

HOUSE OF REPRESENTATIVES*Friday, November 20, 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 the following from the hon. Penelope Beckles-Robinson, MP, Member for Arima, who has requested leave of absence from today's sitting. The leave which the Member seeks is granted.

**JOINT SELECT COMMITTEES
(APPOINTMENT TO)**

Madam Speaker: Hon. Members, correspondence has been received from the President of the Senate, dated November 17, 2020, regarding the Senate's appointments to the Joint Select Committees. In the interest of time, I have instructed the Clerk of the House to circulate this letter to you electronically, and to ensure that a copy is shared with *Hansard* for the official report. *The following correspondence was circulated to Members of the House of Representatives:*

November 17, 2020

The Honourable Bridgid Mary Annisette-George, MP

Speaker of the House

Office of the Speaker

The Red House

Parliamentary Complex

Abercromby Street

PORT OF SPAIN

Dear Honourable Speaker,

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Appointment of Members to Joint Select Committees

Reference is made to your letter dated November 11, 2020 on the subject at caption.

Please be informed that at a sitting held on Tuesday November 17, 2020, the Senate appointed the following Members to serve with an equal number from the House of Representatives on the Joint Select Committees below:

(i) The Public Accounts Committee

Ms. Paula Gopee-Scoon;

Mr. Randall Mitchell;

Ms. Jearlean John; and

Ms. Charrise Seepersad.

(ii) The Public Accounts (Enterprises) Committee

Mrs. Renuka Sagramsingh-Sooklal;

Mrs. Laurel Lezama-Lee Sing;

Mr. Wade Mark; and

Ms. Amrita Deonarine.

(iii) The Public Administration and Appropriations Committee

Mr. Clarence Rambharat;

Mr. Hassell Bacchus;

Ms. Yokymma Bethelmy;

Mr. Wade Mark; and

Ms. Amrita Deonarine.

(iv) The Joint Select Committee on Parliamentary Broadcasting

Ms. Christine Kangaloo;

Mr. Avinash Singh;

Mr. David Nakhid; and

Dr. Maria Dillon-Remy.

(v) The Joint Select Committee on Government Assurances

Ms. Christine Kangaloo;

Ms. Yokymma Bethelmy;

Mr. Damien Lyder; and

Dr. Varma Deyalsingh.

(vi) The Joint Select Committee on Finance and Legal Affairs

Mr. Clarence Rambharat;

Mrs. Renuka Sagramsingh-Sooklal;

Ms. Jayanti Lutchmedial; and

Mrs. Hazel Thompson-Ahye.

(vii) The Joint Select Committee on Land and Physical Infrastructure

Mr. Franklin Khan;

Mr. Nigel De Freitas;

Mr. Anil Roberts; and

Mr. Deeroop Teemal.

(viii) The Joint Select Committee on Social Services and Public Administration

Mr. Rohan Sinanan;

Ms. Allyson West;

Mr. David Nakhid; and

Mr. Paul Richards.

(ix) The Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities (including the THA)

Mr. Nigel De Freitas;

Mrs. Renuka Sagramsingh-Sooklal;

Ms. Jayanti Lutchmedial; and
Dr. Varma Deyalsingh.

(x) The Joint Select Committee on State Enterprises

Ms. Paula Gopee-Scoon;
Mrs. Laurel Lezama-Lee Sing;
Mr. Wade Mark; and
Mr. Anthony Vieira.

(xi) The Joint Select Committee on National Security

Mr. Randall Mitchell;
Mr. Nigel De Freitas;
Ms. Jayanti Lutchmedial; and
Mr. Paul Richards.

(xii) The Joint Select Committee on Energy Affairs

Ms. Paula Gopee-Scoon;
Mr. Kazim Hosein;
Mr. Anil Roberts; and
Ms. Charrise Seepersad.

(xiii) The Joint Select Committee on Foreign Affairs

Ms. Paula Gopee-Scoon;
Mr. Avinash Singh;
Mr. Anil Roberts; and
Dr. Maria Dillon-Remy.

(xiv) The Joint Select Committee on Human Rights, Equality and Diversity

Mr. Kazim Hosein;
Ms. Donna Cox;
Ms. Jearlean John; and

Mrs. Hazel Thompson-Ahye.

Establishment of six (6) Joint Select Committees (each to consider and report on a specific Bill)

The Senate also concurred with the House of Representatives on the establishment of the following *Joint Select Committees to consider and report on:*

- (i) *The Constitution (Amendment) (Tobago Self-Government) Bill, 2020;*
- (ii) *The Miscellaneous Provisions (Local Government Reform) Bill, 2020;*
- (iii) *The Cannabis Control Bill, 2020;*
- (iv) *The Representation of the People (Amendment) Bill, 2020;*
- (v) *The Shipping Bill, 2020;* and
- (vi) *The Fisheries Management Bill, 2020.*

The following Members were appointed to serve –

- (i) The Joint Select Committee to consider and report on The Constitution (Amendment) (Tobago Self-Government) Bill, 2020

Mr. Clarence Rambharat;

Mr. Nigel De Freitas;

Mrs. Renuka Sagramsingh-Sooklal;

Ms. Jearlean John;

Dr. Varma Deyalsingh; and

Dr. Maria Dillon-Remy.

- (ii) The Joint Select Committee to consider and report on The Miscellaneous Provisions (Local Government Reform) Bill, 2020

Mr. Clarence Rambharat;

Mr. Kazim Hosein;
Mrs. Laurel Lezama-Lee Sing;
Mr Anil Roberts;
Mr. Paul Richards; and
Mr. Deeroop Teemal.

(iii) The Joint Select Committee to consider and report on The Cannabis Control Bill, 2020

Ms. Paula Gopee-Scoon;
Mr. Clarence Rambharat;
Mrs. Renuka Sagrarsingh-Sooklal;
Ms. Jayanti Lutchmedial;
Mr. Paul Richards; and
Mr. Evans Welch.

(iv) The Joint Select Committee to consider and report on The Representation of the People (Amendment) Bill, 2020

Mr. Clarence Rambharat;
Mr. Nigel De Freitas;
Mr. Randall Mitchell;
Mr. Wade Mark;
Mr. Paul Richards; and
Mr. Deeroop Teemal.

(v) The Joint Select Committee to consider and report on The Fisheries Management (No. 2) Bill, 2020

Mr. Franklin Khan;
Mr. Clarence Rambharat;
Ms. Yokymma Bethelmy

Mr. Damien Lyder;
Dr. Varma Deyalsingh; and
Dr. Maria Dillon-Remy.

(vi) The Joint Select Committee to consider and report on The Shipping Bill, 2020

Ms. Paula Gopee-Scoon;
Mr. Rohan Sinanan;
Mr. Randall Mitchell;
Ms. Jearlean John;
Ms. Charrise Seepersad; and
Mr. Deeroop Teemal.

Accordingly, I respectfully request that you cause these matters to be brought to the attention of the House of Representatives at the earliest convenience.

Thank you.

Respectfully,

Christine Kangaloo
President of the Senate

cc: Clerk of the House”

PAPERS LAID

1. Annual Report of the Telecommunications Authority of Trinidad and Tobago for the period October 2018 to September 2019. [*The Minister of Planning and Development (Hon. Camille Robinson-Regis)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Airports Authority of Trinidad and Tobago

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for the year ended December 31, 2014. [*The Minister of Finance (Hon. Colm Imbert)*]

3. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Airports Authority of Trinidad and Tobago for the year ended December 31, 2015. [*Hon. C. Imbert*]
4. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Airports Authority of Trinidad and Tobago for the year ended December 31, 2016. [*Hon. C. Imbert*]

Papers 2 to 4 to be referred to the Public Accounts Committee.

5. Response of the Trinidad and Tobago Police Service to the Fourteenth Report of the Joint Select Committee on Social Services and Public Administration on an Inquiry into the Challenges of Prisoner Re-Entry into Society and Prisoner Reintegration Services in Trinidad and Tobago. [*Hon. C. Robinson-Regis*]

PRIME MINISTER'S QUESTIONS

East Port of Spain Redevelopment (Relocation of Residents)

Dr. Roodal Moonilal (*Oropouche East*): Thank you very much, Madam Speaker. Question No. 1 to the Prime Minister: In light of statements carried in the media today in relation to the Government's ambitious plan for the redevelopment of East Port of Spain, could the Prime Minister indicate where those Port of Spain residents are expected to be relocated in event of the need to relocate?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, I do not know what report in the media he is talking about, but the Government spoke about a redevelopment of Port of Spain and made specific reference to specific locations, none of which involved the relocation of any person. However, in anticipation of general obstruction and mischief making, the relocation of persons has become the

conversation of our friends across the board.

But I simply want to say, Madam Speaker, that the Piccadilly regeneration project, which is a subject project of the revitalization of the City of Port of Spain plan, was developed through the Housing Development Corporation and was guided by a social survey. In conceptualizing, HDC has identified a portion of the project site for first phase of the project, and no resident will be displaced in that first phase. This project will jump start the redevelopment of East Port of Spain, and the social survey further identified that within the second proposed phase 13 households will be affected and these families will be accommodated in the phase one units upon completion.

It is anticipated that a rolling process will occur with the relocation with the subsequent phases, and therefore there ought to be no anxiety or unmanageable issue with respect to the relocation of persons who would be impacted by the slum clearance and regeneration in East Port of Spain.

Madam Speaker: Supplemental, Member for Oropouche East.

Dr. Moonilal: Prime Minister, in light of that response, could you indicate one or two or possibly three of the projects being planned as part of this entire regeneration and redevelopment of East Port of Spain?

Hon. Dr. K. Rowley: Madam Speaker, at the public consultation with respect the regeneration, I personally, and other spokespersons did indicate specifically where some of those projects will be, and since the Member was not paying attention I could advise him now that the speech is available on YouTube and on the website of the TTT who carried it live, and it spoke specifically to the Memorial Plaza site, to the PowerGen site, to the south Diego Martin/Maraval River in front of the foreshore and other similar sites which will come into being as the project goes ahead. So those are the specific ones mentioned, but I am sure that others will arise

as we progress.

Madam Speaker: Supplemental, Member for Oropouche East.

Dr. Moonilal: Prime Minister, in light of your earlier response about a rolling plan and relocation on a phased basis, is it that persons who are to be removed or relocated, particularly the elderly and those who are unable to access banking loans and so on, would they be provided with HDC housing accommodation?

Hon. Dr. K. Rowley: Madam Speaker, I have said very clearly that there are 13 households, and such households, providing they would like to be, are to be accommodated in phase one as we proceed to phase two. I would like to say that all those persons in East Port of Spain have afforded to them excellent representation through their representatives who are Members of this Parliament.
[Desk thumping]

Dr. Moonilal: Could the Prime Minister indicate to the House while citing the various localities and locations for development, what are the specific projects planned per site?

Hon. Dr. K. Rowley: Madam Speaker, that is the answer I have given, and at this stage I am not prepared to go into any further detail.

Dr. Moonilal: Are there any projects planned?

Hon. Dr. K. Rowley: We are embarking upon—

Madam Speaker: Member, there are four questions, which you have exhausted.

Dr. Moonilal: Okay. Thank you.

Madam Speaker: In the interest of time, Member for Oropouche East, I have seen that you have questions at (3) and (4), and the Whip has agreed to let you ask your questions in sequential order, and then we will come back to No. 2.

Dr. Moonilal: Thank you. So question number (3) therefore.

**Tobago Correctional Centre
(Closure of)**

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Dr. Roodal Moonilal (*Oropouche East*): Could the Prime Minister state the reasons for the imminent closure of the Tobago Correctional Centre as reported today by the Tobago House of Assembly?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, as I would—oh yes, the Member for Tobago West is not here, so I thank the Member for Oropouche for intervening on her behalf. There were no more current COVID-19 positive inmates in Tobago, because it was an outbreak of COVID-19 in the prison that had caused that temporary arrangement to be made. So now there are no more COVID-19 positive inmates in Tobago. The temporary correctional facility in Glen Road is no longer required at this particular time. If and when there is a need for alternative facilities, this will be addressed and located by the Tobago House of Assembly.

Dr. Moonilal: Is the Prime Minister saying that the Tobago Correctional Centre is specifically and only for COVID victims or patients?

Hon. Dr. K. Rowley: I did not hear that question. Could you repeat it please?

Dr. Moonilal: Is the Prime Minister saying that the Tobago Correctional Centre is only to be used for COVID patients or COVID care?

Hon. Dr. K. Rowley: It was a temporary correctional centre for a specific situation. As the Member would know, since the persons to be housed there in that temporary situation were prisoners, they had to be held in a facility that is designated a correctional facility. Prisoners cannot be held anywhere that is not correctional facility. So even though they were being held there temporarily the structure had to be determined to be so designated.

Dr. Moonilal: Is the Prime Minister aware that the closure, according to the THA, had to do with the complaints of residents in that specific area?

Hon. Dr. K. Rowley: The Tobago House of Assembly, like the Government, will

take into account the views of members of the public but, Madam Speaker, it being a temporary facility, whether there were complaints or not it would have been such, temporary.

Dr. Moonilal: And is the Prime Minister aware that hundreds of thousands of dollars were used to facilitate this centre which is now to be closed?

Hon. Dr. K. Rowley: Well I do not know how else one could have had it done without spending the money to make it available to house the prisoners. What we could not do is to ignore the prisoners' plight among the full population. The outbreak took place and the Government took the appropriate action to have a facility where they can be properly housed.

COVID-19 Vaccine Dissemination (Government's Approach to)

Dr. Roodal Moonilal (*Oropouche East*): Thank you very much, Madam Speaker. What is the Government's policy as to the impending approach to the dissemination of the COVID-19 vaccine?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, as outlined by the Minister of Health on numerous occasions, the policy is to ensure that those who are more exposed and those who need it most get it first. Meaning that in line with WHO guidelines, the target population in this first phase for vaccination are, one, all frontline workers, including health caregivers; two, persons over age 60; three, persons with co-morbidities, that is diabetes, hypertension and such, and four, persons with immunocompromised state, example cancer and lupus. These categories of persons in our population will be the first to benefit from the vaccination.

Dr. Moonilal: Can the Prime Minister indicate whether or not any separate institutional or administrative mechanism will be put in place involving the Ministry of Health and other agencies, to disseminate vaccines in an orderly

manner without confusion, as the approach of the Government was to returning stranded nationals; can we be assured of any orderly—

Madam Speaker: Member, you have 15 seconds to ask a question without opinions or statements.

Dr. Moonilal: Well, let me repeat it then in 15 seconds.

Madam Speaker: No, I think you have asked the question.

Dr. Moonilal: Oh, you got it then.

Madam Speaker: Proceed, Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, the outstanding competence of this Government in dealing with COVID-19 will apply to the vaccination programme.

[Desk thumping]

Madam Speaker: Supplemental, Member for Oropouche East? You are finished?

Dr. Moonilal: Yes I am.

Exemptions Granted To Citizens (Criteria Used)

Mr. David Lee (*Pointe-a-Pierre*): Thank you, Madam Speaker. To the hon. Prime Minister. Given the Government's recent announcement to increase the number of exemptions granted to citizens outside of the border to return home before Christmas, could the Prime Minister inform the House what specific criteria would be used to grant individual exemptions to return?

The Prime Minister (**Hon. Dr. Keith Rowley**): Madam Speaker, the Government's criteria for granting exemptions with respect to the closed borders has not changed. Applications are still considered on a case by case basis. The criteria considerations are, and have been among others, one, when did the national apply; two, whether the person is elderly or whether the person has medical issues; three, whether there are small children among—in the family, and if there are families as units out there; four, professionals and students; five, Government

emergencies, exigencies and repatriation.

The availability to start dealing with applications of persons waiting to visit for Christmas is due to many, if not, many of our nationals who were still outside. With the borders being closed we dealt mainly with those persons who were caught accidentally out there, and now we are treating with other persons who are out there and would be desirous of getting home.

We have increased State-supervised quarantine for persons coming home, and they are required to pay for State-supervised quarantine. That will increase the number of persons who can be accommodated. So increased space is available to accommodating, over and above those who get the free State quarantine, those who would like to pay for their own quarantine in designated areas, and those arrangements are in place and already announced. Thank you, Madam Speaker.

URGENT QUESTIONS

COVID-19 in the Nation's Prisons (Health Protocols Instituted)

Dr. Roodal Moonilal (*Oropouche East*): Thank you very much, Madam Speaker, to the Minister of Health. Could the Minister state the specific health protocols instituted to protect prisoners and officers in the nation's prisons, in light of recent reports of spikes in Covid-19 virus?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Madam Speaker. The protocols instituted I will deal with it at two levels. At a strategic level we started since March of 2020 with discussions between the Ministry of National Security, the Chief Medical Officer and the prisons.

As Minister of Finance, a note was taken to Cabinet to approve the setting up of an inter-ministerial team chaired by the CMO which includes National Security, so they have a place around the table.

At an operational level now, a parallel system was implemented at the

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prisons. Guidelines for visitors, for decreased visitor contact were implemented. Guidelines for new prisoners to be isolated were implemented, and guidelines for the isolation of positive prisoners were also implemented.

In addition, there is monitoring of the prison population by the prisons medical personnel, the North Central RHA and oversight by the County Medical Officer of Health.

In addition, prisoners who have been tested and those subsequently returning positive tests for COVID-19 are immediately separated from the general prison population. Prisoners are sent to public facilities only if deemed to possess co-morbidities or have underlying medical conditions. And due to the last number of persons returning positive results at this current time, with a view to prevent the spread of the virus, the prisoners have been kept at the Maximum Security Prison housed separately, as per protocol, and apart from the general prison population. Thank you very much.

Dr. Moonilal: Minister, could you assure the national community, and relatives of course of both prisoners and prison officers, that proper quarantine areas are provided for positive COVID-19 patients with the required medical equipment and services?

Madam Speaker: Minister of Health.

Hon. T. Deyalsingh: Thank you very much, Madam Speaker. Let me just go back to my answer. That monitoring and implementation of those policies fall under, as I said, the prison medical staff. They have their own doctors and so on, in conjunction with the North Central RHA, with oversight from the County Medical Officer of Health. So those are the three sets of persons with oversight to implement the protocols and manage the situation at the prisons. Thank you very much, Madam Speaker.

Dr. Moonilal: Thank you. Minister, we recognize the persons and institutions with oversight, but you are the one with the responsibility. Could you assure us that the proper facilities are in place?

Madam President: I will not allow that. That question was already asked and answered.

Dr. Moonilal: Thank you very much.

Madam Speaker: Do you have another question? Okay. Member for Cumuto/Manzanilla.

Mr. Lee: Madam Speaker, I think Cumuto/Manzanilla is outside, so I will ask on his behalf. Thank you.

**University of Trinidad and Tobago
(Staff Dislocation Due to Shutdown)**

Mr. David Lee (*Pointe-a-Pierre*): To the Minister of Education: Could the Minister indicate how many academic and non-academic staff will be dislocated from their current jobs as a result of the said decision to shut down the four of the 11 campuses of the University of Trinidad and Tobago before the end of 2020?

Madam Speaker: The Minister of Education.

The Minister of Education (Hon. Dr. Nyan Gadsby-Dolly): Madam Speaker, the board of UTT has indicated that staff and students will be shifted to the seven remaining campuses of the UTT, and that will be a response to the closure of the four campuses.

ANSWERS TO QUESTIONS

Madam Speaker: Hon. Members, I am to inform that questions 14 and 15 have been withdrawn in accordance with Standing Order 29(14). Leader of the House.

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very much, Madam Speaker. We were prepared to answer those questions, but since they have been withdrawn we will not. So we have 19

questions for response and we will be answering all 19. There are no questions for written answer. Thank you, Madam.

ORAL ANSWERS TO QUESTIONS

The following questions stood on the Order Paper in the name of Mr. David Lee:

Oilfield Workers' Trade Union (Negotiations for Sale of Petrotrin Refinery)

14. Could the hon Minister of Energy and Energy Industries provide this House with a status update on the negotiations with the Oilfield Workers' Trade Union for the sale of the Petrotrin Refinery?

Salary Relief Grant (Details as at August 01, 2020)

15. With regard to the Salary Relief Grant offered to citizens during the lockdown, could the hon. Minister of Social Development and Family Services provide the following update:

- (a) the total number of valid grant applications received as at August 01, 2020; and
- (b) the total number of grants paid as at August 01, 2020?

Questions, by leave, withdrawn.

Madam Speaker: Member for Princes Town.

Tableland Water Supply Project (Details of)

53. Mr. Barry Padarath (*Princes Town*) asked the hon. Minister of Public Utilities:

Could the Minister state:

- (a) whether the proposed \$70 million project to improve water supply in the Tableland area is a priority of the Government; and

(b) the expected commencement date of the project?

The Minister of Public Utilities (Hon. Marvin Gonzales): Thank you very much, Madam Speaker. The provision of an adequate, reliable and safe supply of water to the population, including residents in the Tableland area, is an important priority of this Government. Towards this end, the hon. Prime Minister, as one of the priorities of this new administration, has established a Cabinet subcommittee to review the operations of the Water and Sewerage Authority, and to determine the strategy for enabling the authority to deliver on its mandate for the delivery of an efficient water supply for all sectors of the economy. The committee will submit its report to the hon. Prime Minister by November 30, 2020.

Madam Speaker, the investment project which has been proposed by WASA to improve the water supply in the Tableland area, involves, inter alia, the replacement of some 200 millimetres of WASA's main transmission along the Naparima/Mayaro Road from New Grant to Rio Claro. This project is one of a number of investment projects proposed by WASA for the rehabilitation and development of its physical infrastructure to improve the supply of pipe borne water to the population at large.

These projects are to be funded under the Public Sector Investment Programme, and implementation will be subject to the availability of funding.

Mr. Padarath: Thank you, Madam Speaker. Hon. Minister, this project was announced two years ago and the question that I would have is with respect to the Tableland area which has been affected tremendously. Is there a contingency plan while this report is being prepared for the hon. Prime Minister in terms of delivery of water to Tableland?

Hon. M. Gonzales: Madam Speaker, WASA has been putting contingency in place for the various communities that are affected by an efficient pipe borne water

supply. My understanding is that those areas that have not been in receipt of an efficient water supply, especially in the Tableland area, they have been receiving a truck borne supply as requested by the community.

Madam Speaker: Member for Princes Town.

**Princes Town and Environs
(Water Schedule for)**

54. Mr. Barry Padarath (*Princes Town*) ask the hon. Minister of Public Utilities:

In light of the irregular water supply in the Princes Town constituency over the past six months, could the Minister state when an updated and accurate water schedule for Princes Town and environs area will be published?

The Minister of Public Utilities (Hon. Marvin Gonzales): Thank you very much, Madam Speaker. The Princes Town constituency in southeast Trinidad is supplied with potable water from the Navet Water Treatment Plant in Tabaquite which has a production capacity of 19.8 million gallons per day. The amount of water produced at this and other water treatment facilities, and supplied to the population is critically dependent on the amount of rainfall experienced in the respective catchment areas.

Over the period January 2019 to July 2020, below normal rainfall experienced in the Navet water treatment plant catchment area resulted in low volumes of water being available for communities in southeast Trinidad, including the constituency of Princes Town.

Communities on the extremities of the grid were particularly affected, such as St. Croix Road, Realize Road, Craignish Village, Bromage No. 1, Princes Town, Indian Walk, Cumuto Road, **Cunjial Road**, Moruga Road and Hindustan.

With the increase in rainfall experienced over the last few months, the storage level of the Navet reservoir has increased to 98 per cent. As a consequence,

and with a view to ensuring that the available water resources are properly managed, in keeping with projected demand for the remainder of the year and in preparation for the dry season 2021, the production of the Navet water treatment plant was increased from 14 million gallons of water per day to 19 million gallons of water per day.

I am advised that with the increase in production at the Navet water treatment plant, residents in southeast Trinidad, including the constituency of Princes Town and environs, have been experiencing an increase in the regularity of supply of pipe borne water. The water schedule for Princes Town has been revised accordingly, and provides for customers to receive a supply of pipe borne water 24 hours, six days per week. That is from Saturday 9.00 a.m., to Friday 5.00 a.m. Customers at Realize Road, which is between St. Croix and Barrackpore, are provided with a water supply of 24 hours two days per week, that is, Tuesdays 9.00 a.m. to Thursday 5.00 a.m.

WASA has updated and published the new schedule on its website www.wasa.gov.tt, and the schedule is also available on several major social media platforms.

Mr. Padarath: To the hon. Minister. Minister, I appreciate the answer that you have provided. The question that I have is would you give the undertaking, because I know some of these things that you have announced in terms of the schedule—

Madam Speaker: Member, please ask a question. You have 15 seconds.

Mr. Padarath: The question pretty much is that would you give the undertaking to review, because some of these things that you have announced is actually not taking place? So would you give the undertaking to have a word with WASA to review these schedules?

Hon. M. Gonzales: Madam Speaker, the question rather that was posed by the

Member, the information was received from the Water and Sewerage Authority, and I have absolutely no reason to doubt the information that I presented to the Parliament. [*Desk thumping*]

2.00 p.m.

**Garth Road
(Commencement of Rehabilitation Works)**

55. Mr. Barry Padarath (*Princes Town*) asked the hon. Minister of Works and Transport:

Could the Minister state the expected commencement date for rehabilitation works on Garth Road?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam Speaker. Madam Speaker, rehabilitation work on Garth Road commenced in fiscal 2020 and will continue in fiscal 2021. The following projects were contracted out by the Highways Division and completed in fiscal 2020:

- Piling and shoring at 0.5 kilometre mark;
- Cylinder crossing at 2 kilometre mark;
- Paving at 3.5 kilometre to 4.6 kilometre mark.

Works carried out in-house by the Highways Division are:

- Major strengthening road work utilizing yellow boulders from TCL while milling material and equipment from the regional corporation at the 1 kilometre mark had the cemetery completed in September 2020.
- General road maintenance, drainage and vegetation control ongoing.

Proposed projects to be contracted out in fiscal 2021 are:

- Wing wall repair and ancillary work at Bridge B2N1;
- Piling and shoring at 3 kilometre mark;
- Piling and shoring at 3.9 kilometre mark; and
- Sectional milling and paving of 3,200 square metres off the roadway.

I thank you.

Madam Speaker: Supplemental, Member for Princes Town.

Mr. Padarath: No, Madam Speaker.

Number of Returning T&T Nationals

58. Dr. Lackram Bodoë (*Fyzabad*) asked the hon. Minister of National Security:

Could the Minister state the number of Trinidad and Tobago nationals who returned to our country since August 10, 2020?

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, the total number of exemptions granted as of August 10, 2020 to November 18, 2020 is 4,705. The total number of nationals that returned to Trinidad and Tobago as of August 10, 2020 to November 18, 2020 is 1,995.

Madam Speaker: Supplemental, Member for Fyzabad.

Dr. Bodoë: Thank you, Madam Speaker. Minister, can you indicate how many exemptions are currently before your office awaiting approvals?

Hon. S. Young: Sorry, Madam Speaker, I did not hear the question.

Madam Speaker: I was going to ask that because I did not hear either.

Dr. Bodoë: Thank you for that answer, Minister. Can you indicate how many applications are currently before your office awaiting approval, in addition to those granted? Just to give us an idea.

Hon. S. Young: Madam Speaker, I would not— based on the question that is before me and the historical nature, I do not have that exact information, and I would not like to hazard a guess.

Returning T&T Nationals (Number of Positive COVID-19 Tests)

59. Dr. Lackram Bodoë (*Fyzabad*) asked the hon. Minister of Health:

Could the Minister state the number of Trinidad and Tobago nationals who have tested positive for COVID-19 upon returning from abroad since August 10, 2020?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Madam Speaker. Madam Speaker, the way the original question was phrased, it did not have—it was open-ended, because it just asked number of nationals tested positive since August 10th returning. So what I have done, I am going to give a figure from August 10th to November 9th.

Dr. Bodoë: Sure.

Hon. T. Deyalsingh: The number of returning nationals who have tested positive for COVID-19 from August 10, 2020 to November 9, 2020 is 59. Thank you very much, Madam Speaker.

Madam Speaker: Supplemental, Member for Fyzabad.

Dr. Bodoë: Thank you, Minister, for that response. Minister, in view of the new requirement for a negative COVID-19 test, which is now the Government's policy, prior to returning to Trinidad, are you giving consideration to decreasing the time spent in quarantine, in State quarantine, for these returning nationals?

Madam Speaker: I am not going to allow that question as a supplemental question based on the question asked and answered. Member for Fyzabad.

**D'Abadie Avenue ECCE Centre, Forest Reserve Anglican
Primary School and Siparia East Secondary School
(Status of Construction)**

60. Dr. Lackram Bodoë (Fyzabad) asked the hon. Minister of Education:

Could the Minister state the status of construction of the following schools:

- (a) D'Abadie Avenue ECCE Centre in Avocat;
- (b) Forest Reserve Anglican Primary School; and
- (c) Siparia East Secondary School?

The Minister of Education (Hon. Dr. Nyan Gadsby-Dolly): Thank you, Madam Speaker. With respect to D’Abadie Avenue ECCE Centre in Avocat, no work is ongoing currently. This project is one of the many incomplete and contractually troubled construction projects left in limbo by the former UNC administration in 2015. The project is currently 78 per cent complete and as soon as funds are available, this project will be addressed.

With respect to the Forest Reserve Anglican Primary School, the school was declared unfit for occupation in 2018. The Ministry of Education aims to construct a pre-engineered replacement building in the interim, which is scheduled for completion in the first half of 2021.

With respect to the Siparia East Secondary School, this is another incomplete and contractually troubled project left in limbo. In fact, under the previous UNC administration, three separate contracts were awarded for the construction of this school in 2007, 2013 and 2015. They were all terminated by the Education Facilities Company Limited for non-performance by the respective contractors. The estimated cost of completion of the project now stands at 125 million. However, it should be noted that the existing school buildings are still being utilized and hoarding has been directed to separate these buildings from the construction site.

Madam Speaker: Supplemental, Member? No?

Dr. Bodoë: Thank you, Madam Speaker. Minister, I am sorry, the last part of your response—I did not quite get the last part of your response.

Hon. Dr. N. Gadsby-Dolly: “Where yuh from Member?”

Dr. Bodoë: Sorry?

Hon. Dr. N. Gadsby-Dolly: “Where yuh from?”

Dr. Bodoë: No, I do not understand.

Madam Speaker: Member, I think you can check *Hansard*.

Dr. Bodoë: No, no, I think it is just to—

Madam Speaker: Yes, I think you could check the *Hansard* for that.

Dr. Bodoë: All right. Thank you, Madam Speaker.

Madam Speaker: Do you have a supplemental question?

Dr. Bodoë: No. Thank you, Madam Speaker.

Madam Speaker: Okay. So, Member for Barataria/San Juan.

**On-the-Job-Training Programme
(Persons Employed January to August 2020)**

5. **Mr. Saddam Hosein** (*Barataria/San Juan*) asked the hon. Minister of Labour:

Could the Minister state:

- (a) the number of persons who were employed and/or registered for employment under the On-the-Job Training Programme for the period January to August 2020; and
- (b) the breakdown by month of the persons employed and/or registered in part (a)?

The Minister of Labour (Hon. Stephen Mc Clashie): Madam Speaker, the total number of new applicants to the On-The-Job Training Programme for the period January to August 2020 was 3,634 and the total number of placements for this period was 422. The breakdown of the number of applicants and placements by month are as follows: January, applicants, 839; placements, 23. February, 537 applicants; 28 placements. March, 463 applicants; 58 placements. April, five applicants; one placement. May, 11 applicants; one placement. June, 421 applicants; two placements. July, 882 applicants; placements 218. August, 476 applicants; 91 placements.

Madam Speaker, the On-the-Job Training Programme has a monthly target of 400 placements. It should be noted that during the period January to February 2020, the number of placements did not reflect the target, as the programme was addressing its internal systems. In addition, there was significant disruption to the normal operating procedures as a result of the public health regulations implemented to combat COVID-19, and therefore, new trainees for the period March to June 2020 were suspended. Placement resumed in July, observing the return to work guidelines published by the Government, as well as the work from home and rotation protocols implemented by the public service. Thank you.

Madam Speaker: Member for Barataria/San Juan. Member for Barataria/San Juan, are you asking Question No. 6?

Mr. Hosein: Yes.

Madam Speaker: Please.

**Illegal Ports of Entry in T&T
(Measures Taken to Prevent Access)**

6. **Mr. Saddam Hosein** (*Barataria/San Juan*) asked the hon. Minister of National Security:

Could the Minister state the immediate measures taken to ensure that persons do not enter Trinidad and Tobago through illegal ports of entry?

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, Trinidad and Tobago being islands have many unauthorized maritime points of entry. However, the Government has, through the various authorized agencies, been consistently working to prevent persons from illegally entering the country. The Trinidad and Tobago Defence Force and the Trinidad and Tobago Police Service have implemented several measures to restrict the flow of illegal migration into Trinidad and Tobago. These include:

- (a) The establishment of a robust operational border patrol response by the Trinidad and Tobago Defence Force. This is geared towards detecting, deterring and detaining persons who attempt to illegally enter the country. This has been achieved through a three-tiered approach:
- The first tier involves the creation of a virtual sea wall by the Trinidad and Tobago Coast Guard through its increased presence at sea on the nation's borders. This has had the desired effect of preventing many vessels from crossing the border in traditional illegal landing areas located on the south coast of Trinidad.
 - The second tier involves beach and riverine patrols by the Trinidad and Tobago Coast Guard using vehicles and smaller vessels. These patrols serve as a backup in case any vessel escapes the attention of the larger patrol assets; and three
 - The third tier involves the Trinidad and Tobago Defence Force engaging in joint patrols with the Trinidad and Tobago Police Service, in coastal areas using the Trinidad and Tobago Regiment and the Trinidad and Tobago Coast Guard. This has extended the reach and jurisdiction of the patrolling units, allowing them to apply law enforcement powers further inland.
- (b) Vessel monitoring by the National Coastal Surveillance Radar Centre. The radar centre conducts continuous monitoring of all maritime vessels entering Trinidad and Tobago's maritime waters. This is further strengthened by aerial patrols conducted by the air guard.

- (c) The formation of the coastal and riverine patrol units within the Trinidad and Tobago Police Service. The Trinidad and Tobago Police Service has already procured two riverine vessels with an interceptor-type vessel and pirogue, expected to be received within the next quarter. Marine training for officers has commenced, and this is allowing the Trinidad and Tobago Police Service to patrol swamps, rivers on the western and southern coast and shorelines out to 3 kilometres. It is anticipated that we will continue to increase the police service's ability to carry out surveillance, intelligence gathering, crime detection exercises in rivers, swamps and in the coastal regions of Trinidad and Tobago.
- (d) Use of drones.
- (e) Borderline patrols by the Trinidad and Tobago Police Service, as the Trinidad and Tobago Police Service continues to provide surveillance of borders where officers of the task force, ERP and CID conduct borderline patrols based on intelligence gathered.
- (f) Random polygraph and mandatory testing of officers is being applied. And it should be noted, Madam Speaker, that while a cumulative effects of these measures has seen a reduction in illegal cross-border maritime traffic, particularly on the south coast of Trinidad, the coast guard continues to maintain robust patrols in the Gulf of Paria as well as the north coast of Trinidad and Tobago, to cater for the shift in illegal maritime traffic.

And, in conclusion, Madam Speaker, this is a phenomenon that is seen in all countries with maritime borders. We see the struggles with the United Kingdom, other European countries who have maritime borders, even in the United States. It

is virtually impossible. There is no wall to just build in the sea and prevent illegal entry. But they are doing the best that they can.

Madam Speaker: Supplemental, Member for Naparima.

Mr. Charles: Since these measures have been put in place, how many vessels have been interdicted? How many Venezuelans have been—

Madam Speaker: Member, you are allowed one question. Okay? You could ask other supplemental questions when that one is answered. So you ask, how many vessels have been interdicted?

Mr. Charles: How many Venezuelans have been returned?

Hon. Member: What!

Madam Speaker: I would not allow that question based on the question asked and the answer given. Supplemental, Member for Barataria/San Juan.

Mr. Hosein: Thank you very much. Madam Speaker, can the Minister indicate, having regard to the large number of firearms that enter into our country and the large amount of drugs that enter into our country, whether or not he is satisfied of these measures that he has listed to this House?

Madam Speaker: Whether the Minister is satisfied—

Mr. Hosein: Satisfied that these measures are sufficient?

Madam Speaker: Minister of National Security.

Hon. S. Young: Madam, first of all, to use the phraseology, “large numbers are entering”, we are well aware that there are illegal arms and narcotics that are entered into Trinidad and Tobago, and I would hasten to add, it is not necessarily through the illegal points of entry. The Government is working with all of the agencies, including customs, to do what it can to combat this scourge, and we will continue to do so.

Madam Speaker: Supplemental? Member for Barataria/San Juan, No. 7.

**San Juan Area
(Incidence of Robberies in)**

7. **Mr. Saddam Hosein** (*Barataria/San Juan*) asked the hon. Minister of National Security:

Given the increased incidence of robberies in the area of San Juan, could the Minister provide the steps taken to provide safety to the residents and businesses in this area?

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, the premise upon which the question is predicated is flawed as it presupposes that there has been an increase in robberies in the San Juan area. However, based on information received from the Trinidad and Tobago Police Service, there has been a 31.7 per cent drop in robberies over the period January 01 to October 05, 2020, when compared to the same period in 2019. Nevertheless, some of the strategies—[*Interruption*] [*Inaudible*]*—being implemented by the Trinidad and Tobago Police Service to address robberies in San Juan area include:*

- (a) An increase in patrols by 65 per cent.
- (b) Deployment of officers at strategic locations, which is supported by the ERP and the CID.
- (c) An assignment of dedicated patrols to be deployed along the Eastern Main Road with special emphasis on the financial institutions between Saddle Road and Third Avenue, Barataria.
- (d) Continued patrol south of the Churchill Roosevelt Highway between Aranguez and Don Miguel Road, with assistance from the IATF in order to provide additional support to the rapidly expanding businesses in the area.

- (e) Engagement of the municipal police to provide an increased police presence at specific locations.
- (f) Dismantling of gangs through intelligence-driven strikes and targeting of known offenders.
- (g) Continued stakeholder meetings with the San Juan Business Association to include the municipal corporation, traffic wardens, transit police, taxi drivers and other stakeholder to sensitize the public of the TTPS plans to restore and structure the station in the district; and
- (h) The engagement of the community through the provision of sensitization awareness programmes and crime prevention tips via the community policing unit.

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

Mr. Hosein: Thank you very much, Madam Speaker. Madam Speaker, at the time that this question was filed there were over four robberies in the San Juan area, hence I asked the question.

Madam Speaker: Do you have a question? [*Crosstalk*]

Mr. Hosein: One led to the death of a Chinese national who was a businessman. Madam Speaker—[*Crosstalk*]—Madam—[*Crosstalk*]

Madam Speaker: Okay. So, for your guidance, you are allowed 15 seconds to ask a question. It is not about making a statement or expressing an opinion or presenting an argument. Please, 15 seconds to ask a question.

Mr. Hosein: Madam Speaker, can the Minister then indicate how many persons have been arrested, charged and convicted for the robberies in the San Juan area?

Madam Speaker: I would not allow that as a supplemental question based on the question asked and the question answered. Member for Mayaro.

**Mayaro Public Library
(Update on Completion/Operationalization)**

20. Mr. Rushton Paray (*Fyzabad*) asked the hon. Minister in the Office of the Prime Minister:

Could the Minister provide an update on the completion and operationalization of the Mayaro Public Library?

The Minister of Communications and Minister in the Office of the Prime Minister (Hon. Symon de Nobriga): Thank you, Madam Speaker. Madam Speaker, the upgrade to the existing Mayaro Public Library was originally proposed under phase 2 of the revised public library development plan 2008 to 2020. However, given the size constraints of the existing Mayaro Public Library, the decision was taken for the construction of a new one. To this end, NALIS, in collaboration with the National Maintenance Training and Security Company, commonly referred to as MTS, identified a suitable parcel of privately owned land, situated at Lamp Post No. 9 Mayaro, Guayaguayare Road, Mayaro, and agreed to acquire the said lands for the construction of the new Mayaro Public Library.

Initially, SWACO Limited was awarded the design/build contract for the construction of the Mayaro Public Library in September 2000. However, in February 2014, the contract was terminated by MTS because of non-performance on the part of the contractor and delays in the completion of works. Subsequently, a new contract for the project was awarded to Southern Exploration and Production Company Limited in September 2014. However, Madam Speaker, the works on the project were again delayed and the second contract for the project was terminated in February 2019.

Following this, after protracted negotiations and efforts at dispute resolution with the second contractor, it was decided that it was best to resume construction work using the same contractor, because it was felt that this approach would be

more cost effective and would take less time for completion rather than retendering the project. Accordingly, in June 2020, NALIS, MTS and the contractor agreed to resume works. However, in August 2020, after the unfortunate death of the managing director of the contracting company, the company took the decision to file legal action against MTS and NALIS as a result of disputes over payments among other things. This has further complicated matters.

Madam Speaker, up to September 2020, a total \$16,573,619.67 had already been disbursed on the original contract for this contractually troubled project. In addition, a further \$16,769,027.77 has been disbursed on the new contract for completion of construction, inclusive of construction cost for Southern Exploration and Production Company Limited, project management and other consultant fees, for a total of 33.3 million so far. It is estimated that the project can be completed within three months of remobilization and resumption of works by the contractor, and members are assured that the Government will do whatever is required to unravel the contractual difficulties and complete this project in the shortest possible time.

It should be noted, however, Madam Speaker, that because of the commitment and diligence of the staff of NALIS, at no time during the construction period has the community of Mayaro been deprived of a library service.

Madam Speaker: Supplemental, Member for Mayaro.

Mr. Paray: Thank you, Madam Speaker. Minister, there was a plan to commercialize the lower floor of that facility at some point in time, is that still on the drawing board?

Hon. S. de Nobriga: Madam Speaker, to the best of my knowledge, in consultation with the chairman of NALIS, that is division for all new libraries to be constructed.

Madam Speaker: Supplemental, Member for Mayaro.

Mr. Paray: Thank you, Madam Speaker. Minister, can you give the assurance that small business in Mayaro would be given the first preference to be facilitated with getting the business opportunities at that facility?

Hon. S. de Nobriga: Madam Speaker, again, in my consultation with the chairman of NALIS, the importance of local content has been discussed and that is division for all new constructions.

Galeota Energy Port/ Mayaro Gas Station (Details of)

21. Mr. Rushton Paray (*Fyzabad*) asked the hon. Minister of Energy and Energy Industries:

- (a) the expected commencement and completion dates for Phase 2 of the Galeota Energy Port; and
- (b) the expected completion and operationalization dates for the new Mayaro gas station?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you very much, Madam Speaker. Madam Speaker, by way of background, the Government has taken a decision to expand the Galeota Port, Guayaguayare, as a fully modernized and world-class port primarily to service the upstream energy sector. To achieve this objective, the National Infrastructure Development Company Limited, NIDCO, has been mandated to request public/private partnership proposals from suitably qualified firms with a view to a development of Phase 2 of the Galeota Port project, Guayaguayare. NIDCO invited proposals from local and international bidders, and from this process, a preferred

bidder was selected. Discussions are currently at an early stage with the preferred bidder. The time frame for the start and completion of the project will be determined on the successful completion of these negotiations.

In answer to question (b): the new Mayaro service station is currently under construction by Trinidad and Tobago Petroleum Marketing Company Limited, NP. It will feature a total of six dispensers, capable of filling 12 vehicles simultaneously. The service station will dispense premium at 1.95; super, 1.92—that is gasoline; diesel, and it will also market LPG. The service station also has CNG capability. A convenience store will be located on site. Its completion and commissioning are scheduled for the first half of 2021. That is the PNM's gift to Mayaro. [*Desk thumping*]

Madam Speaker: Supplemental, Member for Mayaro.

Mr. Paray: Minister, in response—sorry, the question to your response to part (a), can you give some sort of time line, expectation, that you would have in terms of discussion of when work can be proceeded on that Phase 2?

Sen. The Hon. F. Khan: Well, a conversation that you all do not seem to understand—these are very, very complex discussions. To bring Galeota to a world-class port, with the capability of servicing the upstream sector, with the capability of Panamax-sized vessel, with the capability of servicing the offshore Guyanese upstream sector, it calls for a lot of discussion, a lot of details, a lot of market research. So, I did not want to commit myself to a timeline, but obviously, time is of the essence.

**Water and Sewerage Authority
(Mayaro Water Distribution/Water Connections)**

22. Mr. Rushton Paray (*Fyzabad*) asked the hon. Minister of Public Utilities:
With regard to the Water and Sewerage Authority, could the Minister provide:

- (a) an explanation for the poor water distribution and scheduling to communities in the constituency of Mayaro; and
- (b) the rationale for the 12 to 18-month waiting period for water connections?

The Minister of Public Utilities (Hon. Marvin Gonzales): Thank you very much, Madam Speaker. Madam Speaker, the Mayaro well field is the main source of pipe-borne water to the constituency of Mayaro. In this regard, consistent with the strategy for the management of the aquifer to ensure the long-term sustainability of the wells in the Mayaro well field, including their water quality, there was a stoppage of one of the production wells, that is Well No. 9, in June 2019, to allow the aquifer to recover. This situation has negatively impacted the supply of pipe-borne water to the constituency. The Water Resources Agency has been monitoring the aquifer and improvements have been observed. Abstraction operation is tentatively set to resume by the end of the year, providing that the well has fully recovered. To supplement the supply of pipe-borne water to the area, water has been diverted from the Navet Water Treatment Plant. However, the plant has been affected by reduced production due to storage levels and water availability for treatment and distribution below the long-term average. With the reduced availability and the pipeline network, contact has been maintained at the community level and a truck-borne water supply has been provided upon request.

At (b): Because of the authority's age pipeline infrastructure, the number of frequency of ruptured mains and leaks are very significant. In the circumstances, priority is given to leak repairs to ensure the reliability of supply to existing customers. The authority recently went on a connection drive to reduce the backlog which resulted in a considerable reduction in the amount of outstanding connections. To address the outstanding request for new water service connections,

additional resources are being assigned to this activity with a view to have all outstanding request for the area completed in the first half of 2021.

Madam Speaker: Supplemental, Member for Mayaro.

Mr. Paray: Thank you very much. Minister, is there an opportunity to increase the level of communication with the constituents when you have these constraints of water distribution, even when accessing truck-borne water as well?

Hon. M. Gonzales: Thank you very much, Madam Speaker. Madam Speaker, in the capacity as the Minister of Public Utilities, I have emphasized on numerous occasions with the Water and Sewerage Authority to maintain contact, and to improve upon their communication strategy to the people of Trinidad and Tobago who are affected by water scheduling. In response to the question, this is something that I have been emphasizing to the Water and Sewerage Authority. I am still not satisfied with it but I want to give you the assurance that as long as I am Minister of Public Utilities, I will insist upon the authority ensuring that they maintain good communication with the people who are affected by their water scheduling system.

2.30 p.m.

**Humanitarian Relief Efforts
(Allocations for Councillors)**

35. Ms. Anita Haynes (*Tabaquite*) asked the hon. Minister of Rural Development and Local Government:

Could the Minister indicate whether consideration will be given to the introduction of allocations to assist councillors in municipal corporations in the administration of humanitarian relief efforts, given the increase in unemployment and temporary layoffs within the private sector?

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

Thank you, Madam Speaker. Madam Speaker, on behalf of the Minister of Rural

Development and Local Government, the Finance Act No. 19 of 2018, amended the Municipal Corporations Act, section 112, sub (2) which states:

“Where the Corporation Fund is more than sufficient to meet the expenses specified in subsection (1), the surplus may with the consent of the Minister, be applied under the direction of the Council...”

“...‘for the improvement of the Municipality and for the service and benefit of the inhabitants thereto.’”

After consideration of the challenges facing the corporations, including limited financial resources and in accordance with the amendment to section 112(2) of the Municipal Corporations Act, covering approval was granted for the municipal corporations to utilize up to a maximum of \$1 million from their unspent balances deposited as at September 30, 2019, to expedite critical COVID-19 related expenditure.

Further, the Minister of Finance under the amended Municipal Corporations Act also approves requests on a regular basis from local government corporations for the utilization of the Mayor’s Fund and/or the Chairman’s Fund, as the case may be, for humanitarian relief. The Ministry of Rural Development and Local Government continues to partner with the Ministry of Social Development and Family Services to provide assistance through the distribution of hampers, food grants and other temporary relief given the current effects of the pandemic. Thank you, Madam Speaker.

Madam Speaker: Supplemental, Member for Tabaquite? Member for Tabaquite.

Ms. Haynes: Thank you, Madam Speaker, Question No. 36 to the Minister of Energy and Energy Industries.

***FSO Nabarima Oil Vessel
(Contingency Emergency Plans)***

36. Ms. Anita Haynes (*Tabaquite*) asked the hon. Minister of Energy and Energy Industries:

Given the location of the Venezuelan oil vessel, the *FSO Nabarima*, in the waters between Trinidad and Venezuela, could the Minister state the contingency emergency plans being put in place in the event of a major oil spill?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you very much, Madam Speaker. Madam Speaker, the marine vessel *FSO Nabarima* is located in the waters of the Bolivarian Republic of Venezuela and is not in-between the waters of Trinidad and Tobago and Venezuela. This vessel has been at its present location for over a decade. The *Nabarima* is a floating storage and offloading vessel which is utilized for the export of Venezuelan crude oil produced from the Corocoro Field right there in the Venezuelan side of the Gulf of Paria. As previously announced in the public domain, the oil stored on the vessel is being systematically offloaded and transported away from the area by the Venezuelan authorities to eliminate the threat of a spill.

However, the relevant contingency plans to address oil spills that may affect Trinidad and Tobago are the National Oil Spill Contingency Plan, NOSCP, of Trinidad and Tobago 2013, and more importantly, the Bilateral Oil Spill Contingency Plan, BOSCP, between the Government of Trinidad and Tobago and the Government of Venezuela, 1989. These plans are already in place. The relevant Government Ministries and agencies, the upstream oil and gas operators and the Tier 3 Oil Spill Response Agency have been on alert in the event that the National Oil Spill Contingency Plan requires activation.

EXPIRATION OF QUESTION TIME

UNREVISED

Madam Speaker: Hon. Members, I am to advise that the time for this item of business is now spent. Further, at the request of the Whip the unanswered questions on the Order Paper shall stand over to the next sitting.

Question time having expired, the following questions (41, 42, 44, 56 and 57) were not dealt with.

**Government's Refugee/Migrant Policy
(Specific Measures in)**

- 41.** Could the hon. Minister of National Security state the specific measures in the Government's refugee/migrant policy that provide for the humane treatment of refugees/migrants in relation to Trinidad and Tobago's:
- (a) international commitments;
 - (b) absorptive capacity; and
 - (c) global best practices? [*Mr. Charles*]

**Naparima Constituency Water Shortages
(Details of)**

- 42.** Could the hon. Minister of Public Utilities provide reasons for the lengthy water shortages in the Naparima constituency, specifically in the Barrackpore area and the efforts being taken to rectify this issue? [*Mr. Charles*]

**CEPEP's Executive
(Details of)**

- 44.** Could the hon. Minister of Rural Development and Local Government provide the names and monthly salaries of CEPEP's executive members? [*Mr. Charles*]

**Naparima Mayaro Road Rehabilitation Works
(Commencement Date for)**

- 56.** In light of the deteriorating road conditions and numerous landslips along the Naparima Mayaro Road, could the hon. Minister of Works and Transport

state the expected commencement date for rehabilitation works from Princes Town to Naparima? [*Mr. Padarath*]

**Princes Town Presbyterian #1 School
(Details of Construction)**

57. With regard to the construction of Princes Town Presbyterian #1 School, could the hon. Minister of Education state:
- (a) whether the construction of this school will be a priority in fiscal 2021;
 - (b) whether funds will be allocated in fiscal 2021; and
 - (c) the projected commencement date for construction? [*Mr. Padarath*]

ANTI-GANG (AMDT.) BILL, 2020

Order for second reading read.

The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi):

Thank you, Madam Speaker. Madam Speaker, I beg to move that a Bill entitled:

A Bill to amend the Anti-Gang Act, 2018 to extend its duration, be now read a second time.

May I just enquire, Madam Speaker, are we back to 30 minutes piloting time?

Madam Speaker: Thirty minutes for the mover, 30 minutes for the first responder, 20 minutes for everyone else.

Hon. F. Al-Rawi: Much obliged, Ma'am. Madam Speaker, the Bill before us today is one that is all of five clauses long. The first clause is the short title; the second clause is the standard commencement title; the third clause is a description that this Act is one which is inconsistent with the Constitution; the fourth is the interpretation section of the Bill, which is quite simply saying that this Act means the Anti-Gang Act; and the fifth and most important provision is, proposing an amendment of section 20 of the 2018 legislation which has a sunset clause defined

as all of 30 months long. Therefore, by clause 5 of the Bill we propose that section 20 of the parent law be repealed and substituted with the following section:

“This Act shall...”—come into—“...force for a period of thirty months”—that is 3-0—“from the 29th day of November, 2020.”

Madam Speaker, this legislation touches laws which have now been on the books of Trinidad and Tobago beginning in the period 2011 right up until 2016, and then again post a period of nearly two years with the laws coming back on to the records in 2018, by Act No. 1 of 2018.

We are today treating with the extension of the life of the anti-gang law and it is important in seeking to extend the life of the law that we have regard to the purpose of this law. And the purpose of this law is in fact quite neatly set out in a very succinct way in the Preamble to Act No. 1 of 2018. This actually sets out importantly as well, the legislation Act No. 1 of 2018, the long title of the Bill. Now, it is not often that Members of Parliament get to focus on things such as the Preamble or long title, but permit me to read the long title into the record, that is the long title to Act No. 1 of 2018 that we seek to extend.

“An Act to make provision for the maintenance of public safety and order through discouraging membership of criminal gangs and the suppression of criminal gang activity and for other related matters”

The Preamble itself sets out that the:

“...Constitution...recognizes...individual...”—rights—“to equality”—et cetera—“protection of the law:”

And that:

“...the Constitution places a duty on the State to protect, promote and fulfil the above-mentioned fundamental human right and freedoms:”

And that:

“...there has been a rapid growth of criminal gang activity within the Republic of Trinidad and Tobago:

And whereas criminal gang activity infringes on the rights and freedoms of individuals as enshrined under the Constitution:

And whereas it is the right of every person to be protected from fear, intimidation and physical harm caused by the criminal activity of violent gangs:

And whereas criminal gang activity presents a danger to public order and safety and to economic stability, and has the potential to inflict social damage:”

The Bill then goes on to say that as it comes into law that the law with the three-fifths majority provided by the Parliament ought to do certain things.

It is very rare that one has the opportunity to focus upon a long title of a Bill and the Preamble of a Bill, now an Act by Act No. 1 of 2018. And, Madam Speaker, it is for that reason that the sunset clause which clause 5 is proposing be extended by a further 3-0 months becomes relevant. So what is this history? Why ought we as a Parliament to stand here today and advocate and consider the extension of the anti-gang law? Why do we have a sunset clause in the first place? Is it in fact still necessary in a democracy such as Trinidad and Tobago, recognizing constitutional rights as we do? Is there any benefit to be derived from anti-gang legislation, should it continue?

Now, Madam Speaker, it is an element of proportionality when you are considering the balance of laws and in making the laws for the peace, order and good governance of your society pursuant to section 53 of the Constitution, that a sunset clause can assist in providing a measure of proportionality. Why? It allows for the continued examination of legislation for its purpose. The views publicly

expressed by a number of stakeholders, not the least of which is the Commissioner of Police, are advocating that there is no need for a sunset clause, that these laws, the anti-gang laws are now so common and necessary in Trinidad and Tobago as they are elsewhere in the world, that we ought to make it part of the body of laws in our country. Indeed, Madam Speaker, that is a position which I support wholeheartedly, but today we have come to ask for a 30-month extension for a number of reasons which I hope to get into quite quickly.

Now, what is this anti-gang law about? I will say right now that my colleague, the Minister of National Security, will have the opportunity and has the locus to do so, to set out the statistical information in detail as to why we ought to have anti-gang laws. What I can say right now, by way of a brief introduction into those factors is that post the 2018 law, the Trinidad and Tobago Police Service continued in the reformation of its anti-gang units. It in fact saw in 2016, when the law was still alive, the Criminal Gang Investigation Unit moving to the OCNFB and the Criminal Gang Investigation Bureau into a new unit called the Organized Crime Investigation Unit. I would like to say that in 2018, with the advent of the new anti-gang law we saw the decentralization of the OCIU into nine divisions operating with anti-gang units themselves. Those nine divisions have now recently taken on an upward stream reporting structure, reporting to what is now referred to as a CIB. That CIB is the new head office operation where the Central Intelligence Bureau of the Trinidad and Tobago Police Service takes information forward.

What I can say, Madam Speaker, statistically, is that in 2018, when we were prosecuting the need for anti-gang law and we were prosecuting the need for the Opposition support to that law, because the record now demonstrates that in 2016, the Opposition did not support the anti-gang extension and that that law collapsed; in 2017, they did not support the anti-gang law and that law collapsed, but in 2018,

we were permitted under public pressure the privilege of the Opposition support. In 2018, the number of gangs within Trinidad and Tobago as shared with the nation at large and with the Opposition in written correspondence was 211 gangs. And what I can tell you today, Madam Speaker, according to the information from the TTPS that number has dropped by nearly 38 per cent down from 211 to 129 gangs.

The total number of persons in 2018, in the public information as reputed to be members of gangs, was 2,400, and at 2020, there has been a 57.75 per cent decrease, down to 1,014 persons reputed to be gang members. I can tell you, Madam Speaker, by way of statistical information all of which is available from the CAPA Division, the Crime and Statistical Division of the Trinidad and Tobago Police Service, as I, when I sat in Opposition was able to obtain upon request, I can tell you, Madam Speaker, that the Trinidad and Tobago Police Service has been doing yeoman service. In 2018, they were able to have 22 gang-related murders solved with 28 arrests; in 2019, 13 gang-related murders solved with 10 arrests; in 2020, five related murders were solved, gang-related murders, with 13 arrests.

The information coming from the Trinidad and Tobago Police Service is such that due to consistent targeting and pressure, gang activity has gone on the downward stroke and that we are seeing matters now coming before the courts where individual elements are being brought by way of charges. My colleague, the Minister of National Security will provide the particular details in relation to this but we are now seeing by way of reporting to the House today a positive trending in gang activity going downward largely because of the pressures put on by the Trinidad and Tobago Police Service.

Now, Madam Speaker, the extension that we seek today is an extension of the law. Clause 5 seeks to amend section 20, to increase our law for an operation period of 30 months. We are asking for this extension, Madam Speaker, because I

can tell you and I can alert the nation now, through you, that we actually are in the process of a deep consultation as to certain further amendments required to this law. That consultation continues in the Office of the DPP, in the intelligence agencies and law enforcement agencies and it falls on the back of legislation which we have passed in the last Parliament including the amendments to the Interception of Communications Act and very importantly tied into the provisions put into law for the bugging and recording of inmates in certain circumstances in the prisons. Why? It is a matter of fact that we have reported to the nation that gang activity exists in the prisons of Trinidad and Tobago and stamping out that gang activity is part of the reformation process to the anti-gang laws.

Madam Speaker, Act No.1 of 2018 which we seek to extend by clause 5, is divided into such parts that now allow us the privilege of treating with offences in a very careful way. The First Schedule sets out the offences to the Anti-Gang Act and it is important to note that that First Schedule also includes, apart from what we call blood crime matters, such as murder, et cetera, et cetera, it also includes offences under the Anti-Terrorism Act, offences under the Proceeds of Crime Act, offences under the Prevention of Corruption Act, offences under the Trafficking In Persons Act, misbehaviour in public office and offences under the Gambling (Gaming and Betting) Act, to name a few.

Madam Speaker, very importantly it is Part IV of the legislation that allows for the forfeiture of gang property under due process after conviction and it is, Madam Speaker, Part III of the Anti-Gang Act which in clauses 16 and 17 allow for the due process managed intrusion into rights. Now, Madam Speaker, I mentioned to you that the Bill requires a three-fifths majority. It is clear that this Bill touches upon section 4 and section 5 rights of our Constitution. Section 4(a), section 4(b), section 5(2)(a) and section 5(2)(e) of the Constitution come in to

regard. It is debatable that there is a certain amount of proportionality and balance with due process as we see in section 16 and section 17 of the Act where we treat with police powers, that we have the ability, Madam Speaker, to say that there is a careful judicial exercise alongside the police powers set out in section 16, and that is the police powers of entry and search with warrant for a domestic dwelling or without warrant in circumstances where it is a dwelling house that is not being investigated or where we may have search and seizure with judicial warrant as well.

Madam Speaker, it is important that the detention powers in section 17 of the parent Act are also appreciated and to note that the detention for persons under gang investigation is for a limited period, for 72 hours. You must approach a judicial officer. A judicial officer can extend the period for detention, there are reporting requirements and if there are detention matters, the maximum period after arrest is 14 days.

Madam Speaker, these are pillars and posts and supporting elements of the anti-gang legislation as we knew it since 2011. What we can say, Madam Speaker, is that this law has not received either the 2011 law or the 2018 law, this law has not received judicial criticism as it relates to its constitutionality most importantly.
[Desk thumping]

Madam Speaker, it is important to note that the only criticism that has descended upon the concept of anti-gang law was in relation to the operationalization of that law in the period 2011. Specifically on the record we remind that the 2011 Act which came into effect by virtue of Act No. 10 of 2011, that Act was assented to on the 23rd of May, 2011; it was proclaimed on the 15th of August, 2011, and six days later with the proclamation of a state of emergency, on the 21st of August, 2011, the Anti-Gang Act was applied in circumstances now set

out in detail in the courts of Trinidad and Tobago, such that 463 people were arrested under the Anti-Gang Act; 213 of them were released with no charge; 142 of them were charged under the state of emergency provisions; one person was convicted; 33 matters are now before the Magistrates' Court; 40 matters are before the High Court right now.

I can tell you, Madam Speaker, that under this anti-gang 2018 legislation we have 38 matters before the courts right now, including the fact that we have persons on charge for being gang leaders, specifically in 2018, we saw the advent of this position coming to the fore so we now have nearly 100 matters in total before the courts. The judicial criticism which has come on the 2011 Act which died in 2016, when the Opposition refused to support the Miscellaneous Provisions (Anti-Gang and Bail) (Amdt.) Bill. The judicial criticism has been in the context of malicious prosecution and false imprisonment. Indeed, the dicta coming from the courts demonstrates by way of judgments in favour of claimants, that the state was forced to pay millions of dollars in damages as a result of the poor instructions provided. In that position as a matter of record the past Prime Minister, the Member for Siparia and the past Attorney General, Mr. Anand Ramlogan in the state of emergency matters they refused to give evidence in the courts of Trinidad and Tobago as to the justification for the state of emergency and the state was obliged to pay millions of dollars in damages consequent upon the failure.

But for these matters, false imprisonment, malicious prosecution and millions of dollars, the only judicial pronouncement in relation to this law has come from support by Mr. Justice of Appeal Nolan Beraux who said effectively and put quite simply that the anti-gang law is no slam dunk. It was Mr. Justice of Appeal Beraux who recognized the virtue of the law, urged upon the need for careful analysis, urged upon the need for careful application of the definitions of

gang member, gang leader and gang activity but noted that this was useful law. The rest of the Commonwealth, the rest of the world has part of their laws, anti-gang legislation sitting as a full part of the law without sunset periods as we have here in Trinidad and Tobago but as and until we do a second round of amendments to the Anti-Gang Act when consultations are finished for this moment I believe it is appropriate to engage in a sunset clause. Madam Speaker, may I ask what time is full time?

Madam Speaker: Sorry, the full time is 3:06:32 p.m.

Hon. F. Al-Rawi: Much obliged. Madam Speaker, why are we asking for 30 months? Why are we not asking for 12 months or five years? On the last occasion, twice when this law failed, when the Opposition refused to give its support, the issue of the length of the period of the sunset came up for debate. The Opposition insisted on 12 months, then 18 months. The Government had proposed four years, then three years, and then came down to 30 months. We are asking for 30 months largely because, number one, there are a host of matters before the courts. Number two, the statistical evidence demonstrates that we have halved the number of persons in gang-related activities; that we have seen a nearly 40 per cent reduction in the number of gangs itself.

Madam Speaker, that we have also demonstrated that there have been no issues coming out of witness protection. We have also demonstrated and it is a matter of record that due to the COVID environment with the suspension of jury trials currently in situ, it would be inappropriate to occupy any less time than 30 months. Put quite simply, trials before juries are not yet commenced. My colleague, the Minister of National Security, and the Cabinet, we have located premises which are being outfitted as we speak. Those premises are being outfitted by the Judiciary for the resumption of jury trials. We expect that to be done in a

matter of months and we can report to the nation on that. We can say, Madam Speaker, that gang offences have allowed Trinidad and Tobago some degree of respite. We can see, Madam Speaker, and one is always tempted to knock on proverbial wood at this point that the Commissioner of Police has reported to the nation that murders are going down. I would like to remind that murders are trending downward without a state of emergency, Madam Speaker, and that must be a consequence [*Desk thumping*] of heavy police action, heavy intelligence arena operation, and Madam Speaker, it is material to note that we have dealt, and I will treat with this in my wind up, with significant reforms to the criminal justice system.

The annual report produced by the Judiciary demonstrates that we have seen a huge number of matters being disposed of in the Magistracy. We have dealt with the increase in judicial officers, immunity for judicial officers. We have opened our public defenders division so we have defence attorneys, amendments are being done in the Office of the DPP, et cetera. So, Madam Speaker, we are finally in a position to report that there is a positive application which is beneficial to the people of Trinidad and Tobago by the continued maintenance of the anti-gang legislation.

Madam Speaker, I would just like to remind that the anti-gang law which we brought into effect in 2018 is materially different from a danger point of view than that which was introduced in 2011. Permit me to focus upon this. In 2011, there were two Bills that came before the House and Senate and two Acts of Parliament which were passed. The first one is Act No. 10 of 2011, which is the Anti-Gang Act, the second one was Act No. 11 of 2011; that is the amendments to the bail law.

Madam Speaker, it is a matter of public record that the bail laws collapsed

completed on July 01, 2016, when the Opposition refused to support the extension to the bail laws, the bail laws collapsed and with it went anti-kidnapping detention periods of 120 days, detention for persons in the second schedule offences under the bail Act including kidnapping for ransom, child prostitution, trafficking of children, certain degrees of sexual offences, charge-charge detention, no bail for firearms, all of those laws collapsed on the 1st of July, 2016, our laws reverted effectively to the laws on bail in 1994 save for some minor amendments made in 2005, which were maintained.

3.00 p.m.

We, Madam Speaker, in the Parliament that has just finished, the Eleventh Republican Parliament, we caused amendments to the Bail Act, which is significantly different from the Bail Act as it existed prior to 2016 collapse. Very importantly, sections 5 and 6, in particular 6(7A), provide for no ouster of the court's jurisdiction. Under the bail laws, under Prime Minister Rowley and this Government, the bail laws are such that the court always has the jurisdiction to entertain a bail application. Even where there are restrictions now for 120 days for gang-related activity you have under section 6(7A) of the Bail Act as amended, the ability to have a reversal of burden where the person approaches the court in exceptional circumstances and demonstrates why bail ought to be granted.

Madam Speaker, when we look to the Anti-Gang Act, No. 1 of 2018, it is very important to also bear in mind that this legislation treats with protection of law enforcement officers, and "law enforcement officers" is defined in section 4 of the Act as a wide range of persons:

- “...Police Service...
- ...Customs and Excise...
- ...Board of Inland Revenue...

...Defence Force...

Prison Service...

...constable...under the Supplemental Police Act; and

...any other agency of the State in which investigative powers, similar to those exercisable by a police officer appointed under the Police Service Act, are lawfully vested.”

That is material, Madam Speaker, when we look to the concept of section 8 of the parent Act where we prohibit retaliatory action, where we condemn and create offences for any action taken against law enforcement officers, or, Madam Speaker, for a person’s relatives, friends, associates or their property.

Madam Speaker, it is the grievous bodily harm or shooting at law enforcement officers that is captured at clause 6—sorry, section 6 of the legislation. Madam Speaker, we have the traditional provisions of persons counselling a gang member, recruiting gang members, preventing gang members from leaving which is an important improvement to the law, criminalizing the protection, a balanced equation is what was necessary in 2018 and that was achieved. It is important to note that we have underwritten, we have supported protection for witnesses. We are not in the position of witness protection in the fashion that this Government advocates because we cannot yet pass whistleblowing protection laws. The Opposition has refused. We tried to amend the Evidence Act to allow for anonymous witness protection. In fact, it is a Member of this House, the hon. Member for Barataria/San Juan, the hon. Saddam Hosein, who wrote the minority report refusing to support that even though it exists in the rest of the Commonwealth. So whilst we are trying to support witnesses—because our simple position is that witness lives matters—regrettably

we do not have the extent of support to pass legislation without the co-operation of the Opposition.

Madam Speaker, the proportionality of the legislation is well anchored. In the period 2011—2020 there has been no judicial criticism of the legislation. The sole matter now before the Privy Council relates to a matter arising out of an anti-gang arrest, it concerns false imprisonment and malicious prosecution. I think that the country is warmed or can be warmed by the fact that notwithstanding many years on the books of Trinidad and Tobago, with umpteen pieces of litigation in effect, that we are solidified by the fact there has been no judicial criticisms, certainly none from the Court Appeal or indeed the High Court, and most definitely none will come from the Privy Council because the matter before the Privy Council concerns false imprisonment and malicious damage—malicious prosecution, forgive me.

Madam Speaker, I have noted in the public domain that the Opposition has expressed reservations as to the constitutionality of this Bill. No particulars have been provided. I am certain that today provides an opportunity for us to understand what those criticisms may be. The Government is, of course, certainly interested in any effort to improve the constitutionality of laws. I will certainly look on, as will all Government Members, with great interest and an attentive mind to submissions that hon. Members opposite may bring to the fore of this Parliament today. But, Madam Speaker, most respectfully it is my humble view that the legislation before us is proportionate, it is necessary, the statistical information demonstrates that we are on the right track. I ask you to note and I ask for the purposes of *Hansard* that the contribution of my colleague, the Minister of National Security, is read into the support of this law as he will provide the chapter and verse details of statistical

backing behind this. And, Madam Speaker, in those circumstances I beg to move.

[*Desk thumping*]

Question proposed.

Madam Speaker: Member for Naparima.

Mr. Rodney Charles (*Naparima*): Thank you, Madam Speaker. Madam Speaker, today represents a dark day in the history of democracy and the rights of the poor and oppressed in Trinidad and Tobago. We are being asked in clause 5 of the Bill to extend the duration of the Anti-Gang Act, 2018, for a period of 30 months. Madam Speaker, this represents the triumph for us of a philosophy of locking up or incarcerating our youth for a further period of 30 months over education, enlightenment, and pointing our citizens, our young males, to a brighter future. Madam Speaker, this clause, and why we are called here today, represents the practice philosophy of a government that believes that mass incarceration, or condemning our males to extended periods in Remind Yard is a signal achievement of our country at this time.

Madam Speaker, it is an extension of a view that would rather cut social programmes like GATE, close tertiary institutions, as has been done with UTT and placed a \$52 million reduction in the School Feeding Programme, while at the same time—

Mr. Al-Rawi: Standing Order 48(1), Madam Speaker.

Madam Speaker: And Member for Naparima—

Mr. R. Charles: Yes?

Madam Speaker:—I uphold the objection.

Mr. R. Charles: Madam Speaker, what has been results of the anti-gang legislation produced over the past two years? Much was promised by the hon. Attorney General in 2018, November. Little has been delivered, notwithstanding

the statistics. We know, we feel it. He told us on the 9th of March, 2018, when this legislation was brought to the House, that it would go a long way in dealing with crime in Trinidad and Tobago. The hon. Attorney General told us that by November 30, 2017, there were 2,459 known gang members in Trinidad and Tobago, and all he needed was the Anti-Gang Act.

Madam Speaker, no doubt this figure has risen considerably now. How many have been arrested of these 2,459; and, more so, how many have been convicted? How many? We have reports of limited numbers not consistent with the 2,459 that we were told. And if you have arrested 10 and convicted none over the past 30 months, then tell us what has happened to the 2,400? Have they disappeared? You knew they existed, and being a member of a gang is a crime. We passed the—we were coerced into passing the Act.

Madam Speaker: Member—

Mr. R. Charles: Yes?

Madam Speaker:—I will ask you to withdraw the word “coerced”. Thank you.

Mr. R. Charles: We were told if we did not pass the Act we would be unpatriotic.

Madam Speaker: Withdraw the word.

Mr. R. Charles: I withdraw “coerced”.

Madam Speaker: Yes, thank you.

Mr. R. Charles: We were told that if we did not support the Bill we were unpatriotic. We supported the Bill and nothing has come out, out of it. [*Desk thumping*] We were told in March 2018 the aim of the Bill was to cause a disruption in gang activity. The Attorney General promised that it would treat with coercing or encouraging gang membership. He promised that it would combat persons taking retaliatory action against those encouraging other persons, their relatives, friends or associates, on account of that person refusing to become a gang

leader, ceasing to be a gang leader, or giving gang information.

The Attorney General promised that it will remedy cases with gangsters boasting online of their deeds with guns and gold chains. What is the result, Madam Speaker? What has happened over the past 30 months? I quote from *Newsday*, November 23, 2019, one year after we gave our support. I quote a Tunapuna mother:

“...man dies after shooting at home.”

His mother stated:

“that her son was asked to join a gang but refused.”

Madam Speaker, where was the legislation? Where was the teeth? What comfort do we give to that mother who has lost her son because he refused to join a gang, when we were told that if we pass the Act that would be solved?

Madam Speaker, *Guardian*, July 20, 2019:

“Gang wars, recruitment threaten to unhinge”—Trinidad and Tobago.

And it goes into a lengthy article of rampage. Pillage in the country of my birth. But we had the legislation. We supported it.

Newsday, July 19, 2019, headline, man shot dead over a video circulating, “boasting that he would ‘dismantle’ any member of the...Rasta City Gang”. This is Baghdad? And yet we are told today that this thing has worked, it has been effective and we must support it.

Madam Speaker, the *Guardian*, July 01, 2020. “There is going to be a bloodbath” was the words of a Lieutenant of Rasta City gang earlier this year.

“All waring gangs had come together as one unit to fight against the”—

TTPS after police killings in Morvant.

This is July 2020. For heaven sake if it is not performing do not come here and fool us. *Guardian*, 26 April, 2019: “East PoS gang war erupts. Residents running

scared.” Baghdad or Port of Spain? You cry for your country.

Guardian, July 26, 2019, quote: “Residents confront cops after police killing of a well-known Sea Lots gangster.” It goes on and on and on. I will stop here. It is not for examples to prove that this legislation has not worked, is not working, and will not work. [*Desk thumping*] How many persons have been arrested for gang affiliation? And I want to make the point, arrests are easy to do. In our jurisprudence it is convictions that matter. [*Desk thumping*] Any citizen of Trinidad, including an alleged the gang member, is innocent until proven guilty. [*Desk thumping*] So do not say you arrest them and the story ends.

I am not a lawyer, but I have to stand for the weak and the oppressed in my country. [*Desk thumping*] That is the role of an Opposition, and do not, do not, do not, do not put us in a situation where you bring statistics which are not necessarily consistent with reality and tell us we must support. The only thing we must do, because we have sworn an oath to be true to the Constitution, the law, and we will support it to the ends of this earth. Madam Speaker, much was promised, nothing delivered in terms of convictions.

I will digress a little bit and talk about in my time you—that is called breach of promise, and those of us who are a little older inside here would know about what it was to go to a lady’s home and promise things, to marry her daughter, and you signed a letter and you do not consummate your obligations and you were charged for breach of promise. This Government should be charged today for breach of promise. [*Desk thumping*] They have not delivered. It is pellucidly clear by his own evaluation, criteria, that this Anti-Gang Act has not delivered over the past 30 months. Whether it is enforced or not makes no difference, yet, Madam Speaker, we are here to extend the sunset clause by a further 30 months.

Madam Speaker, we are willing to support the fight of crime. Let it not be

said. We are 100 per cent dedicated to fighting crime [*Desk thumping*] but we are not prepared to support bad legislation that is ineffective and it is not working. [*Desk thumping*] Shakespeare would say it is legislation with a lot “of sound and fury” but “signifying nothing”. When I go home this evening I still have to be careful as I enter my gate because of the problems that exist and fears that we have.

Madam Speaker, one of my employees was pistol-whipped in her home by gangs. They took 45 minutes for the police to come. No problem, 45 minutes. We had meetings with the police and resolved it. But this week there have been three home invasions in the Naparima constituency, and if you talk to the people in my constituency they will tell you it is the same gangs, the same description, the same way they act. This gang came this week and invaded a home, a business place, and said we come for roti money. We have to—at some stage we have to perform, and deliver, and stop talking.

Madam Speaker, why did we include a sunset clause in 2018, in the 2018 iteration of this Bill? Professor John Ip in an article entitled “Sunset clauses”—and terrorism—“Counterterrorism Legislation”. He suggests four reasons for sunset clauses and these reasons are applicable today as we discuss this extension. He says, one:

To overcome legislative inertia and make it easier to correct initial shortcomings in the legislation.

That is the first reason Professor Ip gives. Then the second reason, he said: As a temporary stopgap measure.

The third reason he gives is:

To allow future legislative decisions to be made with better information gained during the sunset period.

I pause and I repeat, Madam Speaker.

To allow future legislative decisions to be made with better information gained during the sunset period.

The fourth reason he gave is:

To hedge against legislative panic.

For example, if there is a gang warfare and increased murders resulting in demands for public action and we do something, but we put a sunset clause in order to review the legislation after a period of time. Whilst reason four was applicable when this Act was enacted in 2018, today the most relevant reason is the third which states the need to assess the performance of the legislation to determine whether it be terminated, whether it be renewed and, if so, for what period. Should we extend the sunset clause or should we get rid of the legislation in its entirety.

Madam Speaker, we are yet to be convinced. We are on this side yet to be convinced that had we not had this legislation our situation would have been worse, and we are telling you it cannot be worse than it is today. The other most important reason to answer as we deal with extending the sunset clause is, Madam Speaker, is this the most important thing that this august body should be discussing in terms of the legislative agenda at this time? There must be a question of priorities. We cannot say that we will discuss the legis—in the absence of the prioritization. Should we? And I am saying, and I would not go too much into it, but should we not be discussing campaign finance reform? Should we not be discussing legislation? Should we not—and I say I will not detain too much but it has to be said if we are looking at this legislation what is the opportunity cost they call it in economics? What are not doing that we should do as the *Bible* says? Acts of omission and commission, leaving undone those things that we ought to do. What about legislation to ensure that we are not further blacklisted by EU? And lastly, what about procurement legislation? [*Desk thumping*]

Anti-Gang (Amdt.) Bill, 2020
Mr. Charles

2020.11.20

Madam Speaker: Member for Naparima, as you said, you are not going to detain us much on that, so I expect you will move on now from that point.

Mr. R. Charles: Right. Madam Speaker, we have said it till and we will continue to say it till thy kingdom come, you need a holistic approach to crime, [*Desk thumping*] not jailing more youth.

And, Madam Speaker, while we are at it, those opposite cannot come here and cry crocodile tears that they are concerned about gangs and the proliferation of gangs, when I have an article here from the *Guardian*, 17 July, 2020, which says “Gangsters”—are benefiting—“from contracts through corporations”.

“Seven reputed gang leaders in north Trinidad have benefited from State contracts worth close to \$6 million in spite of assurances by the Government to the contrary.”

Mr. Hinds: Did you say 4 million by LIFEsport?

Mr. R. Charles: “The money was paid to alleged gang leaders based in communities in Port-of-Spain to Diego Martin areas”—from Port of Spain to Diego Martin—“over the last three years.”

So do not come here and tell you are concerned with crime when it is alleged that you are funding—the Government—the Government is funding [*Desk thumping*]

Mr. Deyalsingh: Madam Speaker, Standing Order 48(6) please.

Madam Speaker: So Member, again I uphold the objection. I will ask you to withdraw that. Again, I uphold the objection. I will ask you to withdraw that. It imputes improper motives, and either you find another way to say what you want to say or you move on. Please withdraw.

Mr. R. Charles: Well the article is stating—

Hon. Member: Withdraw.

Mr. R. Charles: I withdraw. I withdraw and I am rewording. The article is stating

that gangs have benefited from contracts given out by the State. It is in the public record. [*Desk thumping*]

“Special Branch Head, ACP Hinds stated that the end of the report: ‘Intelligence indicates that persons of interest were able to secure contracts or sub-contracts in spite of Government’s’—and I am reading here. I am quoting here—“intent to deny them such avenues of funding.”

Madam Speaker, when you look at the areas of funding contracts—and they named the gang leader. For example, they say contracts obtained by reputed gang leader CL alias “T” in Port of Spain. He got latrine eradication programme St. John Street, \$45,000; latrine eradication programme Alexander Hill—not Alexandra Place, Alexander Hill—\$125,000. A latrine eradication in St. John Street, \$45,000.

Madam Speaker, you see the problem we have in Trinidad and Tobago, you see the problem we have with this Bill. You cannot in our view be doing things that are inconsistent with what you say. It was President-elect Biden who say, “Is we hear what they say, but we watch carefully what they do.” We on this side are doing that. And it bothers me in Trinidad and Tobago we have—how much money?—in latrine. Half a million dollars.

Madam Speaker: Member. Hon. Members, I will remind you all again of Standing Order 53. We understand that we have some difficulties because of the infrastructure for COVID-19. So that if you all could kindly keep your voices down and avoid crosstalk. Member for Naparima.

Mr. R. Charles: Yes, Madam Speaker, we are talking—it speaks to an attitude and orientation to poor people. I have been reading books by Selwyn Ryan, the Selwyn Ryan report: “No time to Quit”. “No time to Quit”—he says—“Engaging Youth At Risk”, and we are saying if you have a heart we need to balance a resuscitation, we need to balance activities that would have uplift, and enlighten, and educate rather

than to lock up and incarcerate.

Madam Speaker, the Kamla Persad-Bissessar government was complimented by the IDB [*Desk thumping*] in a report dated June 2016 for her performance record for providing pro-social support systems during her tenure as Prime Minister. The IDB International Report was able to see the alternative to this legislation. It noted that crime decreased in Trinidad and Tobago due to increased emphasis on preventative intervention. [*Desk thumping*] That is not the Opposition talking. That is the IDB. The Attorney General on the other hand would have us believe that reduction in murders was due to the Anti-Gang Act and not because of COVID-19 restrictions. Madam Speaker, cities the world over have recorded a drastic reduction in criminal activity during the global pandemic. The world over.

In Jamaica, the Parish of St. James which has been on an on-and-off state of emergency for the last three years is experiencing the lowest murder rate in 17 years. The source of that is the *Caribbean National Weekly*, May 02, 2020. Jamaica dropped significantly. In St. Louis, Missouri, a stay-at-home order was imposed in March and violence has fallen dramatically. Last year there were 194 less murders in that city. That is the *BBC News*. So do not come here and give us data, and do not disaggregate for the impact of COVID on that reduction. I challenge the Attorney General. I challenge him to prove that our reduction in murders was not due to COVID-19. That is an open challenge.

We have been telling this Attorney General this for years, you cannot legislate yourself out of a crime problem. [*Desk thumping*] Madam Speaker, this is not in Trinidad alone, you know. Gangs pose a problem globally. If your approach is arrest, arrest, arrest without conviction, you are being wicked to young people. [*Desk thumping*] It is a crime to take a young citizen of Trinidad and put him in Remand Yard, expose him to COVID, with no date in sight for a court case to have

a conviction to bring resolution and termination to the incident.

3.30 p.m.

That is immoral! We could only do that because I, Rodney Charles, my children, I could pay the bail to get them out of Remand Yard. But we have a duty, the Opposition has a duty to protect the poor, the lame and the blind. [*Desk thumping*] Jesus said, “I came to save the children, suffer the little ones to come unto me”. What would Jesus do if he were here today? Lock them up? Or put them on the road to rehabilitation? [*Desk thumping*] And that is why we will not bend to pressure wherever it comes from because “all ah those who telling us” that their children will not be in Remand Yard for years upon years without a trial. I say that without fear, I say it without conviction, I will not, not be coerced— Sorry, I will not be pressured to pass legislation which is not consistent with my thinking of what is best for Trinidad and Tobago. [*Desk thumping*]

You are saying in effect that you do not believe that young people, especially young black males—and yes I say black males; I say it, “ah not dog-whistling”, I believe this fervently—are worth more than anything than being a gang member or just another statistic. You are depriving them of being able to be gainfully employed. You know, Madam Speaker, when you are in Remand Yard, you cannot get a US visa, you cannot get a Government job because you have a criminal record. “Oh Lord, we cyah see that?” We cannot see that? Shame on you! Shame on you! Shame. I will not be a part of a system that gives my children advantage and “other people chirren in jail”. [*Desk thumping*] I will not. I will take all the insults and all the humiliation, I will not be a part of that. Renewing the anti-gang legislation today without simultaneously addressing the socio-economic issues [*Desk thumping*] of disadvantage is not a solution and we will stand firm in stating that.

A report done by the US Congressional Research Service entitled, “Gangs in Central America”, 3rd of January, 2011, stated, I quote— “they harden”—I will read it for them:

“...the combination of poverty, social exclusion, and a lack of education and job opportunities for at-risk youth...”—was a major factor in exacerbating the gang problem in Central America.

It went on, it went on:

When youth are—“Unable to develop the skills required for attending a university or obtaining skilled employment, they provide a ready pool of gang recruits. In the absence of familial and community support, many marginalized youth...”—turn—“to gangs for social support, a source of livelihood, and protection.”

So when the mother said that the son was killed because he refused to join a gang, the other person was who killed him, they were doing that to gain rank in the gangs. So we are passing law oblivious to poverty—“we had ah baby yesterday”, how would that child grow up?

Madam Speaker: So, Member, please get back on track. Please get back on track.

Mr. R. Charles: Okay. Am I supposed to withdraw something I said?

Madam Speaker: No, no, continue but keep on track.

Mr. R. Charles: All right. But the current leaders of Trinidad and Tobago are not focused on this so I will ask the question: closing down four campuses, countless other tertiary schools are struggling, GATE cut by \$35 million, students have to depend on the generosity of others—[*Interruption*] And I know they do want to hear it so I will stop. [*Crosstalk*] I will continue.

Madam Speaker: It is not “they” and “them”, it is hon. Members, okay? Not “they” and “them”, all right, in here. And I already cautioned you about the GATE

and the tertiary institutions and the scholarships and so that are not relevant to this debate.

Mr. R. Charles: Has the TTPS been utilizing the anti-gang laws effectively? *Guardian*, July 2019—not me talking, *Guardian*—according to this article, intelligence report prepared by a TTPS intelligence service listed key underworld figures from different divisions across Trinidad and Tobago. It listed 38 underworld figures. And the question I ask is: how many of them have been detained? The 38 figures. And I come back to: Do we have a proper witness protection programme? Are our courts capable of speeding up trials involving witnesses in order to prevent witness intimidation or assassination before conviction is made? Are we concerned about the fight against gangs and the future of gangs given the influx of Venezuelan gang members as facilitators bringing technology and knowhow to the gang situation in Trinidad and Tobago?

So, Madam Speaker, as I close, quite frankly, no part of the system is working in the current state. The Government has failed to convict local gang leaders, they have failed to stop gang recruitment. They have failed to prevent retaliation against persons refusing to join gangs. They have failed to deter youths from leaning towards that way of life. They have failed, failed, failed. [*Desk thumping*]

The Minister of National Security and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker. I join this debate here today understanding as a citizen of Trinidad and Tobago and an elected Member, the responsibility and the privilege in serving as the Minister of National Security but today I focus more as a citizen who has serious concerns about the state of crime and what we face in Trinidad and Tobago. Because you see, after all the posturing, the theatrics, the jockeying, the screaming, the shouting,

we face the reality.

The first thing I would like to start off with, Madam Speaker, is reminding the population through you that the current Anti-Gang Act expires at the end of this month. So when we are questioned as to why we are here and why this should occupy the debate this afternoon in the legislative agenda, the simple answer is that the current legislation expires in a few days and we are required as parliamentarians to reflect and to take a decision as to whether this important piece of legislation continues on the books or not.

I quickly remind the population again, should it be forgotten, that the Anti-Gang Act first came into being under a UNC administration in 2011, and furthermore, a PNM Opposition, at the time, offered its full support for the legislation. [*Desk thumping*] So to continuously take the population through the trauma of having to understand why parliamentarians are not doing what is right for the country, let the contextual background be put in place. The population are the ones who in 2018, demanded and it is there. The fact is there and it is the truth. It is the population that demanded that the current Anti-Gang Act be brought back to Parliament to be debated. The UNC Opposition at the time had to capitulate because the population called for it.

And the first thing they had to do was to agree to an abridging of time and the Standing Orders to permit this to become legislation. So with that contextual background, after all the grand-charging, I state that gang activity is unfortunately a global phenomenon, Madam Speaker. Every country suffers the scourge and effects of gang activity. The United States in all of their major cities, Los Angeles, New York, Chicago and many others; the United Kingdom; all European countries; Central and South America and all of the countries there; India. There is not a country in the world that does not have illegal gang activity.

Secondly, Madam Speaker, there is no single piece of legislation that would eradicate the scourge of gang activity. [*Desk thumping*] Not a single piece of legislation will eradicate the scourge. But is that a reason not to support it? Because the legislation is a tool, it is a pillar, an asset to be used by law enforcement in the fight against crime. And I would like at this stage to read into the record what the police service has said about the anti-gang legislation; not what we, the politicians, have said but what the Trinidad and Tobago Police Service, the body constitutionally charged with the responsibility to protect and serve, has said about this anti-gang legislation.

And this is all to the Commissioner of Police. First by the Head of Legal Services in the Police Service, the recommendation to the Commissioner of Police:

It is suggested that the sunset provision contained within the Anti-Gang Act, 2018, should be removed and the Act allowed to fulfil the intentions of Parliament as there is no other legislation capable of capturing the offences contained within the Act.

That is what the Chief Legal Officer in the Trinidad and Tobago Police Service has said. So he is not even asking for a sunset clause, he is saying make this, the legislation, permanently on the books to deal with anti-gang behaviour and gang and criminality. Quickly followed by an Assistant Commissioner of Police in charge of white collar crime to the Commissioner of Police:

The Anti-Gang Act No. 1 of 2018, in my respectful view, is a great piece of legislation that assists the police in crime fighting.

In fact, then by the SIU, the Special Investigations Unit in the Police Service who deals with the fight against the gangs in Trinidad, currently—and this is an important point, Madam Speaker, and let the population hear it clearly today:

Currently—this is the police service—there are several ongoing gang

investigations being conducted—

And they named the units in the police who are conducting these investigations.

However, the success of these ongoing gang investigations requires the continuity of the Act so that the evidential threshold could be met to facilitate the arrests, charges and prosecutions of persons in the pursuit of law and order.

Again, in black and white by the Trinidad and Tobago Police Service.

Madam Speaker, this Act was proclaimed in 2018, and for the past 30 months, I can assure the population that the Anti-Gang Act has been used by law enforcement to deal with illegal gang activity in Trinidad and Tobago and I would like to use this as the point to remind the population, exactly as the police just said, about the specifics of this legislation and why this legislation is unique and should stay on the books of Laws of Trinidad and Tobago to deal with the scourge of gang activity and criminality in Trinidad and Tobago. Because today, all we are seeking to do is continue it for the next 30 months.

And this particular Bill, this unique piece of legislation, specifically designed to deal with criminal gang activity has the following unique and important features. At section 7 of the Act, to coerce or to encourage gang membership is an offence, a specific offence targeted at the continued recruitment of persons. Will it stop recruitment? No, but what it does now is provide a special tool in that fight. Also, retaliatory action, so in other words, you can now charge persons specifically for retaliating gang against gang.

It goes on at section 9, “Counselling a gang”, counselling a gang member is a specific offence. Section 10, “Preventing gang member from leaving gang” is a specific offence. Which parliamentarian would want to prevent a specific offence of anyone wanting to leave a gang being prevented and that person being charged,

the person who is trying to discourage the person? Will it solve everything? The answer is no. It is a tool. It is a tool to be used in the fight against criminality.

Section 11, an important section:

“A person who—

- (a) uses a bullet-proof vest, firearm, ammunition or prohibited weapon; or
- (b) has in his possession a bullet-proof vest, firearm, ammunition or prohibited weapon which he ought reasonably to know would be used, in the commission of a gang-related activity, commits an offence...”

So again, targeting the gang activity we all know exists in Trinidad and Tobago.

Section 12, “Harbouring a gang member”. So to harbour a gang member is a criminal offence under the legislation. What we are looking to do is continue this specific unique legislation for the Trinidad and Tobago law enforcement officers, the police service, to fight the scourge of gang and criminal gang activity. “Concealing a gang member” is made a crime, “Recruiting a gang member” is made a crime, “Tipping-off”. So if you tip off persons that the police are about to tackle a gang or to raid a gang, it is made a crime.

We then move very importantly because you see, Madam Speaker, these are the unique features of the anti-gang legislation but I would like to remind the persons, in particular my colleagues on both sides, it is not only about charging persons. So I heard the goalpost moved today, “Oh, you may have arrested and charged persons but are there convictions”? In 30 months of conducting important gang and criminal investigations, are there convictions? So the test is now, are there convictions. In one minute, you are screaming about this is targeting certain people and the dog-whistling went on. The dog-whistling went on but that is for Trinidad and Tobago to judge, we are here for this specific legislation. And the point I am making, Madam Speaker, it is not only about charging persons with

offences under this Act, this Act also provides very useful tools in the combating of criminal activity that they do not have elsewhere and that starts at Part III of the Act, “Powers of Police Officers”.

Police are given very different powers of entry, search and arrest under this legislation to target gang activity. Section 17, one of the most important sections in this legislation, one of the most unique features, detention orders. Detention orders are being used by the police service, numerous occasions, and what this allows the police to do under this important Act when they are tackling gangs is to detain persons to go to court for beyond that 48- or 72-hour period to a judge and the judge says you can hold them for a further 14 days. What are the benefits of that that have been utilized by the Police Service under section 17 of this very peculiar piece of legislation but necessary? It allows police to disrupt gang activity, they have prevented many murders, they have prevented other crimes related with gang activity using detention orders, but also it allows them some time to build the evidence against individuals and I will come very briefly and very shortly to how it has been used.

Those are the important points of this legislation, those are the unique features of this legislation. These are the tools and the pillars and the assets being used by law enforcement to tackle the scourge of gang activity. Has it been used? The answer is yes.

But I would like to stop because I remind the population in 2018, Members opposite and in particular, the hon. Member for Siparia, they raised concerns. They said listen, we are concerned about this legislation. They said it may trample on persons’ rights. They said it may be open to abuse. They cautioned. They cautioned that this legislation was so unique, forgetting it was in place since 2011, that they did not want to affect persons’ constitutional rights. I stand here today to

place on the *Hansard*, Madam Speaker, that from 2018 when it was proclaimed to now, there has not been a single complaint of abuse with respect to this legislation. [*Desk thumping*] Not a single complaint of abuse, trampling of rights of anyone under the anti-gang legislation. So that goalpost has now been eradicated, you cannot come with that anymore. Do not say I am concerned about persons' rights, et cetera, you are entitled to be concerned but the fact is that it was not abused.

Statistically, persons have been charged since 2018, with assisting a gang, being a gang leader, being a member of a gang, counselling a gang, gang leader and member benefits, giving to a gang, knowingly providing support to a gang, providing instructions to a gang leader, providing support to a gang leader, retaliatory action, retaliations and actions against a member of a gang, supporting a gang and a gang leader. Those are the main ones that I have pulled out. Since 2018, persons have been arrested and charged under this legislation.

As you heard the hon. Attorney General say, each division has been targeting the gangs in their area and they have been doing so successfully. Last night into this morning, over the last 24 hours, a major gang leader of a gang called the 6ix gang in Trinidad and Tobago was arrested and charged under this legislation. [*Desk thumping*] "Yuh asking about what goes on?"

The Commissioner of Police yesterday, I saw it being reported, 51 officers were given awards by the Commissioner of Police for the work they did under the anti-gang legislation. [*Desk thumping*] The Commissioner of Police this week called upon all of us as parliamentarians to continue giving the tool of the Anti-Gang Act to the Trinidad and Tobago Police Service. So you see, screaming and dog-whistling and trying to distract does not take away the fact that there is a gang problem in every country of the world and we are here as parliamentarians to protect Trinidad and Tobago and that is why I am saying respectfully and I am

pleading with all of my colleagues in the House, do what is right for Trinidad and Tobago, [*Desk thumping*] do what it is that the Trinidad and Tobago Police Service is asking us as legislators to do which is to continue with the anti-gang legislation. And I will put on record, if I had my way, I would follow what the police asked for and get rid of the sunset clause [*Desk thumping*] and just put this permanently on the books.

There has been work ongoing with the Trinidad and Tobago Police Service and the intelligence. They have been doing what needs to be done, working as multi-agencies. Each division has been tackling gangs and gang activity. They have prevented certain criminal acts including murder from being carried out, using this anti-gang legislation. The record reflects that a number of gang leaders, persons accused of being gang leaders in Trinidad and Tobago have been targeted, have been charged, have been disrupted specifically using the Anti-Gang Act.

So you see, Madam Speaker, I have been following it closely and I have been listening and in the public domain, including from my friends on the other side, as a citizen of Trinidad and Tobago and as the person currently charged with the responsibility of being the Minister of National Security, I can say without fear of contradiction that I have not heard a single justifiable reason as to why this legislation should not be continued especially in light of what I so carefully read into the *Hansard* this afternoon in the short period of time that I had to contribute to this important piece of legislation, that our Trinidad and Tobago Police Service have said it is good legislation, they are using the legislation. They wish that there was no more sunset clause to the legislation and that most importantly, in my view:

Currently there are several ongoing gang investigations being conducted—
and they named the two units in the Police Service—

However, the success of these ongoing gang investigations requires the

continuity of this Act so that the evidential threshold could be met to facilitate the arrests, charges and prosecution of persons in pursuit of law and order.

That is the best possible reason from the Trinidad and Tobago Police Service to us as parliamentarians here today as to why this legislation should be continued.

And with those few words, Madam Speaker, I ask my colleagues today to continue this legislation, unfortunately, in my view, for only the next 30 months but necessarily so because the Police Service have used the Act, there has been no abuse of the Act and they want to continue using the Act and I caution and tell the population that if it is not supported by the Opposition, understand what the police have just told us, that a number of on-going criminal investigations will fall through and they will not be able to take the fight to target the gangs in Trinidad and Tobago. Thank you very much, Madam Speaker. [*Desk thumping*]

Mr. Saddam Hosein (*Barataria/San Juan*): Thank you very much, Madam Speaker. As we debate this very important piece of legislation which is a Bill to amend the Anti-Gang Act, 2018, to extend its duration, we have heard from the other side, the Government, that this Bill is working, that this Bill is creating an impact on crime but, Madam Speaker, they always have that narrative that they are reducing crime. But when you look behind what the Government is saying and you look at the statistics, you find this. Madam Speaker, in the year 2018, when the anti-gang law was passed, we had 517 murders; in 2019, we had 536 murders, the second highest number of murders in the history of our country; and in 2020, we now have 309 murders in November.

When you look now at 2017, before the Act was passed, you had 495 murders and in 2016, you had 462 murders. So the statistics are showing us that when the Anti-Gang Act was not law, the number of murders were actually less. It

shows that this piece of legislation has made no impact whatsoever on the murder rate in Trinidad and Tobago. [*Desk thumping*] And, Madam Speaker, you know what is happening here? This is called legislative insanity. You are doing the exact same thing over and over and expecting a different result. You have an incompetent, inept government who is bereft of any plan whatsoever. They have instituted no additional operations or implementations of policies to reduce crime but only come to this Parliament with laws with the expectation that they are going to reduce crime somehow. As my colleague said earlier on, laws alone do not reduce crime. [*Desk thumping*]

Madam Speaker, if this Bill is passed here in this Parliament and gets the approval of the Senate, will any person in Trinidad and Tobago feel safer? The answer to that is no, because when you look at the numbers, when the Bill was law in 2019, you had the second highest number of murders in this country. And who was governing at that time? It is this same PNM Government.

And then I hear the Minister of National Security saying that this Bill, if it is not passed, persons may not be charged. I need to put this on the record. Every offence that is found in this current law is already law somewhere else in a different Act of Parliament or it either forms part of the common law. [*Desk thumping*]

4.00 p.m.

So if this Bill is not passed it does not mean that is end of it, you know. It means that a person who has possession of a firearm can be charged under the Firearms Act. And it means that someone who is involved in kidnapping can be charged under the kidnapping laws and it means someone who is charged or commits a murder can be charged with murder under the law. When you have somebody who has committed an offence of robbery, shooting, there are laws,

statutes on the book to charge them.

Madam Speaker, the Attorney General did provide some level of numbers with respect to the success of this law, and I will get to that when I reach those specific numbers to show you exactly how the police has been operating with the regular laws and tying it in with the anti-gang laws.

So what I want the Minister of National Security to tell us, or he should have told us in his debate, is that he called out various offences coercing or encouraging gang membership. Well, how many persons were charged with that? Preventing a gang member from leaving a gang— no, tell us, how many members were charged with preventing a gang member from leaving a gang. [*Desk thumping*] What about counselling of a gang member or gang leader? What about harbouring and concealing a gang member? Maybe he should tell us if he knows any person who has been charged with harbouring and concealing a gang member.

Because do you know, Madam Speaker, under this present law, drug offences are also considered as gang-related offences? So tell us, how many persons were charged? These are the numbers that we need in this House in order to really determine whether or not this legislation should be supported for a further 30 months. This Opposition is not going to be any rubber stamp for this PNM Government. [*Desk thumping*]

You cannot come to this Parliament with all of this narrative and say that this Bill needs to pass otherwise all hell will break loose, the sky will fall. Well, Madam Speaker, we heard that so many times and the sky is still there. You ask us to support all of your laws with respect to white-collar crime, money laundering, tax evasion and, to date, Trinidad and Tobago is still on the black list. You continue to fool the population and we are not taking that this time, Madam Speaker. [*Desk thumping*]

You look at detention orders. The Minister of National Security said that there are detention orders. Under the current law, you can detain someone under investigation, Madam Speaker. How effective were these detention orders? How effective it was? Because it does not reflect at all in the statistics when it comes to the arrest and conviction of gang members and gang leaders. How many criminal—this law also applies to the forfeiture of criminal property. How much property was forfeited so far? And there is no single complaint of abuse with respect to this law?

I heard the Minister of National Security say Kevin Stuart, that matter—the Attorney General quoted it—Justice Nolan Breaux. He was awarded, I believe, \$300,000 in damages under the anti-gang law, so you cannot come and say that. Madam Speaker, this Bill, as I said, is legislative insanity. Thank you. This is legislative insanity. You cannot continue to do the same thing over and over and expect a different result. [*Desk thumping*]

Madam Speaker, in the last debate, when the 2018 Bill was being debated, we heard that there were 2,484 gang members currently in Trinidad and Tobago. That is how much we were told. Today we are told that we have just roughly about 1,000 gang members. Well, if you know all of these gang members and you reduce the number of gang members by, let us say 1,000, then why do we not have 1,000 charges? Because it is illegal to be a gang member. [*Desk thumping*] It is illegal. How many gang leaders form part of this 1,000 persons that there is a reduction on? You reduced the number of gangs by 211 in 2018 to 2020, 129 gangs. But why it is today we have 309 murders in Trinidad and Tobago? [*Desk thumping*]

And then, my colleague from Naparima spoke of COVID—the Member for Naparima raised the point that COVID did in fact cause a reduction in crime and

when you look at the statistics, it is clear. When you look, Madam Speaker, at the numbers—March, we started the lockdown. In March 2019, there were 35 murders. In 2020, there were 35. April, there were 49 murders in 2019. You know, in 2020, there is a reduction of 33. In May, we have 43 murders in 2019. There was a reduction to 25 in 2020. In June, 45 murders in 2019, a reduction of 39 in 2020.

It clearly shows, Madam Speaker, it is not the Government that caused this reduction but it was through the lockdown, because of the COVID-19 virus that caused the reduction in crime. It is not the anti-gang legislation that caused this reduction in crime. It is not the Member for Port of Spain North/St. Ann's West that caused the reduction in crime, Madam Speaker. So do not come to this Parliament and say that this Bill is working fine when there are no convictions under this present law, and that you could count the number of arrests on your fingers and then come to say that this is a successful piece of law. There are no proper reviews, checks and balances when it comes to finding out how effective this is. Madam Speaker, up to yesterday afternoon, I had difficulty in accessing information with respect to the statistics. I had to wait until the Attorney General came to the House today in order to get that information.

Madam Speaker, gangs and the formation of gangs, when you look at it from a criminological aspect, it is a subculture of the society and gangs have to operate in such a way that they need resources. They require resources. And the Member for Naparima did say how gangs get resources in this country. Because through the Diego Martin Regional Corporation and the Port of Spain Corporation, we saw millions of dollars being given to gangs, gang leaders and gang members in this country. [*Desk thumping*] And then you come here to tell us let us pass this law? If this Government is creating an environment for the subculture of gangs to

flourish and now come to bring a law here, then, Madam Speaker, they are clearly on the wrong path to success.

Mr. Al-Rawi: I rise on Standing Order 48(6), Madam Speaker.

Madam Speaker: I will allow you to continue.

Mr. S. Hosein: Thank you very much, Madam Speaker. I would just gloss over this issue that we require the passage of the procurement legislation so [*Desk thumping*] that we will have in place transparency when it comes to the awarding of contracts, so that the State's resources do not end up in the criminal hands and the criminal resources of this country. That is what we require. We require that the Government, in addition to passing the anti-gang law, also create the environment for education, so that you do not cut GATE by \$33 million and give rental to the sum of \$43 million. [*Desk thumping*]

Mr. Deyalsingh: Madam Speaker, Standing Order 48(1).

Mr. S. Hosein: We do not cut social programmes, Madam Speaker.

Mr. Deyalsingh: Madam Speaker, you ruled on GATE twice.

Mr. S. Hosein: You do not cut jobs, Madam Speaker. People in this country are struggling to buy food.

Mr. Al-Rawi: Standing Order.

Madam Speaker: One minute. Member for St. Joseph.

Mr. Deyalsingh: Madam Speaker, Standing Order 48(1), that issue was ruled on twice already and also 55(1)(b), tedious repetition.

Madam Speaker: Please continue.

Mr. S. Hosein: Thank you very much, Madam Speaker. People from St. Joseph are suffering for food, that is why they are coming to my office [*Desk thumping*] and I will continue to help the people of St. Joseph. So I do not have time for the Member for St. Joseph.

Madam Speaker, when you pass laws in a Parliament also you have to look at deterrence strategies. There are three strategies when it comes to deterrence. One, you must have severity of punishment. The second, you must have certainty of punishment and the third, you must have celerity which means swiftness.

So you have a law. It started back in 2011 for a period of five years. The law comes back in 2018 for a period of two and a half years. So, cumulatively, it is about seven and a half years. The law does have harsh penalties: 25 years imprisonment, forfeiture of property. That in itself is a deterrent. But when we get to the other limb of certainty, where are the convictions? How many matters are currently before the court that is at an advanced stage of prosecution that you can say that someone who wants to join a gang can say: “Eh, wait nah, if I join this gang, I am surely going to be convicted”? That is how the deterrence theory works.

And what about swiftness? Because when you have a swift criminal justice system with certainty of punishment, you deter persons from being part of gangs. You deter them, Madam Speaker, and that is what we need to see happening. We need to see that we have all of the various systems working together. You have the social system, the education system. You have the criminal justice system and you have the Parliament working in tandem for this to be proper. But when you come to the Parliament in a rushed manner to pass this law again and try to come and bully the Opposition, Madam Speaker, we are not taking—

Madam Speaker: I will ask you to withdraw the word “bully”. [*Desk thumping*]

Mr. S. Hosein: I uphold your ruling and I do withdraw, Madam Speaker.

Now, Madam Speaker, when I look at the criminal justice system, I just want, if you would allow me, to just quote from one of the cases to show how difficult it is to get a conviction under this present law. And Justice Breaux, as

the Attorney General did quote in the case of Civil Appeal P162 of 2015, the Attorney General against Kevin Stuart, Justice Breaux had this to say. He said:

“It is readily apparent from these provisions that proving gang membership in a court of law is no slam dunk. It requires a careful compilation of the evidence showing how the gang is organised, how...”—much—“gang activity is perpetrated through gang members and their respective roles in such activity. Evidence at a trial must be carefully led to show the nexus between the gang, the members and the activity.”

And he goes on to say that:

“Mere surveillance without more may not suffice.”

And, Madam Speaker, when you listen and you read what Justice Breaux is saying, he is giving the State basically the prescriptions that are required in order secure a conviction or even reach state of charge under this present law.

And, Madam Speaker, they have not improved the criminal justice system. [*Desk thumping*] You have the DPP’s office crying out for resources in a cramped location on Richmond Street, while the Attorney General is in an ivory glass building overlooking the DPP’s office.

Madam Speaker, you have judges in this country complaining that there is no paper to print judgments on. You have the Magistrates’ Court where the offences in this current law will be started having a shift system like a junior sec in San Fernando, the constituency of the Attorney General. And then you expect that this law is going to work? Madam Speaker, legislative insanity, legislate insanity.

And then to show you how the law does not work, I have in my possession some statistics also, which the Attorney General did say. So we look again at the murders in 2018. In 2018, the TTPS provided that there were 22 gang-related murders that were solved; solved I mean reached the stage of a charge, and there

were 28 arrests. In 2019, 13 gang-related murders, 10 arrests; 2020, five gang-related murders, 13 arrests. “You know how much” gang-related charges in all of those murders? Not a single one, zero. Zero! So you charge all of these persons for murders and you say it is gang-related, but you cannot today proffer a charge of gang-related offences under the anti-gang law. And you expect us on this side to lend support to that? Legislative insanity, Madam Speaker. It is legislative insanity. [*Desk thumping*]

And until we can fix the system, then we will be able to find out what is happening. Look at what is happening in the prisons, because all of these persons would be arrested. They will have to spend some time in prison. Right now, the Attorney General is the same person who is filing applications to the High Court to get people out of prison. But now you want to throw persons in prison when there is a COVID outbreak right now. Madam Speaker, I cannot fathom the thinking of this Government. I cannot.

Madam Speaker, if you look at the law and you look at it, it is very dangerous. It is a far-reaching piece of law in terms of giving the powers to the police. [*Desk thumping*] And as I said earlier, from a criminological stand point, when you look at gang culture, where there are communities, where there are low levels of social cohesion—and the State plays a big part in this, when there are low levels of social cohesion, you will have the formation of gangs.

You have so many students and children at home right now without devices that they will be on the streets and they can be susceptible to the criminal elements in those communities. You have so many persons who are without jobs that the gangs might provide for them, Madam Speaker, and these are the people we have to think about. So if we really want to be serious about reducing crime and causing a reduction in crime, in gang offences and gang membership and gang leadership

in this country, Madam Speaker, we have to start from the bottom. We cannot just lock up people in this country. [*Desk thumping*] We have to provide for them, Madam Speaker. We cannot just lock them up.

And that is something that we have to look at seriously; that in order for the Government really to have a dent on crime, you must serve the people of this country. You must give them what is due to them. There must not be only one group of persons that benefits for the largesse of the State, Madam Speaker, but it must be equitable distribution of wealth of this country to the citizens. [*Desk thumping*]

And with those few words, Madam Speaker, I close by saying that this Government needs to be serious. You see this PR exercise that they continue to engage in? It must stop and they must be serious about fixing the criminal justice system. They must be serious about resourcing the police, Madam Speaker. Because, when we looked at the budget, you saw the millions of dollars in cuts to the TTPS and now you expect the same TTPS who now has a budget cut, and the gangs are benefiting from State contracts to now ask the TTPS to go and “lock up” those fellas? So again, Madam Speaker, it is legislative insanity. [*Desk thumping*].

So as I close, I say, Madam Speaker, I look forward to the rest of this debate and on this side of the Parliament, at this stage in time, we do not trust this Government with what they are saying that this will cause a reduction in crime, and I thank you very much. [*Desk thumping*].

Mr. Keith Scotland (*Port of Spain South*): Madam Speaker, what the hon. Members for Barataria and Naparima have just admitted in both their speeches is that there is a serious gang problem in Trinidad and Tobago. [*Desk thumping*] By admission, by quoting the newspapers that show a grieving mother whose child was killed in a gang-related activity, the hon. Member for Naparima is saying a

citizen was killed because of a gang. That means that there is a gang problem in Trinidad and Tobago. And I say that one of the ways of curbing gang activity is the continuation and the extension of the life of the Act of 2018. [*Desk thumping*]

Through you, Madam Speaker, I want to say to the citizens of Trinidad and Tobago, if you are not a member of a gang or not engaged in gang-related activity, you have nothing to fear from this Bill. [*Desk thumping*] That is first point I wish to make.

Secondly, if you are a member of a gang, as the Member for Barataria/San Juan have admitted exists, and the Member for Naparima, the hon. Members, then we say to you, desist from this activity, dismantle your gangs and stop. And this legislation is geared towards—

Mr. Lee: Madam Speaker, the Member is imputing improper motive against a Member.

Madam Speaker: Overruled.

Mr. K. Scotland: Thank you very much. And this proposed enactment, it is the submission of this Government, the proposal to extend the life of the Anti-Gang Act of 2018, is reasonably justified in a society that has a proper respect for the freedom and rights of the individual.

The history of this Bill, Madam Speaker, will reveal that if the hon. Members of the other side take the business of this Parliament seriously and the welfare and safety of their citizens seriously, they will unanimously and without demur support this extension. [*Desk thumping*].

And I give you the reason for this. This Anti-Gang Act of 2018 has its genesis in the Anti-Gang Act No. 10 of 2011. That was the first time in the Parliament of Trinidad and Tobago that an Act of this nature was introduced into Parliament. And it was introduced by the hon. Member for Siparia as leader of the

government at that time. What has changed today, in November 2020, that the hon. Members on the other side will not support this Bill?

Madam Speaker, to get some context about this Bill, I remind this honourable House and the country that it was around the same time in August of 2011 that a limited state of emergency was imposed. And the stated reasons for the imposition of this limited state, and I quote, was that:

The “intelligence revealed an ‘immediate threat and endangerment of the public safety’ in Trinidad and Tobago.”

What do the statistics show? It shows that during the period of this limited state of emergency, which was August the 23rd to 4th of December, 2011, that 1,143 persons were detained. But here is the nub. Out of this, 366 were deemed by the then Government to be gang-related. What happens then in 2020? Have these disappeared? Is this what they are saying, that is why they are not supporting this legislation?

Madam Speaker, it is incumbent on any government, and particularly this Government, to relentlessly pursue the decrease and eventual dissipation of gangs and gang-related activity in Trinidad and Tobago. And this we say we will try to do within the parameters of due process and within the limits of the law. This is why, as a responsible Government, this Government is coming to the Parliament before the Act lapses to ask for the extension. Madam Speaker, that is good governance. If I dare steal a phrase, that is the right choice. [*Desk thumping*]

The Act itself we say, concomitant with the duty of a government to relentlessly pursue the eradication of gang activity, is a responsibility by the Opposition to support same, especially in light of the fact that it is the said hon. Members who brought this Act to Parliament in the first place in 2011.

Madam Speaker, in this context, we know that we are not debating the Act

itself, but it is important to examine critical aspects of this Act to show that this Act presents no erosion of the rights of the citizenry in Trinidad and Tobago, even though some of the provisions may be inconsistent with the Constitution.

What this Act does, despite of its inconsistency, is that it corrals the powers of the State and it entrenches due process to protect the rights of the citizen. And, if you briefly look, and I will just, Madam Speaker, take you to a few features of the Act, you will see that this Act is not objectionable by any objective standard.

Firstly, by section 4, the Act outlaws gangs and gang-related activity and membership. Madam Speaker, I ask: How can this be objectionable? The Act prescribes stiff penalties against law enforcement persons who are convicted of gang activities. How can that be objectionable? The Act prescribes stiff penalties for gang members who cause grievous bodily harm to law enforcement officers. How can that be objectionable? The Act imposes stiff penalties on persons who coerces others to join a gang and to be a member of a gang. Madam Speaker, I pause here. Time is precious, but I pause.

Section 7 of this Act was specifically and strategically placed and geared towards the vulnerable, to protect the vulnerable in our society. This section is meant to protect young persons, young men, young women in this country who do not want to live a life related to gangs. And where can my learned friends find another piece of legislation, either in the common law or any piece of legislation which will provide such protection?

Madam Speaker, without citing any constituency, on a daily basis people come and say: “We have to move out of our ancestral home because my son and my daughter is being threatened, that if they do not join a gang they would lose their lives.” That is real. That is the reality. And I say respectfully, hon. Members, let us embrace this opportunity to show that we are responsible.

Where can you show me a piece of legislation that protects the coercion of someone who wants to go about their lives, obtain what I know is their GCE, I think it is called CSEC—the hon. Minister of Education will correct me—but instead of doing that, they go and they are engaged in gang activity? Where can we have, where young ladies in this country are allowed to live their lives without being coerced and go and get their BA instead of a B-A-B-Y by gang members and forced threats? Madam Speaker, we say respectfully that this Act is important and there are no parallel pieces of legislation that can account for this Act and for the lacuna that it is geared to cure.

One of the main features of this Act is that, before someone is charged, Madam Speaker, they must be convicted. But before a conviction is obtained, the State is and has an onus to bring before a court cogent and compelling evidence. What the learned Member, my honourable friend for Barataria/San Juan did not say, Madam Speaker, when he quoted the dicta of Bereaux JA, what Bereaux JA was saying is that enshrined in this Act are protections from the citizenry from being capaciously prosecuted, because the State has to bring cogent and compelling evidence in order to secure a conviction. The type of evidence must be admissible, and that is what section 5 of the Act says, and it is powerful evidence, evidence of admission by a member. Madam Speaker, you know in another incarnation, the law says that an admission is one of the greatest forms of evidence, because which person will incriminate themselves unless they are guilty?

Apart from that, even the powers of the police under section 16, that gives the police the power to arrest without a warrant, to detain without a warrant, that is even more circumvented and corralled than under the common law. Because under the common law, a police officer may, if there is reasonable cause, hold someone for over or in excess of 72 hours. Under this Act, once you detain a person without

a warrant under this Act and 72 hours comes, you must apply to a judge in Chambers and this application must be made under oath to have an extension that may go to 14 days. These are built-in protections that this Act creates, that would support and would ensure that there is due process. All that this does, and all that the judgment of Justice of Appeal Bereaux does, is to show that this Act makes it pellucidly clear that the rights of the citizens are protected. I ask: What then are the legitimate objections to the continuation of this Act?

Madam Speaker, my time is limited but this Bill is asking for an extension; not ad infinitum, as the hon. Member for Port of Spain North/St. Ann's West, and there may be some merit in his position. But for 30 months this Government is one of balance; 30 months. And this Act—and this is what the statistics have shown and this cannot be gainsay—has led to a 40 per cent reduction, a 40 per cent reduction in gang activity over two years. That in itself says that the Act has achieved part of its purpose. It means then that the landscape is changing, and that young men and women are now thinking for themselves and trying to aspire to something differently.

What we say therefore, is that because of this positive trend, we are calling on the hon. Members on the other side to support the extension of this Act.

4.30 p.m.

I look with guarded optimism and I am eternally grateful, Madam Speaker, that I have today made “Marlon Asher” a fibber. Because now in my constituency of Port of Spain South, Nelson no longer wars with John John, and Picton no longer wars with Dan Kelly man. [*Desk thumping*] They have put down their guns. It means then that Port of Spain South and the environs are looking away from gangs. But it is because partially of this legislation and other initiatives by this Government that that is happening. Do not take it away now. We have come too

far to turn back now. And this legislation we say, can be a critical contributor in the lives of our young men and women throughout this country, so that they will themselves see that their perception of themselves and their future has nothing to do with a gang. And this is one of the advantages of having a piece of legislation like the Anti-Gang Act of 2018 and an advantage of extending its life.

So Madam Speaker, as I close I want to see gangs in Port of Spain and throughout the country you know, but a new type of gang. I would like to see gangs involving captains of industry as is going on right now in Sea Lots. I would like to see gangs, Madam Speaker, of skilled and semi-skilled persons gainfully employed in the new Salvatori site and that project of the Revitalisation of Port of Spain that was launched. [*Desk thumping*]

[MR. DEPUTY SPEAKER, *in the Chair*]

I want to see gangs of technically qualified young men and women who are part of the new plaza, the Memorial Plaza Development Project, Mr. Deputy Speaker, that is now part of the Port of Spain landscape. I would like to see gangs of ladies from Port of Spain South with their inherent entrepreneurial spirit and their “sweet hand” cooking food in our Piccadilly Street Development and at the Breakfast Shed at the new City Gate development. Mr. Deputy Speaker, until this becomes a reality, this legislation I say is, and this is the phrase I want to use Mr. Deputy Speaker, this legislation is reasonably needed, and we say it is reasonably justifiable in a society that has a proper respect for the rights and freedoms of the individual.

Mr. Deputy Speaker, we started this incarnation of the Parliament with an opportunity for the hon. Members on the other side to support what I call the “COVID Bill”. To step up to the plate and support it, that did not happen. We came back and there was a budget presented by the hon. Member for Diego Martin

North/East which was acclaimed both nationally and internationally and that ought to be—[*Desk thumping*] that ought to be supported, it was not. I ask them to step up to the plate. Now, is the third time. And if you know the baseball analogy of stepping up to the plate, three strikes and you are out. This is the third time that we ask them to step up to the plate and support a Bill to extend an Act that you first brought to this Parliament.

Mrs. Persad-Bissessar SC: That is why we are on this side.

Mr. K. Scotland: And we say with the greatest of respect and I take issue with the hon. Member for Barataria/San Juan when he—

Mr. Deputy Speaker: Member you have two more minutes.

Mr. K. Scotland: I am on target but thank you, Mr. Deputy Speaker. We take offence when the hon. Member for Barataria/San Juan comes in this House and says that the corporations in Diego Martin and Port of Spain are funding gang related activity. Although it supports us to the extent that it says that, and it recognizes that there is gang related activity that is not what is happening in Port of Spain. We are funding legitimate businessmen and woman who go through a strict procurement process in order to get work at these corporations.

That being said, Mr. Deputy Speaker, it is my hope that at this third ingress to the plate that this Bill in this agora that is the Parliament of Trinidad and Tobago, is supported by all right thinking Members. Mr. Deputy Speaker, why now? What has changed between 2011 and now that the hon. Members on the other side will not support this Bill? How can the hon. Members justify to the citizenry, to their constituents in Trinidad and Tobago the lack of support of this Bill? I say that there is no reasonable justification, and this respectfully is my contribution, Mr. Deputy Speaker. I thank you. [*Desk thumping*]

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

thumping]

Mr. Dinesh Rambally (*Chaguanas West*): Thank you, Mr. Deputy Speaker for this opportunity to contribute to this debate. Mr. Deputy Speaker, I would like to start off by saying that we on this side in the Opposition, we are fully aware of the plight of the people. Even in my constituency of Chaguanas West for the past month we have had an increase in home invasions. I myself, I have met with at least two of the victims of those home invasions and I dare say that the anti-gang law that presently exists did not bring relief to those victims. [*Desk thumping*]

The hon. Attorney General in piloting the Bill, the Minister of National Security who followed, and Members who followed, my colleague from Portof Spain South, they all contributed to this debate and I wonder whether we are debating the Anti-Gang Bill to become law in 2011 or whether we are debating the Bill that is in front of us. [*Desk thumping*]

Now, I would like to say that the Attorney General in piloting this Bill he spoke about the test of proportionality, and the gist of what he made in respect of the sunset clause and the link with the proportionality test was that this sunset clause that we are seeking to extend, it adds to the proportionality of the law that is before the Parliament now. And that is not the case. It is not the case that a law becomes proportional to the aims and the objectives that it seeks by putting a sunset clause. The sunset clause has a different purpose.

And I want to let the Members on the other side know that in as much that they have spoken about the 2011 to 2015 period and the law that was passed then, the anti-gang law in 2011, it was this side that introduced the sunset clause in that Bill. So it was we who introduced the sunset clause and there is a reason for that. Sunset clauses are introduced for certain periods where information is limited or uncertain but the perceived need for action is high. So when the Bill in 2011, the

first time this law was brought to the Parliament, we introduced the sunset clause knowing fully well what the reason was for putting that sunset clause. [*Desk thumping*] You want to introduce law for a certain period of time where you have limited and uncertain information, but you perceive the need for action is high.

In 2017/2018 Members came back to the Parliament and the history will bear it out what took place, but the sunset clause was reduced from five years to two and a half years. And the reason for that again, is that if you are seeking to justify increasing the legitimacy of the Act, you are seeking to resuscitate the life of the Bill, in this particular case the Bill comes to an end I think it is the 29th of November, but you are seeking to resuscitate it post-29th of November for a further 30 months. What you are looking at is that—on what basis you are seeking that at this point in time? So it is not—you cannot compare the principles that you would have applied in 2011 with what should obtain now.

Where we are now in this debate, why we are really here is that we have to exhibit now if we are increasing the life of the Act, we have to look at exercising democratic oversight. And to do justice in this respect, Mr. Deputy Speaker, we need to have sufficient data. We need to have the proper information so that we can make an informed decision whether or not the Act is in fact fulfilling [*Desk thumping*] the aims and objectives for which it was intended. So we are not back at 2011 and we do not need to describe and discuss the provisions of it, we did that already. We are here today and we need to know the efficacy this law in terms of saying yes, we can now resuscitate it [*Desk thumping*] post-2020.

Now, when we talk about statistics. I know in the public domain originating from certain quarters the phrase “the decrease in the increase in crime”. We have heard that now, that is common parlance “the decrease in the increase in crime”. We hear statistics but do we really understand the extent of the statistics and how

does it trickle down? How does it translate to the population? And when you look at it, here it is we are talking about 38 matters before the courts, and you have a reduction in gang from 2,000 to 1,000 whatever the figures may be, but you have between 2015 and 2019 the amount of murders, the accumulated amount of murders, 2,430 murders.

My learned friend, my colleague for Barataria/San Juan he broke down some of the years when he spoke about the murders. But the cumulative amount of murders between 2015 and 2019 is 2,430, and if we add what we have for this year 2020 it will be 2,795. So you could talk how many statistics you want, but in a five-year period you are talking an almost 3,000 loss of lives.

In terms of kidnapping for 2015—2019 you have had 520 kidnapping cases. So when we are talking statistics we have to look at the real statistics on the ground, the loss of lives, the abduction of people, and this is where we have to aim towards viewing. That is the lens through which we have to look at whether or not we are going to resuscitate this anti-gang law.

So, Mr. Deputy Speaker, to bring it home a little bit in terms of reality and not just house it or couch it in statistics, what we see on a daily basis is that we have unexplained murders of old people, of women, men. We have—when you look at news in the night, when you look at the television we are seeing big people crying on television. You have people begging to come home to bury their murdered family members. And when you drive out this evening and you look at some of the digital billboards, on the way out of Port of Spain you will see billboards advertising missing teenage children. This is a serious matter. When you are stuck in traffic and you are passing digital billboards this is what faces you. You see the faces of people who have gone missing and there is no clue as to where they are.

The question I ask: What statistics do we have to show us as against this real life empirical statement that will tell us that this anti-gang law is worth resuscitating? So, I say that to start off please, Mr. Deputy Speaker.

Now, we have to look at the question of my learned friend for Port of Spain South, he says you have nothing to fear if you have not committed a crime. Now, that is no real reason and that cannot be a real thinking reason that you will say, okay if you do not commit the crime you have nothing to fear. The preamble in this Bill is unusually long. And the reason why you have a preamble of this length, and I think the hon. Attorney General when he piloted the Bill in fairness to him, he read out some of the preamble, because it is clear that there is an incursion into your freedom, into your rights, and therefore, that is why we have spelt it out in the Bill. What happens is that you have to make up your mind. Are you a Government that is committed to the principles of rule of law? Do you subscribe to the rule of law? Because if you do you must have proper justification to say I am going to extend the life of this Bill.

He spent some time talking about the provisions of the Bill and as I say, a lot of debate we have heard on the other side is really—we are not debating the 2011 law nor what was presented before the Parliament in 2018, we have gone past that. The question is: Is this law working? And therefore this Bill should be passed to extend the life. So we do not need to examine the provisions in the manner in which he has done. Now where we find one of the other points is that we are talking about why not pass this law, resuscitate it so that we can prevent gang activity. And this is exactly where the information has to be presented.

Mr. Deputy Speaker, my colleague for Barataria/San Juan and those who spoke before me, Member for Naparima. If it is you have statistics and I know the Attorney General, learned Attorney General, made mention of the fact that you just

have to go to this site and that site and you will get the crime statistics. The statistics which we want is—we want to know what the status of those prosecutions? So how many matters actually were prosecuted before the courts? I understand you are saying that 38 are presently before the courts, what is the status of those matters? Have they been in the system—when were these people charged? Have they been in the system for two and a half years only? Or were they in the system for a longer period of time—a shorter period of time?

The reason why we would like to know this is because we need to know if it is advanced, if it is not advanced, maybe the law is actually working in bringing these people before the courts, but it is falling short somewhere else. We have to look at this in a proper manner and that is not what is happening, Members on the other side. We have to pay attention to the detail as we sometimes say, the devil is in the detail. So, not before due diligence and proper ventilation of these issues, exactly what data we have, will we on this side or the public be in a better position to understand the full import and implications of extending the life of this Bill.

I want to make it clear that if we do not take this—lock horns with the details that we require what we could very well find ourselves doing is abdicating our responsibility in terms of formulating proper policies to keep the nation safe, and as opposed to that we will be shifting the risk of blame and accountability to a later time. So you cannot say at this point in time that it is just sufficient, this Bill has worked. We want to make sure. I do not know how it is we can say that we want to provide legislative framework to law enforcement to do things when we are not sure exactly how it is working. That is number one.

Number two. I would like to ask how do you on one hand reconcile, you are saying that you want to provide legislative framework or continue it at least, and on the other hand you cut the budget for the legislative enforcement agencies. And

if you cut the budget for them how do you really assess that they are really working and they are instituting the laws in the way it ought to apply. So we have serious problems, Mr. Deputy Speaker.

Now, one of the things that I have heard coming from the other side and I think that no one wants to—they do not want us to say these things—is that you have to look—the question is, what do you do? I myself, Member for Port of Spain South, I want to walk down the streets of Felicity, and I want the people in that vicinity they can walk in the night, and people in that community they can fry their pholourie on the side of the street, and the people can come out and walk and go and get their food stuff and their night snacks. We all want that. But the question is: How do you get persons to really move away from a life of living in a gang? And I know that is a question you posed really passionately, but we have to look at it in a holistic way, holistic, h-o-l-i-s-t-i-c, but “whole-istic” as well.

And this is where we are saying on this side, you have to consider whether or not you need to look at other programmes. How do you cut GATE? How do you close down institutions? And this is what the Member for Naparima was saying. How do you do these things and yet still you are saying that you want to have success in fighting the gangs? [*Desk thumping*] You have to take them away. [*Desk thumping*] This law by itself is not the panacea to all criminality and this is what is made out today. And yet for all we are not seeing proper statistics.

One of the things that we have not heard addressed at all is that you have media reports, and one of it is that we have the Venezuelan gang muscles coming within our shores. And there is an article, a nice online article it is, “Insight Crime” and it is entitled “Venezuela Gang Muscles Into Trinidad and Tobago, Others May Follow”, and this is May 20, 2019. And Mr. Deputy Speaker, what it refers to is that you have—they are making reference to Venezuelan gangs

infiltrating our borders and we have not heard that at all whether or not we are taking steps to curb this. Is it that this anti-gang law has somehow borne fruit in this last year since we have had these migrants coming and we have had breach of the borders.

So you are looking at the law but you are not looking at it from the point of view as to whether or not it is working. How many of the gangs—you are saying that if local gangs have reduced from 4,000 to 2,000 or 2,000 to 1,000 whatever the figures may be. If we have a reduction in the gangs locally, do we have any instances of when we refer to the gang infiltration now by these people, and I am quoting it is not me who is saying this it is the Insight Crime. And there are other articles as well which the news is referring to Venezuelan gangs coming in to Trinidad.

Are we able to deal with that? Is it that this law—how do you factor in this law in treating with that scenario? So, Mr. Deputy Speaker, no one has made mention of that scenario and it is cause for concern. You cannot just simply extend the life of a Bill because you anticipate or you are desirous, or you are hopeful that it is going to bring success. There was a reason why the Parliament in its collective wisdom would have said in 2018, 30 months. You are coming again to say 30 months, we need to know why. And again, I say that the sunset clause is not necessarily to bring proportionality to the law at hand. The sunset clause is so that you can look at it and determine with proper empirical data whether or not it is working, and we have not—[*Desk thumping*] we have not heard that information here, Mr. Deputy Speaker.

Now, Mr. Deputy Speaker, before I close what we have had since 2011 till now is a complete take from the old Bill or the old law till now and that is fine. What you have is that you have to be able to satisfy us when you say “whereas

there has been a rapid growth of criminal gang activity within the Republic of Trinidad and Tobago” in your recital. That is in fact not what we are hearing here today.

So, tell us. The statistics will bear it out and it will tell us. And the statistics I am referring to is not talking about the decrease in the increase in crime and what I have referred to before. We need to see that there is something realistic that we can point to. We need to see what those matters—how come we do not have convictions? We understand that one does not necessarily equate to the other but how is it that you have had this law for this period of time but you are not able to give us the status of these matters. [*Desk thumping*] And if it is we have no convictions, is it that the matters are advancing and it is about to be heard at trial?

Just today there are social media posts of where we have a Magistrate complaining about one laptop having to be shared amongst three or four courtrooms. Are these the reasons why we are not advancing it terms of prosecuting and having convictions? It is a known fact that there is an element of deterrence when you have the conviction, not necessarily the prosecution. So you have to have a conviction so that you can pose—

Mr. Deputy Speaker: Member you have two more minutes.

Mr. D. Rambally: Yes, thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, the simple point is that the conviction is what lends an element of deterrence to those other gang members that, “I will not go down that road”. They will think twice before they involve themselves in gang activities.

Mr. Deputy Speaker, as I close off, we on this side we have said it time and again, I do not know what this three strikes and you are out is about, because I know when the Parliament was opened we were careful to criticize the legislation that was presented before the Parliament. And in this short history of time since the

opening of Parliament till now, we have in fact seen that what we were asking for which was the Regulations, there have been problems with the Regulation. We did support at the beginning, Member for Port of Spain South, we did support. So I do not know what this “three strikes and you are out” about. After that if we do not see—[*Desk thumping*] if we do not see that there was a proper fiscal policy we are not going to beg pardon, we will not support it. And in this particular instance—[*Desk thumping*] in this instant instance if we are not satisfied that this Bill is working, it is achieving the objectives for which it was passed before in the last two and a half years, we are not going to support it. [*Desk thumping*]

So, Mr. Deputy Speaker, again, I close, it is either we are a society that we are committed to the rule of law, and therefore we cannot just say we want a law on the books when we accept it encroaches on people’s rights. We need to know that it is working, it is somehow beneficial for the wider good. And I do not want to get into the law, we are out of time, but I am glad that the Attorney General has accepted in his opening that this is a Bill that would require a special majority having regard to the nature of what it is seeking to accomplish.

I thank you, Mr. Deputy Speaker, and I look forward. I want to endorse and adopt all the Members that came before me on the Opposition side. Thank you.
[*Desk thumping*]

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

The Minister of Youth Development and National Service (Hon. Fitzgerald Hinds): Thank you very much, Mr. Deputy Speaker, for sorecognizing me. Mr. Deputy Speaker, I think it is prudent for me to begin where the last Member left off. The Member spoke expansively on the question of the data. He thinks—he told us that we need not hark back to the discussions that we had in 2011, nor indeed five years later in 2016 when the law as you had heard before, Mr. Deputy

Speaker, having been brought to this House by the UNC as a Government, the then Government, lasted for five years with our support, accompanied with a bail Bill which suggested that where a person was charged under the provisions of the this the anti-gang law that we are attempting to amend today, and in particular to extend its life, Mr. Deputy Speaker. And as you would have heard they rejected it in 2016. We came back in 2017 rejected again, and in 2018 under tremendous public pressure, supported it with a reduced timeline. And so, we are here today seeking for the benefit and the protection of the people of Trinidad and Tobago its extension by 30 months.

But the last speaker does not want us to consider that history at all because it does not support their position. And I have already discerned that their position is that they are not prepared to support this extension, as indeed was their position in 2016 when it came up for renewal and by then we were in Government. It was their position in '17 and in '18, and it is their position again today they have not changed.

The Member spoke about convictions. And one of the reasons why we have to hark back to those discussions, Mr. Deputy Speaker, is because we are not all together speaking to them, we are speaking to the citizens of Trinidad and Tobago on whose account and whose benefit we came to this Parliament with these measures today because it is about their protection. So they ought to know as the last Member talks about convictions that the Government, the Executive, and certainly the Parliament, has nothing to do with convictions per se. The Parliament makes law, the Government administers the affairs of the country, it often promotes the law when it comes here on behalf of the people.

5.00 p.m.

The police would carry out their investigations, conduct police activities in accordance with the law, and it is for the Judiciary to decide on the outcomes of those issues. So to bring those matters about convictions to the feet of those of us here in the Parliament and in the Government is disingenuous indeed and I reject that as one of the reasons they are offering today for not wanting to extend the life of this. The question of convictions has nothing to do with the Government. It is a matter for the police and it is a matter for the Judiciary. That argument has to be rejected.

Mr. Deputy Speaker, the Member for Barataria/San Juan spoke earlier and he made reference to Mr. Justice of Appeal Bereaux's comments in a matter. And, for those who do not know they might agree with him, but Mr. Justice Bereaux in the Court of Appeal, along with others, got involved and had to analyze the provisions of this anti-gang law when about 245 young persons were arrested in Trinidad and Tobago at the bottom of 2011, without any evidence, leaving the DPP to go to the court to tell the court to abandon all those prosecutions. And that was done by the UNC.

The Attorney General reminded us today correctly that the only criticism of this law, from a constitutional standpoint, or from the judicial standpoint, came as a consequence of the behavior of the UNC in 2011 when the day after its proclamation they declared a state of emergency and arrested people willy-nilly leading to us paying millions of dollars in damages. Since then there has been no judicial criticism of these measures. And Mr. Justice Bereaux, who the Member of Barataria/San Juan quoted, it was in response to that reckless behaviour encouraged by the then Government, he outlined the way the law ought to operate. He was telling those who did it, "You did not do it right. This is the way it ought to operate." And I might tell you, those who listened, including the police service,

took their timing from the deliberations of Mr. Justice of Appeal Bereaux and that is the reason why since then there has been no judicial criticism of these measures under the watch of this Government because they began to do the right things on the basis of the guidance of Mr. Justice of Appeal Bereaux. So when the Member for Barataria/San Juan comes here today, pretentious as usual, quoting Mr. Bereaux, the public needs to understand the context in which those comments were delivered, Mr. Deputy Speaker.

The Member for Barataria/San Juan showed his newness, but for those of us who have been around, and I remember in the budget debate the Prime Minister, speaking from this very podium, told my colleagues on the other side, those of you who have now come, newbies, if I may use a colloquialism, rather than jumping hot headedly off the political campaign platforms, following those around you who feel noise and scandalous pronouncements would do it all, he warned them, he advised them with his experience that they must stop, they must read, they must learn, they must listen. Do not just jump in.

So the Member for Barataria/San Juan just “jump in” today and he told us today, a matter that we dealt with in 2011 when we debated the measures, which they brought, we debated it in '16, '17 and '18, when they misconducted themselves in trying to reject it in the most unprincipled ways, he submitted here today that you do not really need the gang law, because you could charge a man on the substantive charge of murder, or kidnapping, or possession of a firearm, or terrorism, or what have you. You do not need the anti-gang law. I heard him say so today, without bearing in mind that two heads, three heads, a gang, is far more structured and organized, with further reach, with more money, with more resources, than a single operator. And that is why Trinidad and Tobago, with our support, passed anti-gang law, because when they operate together, they are more

structured and more organized and they do more damage. Two heads are better than one but he came here today like a newbie, to tell us that which we had passed a long time ago, Mr. Deputy Speaker. But I forgive him for his newness.

And anti-gang laws exist in civilized democracies all over the world. And as I heard the Commissioner of Police submit a few days ago in his public expressions, our law is very, very weak as compared to others where there are provisions that say once you are charged or convicted under this law, anti-gang law, you are not even permitted to contact or call other gang members. You are debarred from going in certain areas and a whole lot more stringent measures. But in Trinidad and Tobago, where we are afflicted by gangland activity, we cannot have those stringent measures. You know why? Because there are those who posture on the business of constitutional rights, legitimate and proper as they are. Because when we put the independence Constitution in place, and by “we” I mean, the PNM Government, we put—enshrined in it—these constitutional rights. But everybody knows in Trinidad and Tobago, that we have a constitutional court and constitutional issues are not big issues in Trinidad in the sense that, when people’s constitutional rights are infringed, there is an independent constitutional court which has, since 1962, redressed these matters, and resolved them in the way the courts do. There is no issue around the constitutionality of this matter, none. The balance has been found between the rights of the individuals—the citizens—and the need to protect them as recited in the preamble to this.

So the Member for Naparima, I think it is, he tells us quite strenuously, nothing has been achieved since then, ignoring that the Minister of National Security on behalf of the police service spoke here today, and told us that 51 officers were commended by the Police Commissioner recently, rewarded for their hard work in dismantling gangs, a project that they are undertaking in the realm of

policing outside of all parliamentary gaze and that there have been 38 arrests under this gang law in this year alone in 2020 and altogether about 88 over the last six years under the guidance of the judgment of Mr. Bereaux as I explained earlier, unlike what had happened with the 245 people some time before that.

So their fears, their pretentious fears, are not real. All those are intellectual and mental gymnastics to try to avoid supporting this legislation because they believe whatever the authority or power that is given under this law to deal with criminals, it is given to the Government. This has nothing to do with the Government. We are acting on behalf of the people, including those who remember, for Naparima told us had been pistol-whipped recently. And those who have to be careful when they go into and from their homes, they admitted as the Member for Port of Spain South, who I must commend for a very mightful presentation here today, with his background as a criminal attorney at law, among other things, he said to us today, and I concur, without more, Mr. Deputy Speaker, that they actually argue the case for this Bill, but that is what happens when you seek to deceive, you become unprincipled and fuzzy and all over the place. So you end up next to a cemetery, as Vasant Bharath said, you end up in a crisis of leadership saying all manner of foolish things as you stumble along, but our focus is to protect the people of this country.

Imagine the Member for Barataria/San Juan telling us that we “send in” the police to lock up people who we give contracts to. So we give them contracts and now we send in the police to lock them up for gang behavior. What convoluted rubbish? If anything he needs to be more concerned about a certain political party which for five years created mayhem in the Treasury of this country, destroyed all the institutions, and still had the temerity to go back to the electorate recently but the people again resolved that, they were rejected, rejected. And he called what he

described earlier as legislative insanity. Well, I call what they did political insanity. And that is why the people dispensed political treatment on them, and scuttled them back to Opposition where they will remain for the next 15 years.

How do we measure—who measures the preventative aspect of law enforcement? Who measures that? So we could say there were 38 arrests in 2020, 88 altogether since we have been applying this legislation, 245 that came to nothing before Mr. Bereaux intervened under the UNC and their madness. But who measures the preventative aspect of this law? How are we to know that in the absence of this, you would have had much more mayhem and chaos in the society? I did not measure it. But what I do know as we speak, as they have admitted, we have gangland activity here. I represent Laventille West. I have heard teachers say even in the schools children had begun to show signs of the schism, of Rasta City, and Muslims and Sixes and that is in the school, primary schools. Well, do not talk for secondary schools. I have had the unpleasant experience of hearing parents tell me their little children, six- and seven-year-old primary school students, are afraid to pass in this area and to pass in that area because the children have a sense of the danger that exists.

As Mr. Scotland, Member for Port of Spain South pointed out, recently, among themselves the gangs decided to stop aiming and shooting at each other, and we commend that. [*Desk thumping*] We support them in that. But at the same time the police have their work to do and we support the police too. And the measures we are before you with today, Mr. Deputy Speaker, is not a PNM request, is not a Government request, per se, it is the Police Commissioner speaking on behalf of the police service telling us that this legislation has assisted them greatly in their management of gangland activity and crime more generally in the society and they are the ones who want it to continue.

5.15 p.m.

So I want my friends on the other side to understand when you say, no, you are not saying no to us. We are only here representing the police service and representing the people who they are paid and sworn to protect. So you are doing us no favour. We ask you to be bigger than that and to be true to your oaths, and to do that which is principled and right. We know you have difficulty finding principle, but we urge you to do that for the children and for the people's sake.

The Member for Naparima spoke about young black males. Well, I am not so young anymore but I am a black male, and I represent thousands of them, not only in Laventille, all over Trinidad and Tobago, and I have had to interface with them on diverse occasions in diverse ways. And when I thought the Member for Naparima would have come here today, and instead of saying that we do not like them, we have them in Remand Yard, I thought he would have gone a lil further, a lil deeper and asked—

Mr. Deputy Speaker: Member you have two more minutes.

Hon. F. Hinds:—why do you find yourself there in the first place.

Mr. Deputy Speaker: Two more minutes, Member.

Hon. F. Hinds: I am obliged. And give our young citizens better advice and direction which we propose to do from the Ministry of Youth Development and National Service, which this is all about: the development, the training, the inspiration, the promotion of ideas from the young people and encourage them to do right, not to pretend that you care about them, because they end up in Remand Yard. The same ones who pistol whip your neighbour. We need to teach them right, and that is what we are about to do.

In the meantime, as we move to a conclusion, with the minute I have left, I support the continuation of this, not for my own sake. Sometimes I see ad

hominem discussions and voting take place in this House. By that I mean, it appears to me there are some people who do not support legislation, because they worry about how it might affect them personally, but as the Member for Port of Spain South said, rather potently: “If yuh doh have cocoa in sun, yuh doh ha to worry for rain.” But we have a duty, as parliamentarians, to speak and act and vote on the basis of our concerns for, our promise to, the people of Trinidad and Tobago. In those circumstances, I lend full support to these measures on behalf of the people of Laventille West, and I urge my colleagues on both sides of this honourable House to use your intellect, stand on the basis of principle, let the facts speak sufficiently loudly and do the right and honourable thing. Mr. Deputy Speaker, I thank you. [*Desk thumping*]

Mr. Deputy Speaker: I recognize the Member for Oropouche East. [*Desk thumping*]

Dr. Roodal Moonilal (Oropouche East): Thank you. Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, like the Member who spoke before me, I also was not prepared to speak today, but I wanted to just add my voice to the debate to reflect on one piece of data and one piece of data alone that came to my attention, and I believe so far in the debate, unless I am terribly mistaken, that data has not been brought to the fore on this anti-gang legislation.

Mr. Deputy Speaker, it would be remiss of me not to comment, very briefly, on the speaker before me. And the speaker before me, of course, with typical bravado, spoke in glowing terms about the Government’s contribution to this matter and the successes and, of course, sought to pull at our heart’s string to convey a message that this will, in some way, safe the nation and safe the youth of the nation if this measure is passed today. That is fine, and I imagine that is the work of the hon. Member, a very busy Member. I saw him along with other

Ministers at a bus shed calling themselves opening a transportation hub, but a busy Member, nevertheless. The Member made a very interesting statement after he opened the transportation hub. He said that the Member for San Juan/Barataria spoke earlier today and was making the point on conviction and the Member for Laventille West made, to me, a remarkable declaration. He says the Parliament is not concerned with conviction. We make law. We are concerned with making laws, we are not concerned with conviction. What do we make laws for? Why are we in the business of making laws? It is because, Mr. Deputy Speaker—*[Interruption]* Mr. Deputy Speaker, my time is very limited. I do not have time to waste.

Mr. Deputy Speaker: One second.

Mr. Hinds: On a point of order.

Mr. Deputy Speaker: Proceed Member. What point of order?

Mr. Hinds: I did not say that we were not concerned. I said we were not responsible for convictions. *[Crosstalk]* I said we were not responsible. *[Crosstalk]*

Mr. Deputy Speaker: One second Member.

Mr. Hinds: I am being misquoted.

Dr. R. Moonilal: That is not a Standing Order. You are wasting time. Open a next transportation hub. *[Laughter]*

Mr. Deputy Speaker: Please, please, continue.

Dr. R. Moonilal: Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, before that, whatever it was, I was making the point that, why do we pass laws? Why do we pass laws? We pass laws because we recognize there is something wrong, that wrong doing is afoot and that persons, individuals commit wrong and if they commit wrong, they ought to be convicted, they ought to face justice. *[Desk thumping]* So the reason we make law is because we believe that

wrongdoers ought to face justice and if they have committed a wrong, they ought to be convicted. So we make laws for conviction. [*Desk thumping*] We do not make laws to parade people in the police station—arrest them, keep them 72 hours, keep them 10 days, 14 days and let them go. That is not the purpose of law. The purpose of law is to correct wrongdoing and seek justice, and if the person is guilty, they face the full brunt of the law, which means conviction. So for the Member for Laventille West to be saying that Parliament is not about conviction and the Member for San Juan/Barataria was wrong to raise that that is the job of the Judiciary. The Judiciary interprets the laws that we make in the Parliament. [*Desk thumping*] So, I wanted to make that point squarely as I move on.

Mr. Deputy Speaker, this Government has disqualified itself from bringing this measure to the Parliament. They have simply disqualified themselves by their conduct, by their attitude and by the actions they have taken. So they have no moral authority to bring this matter to the Parliament. [*Desk thumping*] A piece of data came to my attention. Mr. Deputy Speaker, I am hoping that someone would rise later and say that this data I received is inaccurate, it is wrong, it is not so and so on. I have in my hand two sheets of paper here. It is data from the Trinidad and Tobago Police Service. It is dated 22nd of the 09th 2020, the 09th being September. So it is as recent as one could think of, this being November and so on.

Mr. Deputy Speaker, there is a chart in front of me. It looks like a binary card. I do not know if anybody could remember that. These cards where you have: 0-1-0-1-0-0-0. It reads like that. I have the list here of what are 30 offences under the Anti-Gang Act, and I would just tell you a few, because I do not want to read the 30: assisting a gang, being a member of a gang, coercing a member of a gang, inviting support for a gang, gang activity of course, knowingly provide support to a gang, possession of ammunition for benefit of a gang, providing instructions to a

gang leader, et cetera, et cetera, but there are 30 offences.

The data from the Trinidad and Tobago Police Service from 2000 to 2020 tells us that in 20 years we have had 291 arrests, in 20 years; 291 arrests in 20 years. This is the data I have. You know what is fascinating, Mr. Deputy Speaker, out of the 291, 208 were in 2011 when there was a state of emergency. Unless my calculations are wrong again, Mr. Deputy Speaker, 291 takeaway 208, you know is 51 or something like that, Mr. Deputy Speaker. But, Mr. Deputy Speaker, 83 per cent of those arrested in 20 years was in 2011 when you had a state of emergency. [*Desk thumping*] That is amazing. The Government loves to speak about that state of emergency—it was wrong and the wrongdoing of it and “you shepherd and corral” young people and so on. Okay, I am not here today to argue that. But 83 per cent of the data for arrests came in one occasion, in one event.

So, therefore, I am telling you today that what is happening now is, Mr. Deputy Speaker, they have had a paltry 17 per cent of arrests in 20 years out of that 291. I think unless I am mistaken, I think it is 51 arrests, and this is a sheet saying “arrests” Mr. Deputy Speaker, “arrests of offences under the anti-gang”. Now, there are other offences, murder and so on, that is linked to the gangs because they are scheduled in legislation. But, Mr. Deputy Speaker, for years—let me tell you something, Mr. Deputy Speaker. Being a member of a gang—and hear this. In 2009, two persons arrested; in 2013, three; 2014, 12; 2015, five; 2018, two; 2019, six and as of the date 22nd of the 09th 2020, do you know in 2020 being a member of a gang, zero arrested, zero.

Now, I am hearing the Attorney General today making this statement about 30 people arrested as being a member of a gang and so on, but I am wondering whether they are using statistics of other crimes committed under other pieces of legislation and suggesting that those persons are known members of gangs, but

they could not have been arrested for an offence called being a member of a gang. Being a gang member is an offence. In 2019, one person was arrested.

And I ask the Attorney General to bring clarity. I am willing to share this document with him, because it is a document of the Trinidad and Tobago Police Service telling us clearly, Mr. Deputy Speaker, that this matter is not a matter that we can treat as if it has been a grand success. And I want to make the point, and I am going to make the point, that between 2010 and 2015 as well, apart from being a member of a gang, I looked through the data and you did not have much change either. So it means that there must be something fundamentally wrong with this legislation and we ought to relook the legislation in its entirety and that is the point. [*Desk thumping*] We ought to look it over in its entirety, Mr. Deputy Speaker.

I just want to correct that, Mr. Deputy Speaker. So for 20 years, 83 persons arrested in 20 years, 83 persons. So the data is showing 83 arrests in 20 years, according to these 30 items here. In 2019, 22 persons arrested. The highest number invariably is in two categories from the 22—I just want to point that out—the highest would be counselling a gang, two people and supporting a gang leader, two persons and being a member of a gang, six and charges in relation to the Anti-Gang Act, six. So 22 persons in 2019; two at September 22nd in 2020. I do not know if that change by now.

So the point is, this thing has not brought the successes that the Ministers opposite speak about. It did not, and we ought to take a decision to relook and review and re-examine the legislation in its entirety. [*Desk thumping*] Because you cannot tell us in 20 years you have had 291 arrests. And if you take away the state of emergency, you had 83 arrests in 20 years? A full year 2018, 12 arrests? I tell you it looks like a binary card.

So, the Attorney General could bring clarity to this matter. Because you see, there is also another data the Attorney General shared with us today. The Attorney General spoke earlier and indicated that in 2018 we had 2,400 gang members; in 2020, we have 1,014 members within the gangs. Now, that suggests that 1,200—well let us say, 1,400 ceased being gang members. What did they do? Return their membership card? Because they are not captured under the “arrests” column. [*Desk thumping*] Now, that does not mean they are not arrested. That does not mean they are not arrested. If they are warm, you know, bodied human beings, they are somewhere. They could not have migrated, but they are not captured under this Act. So if they are incarcerated or if they are dead for that matter, they will cease to be gang members if they died. They may come out, but that result is certainly not the work of the anti-gang legislation. It may be other pieces of legislation that the Member for San Juan/Barataria spoke well about, that they have been captured in prison, charged, arrested and charged under other pieces of legislation, not this. So to put a lil consolation here is that persons can continue to be arrested and charged and one day even convicted with or without this piece of legislation. [*Desk thumping*]

We also hear that the total number of gangs moved from 211 in 2018 to 129 in 2020. That is a remarkable reduction. How did it happen? It did not happen because of this legislation. So I could compliment today the police. I could compliment the 51 detectives for their great work in dealing with the gangs. [*Desk thumping*] But I want to tell the 51 detectives it did not come because of this. It could not have happened, because the data is a binary card that tells us 0-2-1-1-1-1 for all the offences. The key offences are really being a member of a gang and charges in relation to the Anti-Gang Act. Charges in relation to the Anti-Gang Act, the Attorney General could correct us, again, whether or not that includes murder.

But, you see, Mr. Deputy Speaker, to give the impression that this Act is the be all and end all and if we do not do this today, we will save the youth and so on, I think is to unintentionally mislead the national community and to place the Opposition in this unenviable position again where, if you support, well fine, they will continue to attack us and if we do not support, well then tomorrow if someone is unfortunately killed in what could be termed “gang-related activity”, they would say: “Look, it is the Opposition, blame the Opposition.” That is what they would say, but you cannot do that because you have brought the data. The police has the data that this thing clearly is not working in the way we want it to work and there are other problems.

I want to quote from an article dated 09th September, 2020, quite recent: “Gang killings stump police” and the Commissioner had this to say:

“...the problem in solving gang-related murders remained a major challenge, as witnesses were not willing to come forward, as opposed to the number of people who co-operate when police are involved in a fatal shooting.

The commissioner said the inability to collect useful DNA evidence in drive-by shootings and other scientific evidence reduces the ability to solve gang killings without witnesses, a problem encountered”—elsewhere.

So, clearly, there are other issues to deal with: DNA, forensic science lab, Office of the DPP, other areas in the criminal justice set up, in the criminal justice system that requires our attention as well at Parliament and at the level of the committee, assuming they do not kick you out there because they believe you conflicted after they fabricate their own stories.

Mr. Deputy Speaker, when I saw this table before me, I could not believe

that we are coming to debate a Bill and put pressure on all Members and the national community to say in 20 years, 291 persons arrested. I also want to be honest and also put my cards on the table, it could well be—I do not know. We do not have that level of intelligence, at least, in the Parliament other Members may have—that, look, the 22 people arrested in 2019, they are not just 22 ordinary people. Maybe they are 22 gang leaders. Maybe they are 10 or 12 serious gang leaders that intelligence believes are responsible for multiple killings. If that is so, the Attorney General can tell us, because while we may look at 22 in one year and say: “Well, what is that? That is a small number, it could be 22 significant people that intelligence believes were responsible for 100 murders. You can tell us that. But without squaring with the Opposition, without squaring with us and putting the facts on the table, you cannot come to carry an argument that this is the be all and end all in the fight against crime and, certainly, in the fight against gang violence.

Mr. Deputy Speaker, in closing, I would like to take the opportunity to congratulate, really, the police for the job that they have been doing in these matters. I congratulate other areas of law enforcement, notwithstanding the very serious challenges faced by law enforcement institutions. I echo the view earlier of my colleagues. Today I was appalled to look on the social media where a magistrate of all persons is talking about one computer being used in a police station and servicing three different courts and so on and that is the system. That is where we are today. I am sure the Attorney General, excited as he always is to speak about law enforcement, will tell us that a lot more work is being done, and we could look forward to more computers and more offices and more personnel and so on, and we want to hear that, but we also want to see that. We also want to see that in action.

[MADAM SPEAKER *in the Chair*]

I also hope, Madam Speaker, that no action will be taken against the magistrate for what she has said and done in the public domain to highlight the deficiencies in the judicial system, because it will be a sad day if action is taken against a judicial officeholder for highlighting, not exposing, but really highlighting the plight of the system that surrounds us. So, Madam Speaker, with those few words, I thank you very much. [*Desk thumping*]

The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi):

Thank you, Madam Speaker. I cannot hear myself, so I do not know if the microphone is live. Is it?

Madam Speaker: Yes.

Hon. F. Al-Rawi: Much obliged. Thank you very much. Madam Speaker, may I Enquire, is wrap up 20 minutes or 30?

Madam Speaker: It is 20 minutes.

Hon. F. Al-Rawi: Thank you so much. Thank you, Madam Speaker. Madam Speaker, I thank hon. Members on both sides for their contributions. It seemed that the further away we got from the contribution of the Member for Naparima, the more sensible some of the submissions became, because I was honestly alarmed at the submission coming from the Member for Naparima. I start with that submission first. Madam Speaker, the Member for Naparima said that it was a dark day today, that there was mass incarceration of black youths. He said he was not blowing—later on in the hon. Member’s contribution, he said that he was not blowing a dog whistle, and then the hon. Member went on, very specifically to say: “much was promised, little delivered by the Attorney General” and then he said these words “notwithstanding statistics” and I had to rock back and understand the blind lack of logic in that statement “much has been promised, little has been delivered by the Attorney General, notwithstanding the statistics”. And permit me,

therefore, to move immediately to the sensible enquiry made by both the Member for Chaguanas West and the Member for Oropouche East, who effectively said, tell us some more about the statistics.

You see, Madam Speaker, I am well aware, notwithstanding San Juan/Barataria's statement that they had no statistics, I am aware that statistics have been provided to the Opposition, and I am somewhat concerned that hon. Members would pretend not to have information when they, in fact, do. In fact, I can verify that some of the information that I just heard come from Oropouche East was in my possession as a first draft report coming from the police which had to be corrected when I made enquiries. That was a report which suggested statistical information from the year 2000 onward when, obviously, there was no anti-gang legislation until the year 2011, Madam Speaker.

But in looking at the statistics and in looking at the rationale for law being set out—and I took my time to read the long title and the preamble when I was piloting this Bill, specifically, Madam Speaker, because the major advantage of anti-gang legislation around the world from a criminological perspective, from a societal understanding perspective is suppression of gang activity, Madam Speaker. And I found it quite amazing, startling, for San Juan/Barataria to say that we do not need an anti-gang law because the First Schedule to the anti-gang legislation allows for the use of the common law, if not, statutory law to treat with the same things that gang laws treat with. Madam Speaker, permit me to deal with that.

The First Schedule to Act No. 1 of 2018 sets out the offences in Schedules, and this is gang-related activity offences, and when you look to the offences in the sections of the Act itself, it is a gang member, that is, two or more people engaged in activity. And, Madam Speaker, when we say that you could obtain suppression

for two or more people acting in concert for trafficking in drugs, in persons, possession for firearms, the hon. Member is, most respectfully, missing the boat entirely. Because when Naparima says nothing delivered, notwithstanding the statistics, we are compelled as legislators to go back to the statistics, Madam Speaker. The statistics are being put on the floor by the hon. Minister of National Security and by the Attorney General having an obligation in this Parliament to vouch the evidence, as we do.

I am reading from in statistical output, information provided by the Trinidad and Tobago Police Service, information that comes in the context of national security and National Security Council and, Madam Speaker, it cannot be a small, an insignificant marker to say that in 2018, there were 211 reputed gangs and in 2020, there is now 129 being a 39 per cent decrease. It cannot be insignificant to say that in 2018 there were some 2,400 gang members reputed to be gang members and in 2020 the intelligence comes to be 1,014 being a 57 per cent decrease in gang membership. That in and of itself, in simple terms, those two statistical matters vouch and underwrite the rationale for the continuation of the anti-gang law. [*Desk thumping*] Because the purpose of the law stated in the long title, stated in the preamble, is specifically to discourage gang activity and membership and to suppress gang activity.

But then, again, we had Naparima at it again. Naparima in his contribution, hon. Member of this Parliament said some more startling things, Madam Speaker. The hon. Member for Naparima said if a law is not performing, then do not come here. The hon. Member said not prepared to support bad legislation if not effective. I want to ask the hon. Member, if we accept the submission coming from Naparima and from San Juan/Barataria, do we therefore repeal the law to deal with murder? Is that the UNC's policy decision? Do we say that because longstanding

fraud matters are before the courts, that we ought to abolish the law in relation to fraud and misbehaviour? Do we say that because white collar offences are standing before the court for 20 years in this country, is the UNC philosophy and policy to abolish the law? Do we say that because murders are still happening in this country, that we need to remove the inchoate offences, conspiracy, et cetera?

You see, Madam Speaker, it makes absolutely no sense, because what the hon. Members—and put quite squarely and succinctly by the hon. Member for Port of Spain North/St. Ann's West, the hon. Minister of National Security said something that was very sharp. The hon. Member said that the matters being advocated by Members opposite asked us to ignore the fact that the Parliament passes law. It is for the Trinidad and Tobago Police Service armed with intelligence to operationalize the law. So I agree with Oropouche East. It is a congratulation to the Trinidad and Tobago Police Service, but it is equally a congratulation to the hon. Prime Minister for appointing a permanent Minister, sorry, Commissioner of Police into the Trinidad and Tobago Police Service.

5.45 p.m.

Madam Speaker, when you look to the issue of statistics—permit me to go a little bit further without revealing any form of deep information—the anti-gang legislation has produced, as a matter of fact, arrests treating with murders in the North Eastern Division. They have, as a matter of fact, dealt with a quadruple murder in Trinidad and Tobago. They have, Madam Speaker, solved through rapid work, a number of other matters. They have dismantled gangs in the Western Division. They have managed to treat with gangs involved in possession of drugs, marijuana, cocaine. They have managed to disrupt trafficking in persons rings, particularly where there are activities against young children.

We have also, Madam Speaker, seen successful solving of murders, and one

may be inclined to ask, “Well, why not charge under the Anti-Gang Act”? And permit me to answer that now. You see, Madam Speaker, again, the Minister of National Security pointed out there is not one piece of law to deal with every single aspect. And in looking at that, Madam Speaker, it is true to say that one needs only look at the annual speech of the hon. Chief Justice this year delivered in 2020, where the hon. Chief Justice actually demonstrates the opposite of San Juan/Barataria. San Juan/Barataria says that there is no form of material improvement in the criminal justice system. San Juan/Barataria went on to say, “San Fernando is operating a shift system”. San Juan/Barataria went on to say that the material progress of laws is not happening in the courts.

Madam Speaker, the hon. Chief Justice in the 2020 opening speech had this to say:

“Challenging times bring out the best in us and I am proud to report that the Judiciary is on the cusp of a transition that will see a dramatically restructured Judiciary whose recruitment and management philosophies and processes may well be incomprehensible to those who, looking...from the outside may not understand what we do and why we do it the way...we do...”

I would like to say that I adopt the words of the hon. Chief Justice and say, that what appears to be incomprehensible is not from the outside, it is from the Opposition. Because, Madam Speaker, when you look at the data coming from the hon. Chief Justice, you would see that the Chief Justice was able to report to Trinidad and Tobago all of the holistic improvements brought on: elimination of transcript evidence from a massive backlog of thousands into zero; introduction of electronic filing; introduction of electronic appearances. Madam Speaker, having completed over 15,000 cases by electronic hearings; 15,419 virtual hearings,

judge-only trials, 20 of them. Judge-only trials for murder, domestic violence portal, filing of documents electronically, Madam Speaker.

When we look to the thousands of cases the hon. Chief Justice noted, specifically at page 15 of his address, that with the introduction of the Motor Vehicles and Road Traffic amendments, on May 26, 2020, that Trinidad and Tobago has seen a rapidly changed environment. The hon. Chief Justice noted that nearly 60 per cent of matters had been eliminated in the magistracy. Madam Speaker, in the district court magistracy where the hon. Chief Justice looked at the caseload statistics, the hon. Chief Justice noted that—and I quote here:

“Traffic matters, which took up 60% of the caseload were essentially halved...”—Madam Speaker—“and that”—the—“trend will continue as we complete the first full year of implementation...”

—leaving district court judges to do more serious work, Madam Speaker.

But, Madam Speaker, hon. Members opposite are also not bearing in mind that this Government has engaged in the amendments to the Interception of Communications Act, and with the bugging in prisons, the recording of prisoner conversations other than in areas where legal professional privilege and where you can talk to your attorney are designated, that that constitutes actionable evidence in a court of law which will assist in dismantling the most dangerous of gangs which exist inside the walls of our prisons. So, Madam Speaker, whilst Members opposite search for relevance in the realm of sensibility in Trinidad and Tobago, Madam Speaker, we had Naparima telling us, “What are you going to do about the gangs from Venezuela”? Well, according to Naparima, you do not need an anti-gang law, there is no need for it, there was no benefit, notwithstanding statistics.

The Commissioner of Police demonstrates a 57 per cent reduction in gang members, suppression, 88 matters before the courts. Naparima says, “Ignore all of

that because this is not about statistics”. The Member for Naparima says, “This is about locking up”, and he makes no apology and he says, “Locking up black youths”. No, Madam Speaker, that was what happened under the UNC. That is what happened in the state of emergency where thousands were incarcerated. That is what happened when the Leader of the Opposition refused to go into court and provide a witness statement to demonstrate why the state of emergency was necessary. That is what happened in the UNC when Anand Ramlogan refused to give evidence to support the State’s case in malicious prosecution, false imprisonment and anti-gang matters when thousands of our citizens were arrested and passed through the system like a dose of salts.

The evidence demonstrates, Madam Speaker, that in fact we are securing fewer numbers of people of high-value targeting. And, yes, it is true, the hon. Minister of National Security reported to the Parliament today that up to this morning we had seen the arrest and charge under anti-gang legislation. And, Madam Speaker, the data shows that we are talking about gang leaders. Madam Speaker, for the first time in this country gang leaders are on the retreat, the evidence shows that. The statistical information shows that. And today we have an Opposition—Siparia has left the Chamber now, thumping the desk, the hon. Leader of the Opposition was engaged in the submissions coming from Naparima and San Juan/Barataria, demonstrating no intention to support the law.

On the one side of their honourable mouths they say that this is a law to lock up people, and then on the other side they notice that this Government has taken the step to release low-risk prisoners out of prisons. In fact, I can report that we are nearly up to 1,000 people, Madam Speaker. We have seen massive improvements in the criminal justice system. The Chief Justice’s report has demonstrated that we have halved some of the criminal offences in the magistracy.

Madam Speaker, we have moved from 36 judges to 64 legislatively, from 12 to 15. We have removed magisterial districts down from 12 to 3. We have seen full judicial immunity for magistrates. We have seen, Madam Speaker, the removal of motor vehicle and road traffic offences down from 104,000 matters out of the system from 146,000. With preliminary enquiries to go, we will see another 26,000 cases redistributed and reorganized.

Madam Speaker, what is going on is that the UNC is in an apoplectic shock and that they cannot come to grips with reality. Because, Madam Speaker, when we supported legislation in Opposition there was no discussion in Trinidad and Tobago about three-fifths majority law because nobody ought to interrupt the passage of law which is working, whether it is three-fifths majority or not which is why our record when in Opposition demonstrated a support for 96 per cent of the legislative products brought forward by the Opposition when they were in government. [*Desk thumping*] So, Madam Speaker, how can one take Naparima seriously? Naparima tells us, “Doh worry about de evidence”. The words specifically on *Hansard* will say, “Notwithstanding the statistics”, Naparima says, “What about Venezuelan gangs?”, but cancel the anti-gang law. Madam Speaker, which is it? Is it fish or fowl? Is it for or against?

Why does this country have to come to the brink of disaster time and time again on the issue of whether the Opposition will support laws which they actually passed? Madam Speaker, the Opposition is on record as having passed in the House the gaming legislation and then voting it down in the last Parliament. Madam Speaker, the hon. Members asked in passing, and permit me to put it on record, about the public procurement law. I can tell you, Madam Speaker, that law, as has been requested in the month of November, 2020, as a result of discussions in October, 2020, with the public Procurement Regulator, small amendments will

come forward as soon as the Cabinet approves so, and if necessary by next week. But, Madam Speaker, the public Procurement Regulator had to be appointed by the President and only the President himself, and they know that.

So, Madam Speaker, today is a day to stop playing smart with foolishness, most respectfully. This law is properly intended, properly proportionate. The inclusion of the sunset clause is a measure towards proportionality. Madam Speaker, we are with active review of the anti-gang law. There will be further amendments once the Cabinet approves the policy behind those aspects. And, Madam Speaker, what is required at this point is to continue to the existence of the law so that we can continue to move with merit. I thank you, Madam Speaker. I look forward to committee stage, and I beg to move. [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 5 ordered to stand part of the Bill.

Preamble approved.

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

House resumed.

Madam Speaker: Attorney General.

Hon. Al-Rawi: Thank you, Madam Speaker. Madam Speaker, I wish to report that the Anti-Gang (Amdt.) Bill, 2020, was considered in committee of the whole and approved without amendments. I now beg to move that the House agree with this report from the committee.

Question put and agreed to.

Bill reported, without amendment.

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

Madam Speaker: This Bill requires a three-fifths special majority, a division will be taken.

The House voted: Ayes 20

AYES

Al-Rawi, Hon. F.

Robinson-Regis, Hon. C.

Imbert, Hon. C.

Young, Hon. S.

Leonce, Hon. A.

Hinds, Hon. F.

Deyalsingh, Hon. T.

Forde, E.

Webster-Roy, Hon. A.

Cudjoe, Hon. S.

Gadsby-Dolly, Hon. Dr. N.

Gonzales, Hon. M.

Mc Clashie, Hon. S.

Cummings, Hon. F.

Richards, K.

Manning, Hon. B.

Morris-Julian, Hon. L.

de Nobriga, Hon. S.

Scotland, K.

Monroe, R.

The following Members abstained: Mr. D. Lee, Mrs. K. Persad-Bissessar

SC, Ms. K. Ameen, Mr. R. Charles, Dr. R. Moonilal, Mr. R. Paray, Mr. R. Indarsingh, Dr. L. Bodoie, Mr. S. Hosein, Mr. B. Padarath, Ms. A. Haynes, Mr. D. Tancoo, Ms. V. Mohit, Ms. M. Benjamin, Mr. D. Rambally, Dr. R. Ragbir, Mr. A. Ram, Dr. R. Seecheran and Mr. R. Ratiram.

Madam Speaker: Hon. Members, with a division of 20 Members voting for, no Members voting against and 19 abstentions, the Motion for the third reading of the Anti-Gang (Amdt.) Bill, 2020, is not approved.

Question negatived.

ADJOURNMENT

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

Thank you very much—[*Crosstalk*] Madam Speaker, may I be allowed?

Madam Speaker: Okay. So, if everybody could settle down—[*Crosstalk*] Can everyone settle down? We will proceed when everybody is ready. Leader of the House.

Hon. C. Robinson-Regis: Thank you very kindly, Madam Speaker. Madam Speaker, I beg to move that this House do now adjourn to Friday the 27th day of November, 2020. On that day, Madam Speaker, it is Private Members' Day. I see that there is one matter and I am assuming this is the matter that we will be debating. Yes? Yes, it is. So, I beg to move—

Madam Speaker: 1.30?

Hon. C. Robinson-Regis: Yes, at 1.30. Thank you, Ma'am.

Madam Speaker: Hon. Members, there are five matters that qualified to be raised on the Motion for the adjournment of the House, but by agreement these shall stand over to the next sitting day.

Question put and agreed to.

House adjourned accordingly.

Adjournment

2020.11.20

Adjourned at 6.07 p.m.