations are improper, there is a right in law, there is a right as a Member of Parliament and as Members that we can file a Motion to annul it, that is— unless I am not mistaken, Madam Speaker— that is another 19-plus days that will take place, when we are looking at a programme here of initially lockdown reassessment by mid-May. So that this thing here we have before us will not help in any way to manage overcrowding, to manage social distancing, to do anything in terms, vis-à-vis of a strategy for COVID 19 and what has been done in the United States and I believe Canada, I believe Turkey, and elsewhere.

So that you have to start putting tight deadlines in place if this is helping with your COVID 19 strategy. If it is not related to COVID 19, quite frankly, I really do not think, Madam Speaker, that Members of Parliament should have been

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dragged here with masks and hand sanitizers and all the risks associated with congregations like these, Madam Speaker.

Madam Speaker, there is also an amendment that deals with the technology part of it, I understand, Madam Speaker, and that moves away from just long time land line and so on, to any telecommunication network that is present. Because, you know, there is an important thing here, for electronic monitoring to work the system, persons must have a more or less permanent place of abode, because you have to install in the place of abode, devices. Now, when people are moving from house to house, here to here and so on, those pose challenges and the director has to do a report that takes into consideration the Second Schedule issues. Now, the Second Schedule issues deal with places of residence, land line, telecommunications availability and so on, and it is expanding now, Madam Speaker.

Madam Speaker, we trust that this has nothing to do with the now infamous debate over 5G as to whether or not the 5G pose all type of threats, whether it is health threats and so on, or surveillance threats, because Madam Speaker, we are very concerned that a lot of the surveillance equipment of the Government is now being used to spy on citizens, Opposition Members, Members even of the Government and so on and we do not want that to happen.

**4.00 p.m.**

Madam Speaker, section 16, where a person—I just want to take to a matter there—creates, of course, a facility to punish negligence, Madam Speaker, persons who have caused damage to the equipment and so on, so that the competent authority or the Ministry as the case may be may take action, Madam Speaker, to repair and so on. Madam Speaker, whether this is workable at all is something

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that, you know, when we raised in the initial Bill the issue of paying for this electronic monitoring device, persons complained we were against the poor and against young people. Today is not paying, it is fixing if you damage it. So that is something that we look at.

The issue with the Police Commissioner office is clause 15, Madam Speaker, and I would leave it like that and my colleagues can take it further. Thank you very much. [*Desk thumping*]

**The Attorney General (Hon. Faris Al-Rawi):** Thank you, Madam Speaker. Madam Speaker, may I confirm that it is 20 minutes of speaking time?

**Madam Speaker:** Yes.

**Hon. F. Al-Rawi:** Much obliged. Madam Speaker, I thank you for this opportunity to join this debate and I wish to address, in quick measure, the concerns raised by the Member for Oropouche East as to the origin of this legislation and how it works together. Madam Speaker, may I say that the Office of the Attorney General has been in constant working relationship with the Ministry of National Security, beginning in 2016, in relation to this particular matter, and I wish to compliment my colleague, Minister Young, and his predecessor, Minister Dillon, for the work that they have engaged in in bringing this particular piece of law to life.

May I at the outset say that this Bill is squarely associated with the COVID 19 issue, and also very importantly with the issue of domestic violence. Those are the two square matters before us. In fact, Madam Speaker, in just a short meeting this afternoon, a webinar was held by the Law Association on the domestic violence amendments which the Office of the Attorney General has circulated into the national community, specifically also treating with its association with electronic

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monitoring.

Madam Speaker, let us be very precise. This electronic monitoring law was born in 2012. This law, born in 2012, is Act No. 11 of 2011. It became a feature of our law by way of assent. That was by way of proclamation in—sorry—a simple assent on the 3<sup>rd</sup> of July, 2012. The devices were selected by way of an Order and those Orders came by virtue of a Cabinet decision taken 31<sup>st</sup> of July, 2013, confirmed on the 8<sup>th</sup> of August, 2013.

The Order as it was approved in 2014 for the devices, under then Minister of Justice, that is Emmanuel George, that Order was brought to life via section 9 of the unproclaimed Act by using the technique of section 45 of the Interpretation Act. Section 45 of the Interpretation Act allows for an unproclaimed law to be put into effect for the purpose of operationalizing a law. So let me make that point in law. We are here pursuant to section 45 of the Interpretation Act which allows us to use an unproclaimed law in the manner that we have.

Madam Speaker, the concerns which we harboured as an Opposition, now Government, when we are in Opposition, were genuine concerns which we are now treating with in terms of amendments here. Madam Speaker, may I say that the contribution before the Joint Select Committee on National Security which dealt with the electronic monitoring, did not include amendments to the Act, and largely because those amendments came via the Office of the Attorney General. It is the Attorney General's Office that has sat down in relation to this law, and whilst you could have implemented the regulations, the amendments to the Act were born because of the other work that we have done at the Attorney General's Office.

Let me add those to the record now. Number one, the passage of the Family

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and Children Division; number two, the passage of the Criminal Division; number three, the operationalization of both those pieces of law, because those laws have been brought to life, effectively; number four, the payments into and out of court legislation.

It is by the combination of those three laws, in particular, that we now have, Madam Speaker, 12 video conferencing centres in our prisons, we now have payments into and out of court coupled with electronic filing so that the Judiciary is, in fact, sitting in bail applications in Remand hearings and in actual criminal matters, actually sitting within the state of emergency when the physical courts are closed. Let me put it onto the record, none of these operationalization features, including the history that has been made in this country of opening 12 video conferencing centres in our industry nation's prisons, none of these could have happened without the foresight of this Government in passing those laws that I have just referred to and several others in the period 2015 to 2020.

Madam Speaker, I can say as a matter of record that the Attorney General's Office has taken two particular actions in the courts of Trinidad and Tobago: one associated with the dangerous drugs amendments and another associated with the COVID pandemic. With the dangerous drug amendments, I refer you to CR14 of 2019. It is an action by the Attorney General bringing in the Registrar of the Supreme Court, the Commissioner of Police and the Commissioner of Prisons. In that matter, I can tell you 699 persons were identified as being beneficiaries of that law, persons who are to come before the court in the fashion that they come where they have charges or convictions for dangerous drugs, in this case, marijuana.

In the second matter, this is CR No. 2 of 2020, and in this matter I want to note that we have again make history by appearing before the honourable Madame

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Justice Lisa Ramsumair-Hinds, electronically, virtually, by persons sitting in their homes or in their offices, appearing before the court with the defendants being the Commissioner of Prisons, the Registrar of the Supreme Court, the Commissioner of Police and the Children's Authority. And in that matter, Madam Speaker, I can tell you 963 people are the beneficiaries of that particular matter. Madam Speaker, 121 of those persons have already been released and as we take forward, the categories one, two, three, four, seven and eight, comprising 689 people, those categories—persons convicted of summary offences, persons convicted summarily of indictable offences, persons convicted of indictable offences, persons convicted as children for summary and indictable offences, persons serving terms of imprisonment in default of payment of maintenance and fines and, lastly, persons with basically one year left on their sentence—those 689 people fall squarely within the parameters of this Bill, the electronic monitoring amendment Bill, because the 300 units that we have which are to go into partial launch—because there is an immediate ability to take those into launch—those persons can, therefore, in the higher risk of category of consideration, those persons can be beneficiaries under this.

I want to remind that the Domestic Violence Orders equally fall within that pot and that is why the addition of protection devices, that is a corresponding announcing signal where the person who has the benefit of the Order has one device, the person against whom the Order is made has another device, those two devices trigger a proximity alert and, therefore, Madam Speaker, to answer Oropouche East, this Bill is squarely anchored in the COVID arrangement. But, Madam Speaker, it is also anchored in another realm of work and, that is, specifically in the work that we are doing with regard to prisoners. Prisoners have

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the ability to be treated, number one, if they have themselves on Remand—that is they are incarcerated without a conviction—they can access bail hearings provided they are not there for Schedule I offences which is murder, treason, et cetera.

Secondly, persons who are convicted and who are with a right of appeal and have exercised that right of appeal, they too can approach the court for bail matters.

Thirdly, persons can approach the Commissioner of Prisons for a remission on their sentences pursuant to the Prison Rules—sections 285 and 285(a) of the Prison Rules—and, in fact, we have exercised that power as of today's date in the COVID litigation 121 times.

We have also the ability for persons to approach the Minister of National Security who is the Chairman of the Mercy Committee pursuant to section 87 of the Constitution for the committee to sit and make recommendations to Her Excellency the President in the exercise of the privilege of pardon that the Constitution sets up. This is also tied into the work that we are doing on the parole legislation. That parole legislation is drafted.

Now, Madam Speaker, perhaps it is important to put on the record that section 25 of the Act, that is the parent Act, section 25 is being amended and that is one of the most important provisions. It is clause 19 of the Bill. Section 25 proposes that we remove certain aspects from regulation powers creation. Section 25 says, you will make regulations for a number of matters. This Bill in clause 19 says that we will delete 25(b), 25(c), 25(f) and that we will treat with an amendment to 25(g). Why are we doing that? We are doing that specifically, because we are lifting the power to make regulations and putting it into the Rules Committee power to make rules. That is to be found in clause 20, where we



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introduce the ability of the Rules Committee headed by the Chief Justice, where the Attorney General is a participant, in introducing a new 25A as a section via clause 20, we are asking the Rules Committee to deal with that.

To answer Oropouche East directly, the regulations are prepared. In fact, we settled them at the Legislative Review Committee, we signed off on those. Cabinet has not yet approved them simply because we are awaiting the passage of this amendment Bill to know whether we need to amend the draft regulations that we have. These regulations are intended to be brought to Cabinet as soon as we pass this law. They are all of 11 clauses long and they have two Schedules attached to it. That is tied in to another very important amendment and that is where we use the issuance of standard operating procedures by the director. What is that, Madam Speaker? It is a tool that we use in bringing to live the DNA amendments by using standard operating procedures so that there would be a written record, there would be regularity in how the electronic monitoring is run, but there is no need to be too unduly prescriptive in either regulations or rules.

To answer Oropouche East squarely, I can say that the Rules Committee is not complicated. I am very pleased today to have moved on this floor the papers laid being the rules that the Attorney General laid today. We did all of those rules using DocuSign by Microsoft and electronically. In other words then, as a member of the Rules Committee, in this COVID stay-at-home pandemic, with the closure of the courts except for urgency matters, the Rules Committee has sat and we have done our rules electronically, again, making history in this country, Madam Speaker.

Madam Speaker, with respect to the point on the authority and the delegation of the director to members of staff, there is ample precedent in law for that

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position. One need only look to the SSA regime and the amendments that were piloted by my friends opposite when they were in Government. Under the SSA regime, under the Interception of Communications Act as well, which my friends opposite piloted, the Commissioner of Police, the SSA Director and the Chief of Defence Staff, all have the delegation powers and my friends need not be concerned today only when in Opposition, because they passed that law when they were in Government in 2010 in the Interception of Communications Act. So it is rather unfortunate that it is raised as a feature of debate today.

Further, Madam Speaker, in answer to the Member for Oropouche East, I remind that yes, we are adding in a new section 4A into this legislation. That comes about by virtue of clause 5. The Member for Oropouche East only went so far. He referred to the fact that the director is a public officer but, regrettably, the hon. Member missed section 5 of the parent law. Section 5 of the parent law specifically provides under the heading “transitional” that:

Without prejudice to the power of the Public Service Commission to make an appointment to the offices of the Director and the Deputy Director, where prior to the making of the first appointments to those offices, and the exigencies of the public service require the recruitment of individuals to perform.

—that they may do so by way of contract, and that is exactly the feature of the black and white text of the law and, therefore, the contract officers who stand as director or deputy director, under the hand of this particular Minister of National Security, they are provided for in law. So we do not need to look to that.

To answer the question coming from the Member for Oropouche East about the expression “the persons with responsibility for the child”, I remind that that

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was a feature of Act No. 12 of 2012 that is the Children Act. In the Children Act, we introduced that expression, “person with responsibility for the child”, so as to capture Trinidad and Tobago in its living form. In Trinidad we may not have a parent or guardian. There may be somebody with responsibility for the child.

Madam Speaker, I would like to point out another very important amendment, and this is in the removal of the district of a police station and I would like to give notice, Madam Speaker, that I have already been in discussion with the Judiciary and with the Law Association. We intend to ask Parliament to consider the abolition of Districts of the Magistrates’ Court and that fits in with the abolition of district of police stations. I want to remind that with the domestic violence, the protection unit that the Commissioner of Police has launched, the person in charge of the police station is an appropriate mechanism because every station has the technology to communicate with the Shireen Pollard Unit—that is the unit headed by Ms. Shireen Pollard at the TTPS—and, therefore, this is a very progressive and novel step that we are taking.

Madam Speaker, I would like to point out in particular a clause of material worth and this is clause 8. In clause 8 we are specifically providing for the use of electronic monitoring in broader circumstances. We are going beyond bail and Protection Orders under domestic violence. We are adding a Probation Officer. Why? Because we are doing the section 285 and 285(a) COVID matters. We are also birthing the parole system by way of legislation. We are using the Community Service Orders. Why? Again, COVID related. We introduced the community service for dangerous drugs and in the dangerous drugs amendment to treat with marijuana, the community orders prevail. I have already given the statistics of 600-plus persons caught in that basket. But, very importantly, the new

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section 10(3A) is that we allow the benefit of electronic monitoring for a child and that, when you read it carefully, is for a child, even a child who is convicted of an offence in the First Schedule. Let me tell you how ground-breaking that is. Having been the Government that birthed the Children Division, the Family and Children Division, having birthed the amendment to 19 laws and then 23 laws and the regulation for Child Rehabilitation Centres, in this new subsection (3A) we are saying:

“Notwithstanding subsection (3)...”

And that subsection (3) is where you cannot use electronic monitoring for offences listed in the First Schedule if you are dealing with a child, we are allowing you to treat with that. Why? We gave an undertaking, I as Attorney General, that we would look at the issue of children who are charged for very serious matters and, therefore, this allows the court the discretion to treat with our children in a very unique case. The rest of the law, Madam Speaker, is intended to introduce an ease and operation of system. We removed the ouster of the court in section 10 where we said that the court had no jurisdiction to consider certain matters. We are changing that to a discretionary basis, Madam Speaker, and, therefore, we are being very progressive in this law.

Madam Speaker, the issue of negligence and having a person obliged to pay for is tied to the concept of means testing. We have introduced in this by changing the definition of “competent authority”, we have introduced the Commissioner of Prisons, the Children’s Authority, the Parole Board as we intend to bring it to life and, therefore, Madam Speaker, we are being entirely progressive in our thought. Madam Speaker, it is important to note that the means testing is now something that we will allow the prisons to consider, because in those cases you have to

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remember electronic monitoring may not always be the purview of a court. It may be Her Excellency the President when we are treating with the power of pardon.

Madam Speaker, we have taken a lot of time to draft this law. We have sat for two years to make sure that this law was ready in conjunction with other laws. The other laws have now been birthed and operationalized and, therefore, this law is proportionate, it is ready, it meets with the ground-breaking announcement that this Government has managed to put into effect, be it electronic filing, be it the opening of courts by virtual conduct, et cetera, and we, therefore, are very pleased that this Government has the ability to bring laws to life as opposed to just put them on the books of Trinidad and Tobago. I compliment my colleagues Minister Young and Minister Dillon and I thank you, Madam Speaker. [*Desk thumping*]

**Mr. Ganga Singh** (*Chaguanas West*): Thank you very much, Madam Speaker. As I rise to speak on this Bill entitled the Administration of Justice (Electronic Monitoring) Bill, 2020, I do so in the context where I never thought that I would be wearing a mask in the Chamber of this Parliament. I do so whilst we are facing a crisis of historical proportion. But if we are going to deal with this matter, this COVID 19, the coronavirus virus, it is in the context where martial law, martial language, Madam Speaker, is being used to deal with this COVID 19, and that, therefore, once we define this in those terms, this is an enemy that is shared globally and that therefore we need not only to mobilize the resources, but also we need to demobilize.

Now, the hon. Member for Port of Spain North/St. Ann's West, when he piloted the Bill, confined himself to the domestic violence arena and the impact of this piece of legislation in that area. The hon. Attorney General in his contribution spoke to the whole question of the extension into dealing with prisoners and the

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COVID 19 coronavirus issue.

Madam Speaker, we must look at what is happening here in the context of what is happening in the larger society. It cannot be removed from that. The Parliament has been adjourned for perhaps a month and now we have returned to the parliamentary Chamber. During that period, as parliamentarians, we were treated with daily press briefings by the Minister of Health and members of the Executive on the COVID virus. The whole question of the messaging of what the Government was doing was looked upon eagerly on a daily basis. So for that month, Madam Speaker, the Executive had its say and had their day. It is the Executive that people look to, meaning the Government, when there is a crisis, when there is an emergency, when there is an urgency for national measures. [*Desk thumping*]

So that, therefore, this Parliament, when you look at this Parliament there is a level of sombreness now. Death globally is amongst us and that, therefore, the role of the Opposition is to scrutinize the Government in their actions [*Desk thumping*] and to make them accountable in that context and this is our first opportunity for the last month wherein which we have to make the Government accountable and scrutinize the operations in this period of the coronavirus, Madam Speaker. [*Desk thumping*]

And when you reflect the role of this electronic monitoring Bill and the role of the police and the role that this Bill will play, there is no doubt a role for the police in the enforcement of that, Madam Speaker. And I was happy that the hon. Attorney General in this contribution pointed to the fact that he met with the Law Association this afternoon, because I want to take the liberty, Madam Speaker, of reading two paragraphs from a letter written by the President of the Law

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Association to the Attorney General, the Minister of National Security, and the Commissioner of Police dated 19 April, 2020.

Dear Sirs,

In accordance with a statutory mandate to protect and assist the public in all matters relating to the law and to promote, maintain and support the administration of justice and the rule of law, the Law Association has been monitoring the regulations made by the Minister of Health under the Public Health Act and the enforcement of same by members of the police service.

We write at this time to express concerns about the way the regulations are being interpreted and applied by the Commissioner of Police and his officers and, in this regard, we draw particular attention to the recent spate of roadblocks—

**Mrs. Robinson-Regis:** I rise on Standing Order 48(1) please.

**Madam Speaker:** Okay? Member for Chaguanas West, could you quickly tie that. If not, I will rise and ask you to go on. **Mr. G. Singh:** Sure, Madam Speaker. I just want to complete that paragraph.

...we draw particular attention to the recent spate of roadblocks and the reported justification for the same. We understand the regulations seek to prohibit certain specified activities.

But, Madam Speaker, what this is doing is that under clause 15 of the Administration of Justice (Electronic Monitoring) Bill, there is a role for the police, the police enforcement, and what we are seeing in this regard that within the law there is over-reach in that regard by the police. Because you see, Madam Speaker, in situations where there is this emergency, this urgency, there can also be an attempt to grab power that does not exist in law [*Desk thumping*] and that

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therefore in that kind of situation, we have to be very careful that the COVID 19 pandemic does not give the opportunity for someone to grab power that they do not have, and we cannot allow that to take place whilst we look at the role and function of the police in the Administration of Justice (Electronic Monitoring) Bill, 2020, Madam Speaker.

So the role of the Executive in this context, Madam Speaker, is as they deal with this piece of legislation there is a dual role. But in the period in 2012, when hon. Members on that side had the opportunity to make their contribution, the Member for Diego Martin North/East, the Member for St. Joseph, the Member for Tobago West and the Member for Laventille East, they found a plethora of excuses as to why the then piece of legislation ought not to be supported.

Madam Speaker, the Member for St. Joseph, he was then in Opposition in the Senate:

“As I come to a close...”

—and I quote from his *Hansard* report, Madam Speaker. “...it is difficult to support this Bill...

...we need the parole system first.”

The parole system first, it may be ready for you, but it eh ready for the country. [*Desk thumping*] I listened to the hon. Attorney General. He said it passed the LRC and it has now—the regulations passed the LRC and it has to go before Cabinet and the parole system still in the works.

**4.30 p.m.**

Madam Speaker, so there is no parole system that exists right now in the country. So I find it hypocritical for the hon.Member to stay quiet and say, “Well then, yesterday was yesterday and today is today”. And I see that the hon.Member



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for Laventille West has caught my eye.

**Hon. Member:** He is muttering.

**Mr. G. Singh:** He is muttering under his mask. Madam Speaker, and I quote from the *Express* of May 14, 2018:

“Hinds:”

The hon. Member, of course, referring to him:

“electronic monitoring system way behind schedule”

And I quote:

“‘It is very, very clear that we are horribly behind schedule,’ said Fitzgerald Hinds, chairman of the Joint Select Committee on National Security, as he commented on the slow pace of the implementation of the electronic monitoring system.”

I do not want to—because with the limited time, I do not want to go on what he said then, but this is in 2017. Madam Speaker, this is almost a disconnection from reality. This is 2017. The hon. Minister now, he removed himself from the Ministry and now he is in a surreal existence, he is saying, “It is not me, it is the Committee, and we are horribly, horribly behind schedule”, Madam Speaker. So that it is clear that what was relevant then, in the context of the legislation, is not relevant now. But, Madam Speaker, I think my colleague, the Member for Oropouche East, indicated that this 2012 Act was passed by the People’s Partnership as part of a trilogy of criminal justice Bills. And I want to quote the then Minister Volney when he piloted those Bills as stating, in the *Hansard* at page 464:

“...with a view to transforming and modernizing the criminal justice landscape in Trinidad and Tobago.

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This...is just one of the measures proposed by our Government to overhaul the penal system by introducing a new sentencing option which would have the effect of reducing prison overcrowding and introducing a more effective prisoner management system.”

So, Madam Speaker, since then— since for the last four, going into five years, this administration has been in Government and now in the midst of the COVID 19 pandemic, we have a rush to bring this legislation. We understand, we understand why there is this need, but why was it not done before? Who was driving or who was not driving? [*Desk thumping*] Who was behind the seat of the driver? Who was the conductor? The role of the Member for Laventille West certainly, certainly in that Ministry, must have a key role in performing in that area. So the hon.Member for Port of Spain North/St. Ann’s West says that the Electronic Monitoring Unit was established, its location—and I think the Attorney General spoke about 300 monitoring devices have been acquired by the unit and police officers have been trained in electronic monitoring.

And further, Madam Speaker, the Ministry of National Security newsletter says that Mr. Desmond Hamilton is the Manager of the Electronic Monitoring Unit and one Mr.Lawrence Hinds as Deputy Manager of the unit. [*Interruption*] It is in section 5 of the parent Act. Madam Speaker, the reality is that when you look at the relevant clause in the Bill that the Manager can delegate in writing to an authorized person within the organization but the reality is that, what is the role of the Deputy Manager if the delegation has to go that route? Is that delegation going to be determined and the power of that delegation remains with the Manager or is it going to be where that general and specific directions in writing is given to the authorized person without any kind of reversion?

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So the regulations, the regulations have been completed we are told, awaiting Cabinet approval. You know, Madam Speaker, coming from the mouth of the hon. Attorney General, his *cri de coeur* for years with any piece of legislation, “Well, where are the regulations?”. That was the constant rationale for not supporting legislation. So, Madam Speaker, so that we are supportive of this legislation because this legislation is in fact the work of the People’s Partnership administration. We are supportive of this but what we are not supportive of, Madam Speaker, is the attempt to bring this piece of legislation in the midst of the coronavirus, COVID 19 attack/pandemic, and seek to justify that to limit the scrutiny and the accountability of the Executive.

Madam Speaker, you know, I want to commend the Government for things that they do but we also have to critically analyze things that they do not do. For example, there are 84 states of emergencies worldwide on this issue but we did not call for a state of emergency, which is good because the coercive power of the State was not brought to bear. The Government and the people sought moral suasion and that is an excellent approach, Madam Speaker. But the role of the parliamentarian is to probe the Executive and there is always an attempt to limit the role and probe of the parliamentarian by those who seek to grab power and use the COVID 19, the coronavirus as an excuse. That has been the experience, whether it is Recep Erdoğan in Turkey, whether it is Serbia, whether it is Togo, whether it is in other areas, even in the Caribbean right here, we have situations like that. So, Madam Speaker, we must ensure in the midst of this that we are able to generate that level of scrutiny and accountability of the Executive.

We recognize that the hon. Minister when he made a statement, the Minister of Finance, he gave an account of the various allocations, but that is the role of the

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Executive. Now we will delve and look at that. Similarly, Madam Speaker, when we look at this whole opportunity, we believe that democracy is served by recognizing and adhering to the role of the Constitution in our country, that there are three arms of the State: the Executive, the Judiciary and the Parliament, and they are equal. They are equal. They are coequal in the governance process and that therefore, this Parliament must zealously guard its right to speak and to be allowed to speak without hindrance, Madam Speaker. [*Desk thumping*]

I want to quote Arundhati Roy, as I conclude, Madam Speaker, when she said that:

“Historically, pandemics have forced humans to break with the past and imagine their world anew. This one is no different. It is a portal, a gateway between one world and the next.”

Today, Madam Speaker, in seeking to confine the speaking time of Members of the Opposition, we are entering into a portal that I fear will lead to autocracy rather than the promotion of democracy. I thank you. [*Desk thumping*]

**Madam Speaker:** Member for Tobago East.

**The Minister of State in the Office of the Prime Minister (Hon. Ayanna Webster-Roy):** Thank you, Madam Speaker, for this opportunity to contribute to the debate. Madam Speaker, the spilt blood of all those women, children and men who would have lost their lives due to situations of domestic violence or intimate partner violence still call out for justice. Those souls violently snatched away from us, demand that we do all in our power to enact laws, develop policies and programmes so that justice is served and others have a fighting chance. For this reason, Madam Speaker, it is a small price to pay for us to gather here today during this COVID 19 pandemic to do the work that would bring about some measure of

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peace for those souls that are restless and crying out for justice, and to improve policy and legislation so that we could address the issues of domestic violence and intimate partner violence. [*Desk thumping*]

The Bill we are debating is of significant value and importance to some of the most vulnerable in our society, our women and children who have been victims of abuse or assault. While the measures proposed in the Bill will bring peace of mind to women who have been victims, it would also benefit those men who would have faced similar circumstances of domestic violence. Madam Speaker, while the measures in the Bill will not end violence against women and would not end violence against most of our vulnerable, it will contribute to the creation of a sense of security. Often times we tell our victims of intimate partner violence and domestic violence to run. We often encourage them to run away from the home, run away from the situation, run away from the perpetrator. Madam Speaker, many would have heeded our call to run since it lulled into a sense of peace and false security by a piece of paper called a protection order or a restraining order. They ran, Madam Speaker, but still lives were lost.

Madam Speaker, we all can admit that electronic monitoring will not end the situation but it can enhance the work we are doing and help to save lives. During the Carnival period, we would have listened to many calypsonians singing on different social issues but at the fore of many of the competitions, the issue of domestic violence reigned supreme. And I want to draw to this honourable House some of the lyrics from one of our calypsonians, Sasha Ann Moses. In her rendition, “A Letter of Restraint”, Sasha Ann Moses passionately articulated the reality of many of the women, girls, and sometimes men in our country who are victims of domestic violence. She quite cleverly articulated that in trying to escape

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the situation and trying to find some measure of relief, they would often times go to the court to get a protection order. And having that piece of paper would have felt a sense of comfort that, yes, I am away and, yes, the law is on my side, but without the right framework in place to ensure the efficiency and effectiveness of that piece of paper, lives were still lost. And in her song she said to her friends, she said, “If one day you cannot find me then know my fate, death, death by the hands of my perpetrator.”

Madam Speaker, it is for this reason I am here today to stand in support of what we are putting in place. Madam Speaker, on many occasions we would have seen where women left, they went back home, they went to a different environment, but because the perpetrator did not value that woman’s right to live a life free from violence, because that perpetrator thought that it was his or her right to stake claim over the victim. In Trinidad and Tobago, we have seen innocent blood spilt. Just at the beginning of 2020, a number of our women would have died, not because they would have stayed, Madam Speaker, but because perpetrators refused to give up their hold on those women. Today, we are all gathered here today giving them a voice, an opportunity and some measure of comfort by helping to strengthen again that piece of paper with additional support through electronic monitoring. Studies have shown, Madam Speaker, in instances where a restraining order or a protection order was supported by electronic monitoring of the perpetrator, the women and sometimes men who would have been the victims, stood a better chance of continuing to live a life free of violence because if the perpetrator was approaching the victim or coming into close proximity, an alert would have triggered not only the police station but in some instances, triggered an alert for the victim, and that person would have had the

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chance to put measures in place to either call somebody to help or to move away from the environment.

[MR. DEPUTY SPEAKER *in the Chair*]

In Trinidad and Tobago, through our Central Registry for Domestic Violence, in 2017, we had 94 breaches of protection orders; in 2018, we had 115 breaches of protection orders; and in 2019, 174 breaches. Clearly, Mr. Deputy Speaker, more is needed in terms of work, policy and programmes to protect our vulnerable. This Bill is victim-centered and supports and builds on the key strategies being implemented to strengthen our current institutional and legal framework so that our women and children are better protected. While we must continue to address the sociocultural transformation needed in this country to treat with the underlying factors that drive gender-based violence, this Bill, along with the amendments to the Domestic Violence Act this Parliament would soon consider, will provide greater protection and support to victims.

Mr. Deputy Speaker, even while we try to develop laws at the Office of the Prime Minister, Gender and Child Affairs, we have been doing our part to bring about that change that is needed within our society. We have been trying to build out and operationalize our shelters. We have embarked on a more rigorous community outreach, meeting persons in their communities and providing them with the information. We have introduced the barbershop initiative which bring men together in a space where they could discuss issues around gender and try to change norms and mindset. We are working to provide support, financial support for our shelters run by our NGOs. We have done outreach programmes in schools, partnering with different—

**Mr. Lee:** Mr. Deputy Speaker, 48(1), please, 48(1). I hate to do this.

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**Hon. A. Webster-Roy:** Mr. Deputy Speaker—

**Mr. Deputy Speaker:** Again, Member, just tie it in, tie in the point quickly in relevance to the Bill, please.

**Hon. A. Webster-Roy:** Mr. Deputy Speaker, I was highlighting the work being done by the Office of the Prime Minister to bring about the change of mindset and the cultural change required in Trinidad and Tobago to help end gender-based violence, and in bringing this in line with the Bill before us, Mr. Deputy Speaker, we are talking about introducing electronic monitoring as an added layer to protect our victims. The two are inextricably linked.

Mr. Deputy Speaker, through our outreach programmes in our various schools we have been working with our young people to help them to understand that there is a different role and root in terms of resolving conflict. We have been helping them to understand that we live in a rights-based society and rights must be respected and promoted. We have been encouraging our children to understand the responsibilities that go along with their rights—

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

**Hon. A. Webster-Roy:**—all of this done, Mr. Deputy Speaker—

**Mr. Lee:** I understand, 48(1).

**Mr. Deputy Speaker:** Again, Member, in the interest of the debate, and I know of the relevance that you are trying to tie in, but again, bring the point home quickly so that we can then—move to your next point, please. I do not want to curtail you but at least tie it in quickly. I understand the point that you are trying to make but tie it in quickly in order to move on. Right? You have roughly about 10 more minutes.

**Hon. A. Webster-Roy:** Mr. Deputy Speaker, there are a number of different



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clauses within the Bill that speak specifically—clause 9, in particular, speaks specifically to these issues and I am highlighting them, Mr. Deputy Speaker, for the fact that, unless we bring them to the attention of the citizens of Trinidad and Tobago and this honourable House, [*Desk thumping*] then we will continue to treat these issues with scant courtesy, and we would not affect the change that we would want to see in our island and our nation.

Mr. Deputy Speaker, the electronic monitoring, as I would have mentioned before, is an added layer in the work being done to help to protect our vulnerable women and girls, and those men who would have been victims of intimate partner violence. [*Desk thumping*] It is bringing to the fore the fact that even though many would have depended on a restraining order, a piece of paper was lulled into a false sense of security, it did not work. I am raising this issue because I would have received the many calls from NGOs and from victims alike, calling for this very action to be taken today, Mr. Deputy Speaker. [*Desk thumping*]

And again, I want to commend all who would have done the work to make this happen today. I commend the Minister of National Security, I commend the hon. Attorney General, and on behalf of all those souls still crying out for justice, I say thank you for bringing it here today and for helping us to move one step further to end gender-based violence in Trinidad and Tobago by ensuring those perpetrators are held accountable quickly, and to ensure that the hand of justice is swiftly dealt. Mr. Deputy Speaker, I thank you. [*Desk thumping*]

**Mr. Deputy Speaker:** I recognize the Member for Couva North. [*Desk thumping*]

**Ms. Ramona Ramdial** (*Couva North*): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, first of all let me respond to the Member of

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Parliament for Tobago East where just a minute ago she thanked her Government colleagues on the works of electronic monitoring but failed to recognize the work of the Opposition, both in Government and out, [*Desk thumping*] so I just want to remind her of the work and the genesis which my colleagues previously spoke about of this particular Bill. And in addition to that, I want to agree also with the previous speakers on the Opposition side, the Member of Parliament for Oropouche East, especially when he spoke because, as you know, he sits on the JSC of National Security and where he spoke about the absence of the regulations. I know that the Attorney General would have explained the reasoning behind not having Parliament be privy to the regulations but, Mr. Deputy Speaker, to get a deeper appreciation and understanding of this particular workings of this particular (Electronic Monitoring) (Amdt.) Bill, 2020, I think the regulations would have been—laying the regulations before would have been appropriate so that we would have had a much more informed debate on these amendments.

Mr. Deputy Speaker, let me also agree with my Opposition colleagues when they stated that—and in asking the Attorney General and the hon. Minister of National Security the reason behind being here today to pass this amendment Bill, whether or not it was linked to dealing with the entire COVID 19 crisis which we are experiencing here as a country, and it really struck me as strange that none of the Government speakers mentioned that indeed there is a link to the COVID 19 crisis. And I want to refer to our very own Commissioner of Police who mentioned on April 10, 2020, where Commissioner of Police, Gary Griffith, shared data confirming that domestic violence had indeed increased during this COVID 19 lockdown period. So it is very strange that none of the Government speakers before me mentioned or identified or highlighted what the Commissioner of Police

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stated. So I just want to quote his figures. So he would have quoted in his press conference on April the 10<sup>th</sup>, that in February 2019, the TTPS received 39 reports of abuse by beatings, and in February of 2020, the figure had climbed to 73, and similarly, in March of 2019, the reports of domestic violence numbered 42, and in March of 2020, there were 96. So if anything at all, Mr. Deputy Speaker, would have been the reason, these stats should have been the reason for coming here today to deal with the increase in domestic violence during the COVID 19 lockdown with regard to passing the amendments for the electronic monitoring Bill.

Mr. Deputy Speaker, let me also remind— because, I mean, being part of the former People’s Partnership Government and being Minister of State in the Ministry of Gender and Child Development between the periods of 2010 to 2015, I must remind the Attorney General, especially, and the Member of Parliament for Tobago East, who always seems to conveniently forget, that in 2012, we brought the Children Bill here in the Parliament. We got then the then Opposition’s support and we were able to set the basis for the Attorney General, who can come here very proudly today and boast about implementing, but it was only because of that legislation being laid in 2012, and the former government bringing it, that he was able to have a proper base to implement the courts that he so spoke about and the units that he spoke about earlier on. So I want him to not forget, again, the history and the evolution of this particular Bill. [*Desk thumping*]

Now, Mr. Deputy Speaker, I want to go a little bit into the actual amendment and flag that electronic monitoring can be used to attempt to deliver humane and affordable sanctions while other jurisdictions use it or may use it to relieve jail crowding or to avoid the construction of new jails. So therefore, the electronic

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monitoring programmes aimed to suppress the criminal behaviours of offenders being monitored with the hope of reducing long-term recidivism. Mr. Deputy Speaker, in addition to that, some of the benefits to the electronic monitoring can be identified, as I said previously, to reduce overcrowding in prisons, the public generally, from a study done, the public usually supports tagging. An offender can be effectively tracked using electronic monitoring and if an offender tries to remove a tag, they face the consequences in very real time. However, there are some challenges that are associated to electronic monitoring and these are, over time in other jurisdictions, studies have shown that the system has become very lax. The violent crime has still been committed even though the offender was tagged.

Those who have served their time should no longer be monitored, that is also a view held in other jurisdictions and studies done, where they have implemented electronic monitoring, and tagged offenders have reoffended, and this is in specific reference to domestic violence offenders and sexual abuse offenders. So they have reoffended even though they were tagged. And tagging also, in many jurisdictions, is seen as a soft option where generally the public would demand harsher measures to deal with domestic violence offenders and sex abuse offenders. So these are just some of the challenges that I wanted to identify with respect to electronic monitoring.

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Mr. Deputy Speaker, in addition to that, as Members of Parliament we are constantly meeting, speaking with our constituents, and then we would have the cases of persons seeking help most times. And from my personal experience over

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the past 10 years of being a Member of Parliament, I would tell you that, in Trinidad and Tobago domestic violence against women, it has become much more intense, cruel and without bordering or saying the wrong word, but it has become much more obscene, in terms of sexual offences against women and children.

And whilst some may agree because of the advent of technology over the years we have had persons being able to access, you know, the psychologically-troubled ones being able to access certain information online and then, you know, may look to practise or target children and women, we can also safely say with the advent of technology we can also use it to the benefit to protect those women and children at the end of the day.

Mr. Deputy Speaker, it is no surprise that over the years we have seen an increase in domestic violence, and I want to agree with my previous colleagues where they have said it is four and a half years a little too late by this Government to now bring these amendments to implement electronic monitoring. As Dr. Moonilal stated, Member of Parliament for Oropouche East, we have had the devices for over five years in Trinidad and Tobago waiting to be used. He also identified that there were some issues with the contract. And now, hopefully these things have been sorted out, we can see real implementation and see how best this impacts upon protecting, especially our women and children.

I just want to refer to another study, Mr. Deputy Speaker:

“How GPS Tracking Technology Can Curb Domestic Violence”

And this is a study that has come out of America. As you know their rate of domestic violence and sexual offences is extremely high. What has come out of that is, with respect to using electronic monitoring:

“Domestic slayings are often preceded by warning signs, threats, or strings

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of escalating offenses. Unlike most homicides, these murders are preventable. Yet—in the US—“only 18 per cent of intimate partner violence victims receive assistance...”

So,

“When victims do seek help, it can backfire.”

And the Member of Parliament for Tobago East mentioned the protection orders and the failure of protection orders, on the greater part, with respect to protecting women.

So, even though restraining orders reduce violence, as many as two-thirds of them are violated, and we have seen that happening here in Trinidad and Tobago. Even though protection orders would have been handed down by the courts to these perpetrators, they go back and they reoffend and the protection orders are a failure. So they are very difficult to impose and the police do not always enforce them.

And that has been another problem in Trinidad and Tobago, where reports of domestic violence to the TTPS have gone unchecked, unheeded, and in general the culture of the TTPS—I must admit it may have improved over the past couple of years with the Commissioner of Police really putting focus on women and children. But it is really not—they do not really see it as important, in terms of guarding against the rights of women and children, in terms of domestic violence. So it is really a lax system, in terms of the protection order and then having the TTPS respond to breaches of those protection orders.

So Mr. Deputy Speaker, the GPS and the electronic monitoring is a proven technology that works by strengthening the protection of restraining orders. They go on to quote some numbers in other countries that I will not cite here.

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Now:

“Victims could chose to wear GPS to be protected on the move...”

So this is the other side of it, where other countries have gone further. I know that we are in our first steps.

“...or to mark a few locations, such as home or work, as off-limits. The system would automatically alert both the victim and the police when an abuser breaks the perimeter.

Answering privacy concerns is paramount to the success of the program.”

And in America:

“More than 40 states allow for GPS tracking to protect victims of domestic violence.”

And this has seen a sharp decrease in offences.

Also, Mr. Deputy Speaker, more recently, with technology being very much available and improving day by day:

“‘reverse tagging’ and ‘filtering’ technologies have been developed to record an offender's data only when the person is inside the area determined by a protection order. As such, modified GPS tracking methodologies do not infringe on one's constitutional right to privacy.”

So, Mr. Deputy Speaker, we live in a world where our data is constantly tracked. And in Trinidad and Tobago there are a number of JSCs that are working on getting this doing efficiently, and I will say no more on that. But we really live in a world where our data is constantly tracked.

“We take pride in autonomous cars and drone deliveries. We frequently forego our privacy for the sake of social media”—and—“Surely, we can also leverage technology to improve the Violence Against Women and prevent

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further domestic violence.”

Thank you, Mr. Deputy Speaker.

**The Minister of National Security and Minister in the Office of the Prime Minister (Hon. Stuart Young):** Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, I have sat here and I have listened to the afternoon's proceedings to the contributions by my colleagues on the other side. And with absolutely no disrespect meant, the Attorney General and my colleague for Tobago East have dealt with the vast majority of what needed to be dealt with. But if you would permit me just a few brief moments to touch on the very, very, very few issues that arose for reply, and really, as usual, is to correct the record.

I would like to start by saying, Mr. Deputy Speaker, first of all one of the points that was being made by the speaker for Couva North, there were no devices here for the last five years. The attempt to rewrite history cannot be permitted. What happened is the Parliament passed legislation in 2012, nothing was done to operationalize that legislation. Nothing was done for the next three years, when there was a lot of money to be spent to ensure that we had a proper electronic monitoring system. That is a fact.

When we came in, we sought immediately to move to find out what was going on with electronic monitoring. The Ministry of National Security did what needed to be done and as has become a mantra of this Administration, we ensured that the taxpayers got the best value for money. So there was a negotiation of a proper contract, best value for money, ensuring it was a competitive process, ensuring that the machinery and equipment that we got could be utilized, Mr. Deputy Speaker, and that is the fact.

[MADAM SPEAKER *in the Chair*]



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So immediately we moved, and it was a parallel system being run, to first of all, Madam Speaker, ensure that we had the proper equipment, that the equipment was set up. The retaining of personnel was done. That has all been done. Parallel to that, the Office of the Attorney General was working along with national security, the Judiciary and others, to ensure that the legislation is in the proper format to implement. Because again the legislation that was passed in 2012, was not sufficient legislation. So that process has been completed.

As you heard the Attorney General say, Madam Speaker, the regulations are ready. We are ready to implement. We are ready to operationalize. This is a system and I am happy to say that we took the route of ensuring that the public servants and the Ministry of National Security would run the operations, whereas others may have just handed it over to contractors to do so.

I heard a submission from the Member for Oropouche East, that we are utilizing contract workers, as opposed to public servants. I wondered how it operated previously. Because for the creation of public service posts, that is a whole drawn out bureaucratic process and there is absolutely no division, no Ministry, no organization under government service, that does not utilize contract workers.

And in fact, in the setting up and establishment of something new like the Electronic Monitoring Unit, it is arguable with a lot of legitimacy. It is better to go the route initially of contract workers, prove the system, get all of the kinks out of the system, and then move towards the establishment of a public service post.

The past administration could be accused and be guilty of wholesale utilization of contract workers. So to hear here today the Member for Oropouche East throw that red herring, it wreaks of hypocrisy as usual from Oropouche East.

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I also heard a divergence of views between Oropouche East, the last Speaker for Couva North, and some mumblings in between about why are we here today to deal with this legislation, and if it is linked directly to COVID. But the Member for Couva North rightly identified, as we were at pains, the three speakers on this side, to talk about domestic violence and this being a tool that could be used for domestic violence.

Madam Speaker, we are here today to carry out the business of the people of Trinidad and Tobago; certainly us on this side. And it has no need or there is no part of the formula that has to be directly linked with COVID; the legislation that is being passed. Crime and criminality have not stopped. This is an important tool in the continuation of our fight against crime and I am happy that we are here today and I am happy I have heard the Members on the other side, by and large, say they are prepared to support the legislation that we are here today, to finally, for Trinidad and Tobago, be able to implement a system that will not only help with domestic violence; it could help with our young offenders. Because surely it is better that we give young persons who have fallen foul of the law the opportunity to have an electronic monitoring bracelet on them than incarcerate them and put them amongst hardened criminals who may then use the opportunity, use that opportunity to now bring them into the gang system.

So that is what this Government is about. The system is ready. It is ready to be operationalized and we want the opportunity, not only for domestic violence, but for the wide range of offenders in the criminal justice system, to give the Judiciary the opportunity, especially the young people who are out there. In the limited time we cannot touch on everything. But this legislation is since 2012. The technology has evolved. Some of the amendments are to allow, to come into

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the net, the other technology that exists.

All with the contract workers, and the suggestion that you should not have contract workers in a unit such as this; it is so important. I found the submission, quite frankly, Madam Speaker, a little troubling. Because I thought about the Trinidad and Tobago Police Service, the body that is constitutionally charged with the responsibility to keep us to protect and serve. The Trinidad and Tobago Police Service uses contract workers in the form of SRPs. The SRP establishment, which is a very important component in fight against crime, are contract workers. So I found the submission from Oropouche East ridiculous, to say the least, and I will leave it there.

The next submission that was made, again another red herring, that you should allow the Commissioner of Police if there is a breach and an alarm goes off, report to the Commissioner of Police. Lest the Member for Oropouche East has missed it, the Trinidad and Tobago Police Service already has a command center and it is an operational command center. So all calls to the police service go into there, and then they will dispatch the necessary resources. So it is not limited to a police station. It is not limited to a magisterial district. We have ERP vehicles roaming the country. They could be the first responders. But even if there was not that, it seems to me that he has missed the whole use of the wireless system. Every police service in the world, for decades, has had a wireless system. A car is stolen at point X, a call goes in, the police get on their wireless radios, say look out for the car with license plate registration so and so, it was just, and that goes out to the whole police service. So to sit here and to listen to those types of submissions, in an attempt to throw red herrings, is disturbing, to say the least.

The NOFC, there is legality with the feed going directly to the NOFC. This

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Government will always operate within the confines of the law and the parameters of the law. But that submission from the Member for Oropouche East gave me yet another insight into how he is prepared to operate. Because you can only utilize the electronic monitoring system in accordance with the law and the unit that is set up to do it. Does that mean that that unit cannot then provide the Trinidad and Tobago Police Service or the National Operation Fusion Centre with the information when there has been a breach? Absolutely not. But that is the way it is done. You do not give the National Operation Fusion Center direct access to the monitoring equipment, because that will lead to a breach of privacy under the Act. So, again complete misinformation and an attempt to mislead the population of Trinidad and Tobago once again by the Member for Oropouche East. We will not go down that road and breach the legality of the parent Act.

Madam Speaker, this is good legislation. It amends the legislation that was there in 2012, for us to be able to finally operationalize this, to use not only for domestic violence, the Member for Couva North spent a lot of time focused on, as she rightly should, as did the Member for Tobago East, but also for the wide spectrum of persons who may fall foul of the criminal justice system, and it gives us an extra and an additional tool.

The last thing I would like to say, and this is something I ask for the support of everyone, the last thing is the hon. Attorney General spotted that there was one more amendment that we would like to add. If you look at the parent legislation, the original Act that is in place at section 10(5), we missed, there is a reference to “parent or guardian”. So now, when we come with this Bill, as the Attorney General had explained, we are changing “parent or guardian” to “parent, guardian or persons with responsibility for that child”. So we propose, when we get to the

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committee stage, just to add that, to ensure that the amendments capture all of the amendments that need to be done to the parent legislation.

Madam Speaker, with those few words, I beg to move. [*Desk thumping*]

*Question put and agreed to.*

*Bill accordingly read a second time.*

**Hon. S. Young:** Madam Speaker, in accordance with Standing Order 68(1), I beg to move that the Administration of Justice (Electronic Monitoring) (Amdt.) Bill, 2020, be committed to the committee of the whole.

*Question put and agreed to.*

*Bill committed to a committee of the whole House.*

*House in committee.*

[*Madam Chairman confers with Mr. Al-Rawi and Mr. Young*]

**Mr. Al-Rawi:** We circulated it, Madam Chairman, to the Clerk of the House, who has had it in custody for a while now. We are amending clause 12(5), the competent authority shall explain to the person in the case of the child, his parent or guardian. We are putting in “person with responsibility for the child”.

**Madam Chairman:** Could we then take 1 to 10 and by then let us hope that the amendment gets here so that the Whip and all of us can see it? So can we proceed by taking 1 to 10 as a block?

**Mr. Young:** Madam Chairman, can I have one quick moment? Could you just give me two moments to confer with the Attorney General, please? Sorry, Madam Chair. We could do 1 to 10.

*Question put and agreed to.*

*Clauses 1 to 10 ordered to stand part of the Bill.*

*Clause 11.*

*Question proposed:* That clause 11 stand part of the Bill.

**Mr. Al-Rawi:** Madam Chairman, should it please you, we propose an amendment to clause 11, which would read as follows:

11. A. Delete the word “and” at the end of paragraph (a);
- B. Delete the full stop at the end of paragraph (b) and substitute the words “; and”;
- C. Insert after paragraph (b), the following paragraph:

And this is the substantive amendment. It is a new paragraph (c):

“(c) in subsection (5), by deleting the words ‘parent or guardian’ and substituting the words ‘parent, guardian or person with responsibility for the child.’”

That is in keeping with all of the other amendments that we have done across the Act to harmonize it with the Children Act, which uses those specific words, “person with responsibility for the child”.

**Madam Chairman:** Okay, let me ask, is the amendment as you said that was given, is it in written form available?

**Mr. Young:** It was sent.

**Mr. Al-Rawi:** In the new arrangements.

**Mr. Young:** It is now available.

**Madam Chairman:** So, can I just ask one of the attendants to share it with the Whip, so that he can follow what the Attorney General has just explained? Thank you.

**Mr. Al-Rawi:** In the new arrangements where we are operating in Cabildo with limited staff at the Parliament, we emailed it across to the Clerk. So that was done some time ago.

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**Madam Chairman:** Attorney General, may I just request, so that the Whip and all of us can follow, now that it is in the Chamber.

**Mr. Al-Rawi:** Of course, Madam Speaker.

**Madam Chairman:** If you can repeat please.

**Mr. Al-Rawi:** So Madam Speaker, throughout the legislation, we removed the reference to “parent or guardian”, and effectively added in “parent, guardian or person with responsibility for the child”. We did that, Madam Chairman, because that is the language in Act No. 12 of 2012, the Children Act.

In those circumstances, in rereading the legislation, the parent legislation, I spotted that section 12 of the Act was not amended in subsection (5), and we had unfortunately left “his parent or guardian” and we are just changing that to the words as circulated. So in effect, Madam Chairman, we are amending section 12(5), by adding in the person with responsibility for the child. And that is done by way of an amendment to clause 11 of the Bill. Okay?

**Madam Chairman:** So, in terms of what we have before us here, this subsection, this (2A).

**Mr. Al-Rawi:** Yes, Ma'am.

**Madam Chairman:** You are removing the word “and”?

**Mr. Al-Rawi:** Yes, so we are amending the Bill itself.

**Madam Chairman:** Yes.

**Mr. Al-Rawi:** And we are adding a (c) and we do that by removing the “;”. We are adding in the word “and”. So you get paragraphs A, B and C as opposed to just A and B. So we are amending clause 11.

**Madam Chairman:** Whip? Yes?

**Mr. Al-Rawi:** I apologize for the circulation difficulties, Madam Speaker.

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*Question put and agreed to.*

*Clause 11, as amended, ordered to stand part of the Bill.*

**Mr. Young:** Madam Chair, we ask that clauses 12 to 25 be taken.

*Question put and agreed to.*

*Clauses 12 to 25 ordered to stand part of the Bill.*

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

*House resumed.*

*Bill reported, with amendment, read the third time and passed.*

**5.30 p.m.**

### ADJOURNMENT

**The Minister of Social Development and Family Services (Hon. Camille Robinson-Regis):** Madam Speaker, I beg to move that this House do now adjourn to Wednesday 29 April, 2020, at 1.30 p.m. Madam Speaker, at that time we will do the Miscellaneous Amendments Bill, 2020.

**Madam Speaker:** Hon. Members, there are two matters that qualify to be raised on the Motion for the Adjournment of the House. I will now call upon the Member for Caroni Central. [*Desk thumping*]

### COVID 19

#### (Immediate Steps to Address)

**Dr. Bhoendradatt Tewarie (Caroni Central):** Thank you very much, Madam Speaker. This Motion is necessary because many things have been announced but very little has been delivered. [*Desk thumping*] I stress in the Motion the need for immediate steps to be taken to address the varied economic consequences of COVID 19.



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People are in distress, Madam Speaker. The vast majority of our citizens are hurting and pain is being endured across the land and in the hearts and minds and bellies of thousands of our people. Our citizens are not only in need, some of them are lost. They do not know where the turn; 297 food cards so far and 220 hampers for instance have hardly made a dent in Caroni Central. We have 200 more food cards to give out today and tomorrow, and we are doing our best to mobilize hampers, thanks to the generosity of small and medium grocers and kind benefactors. [*Desk thumping*] But we have 1,100 families whose children are in the School Feeding Programme and about 2,000 additional people who need help with food, with milk, with pampers. So the need is greater, Madam Speaker, than the supply. Even catering for genuine needs alone which is a major responsibility to stave off hunger and to put food on the tables of families, we are falling short on delivery and reach. And this is my point, in terms of execution, the Government is falling short on delivery and reach.

In other areas, despite announcements and promises, the Government is actually delivering little and reaching less. Not a single person in my constituency, Madam Speaker, to my knowledge, has received a salary grant. The Minister says he will deliver from tomorrow and reach 100,000. We will see. Not a single person applying for public assistance by filling out the necessary forms has received such assistance. I know of no one in Caroni Central who has received rental assistance. I know of no one who has received a food card via the Ministry of Labour and Small Enterprise Development process who are outside of the children in School Feeding Programme category. I know of no unemployed person or self-employed person in Caroni Central who has received the promised income support, food support, or rental fee support.

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This is a WhatsApp conversation with a constituent and myself yesterday morning Sunday.

She: "Morning Sir, I am begging for a food card. Up to this day no salary grant, no rental assistance."

Me: "Did you apply for these?"

She : "I applied, and nothing up to this day. This is stressful for me, Sir. That is why I am asking for a food card."

Now she does not qualify for the food card because her children are not in school, so these are the needs and stresses that are real.

I wrote a friendly letter to the Minister of Social Development and Family Services and I suggested two things, while people apply for their grants why can we not give them a 30-day food card that would allow them with \$510 to eat. And I told her, why can we not make the processing time for these applications 30 days or less so we could deal with that as a reality. I do not know if anything will be done about this, but I think it is something that needs to be done.

This COVID 19 has induced worldwide economic crisis in which 26 million people in the United States of America alone have applied for unemployment benefits. They have a social support infrastructure for unemployment relief. In Trinidad and Tobago we do not. So we have not only to improvise, but to work fast and to work smart. The last figure provided by the Minister of Finance was that close to 40,000 people had applied. Today, he modified that figure somewhat. This is no small crisis for anyone but for ordinary people they can be devastated.

Imagine ordinary citizens without a job, without income, with children, and no buffers to lean on or to cope. The Government needs to be more responsive, more sensitive, more generous and compassionate, but most of all, it must deliver,

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it must reach. People cannot wait. [*Desk thumping*] Whatever is happening in Caroni Central I am sure is multiplied across the land. Across this country thousands will have no income. The Minister has anticipated 90,000 jobless grants, and today he mentioned 100,000, that is, the Minister of Finance.

Let me remind citizens where the jobs are and how the structure of employment is organized in Trinidad and Tobago. 2.1 per cent of our jobs are in energy, 7.8 per cent are in manufacturing, 3.5 per cent are in agriculture, but 86.4 per cent are in services. The entire business sector, Madam Speaker, is in trouble. Businesses deemed to be essential services have gotten a break, and the groceries, the drugs, the hardware materials are in demand, but this is not a boom for anyone. Business as a whole is in trouble but some businesses are in more trouble than others, and some are in extreme trouble. If your business is deemed non-essential then you are closed without customers or income and you still have to meet your commitments. How does a business survive and continue in such a situation without help?

The Minister of Finance outlined a series of measures on March the 18<sup>th</sup>, 2020, and he followed up with a second set of measures on March the 23<sup>rd</sup>, 2020. From that we have had little delivery. Today he has made additional announcements. We will see how fast these will be delivered, because do you know what the businesses of Trinidad and Tobago have been doing since March 18<sup>th</sup> and the 23<sup>rd</sup>? They have been waiting. Do you know what they are doing now? They are waiting. And do you know what they will be doing tomorrow? They will be waiting. And after tomorrow's announcement the question will be: How much more waiting? What have they been waiting for? They have been waiting for the relief that Government has promised and they have been waiting on

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something that would tell them when they would return to business, depending and on what conditions. What were business expectations, all of them unfulfilled up till now? Of all the announcements that were made in Parliament and in press statements on March the 18<sup>th</sup> and March the 23<sup>rd</sup>, the important thing was, what financial support for business that have no revenue and no income? Today, the Minister talked about soft loans for banks—via banks in Trinidad for small and medium business, but he in the same breath sent \$105million for business and hotels to the THA.

Secondly, business that had to pay rent or loans, what would they do? And finally, when will businesses get back to work? In what context, in what sequence? There are other measures. Reduce interest rates on credit cards, that is a good measure, but at this time you do not use our credit card as much because of the suppressed demand that characterizes the economic situation. You have increased credit card limits but they are not as useful in this time. Maybe in the recovery period it might make some difference. What they needed was a liquidity support programme but that was limited to \$100 million to the credit unions, but not all businesses are connected to the credit unions.

I mentioned there is a hotel grant for Tobago. The tourism industry is one of the industries that is going to take the longest recovery time, perhaps 24 months over the next period—in the post-COVID 19 period. With the banks, the bank deferrals, that has turned out to be a Catch-22, because you pay your interest in between, you defer and then you have to pay the capital and the interest on accumulated loans at that point which you have not paid before. The income tax on VAT refunds were the people's money anyway, that is due to the private sector, and for instance if you own property and you cannot collect the rent, how do you

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deal with the banks? So, I think the—

**Madam Speaker:** Member, your speaking time is now spent. Minister of Finance. [*Desk thumping*]

**The Minister of Finance (Hon. Colm Imbert):** Thank you, Madam Speaker. It is obvious that the Member for Caroni Central was not present earlier on when I made a comprehensive statement and status report on what the Government is doing to deal with the economic and financial impact of COVID 19. The Member for Caroni Central also is very good at twisting the facts. Sometimes he is actually a stranger to the truth as he has been today. [*Desk thumping*] In that statement he insisted on a processing time of 30 days for emergency food cards, 30 days. In my statement today I indicated that we started to collect the salary relief grant application forms on the 14<sup>th</sup> of April, and we are sending out the first grants tomorrow. [*Desk thumping*] That is 15 days, 15 days, to receive, evaluate, check, process and pay. [*Desk thumping*] It pains me, Madam Speaker, it pains me. We have paid out \$700 million in accelerated refunds in cash, Madam Speaker. [*Desk thumping*] Seven hundred million dollars in a matter of weeks to businesses in a situation when I made it clear today, we have lost \$9 billion in annual revenue this year and we still manage to find the wherewithal to pay out \$700 million in cash refunds, Madam Speaker.

The Minister of Social Development and Family Services, I made the point, has already spent or committed over \$65 million in a couple of weeks in terms of support for most needy and the most vulnerable, Madam Speaker. I listen to the Member for Caroni Central, he is living in la-la land as far as I am concerned, la-la land. How can you ask me to have a processing time of 30 days when I am in fact processing in 15 days? I am not accepting your request. We will continue to

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process in 15 days, Madam Speaker. We will continue to do what we can for the people of this country.

I know it is hurting the Opposition at the speed and the progressive manner in which the Government has dealt with this problem. We have kept all public servants in jobs, all public servants in jobs. [*Desk thumping*] Right now there are thousands of CEPEP workers because of the issues with social distancing, we do not want them to infect each other through community spread and so on, so they are all at home being paid their full entitlement, Madam Speaker. [*Desk thumping*] Ministries, thousands and thousands of public workers are being asked to stay at home and all getting their full pay. What other government in the world is doing that?

Madam Speaker, Trinidad and Tobago's approach to COVID 19 is an example for the world. If you read what the ambassadors are saying, the British High Commissioner, the European Commissioner, Trinidad and Tobago's approach is an example for the world. I know it is just Opposition politics that the Member just came in here to make up these Anansi stories, Anansi stories.

That money that we gave to Tobago, Madam Speaker, I made it clear, was for the health sector, the health sector, \$50 million, and prior to that, the Minister of Health had announced that at a post-Cabinet meeting that we were giving \$150 million to the health sector in Trinidad. So why Tobago must get leave out? It is the typical anti-Tobagonian behaviour of the UNC. So, the Tobago Regional Health Authority must get no money and Tobago's economy depends on tourism. The grant we are giving is for upgrade and renovation of hotel stock, because the hotels are closed. COVID 19 has hurt Tobago badly, and we as an intelligent and caring government recognize we have to help them in some way, so we put a grant

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through, a grant system, to allow people to work to upgrade the hotel stock in Tobago, so that when they are able to reopen at least the hotel rooms would have been renovated and the Member for Caroni Central vex for “dat”, Madam Speaker?

The soft loan programme that we are putting into the commercial banks is a Government guarantee loan programme for businesses, Madam Speaker. What on earth is he talking about? And \$3 billion in VAT bonds will be issued imminently, Madam Speaker. What is the Member for Caroni Central talking about? Twenty thousand food cards, 20,000 food cards, given out by the Ministry of Social Development and Family Services in the last couple weeks, 20,000 food cards, 20,000, and thousands and thousands more in terms of support will be given out in the next couple weeks. Madam Speaker, I am proud of this Government, I am proud of the way we are dealing with COVID 19. We are working as a team, and we are providing relief to everybody in this society. Thank you, Madam Speaker.  
[Desk thumping]

**Madam Speaker:** Member for Caroni East, and I must apologize for not seeing you earlier. It is unusual for your stature to escape my eye.

## **COVID 19**

### **(Government’s Lack of Preparedness)**

**Dr. Tim Gopeesingh** (*Caroni East*): That is all right, Madam Speaker. Thank you very much. Madam Speaker, our Opposition would have desired to really have a full debate in Parliament on this invisible enemy of corona II, COVID 19, but this evening we are still grateful for the 10 minutes afforded under Standing Order 16. And I will try to bring to focus a few of the issues and questionS which we have surrounding what we consider at this time the Government’s lack of preparedness and to some extent a mismanagement on this pandemic.

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The voice of the people, Madam Speaker, let us consider the manner in which suspicious or confirmed COVID 19 patients are being treated in this country. Many people say it is most dehumanizing. From the public's perception it appears that patients are being penalized and punished for testing positive or having any association thereof. Imagine suspected COVID 19 patients are being bussed around in this country under heavily armed presence. Where is the compassion? Where is the sensitivity? This Government's obvious lack of preparedness and readiness is illustrated in the improper, unhospitable, and inhumane conditions in your considered readied isolation, and quarantine facilities you speak proudly about.

I draw your attention to Caura Hospital. There has been an absence of adequate staff to manage the needs of the patients and maintain a healthy environment in the absence of sufficient personal protective equipment to the staff. You would remember patients complaining of faeces on the floor, and indistinct separation of male and female there with the toilets and bathroom facilities, and Caura is considered your tier one facility. You claim you were so prepared you put people in Brooklyn Village with cockroaches running on people's feet, no doors at toilets et cetera, and this dilapidation was so vivid on social media. And while patients were sleeping that night, people were doing restoration work overnight. Imagine you even put people in a shed in Balandra and packed in a most inhumane way and the social media showed where 14 people were placed in one room without ventilation. Is this what a prepared and caring government delivers to its citizen? Hon. Minister, could you see for yourself being quarantined in such an environment like that? I am sure certainly not, and I know your standards are higher.

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Hon. Minister, and Members of Parliament, Minister particularly, I am certain that you are aware that frontline health care professionals are at times reluctant or hesitant to treat and manage patients in accident and emergency departments of general hospitals because many times they are still ill-equipped with personal protective equipment and you know that there has been some rationing going on in one or two of the major hospitals. And I was personally informed of a situation where a patient went in to one of the major general hospitals requiring respiratory support and because staff were ill-equipped to treat and manage this patient—I am not saying the cause—this was the causative factor, there was deficiency and difficulty in management and the patient eventually died. And this is what you said is your strong parallel system operating at its best. So you are aware that some patients are dying in the emergency departments of general hospitals because of the inherent fear and apprehension that health workers have in interacting with suspicious COVID 19 patients because up to this day they are still ill-equipped and afraid of compromising their own well-being.

Let us go to the issue of testing. It is now strongly believed that you have controlled the testing so far in order to control your narrative and it is very apparent that you are so concerned about maintaining a finite number that you are hardly aware of the monstrous issues that lie ahead of us still. How could you have a realistic assessment of our situation without knowing the true statistics? Only but 1,000 patients have been tested. We should have been close to 20,000 patients in keeping with countries which are half our population and which have done beyond 20,000 patients. We could have had a significant number of people, we could have a significant number of people asymptomatic and with mild symptoms causing viral spread taking place in various communities. How are we to know that? Even

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us, four or five of us in Parliament here today could possibly have the virus and we do not know we have the virus. But we still never know that because we are not doing community testing. Is it not a shame that three months later you have tested only 0.07 per cent of our population? Iceland and small countries like Hawaii, et cetera, have tested almost 30 times this amount. Is this your claim to fame and the level of preparedness that you boast about? This is in stark contrast to the recommendations of WHO and which adhered to globally by international countries.

While we appreciate the challenges involved, you are now three months into this dilemma, and the best that you could have afforded to date is that you are now ready to ramp up testing. You have been speaking about ramping up testing, ramping up testing. I understand your dilemma, Minister, but you have not been able to do what you are supposed to be doing because I know you did not have enough kits. And you did not say from the beginning. I know you tried to have more kits but you were unsuccessful. China said they were giving 4,000 but lo and behold there was no means of extraction in those kits.

So, for more than six weeks you have been speaking of accreditation and certification of private labs to assist with widespread testing. Today you told the Parliament that none of the six labs that applied have been accredited. So, what could have been a situation where you got some help is no longer there. For the last six weeks you also promised that the labs at general hospitals will be functioning. That is, San Fernando, Eric Williams, and Port of Spain, and they were not functioning to do the polymerized chain reaction testing, but over the weekend you promised to begin testing today, for 700 tests to be done in 14 days. Six weeks ago you promised that. I hope for God's sake the hospitals are ready

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and they are running now with their labs testing.

International countries have even gone further with anti-body testing, we are in the dull drums as far as that is concerned. Could this the daily inept response from your team inspire any type of confidence in the national community, hon. Minister? Your Government continues to say you were ready, up to now you are saying you are ready. The question is for what? And for when? But then again, what can you expect from a government that has a track record of achieving nothing. You have failed to manage this pandemic with any degree of competence. You were ill-prepared and the country is suffocating with your daily political diatribes. Thank you, Madam Speaker.

**The Minister of Health (Hon. Terrence Deyalsingh):** Thank you very much, Madam Speaker. Madam Speaker, I rise at 5.56 with 10 minutes to go. Aristotle said, “There is only one way to avoided criticism: do nothing, say nothing and be nothing.” We chose not to do that. We did something, we said a lot and we are something in Trinidad and Tobago. [*Desk thumping*]

Madam Speaker, on March the 11<sup>th</sup>, WHO declared 2019 N-COVID to be a pandemic. We engaged in six mitigation strategies before, before that, starting with thermal screening, travel restrictions, two ministerial statements, two appearances before the joint select committee where the Member for Fyzabad asked over 40 questions of the Ministry of Health, forty questions, the hon. Lackram Bodoie, on Wednesday 05 February and Wednesday 11 March.

Madam Speaker, Madam Speaker, we engaged in a whole series of mitigation strategies to stop the importation of COVID 19 into Trinidad and Tobago. [*Desk thumping*] What were they? Travel restrictions, suspension of the cruise season, and because of these measures we did not import COVID 19 into the

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amounts that other countries where they did not have those travel restrictions. We were ahead of everybody in the Western Hemisphere. That is why you do not have widespread community transmission today because we were proactive. We implemented the hygiene methods, we implemented the isolation methods and that is why today we are classified by WHO as having sporadic spread. WHO, not the Government, WHO.

Madam Speaker, this is a saying, “There is none so deaf as those who will not hear, and none so blind as those who will not see.” Raffique Shah on Sunday the 19<sup>th</sup> April, in an article, “Assessing the Leader”, gave this Government and this Prime Minister full marks, full marks for the way we were dealing with COVID 19. But in that article he introduced the concept of the fifth columnist. Do you know what a fifth columnist is? When you are fighting a war, you have a group of people within your society working with the enemy against you. That is what a fifth columnist is. Let me tell you something. This country is a world class leader in how we are developing [*Desk thumping*] our COVID plan. By admission today, the Member for Barataria/San Juan said, based on the miniscule number of deaths why do we not open the economy? Your own colleague admitted today that we were prepared because we had a miniscule number of deaths, your own colleague.

We closed schools. That is why we do not have community spread. We closed universities. That is why you do not have community spread. We have 12 Regulations under the Public Health Ordinance. That is why you do not have community spread. We did not suspend the Constitution. Your way of coping with disasters is to suspend the Constitution. But yet you go to the High Court to open a bar.

**6.00 p.m.**

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Where does the UNC come off? You do not like the measures but you want to “leh go” positive people within the community, and you have the unmitigated gall to talk about isolation? It is because of isolation we have saved this country. It is because of that. You know, data which shows we do not have community spread is SARI data, (Sever Acute Respiratory Illness). Until Dr. Hinds yesterday had to be diverted to respond to a Guardian article, 3 o’clock this morning he gave me the figures. SARI data, which is a doctor you will know, is 1.5 per cent of hospital admissions this year which is the same for last year and the year before, which tells you there is no increase in pneumonias or severe acute respiratory illnesses, which is a marker for COVID 19. It is in line with last year—in line. That is what we are doing.

World Bank, TT more prepared; Professor Ramesh Deosaran, 9 out of 10. MFO, Saturday 19 April, 2020, in the *Express*, “Satisfaction with Government’s Performance”. I beg to differ with you Sir. But hear what the UNC’s solution to COVID-19 is:

1. State of Emergency, but open bars.
2. The Member for Oropouche when he was talking about it, spent half of his contribution saying “keep rum shops open”.

So for the UNC, the solution for COVID 19 is to put up an IV drip with rum. Sen. Wade Mark was begging in the Senate for rum shops to be opened to sell Puncheon and lime because he said that is good for virus. So set up an IV line, according to the hon. Kamla Persad-Bissessar, with Puncheon and lime and “dat go save yuh” from COVID 19.

The Member for Barataria/San Juan is on radio saying use hydroxychloroquine to treat COVID 19 patients, and I must take advice from you?

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Hydroxychloroquine killing people and I must take advice from the UNC to use hydroxychloroquine, rum and Puncheon to treat COVID 19? But look at this!

In the newspapers today the three doctors across there cannot agree on using masks in the Parliament. You know that? The three doctors, heaven help if you all were in charge of this COVID 19 response. One want N95 mask, one does not want mask and I must trust the UNC? But look at this, “We are not using antibody testing”, from a doctor.

Madam Speaker, nowhere in the world has it been proven that antibody testing is rigorous enough to use population wise? I must listen to the UNC, to use hydroxychloroquine, to use antibody testing, to use Puncheon and lime, to suspend the Constitution and I must listen to UNC on how to treat with this? That is what a fifth columnist is. Madam Speaker, the unkindest cut of all is attacking the Chief Medical Officer. Attack me, that is all right, I am a politician, but to accuse the Chief Medical Officer as a public servant of hiding data is taking it too far and the Member of Parliament for Siparia should apologize to the public service and all 80,000 public servants today. Because to accuse the Chief Medical Officer of hiding data is deplorable, dastardly and the actions of a fifth columnist, a fifth columnist.

Madam Speaker, everyone has praised Trinidad and Tobago. If we did not suspend the cruise season and leave our borders open and a cruise ship with 4,000 people descended in Port of Spain, the whole of Port of Spain would have gotten COVID 19. We escaped that, because we were prepared, we were proactive.

On the issue of community testing, you have the SARI data to show that there is no increase in acute respiratory illness. We have 133 negative samples from community testing and posthumous testing. That is a good benchmark to start

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Hon. T. Deyalsingh

2020.04.27

to go on, to show there is no community spread, so we are ready my friend. We have been ready, we are ready, and this is a world class response, a total world class response. Madam Speaker, how much more time do I have please?

**Madam Speaker:** You have roughly a minute.

**Hon. T. Deyalsingh:** A minute. “Satisfaction of a Government’s Performance”, MFO. “3 doctors mixed views on Speaker’s anti COVID-19 measures”, from three doctors in the UNC. The three medical doctors in Parliament have expressed contrary views on the conditions laid down by yourself.

So if you cannot agree on using a mask, I must listen to you on how to treat COVID 19 patients? Three doctors cannot agree on using a mask. Let the country see what the UNC is. Put you on drips with rum, put you on drips with Puncheon and then give you hydroxychloroquine. We reject that.

This Motion is vexatious, this motion is infantile and devoid of any factual basis and I reject it whole heartedly.

**Hon Member:** This Motion is UNC—

**Madam Speaker:** Members, under no circumstances unless you are at the podium you are allowed to remove your mask and speak.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 6.08 p.m.*