

HOUSE OF REPRESENTATIVES

Friday, April 09, 2021

The House met at 1.30 p.m.

PRAYERS

[MR. DEPUTY SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Mr. Deputy Speaker: Hon. Members, I have received communication from the hon. Dr. Keith Rowley, MP, Member for Diego Martin West; the hon. Brigid Mary Annisette-George, MP; and Dinesh Rambally, MP, Member for Chaguanas West, who have requested leave of absence from today's sitting. The leave which the Members seek is granted.

PAPERS LAID

1. Notification of Her Excellency the President in respect of the nomination of Ms. Bliss Seepersad, for appointment as a Member of the Police Service Commission. [*The Minister of Health (Hon. Terrence Deyalsingh)*]
2. Thirty-Third Annual Report of the Integrity Commission of Trinidad and Tobago for the year ended December 31, 2020. [*Hon. T. Deyalsingh*]
3. Audited Financial Statements of the Vehicle Management Corporation of Trinidad and Tobago Limited for the year ended 30 September, 2015. [*Hon. T. Deyalsingh*]
To be referred to the Public Accounts (Enterprises) Committee.
4. Consolidated Audited Financial Statements of the Trinidad and Tobago Bureau of Standards for the year ended September 30, 2019. [*Hon. T. Deyalsingh*]

UNREVISED

5. *To be referred to the Public Accounts Committee.* Motor Vehicles and Road Traffic (Extension of Period for Payment of Fifty Percent of Fixed Penalty) Order, 2021. [*Hon. T. Deyalsingh*]
6. Annual Administrative Report of the Ministry of Social Development and Family Services for the fiscal period October 2016 to September 2017. [*Hon. T. Deyalsingh*]
7. Annual Administrative Report of the Ministry of Social Development and Family Services for the fiscal period October 2017 to September 2018. [*Hon. T. Deyalsingh*]
8. Annual Report of the Children's Authority of Trinidad and Tobago for the year ended September 30, 2019. [*The Minister in the Office of the Prime Minister (Hon. Ayanna Webster-Roy)*]

URGENT QUESTIONS

Mr. Deputy Speaker: Hon. Members, given the absence of Members, the questions on the Order Paper will lapse.

Mr. Deyalsingh: Mr. Deputy Speaker, if I may be permitted, there are four Urgent Questions. We, on this side, are willing and are here to do the people's business. Where is the Opposition to do the people's business today? [*Desk thumping*] This is a total dereliction of duty, a disgrace to the country, [*Desk thumping*] and violates the Oath of Office of every single Opposition Member. This is disgraceful and ought to be condemned in the strongest manner. [*Desk thumping*] Thank you very much. [*Desk thumping*]

Mr. Deputy Speaker: Hon. Members, again, Leader of the House, as already scripted in *Hansard*, I only received three requests for leave of absence with regard to today.

ANTI-GANG BILL, 2021

UNREVISED

Order for second reading read.

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

Mr. Deputy Speaker, I beg to move:

That a Bill 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, be now read a second time.

Mr. Deputy Speaker, may I just enquire, as I am confused between House and Senate at times, as to the speaking time in the House at present?

Mr. Deputy Speaker: Right. We are still under the ruling of 30 minutes—

Hon. F. Al-Rawi: Thank you very much, Sir.

Mr. Deputy Speaker:—for the mover and also the first responder and then the winding up. Everybody else is 20 minutes.

Hon. F. Al-Rawi: Thank you, 30 minutes. Mr. Deputy Speaker, I stand before the Members of the Government and the nation, through you, in the absence of the Opposition, to deal with a matter of very serious import. Mr. Deputy Speaker, I have been in the Parliament of the Republic of Trinidad and Tobago now for 11 years, and I have never once, on any occasion, witnessed the non-attendance of the Opposition of the Republic of Trinidad and Tobago. And I wish to, at the outset, as a matter of national importance, this Bill, roundly condemn the Opposition for the dereliction of duty to consider the business of the people of Trinidad and Tobago. [*Desk thumping*] And I say that, Mr. Deputy Speaker, because the Parliament was summoned here today, Urgent Questions put, the business of the people assembled, and not one Member of the Opposition has had the courtesy to even inform as to why they are not present today to do the people's business. So, Mr. Deputy Speaker, let me proceed with the people's business.

Mr. Deputy Speaker, the Bill before us represents the sixth attempt to pass anti-gang laws, sixth. These six occasions have involved the law coming to life in 2011 when there was unanimous support for the anti-gang legislation proposed by the then Government led by Mrs. Persad-Bissessar, the Member for Siparia. We then saw the law come alive in 2018 in an exercise which I will explain shortly, and this now represents the third attempt to bring these laws into effect as a body of law. The six occasions that we have spent have a very particular story to tell, and I am compelled to put it on record. But let me, Mr. Deputy Speaker, remind, we have had the Anti-Gang Bill, 2010. We have had the Miscellaneous Provisions (Anti-Gang and Bail) (Amdt.) Bill, 2016. We have had the Anti-Gang Bill, 2017, the Anti-Gang Bill, 2018, the Anti-Gang (Amdt.) Bill, 2020 and this Bill, the Anti-Gang Bill, 2021.

Mr. Deputy Speaker, as a matter of record, we have had 12 sittings of the House of Representatives on anti-gang law over an 11-year period, eight joint select committee meetings, making 20 in total. We have had eight sittings in the Senate, and in the House of Representatives, in the 11-year period; 57 people, excluding today, have spoken on anti-gang law; 57 people in the House of Representatives. In the Senate, 65 people have spoken on anti-gang laws and that, Mr. Deputy Speaker, puts a total of 122 parliamentarians having spoken on anti-gang law. And what we seek to do today, Mr. Deputy Speaker, is to introduce a less than adequate law, a watered-down version of anti-gang law, a law that is significantly weakened solely because of the Member for Siparia and the Opposition, Mrs. Kamla Persad-Bissessar, the Member for Siparia, refusing to support anti-gang legislation.

In 2010, when anti-gang legislation was brought to life, it came with a companion Bill. That companion Bill involved the amendments to the Bail Act.

The Bail Act was being amended so that very powerful anti-gang legislation could stand alongside significant bail restrictions. Then PNM Opposition, then UNC Government agreed that there would be no bail for 120 days, that the anti-gang law that was to come into effect would have very significant protections, passed with a three-fifths majority. The anti-gang law in 2010, which became law in 2011, had in it in Act No. 10 of 2011, a very powerful preamble. That preamble said that:

“...the Constitution...recognises and protects fundamental...rights and freedoms...right...to life, liberty, security...

Constitution also recognises the existence of the right...to equality before the law...

...the Constitution places a duty on the State to protect, promote and fulfil...fundamental human rights and freedoms”

And it says this:

“And whereas 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”

—that this law then become part of the laws.

And the Anti-Gang Act was born, No. 10 of 2011. It was swiftly assented to. Six days later, the Member for Siparia, declared a state of emergency. Six days

later, hundreds of people—463 people were arrested under the law, 213 released with no charge, 142 charged. At present, 33 of those matters are before the Magistrates' Court and 40 at the High Court. Mr. Deputy Speaker, 73 matters now still in existence.

But, Mr. Deputy Speaker, in passing that Anti-Gang Act, No. 10 of 2011, we introduced very powerful laws, and listen to what these laws allowed. These laws allowed for a police officer to arrest without warrant a person suspected of being a gang member or gang leader or committing a gang-related offence; that a police officer may enter without a warrant and search any premises not used as a dwelling house in gang activity; that the police could detain a suspect for 72 hours, Mr. Deputy Speaker, 72 hours, without a question as to whether we were breaching fundamental rights or not. In this anti-gang law passed, the Opposition, the PNM Opposition in 2011, gave full support for the law to stand for five years.

In 2014, the statistics revealed, in an affidavit by Commissioner of Police, Stephen Williams filed in court, that there were 92 gangs, 1,500 gang members. Mr. Deputy Speaker, 35 per cent of murders were attributed to gang activity in 2014. The Government changed in 2015, as we are well aware, and in 2016 when the expiry of the law was coming upon the people of Trinidad and Tobago, Mrs. Kamla Persad-Bissessar, the Member for Siparia, the UNC Opposition, stared down the country, in the face of statistics which demonstrated that under their watch gang activity rose, number of gangs to 179, number of gang members to 2,038, and Mrs. Persad-Bissessar, the Member for Siparia, the Leader of the Opposition, said no to gang laws, said no to anti-gang laws and said no to bail restrictions and this country witnessed the collapse of bail laws.

The bail laws were returned to 1994. Kidnapping for ransom disappeared as a non-bailable matter for 120 days. Raping children disappeared in bail restrictions.

The Leader of the Opposition, Mrs. Persad-Bissessar, unleashed that proverbial nightmare upon Trinidad and Tobago. The Government returned with laws in 2017 to reintroduce anti-gang laws. The Leader of the Opposition, the Member for Siparia, Mrs. Kamla Persad-Bissessar of Senior Counsel, said no to the law. Meetings were held, letters were dispatched. The public begged for the law. In 2018, under significant public pressure, after an uprising in Beetham Estate, we got support for the anti-gang law.

In 2020, when the law had to be extended, again, the Member for Siparia, the Leader of the Opposition, chose to unleash disaster upon the people of Trinidad and Tobago, disaster. And I say here, without fear of contradiction, that the Leader of the Opposition is plying a practice that Trinidad and Tobago must descend into chaos and into ruin and people must suffer under the weight of criminal activity so that the UNC can prosper.

And today I say that with not a Member opposite turning up to do their constitutional duty. Today I say that having witnessed this law, this Bill that we passed in the Senate, received no Opposition support. I say that, Mr. Deputy Speaker, conscious that the Commissioner of Police has written and published to the Government, to the media, in public hearings in the National Security Joint Select Committee that exists in this Parliament—the Commissioner of Police has demonstrated that whereas the number of gangs stood at 211 in 2018, they dropped by November 2020 to 129, a reduction of 82 gangs, a 40 per cent reduction in number of gangs. The Commissioner of Police told this country that whereas in 2018, 2,400 gang members were reported as having participation in gang activity, that number, by November 2020, dropped to 1,014, a reduction of 1,386 gang members, nearly 60 per cent drop in gang activity, gang membership. The Commissioner of Police reported to this country that last year, 2020, represented

the lowest statistical output of serious crime activity in 20 years.

The Commissioner of Police reported that we had the lowest number of road traffic deaths in 65 years in this country last year, because of policing. And the Opposition of this country, in their contempt for the people of Trinidad and Tobago, fiddled while lives are being lost, turned up to pretend to care, when two and three and four people are alleged to have abducted daughters of this country who “end up” murdered and bodies dumped and two or three people found with their bank card—one as a driver, one as an alleged rapist—and Siparia has the temerity, the audacity, the “bold-facedness” to tell the Opposition not to turn up in the Parliament today. Shame on you, Member for Siparia. [*Desk thumping*]

Mr. Deputy-Speaker, I can tell you this, and you can judge me by my actions in this Parliament. I have endeavoured to act with respect on the vast majority of contributions, to listen, to encourage the development of law on a bipartisan basis. But when you listen to the Member for Siparia and you listen to the Members of the Opposition, in a consistent and dedicated contribution to this nation—be it on the floor of the Parliament or outside—tell gross untruths to this population, it can only mean one thing. UNC prosperity is tied in with chaos and destruction of Trinidad and Tobago. [*Desk thumping*]

And I want to say this today, Mr. Deputy Speaker. I am stating for myself today, in my advocacy on behalf of the people of the Republic of Trinidad and Tobago, from the end that I have by virtue of the office assigned to me for the time being by the hon. Prime Minister, that I have had enough of the UNC, enough. And for me, today is a watershed event. Today is a watershed event, Mr. Deputy Speaker.

I want to apologize to the people of the Republic of Trinidad and Tobago, sincerely, for bringing forward anti-gang law which we could pass without the

depth of strength that we wanted. I want to apologize to the people of Trinidad and Tobago for the UNC's refusal to allow the detention of gang members for more than 48 hours, in the first instance. I want to apologize for the UNC refusing to allow for arrests and searches without warrant in places that are not homes or dwelling houses. I want to apologize for the two-facedness and duplicity and insincerity of the Opposition and its leader who must take responsibility for this [*Desk thumping*] in saying to this country, it is all well and good to have anti-gang laws and bail restriction laws for five whole years, from 2011 to 2016, but it is not good enough when the PNM sits as the Government of this country.

To every child who has been murdered, to every person who has been savaged by gang activity, I say, look to Mrs. Persad-Bissessar as to why you have not had protection. To the hard-working forces in law enforcement, who risk their lives to protect the citizens of this country, I say to them, ask Mrs. Persad-Bissessar, the Member for Siparia, why protection of law enforcement agents—Special Reserve Police, estate police, intelligence officers, municipal police, Trinidad and Tobago police, defence force, those members who are to be protected by anti-gang laws which say that you are committing an offence if you retaliate against law enforcement for doing their job—I want law enforcement in this country to stare down the UNC and watch them in their eyes and ask them: Why they will not support that law?

I want to tell the country, respectfully through you, Mr. Deputy Speaker, this Government does not have more than 22 seats in this House. We, therefore, do not have a constitutional majority and we, therefore, cannot pass anti-gang laws to affect constitutional rights and, therefore, we are compelled to bring what we can to protect the people and this law represents that. This Bill represents the best that we can do in the confines of our Constitution to protect the people of the Republic

of Trinidad and Tobago, but it is not enough.

It is not enough that the UNC will not support bail restrictions for weapons of mass destruction, automatic firearms that killed numbers of people in one shot. It is not enough that the UNC will not support amendments to the Sexual Offences Act to protect our children. It is not enough that the UNC will not support interception of communication inside prisons. It is not enough that the UNC will walk out on the people of the Republic of Trinidad and Tobago, while spending their taxpaying dollars in taking their salaries without fear or favour. It is not enough to watch the Members of the UNC constantly ask this population for more security in their constituencies when the police, as they arrive there, cannot have the benefit of anti-gang laws. So they want it all. [*Desk thumping*] They want to demand, they want to complain, but they will give no support where they can give it. [*Desk thumping*]

A parliamentarian's greatest privilege is to participate under the supervision and authority of section 53 of the Constitution to make laws for the peace, order and good governance of our society. And that, as my colleague from Laventille West says, is why Mrs. Kamla Persad-Bissessar is not here today. [*Desk thumping*] There is no participation by Mrs. Persad-Bissessar, to make laws for the peace, order and good governance of our society. Mr. Deputy Speaker, Mr. Deputy Speaker, Mr. Deputy Speaker, this is the worse demonstration of what our country can expect. [*Desk thumping*]

Mr. Deputy Speaker, the Bill before the Senate today, is 20 clauses long—before the House, is 20 clauses long. We caused amendments in the Senate to 11 clauses because of the Government's reflection of certain submissions and our own position. In the Senate, we were regaled by one of the most annoying intellectual contributions coming from Sen. Wade Mark, a man that could make up anything

and say anything, without fear of shame. You know what it is to lack shame completely, Mr. Deputy Speaker? To lack shame completely, is to read what comes out of the mouth or listen to what comes out of the mouth of Sen. Wade Mark.

And in these amended provisions we propose, in these 20 clauses, a reformulation of the definitions of “gang activity”—a manner in which we have addressed the concerns coming from the Law Association.

2.00 p.m.

We have, in the law, clarified on some of these provisions, the mental intent required or mens rea required to prove certain offences. We have specifically stated what the evidence that will be sustained in a court of law to prove gang activity is. And permit me to say this. In the 11 years, since the 10 years since the passage of anti-gang law, there has been judicial consideration of the anti-gang legislation and there has been absolutely no judicial criticism of anti-gang law and therefore we stand comforted, in particular, by the dicta of Mr. Justice of Appeal, Nolan Beraux, in the landmark decision that he considered aspects of the anti-gang law, that this law is good law.

We go, Mr. Deputy Speaker, in Part II of the Bill where offences are set out to being a gang leader, a gang member, et cetera. We have specifically sought to create hybrid offences and not just summary or indictable offences, and this is because gang members or persons charged with gang-related activities can find themselves split between summary offences and indictable offences. And therefore, to make the process of a trial more fluent and more conducive to justice, we have sought to introduce hybrid offences so that we can actually have the charges met and managed by the same court. Mr. Deputy Speaker, we say that:

“Coercing or encouraging gang membership”

—as we do in clause 6, is to be criminalized.

We say that taking retaliatory action and acting against law enforcement, looking to kill members of law enforcement in gang-related activity or harming their relatives and their family members, hard-working prison officers, hard-working members of the Trinidad and Tobago Defence Force, hard-working members of the various arms of the police service and intelligence services; we say to them, “This law protects you a little bit more and your family members”. We say, Mr. Deputy Speaker, that counselling gang members is to be an offence, as we do in clause 8; that preventing gang leader or gang member from leaving a gang is to be criminalized as in clause 9. We say that possession of bullet-proof vests, firearms, ammunition, prohibited weapons should be had, that you cannot have these matters in your possession, not having conscious reflection of whether it is going to be used in gang-related activity.

We say to communities, “Do not keep guns for gang members”. “Do not keep weapons of war for gang members.” We say that the law would criminalize that behaviour. We say that harbouring a gang member is to be an offence. There must be no safe retreat and refuge and comfort for gang members. There is to be no home base where they are safe. Harbouring gang members is to be an offence under the laws of the Republic of Trinidad and Tobago so that persons in communities frightened by gang activity, have the comfort of knowing that they do not need to explain to the gang member that they are reporting a crime, the mere fact that the gang member is in the home is a problem.

Mr. Deputy Speaker, we treat the issue of children in gangs in a very careful and better way than we do with adults. Mr. Deputy Speaker, we say recruiting gang members is to be an offence, again by hybrid, in clause 13. We say in clause 14 that tipping-off, telling people who are not involved in investigations about a

gang-related investigation is an offence, and we say that cognizant of the fact that in Trinidad and Tobago there are a few bad apples in law enforcement who unfortunately witness across the security sector, even down to the prisons, phones coming into prisons, contraband coming into prisons, or police information ending up in the wrong hands and we therefore criminalize tipping-off, as we do under the Proceeds of Crime Act and other areas.

Part III of the Bill, clauses 15, 16, are where we get into the dilution of the law in a significant way. This I blame on the UNC. This I blame on Mrs. Kamla Persad-Bissessar, the Member for Siparia. This I blame on people that want Trinidad to collapse because powers of police are now confined to consent and to warrant. Of course, we preserve the criminal law where you can arrest anyone without a warrant but that is for arrests, that is standard in the criminal law in section 3. But, Mr. Deputy Speaker, in clause 16 where we are compelled so that we can pass a simple majority law, where we are compelled to reduce the number of hours in detention to 48 hours, I say, “Shame on Kamla Persad-Bissessar”. [*Desk thumping*] There is no reason why, for five solid years, 2011 to 2016, detention could have been longer at 72 hours and then further detention for 14 days.

Under the UNC you can spend nearly three weeks in police custody being interrogated, dismantling gangs, but under the PNM, 48 hours and seven days if a judge says so. Mr. Deputy Speaker, this is the living example—

Mr. Deputy Speaker: Two more minutes, Member.

Hon. F. Al-Rawi: This is the living example of subterfuge and attack against the people of the Republic of Trinidad and Tobago by the Opposition. Mr. Deputy Speaker, we have amended for forfeiture provisions to be in harmony with the Proceeds of Crime Act and we have allowed for rules and regulations to be made

and caused an amendment to the offences for breach of regulations.

Mr. Deputy Speaker, against Sen. Wade Mark's hemming and hawing, we have included white collar crime into the schedule of offences. [*Desk thumping*] Sen. Wade Mark will have to explain to the country why he has a problem with that, but he stands alone in his camp with the rest of the UNC, leading their charge. So, Mr. Deputy Speaker, this is good law. It is not the best version of anti-gang law which ideally would be the law which existed in 2011 to 2016, but this is a tragedy to be accepted and worn by Kamla Persad-Bissessar. I beg to move. [*Desk thumping*]

Question proposed.

Mr. Deputy Speaker: I recognize the Member for Tobago East. [*Desk thumping*] Member, you have 20 minutes.

The Minister in the Office of the Prime Minister (Hon. Ayanna Webster-Roy): Thank you, Mr. Deputy Speaker, for the opportunity to contribute to this very important debate. I will focus my contribution on four clauses in the Bill, namely clauses 6, 7, 11 and 13.

Mr. Deputy Speaker: Hon. Member, one second. I just need to change what I just mentioned. As the first responder you have 30 minutes in this circumstance.

Hon. A. Webster-Roy: Thank you, Mr. Deputy Speaker. As I was saying, Mr. Deputy Speaker, I will focus my contribution on four clauses in the Bill, clauses 6, 7, 11 and 13. However, Mr. Deputy Speaker, I ask you to indulge me as I establish the context within which I will frame my arguments in support of the Bill and in particular the four clauses I mentioned previously.

Mr. Deputy Speaker, two young boys lost their lives unfortunately, perhaps due to gang violence. The alleged killer or killers may be just as young as they were but they were in possession of a gun or guns; a weapon of destruction. Mr. Deputy

Speaker, this senseless killing must end. Today, I want to proclaim that we must insist on a zero tolerance for gangs and violent culture; they spread among our young and impressionable boys and girls. Mr. Deputy Speaker, I want to take the time to express my deepest condolences to the mothers, fathers and families and friends of the two young boys who lost their lives recently after absconding from the Child Support Centre managed by the Children's Authority. No words offered at this time could ease the pain and tremendous loss experienced by all the bereaved, however, I continue to offer the family and this nation up in prayer.

Mr. Deputy Speaker, I grew up hearing the elders say, "It takes a village to raise a child". From my own experience growing up and from observing the way my children are being raised, I, like many of us in this honourable House, can attest to the veracity of the adage; it indeed "takes a village to raise a child". Mr. Deputy Speaker, the Cabinet is part of the village. This honourable House, including the Opposition Bench, which is empty today, is part of the village. The Judiciary is part of the village. So-called community leaders are part of the village. Corporate Trinidad and Tobago is part of the village. Our religious bodies also help to make up the village. Mr. Deputy Speaker, every single individual and institution in our twin island republic make up the village called Trinidad and Tobago, and in this context we must all ensure the safety and well-being of our nation's children as we have a collective responsibility to do so.

Mr. Deputy Speaker, this Government, as a responsible member of the village, has been building the framework for care and protection of the nation's children, mindful of the fact that our children are our future. The Child Affairs Division has implemented many policy initiatives to promote safety and well-being of the children of our nation. From the establishment of the Gender and Child Affairs portfolio to now, over 234,967 children have been impacted by one or more

policy initiatives at a total cost of over \$671 million. Mr. Deputy Speaker, despite the negative press at times, one of the significant wins for children and the nation has been the operationalization of the Children's Authority of Trinidad and Tobago. The Authority has expanded and is now operating four additional centres, assessment centres throughout Trinidad and Tobago.

Additionally, the Authority moved from one Child Support Centre to three in Trinidad and one in Tobago. Even in our financial constraints the Minister of Finance has ensured that the Authority received a fair portion of the pie. There has been an increase in the financial resources disbursed to the Authority each year. From 2016 to date, the Authority has expended a total of \$344,200,000. This sum represents an average increase in expenditure of 16 per cent each year to support the protection and care of our children. And, Mr. Deputy Speaker, this has been done in difficult economic times where our Minister of Finance would have had to prioritize moneys going to the Children's Authority, signaling this Government's commitment to the safety, well-being and protection of the children of Trinidad and Tobago.

In support of the expansive legislative and policy frameworks that underpin child protection in Trinidad and Tobago, Mr. Deputy Speaker, this Government, acting as a responsible arm of the village, continues to implement programmes and projects that give children greater access to achieving their full potential and guard against threats. These additional programmes and projects have been implemented at a cost of over \$307,861,000 in the past five years. Additionally, Mr. Deputy Speaker, to support those bodies that assist us with the care and protection of our children, the Government introduced the payment per child system. This payment to private children's homes ensures a high quality of care for children and that their basic needs are adequately met.

Mr. Deputy Speaker, these children also benefit further from a medical grant of up to \$2,000 per child for medical services not accessible in the public health system. And I want to put this in the context, Mr. Deputy Speaker, where a child in care of the State has access to \$2,000 for medical services not available in the public health system, that is separate and apart for the direct cost paid per child for the care and protection of children in care of the State. The average child, the average family in Trinidad and Tobago, at their own expense, at their own disposal will not have over \$3,000 per month per child. So the Government has indeed been prioritizing the care and protection of our vulnerable children, particularly those in the care of the State. But we need more to be done; we need more protection and this Bill is doing that, Mr. Deputy Speaker.

Since the initiation of the payment per child system in 2016, the sum of \$33,629,000 has been spent for the care of wards of the State at private children's homes. Mr. Deputy Speaker, the Government has been doing its part to ensure that the village raises well-rounded children, however, this task requires all hands on deck. Mr. Deputy Speaker, a national environment must be established that is representative, holistic, relevant and child-focused, where the well-being and the best interests of our children are considered of utmost importance and accord with *Vision 2030* and the achievement of the Sustainable Development Goals. This Bill, Mr. Deputy Speaker, is yet another legislative advancement that benefits our nation's children as we continue to build and crystalize the well-being of all children, and by extension, all citizens.

Our National Child Policy visualizes that all children to be happy, healthy and confident; that their rights are respected, protected and promoted to facilitate their holistic development towards achieving their fullest potential as constructive members of society now and in the future. It is for this reason that this Bill is so

important for the protection of our children as they are dying at the hands of members of gangs who may also be children or perhaps not far from the age of 18, but they are all young people. Mr. Deputy Speaker, this Bill epitomizes that we must work collectively to promote and ensure the positive development, well-being, interest and empowerment of all children, and do so by recognizing their importance, prioritizing their needs, respecting and protecting their right to a life free of all forms of violence.

Mr. Deputy Speaker, as we debate this Bill today, it is indicative that the Opposition is not here. They are not here when they claim to champion the cause of children in Trinidad and Tobago. They are not here when they claim to be patriotic. They are not here when they claim to want a Trinidad and Tobago that is free from violence. They are not here, Mr. Deputy Speaker, at such a crucial moment in history when we are putting measures in place, not only to protect our boys and girls but all citizens of this country, who at some point, in all of our lives—at some point we are touched by gang violence. [*Desk thumping*] Mr. Deputy Speaker, the Bill must be viewed within the context of policy and legislative measures to ensure that our children are well protected. The Bill strengthens measures to prevent, identify, report and respond to abuse and the exploitation of our children by gang activities and enhances the measures to reduce children's involvement in violence. This legislation is crafted to send several messages. The key among them are, children have no place in gangs; children have no place in gang violence. Perpetrators will receive the harsh penalty of imprisonment when found guilty of engaging children in gang activities.

Mr. Deputy Speaker, I now want to focus on the Bill at clause 6, where it:

“...seeks to make it an offence for a person to coerce, encourage, entice, aid or abet another person to be a gang leader or gang member...”

Gang activity and gang violence are valorized by those seeking to recruit members and our children are particularly vulnerable to such coercion, encouragement and enticement. Children are often too immature and impressionable to fully appreciate the enormity of what they are getting into. The enactment of this as an offence would protect our children against what is clearly an abuse of their right to enjoy their life free of violence and undesirable burdens. This leaves them free to achieve their fullest potential. Too often we hear of the recruitment and induction of our children into clandestine and covert gang culture and experiences which leads to drop out from school and other forms of formal training, absence and termination of familial relations, early pregnancy, rape and exploitation of our girls, crime and criminal activities, and the result in death of our young boys and girls.

Mr. Deputy Speaker, it has been documented that our young boys are oftentimes pressured into joining gangs and must show their prowess in order to be accepted as members. I remember, Mr. Deputy Speaker, looking at a movie at one point in time and there was this young boy in an inner city in New York and in order for him to join a gang he had to go out and randomly kill someone. And it so happened in that movie, Mr. Deputy, Speaker, that the person that he shot turned out to be one of his relatives. And I remember that movie, the emotional turmoil, not only for the young boy who was joining the gang but for this family, and, by extension, the community. We have to act now, Mr. Deputy Speaker, to safeguard our children in Trinidad and Tobago. I, again, go back to what I said earlier, it takes a village—the Cabinet, yes, is part of the village and we are doing our part but we need the Opposition as part of this honourable House, as part of this village to do their part and be present to help us formulate good legislation.

Mr. Deputy Speaker, clause 6 of the Bill is supported by clause 8, which clearly outlines that:

“A person who knowingly—

- (a) counsels;
- (b) gives instruction or guidance to;
- (c) finances in any manner; or
- (d) otherwise provides support to,

a gang leader, gang member or gang in furtherance of its participation in, involvement in or commission of a gang-related activity commits an offence and is liable on conviction on indictment to imprisonment for twenty-five years.”

Persons on the outside, so to speak, supporting gang activity, financially or otherwise, are clearly causing immeasurable harm to our children who may have already been recruited or are being encouraged or enticed to join a gang. These persons must be held accountable.

Mr. Deputy Speaker, clause 9 provides that:

“A person who prevents a gang leader or gang member from leaving a gang commits an offence and is liable on conviction on indictment to imprisonment for twenty-five years.”

This clause is necessary as the evidence suggests that attempting to leave a gang endangers the life of a person trying to do so. Mr. Deputy Speaker, it is difficult for an adult to leave a gang. Imagine how much more difficult it will be for children attempting to leave gangs and turn their lives around. Indeed, right here in Trinidad and Tobago, just recently, we would have had our own experience.

Mr. Deputy Speaker, in some environments parents are literally afraid to speak out, of fear of reprisals. We heard and read in the newspapers of a mother who kept her son very close to her in a bid to keep him away from gang activities. She professed that she tried everything, yet still he died supposedly as a result of

gang violence. Mr. Deputy Speaker, when people say, “Mothers have to do more, the Government would have to do more”, Mr. Deputy Speaker, that mother tried her best; she kept him with her. The Government would have done its part to an extent. We would have provided the support on the outside. We would have given support to the community, the family, but still, even though that young boy wanted to turn his life around, it was difficult for him, Mr. Deputy Speaker, and we saw how that ended. This Bill brings a layer of support to those families and parents who on a daily basis try to protect their children from entering these negative groups as they know only too well the ultimate fate of their children. This Government is offering the legislative protection needed here for families and the young ones, particularly the boys.

At clause 7 of the Bill: The additional protection offered to children and their families by this clause punishes and so prevents perpetration or:

“...retaliatory action against another person or any of that other person’s relatives, friends, associates or property, on account of that other person—

- (a) refusing to become a...gang member;
- (b) ceasing to be a...gang member;
- (c) giving information to a law enforcement authority or an intelligence agency in relation to a gang, gang leader, gang member or gang-related activity;...
- (g) refusing to participate in retaliatory action against another person or any of that other person’s relatives, friends, associates or property;”

As was the case previously, this will be an offence and the perpetrator is liable on conviction on indictment for imprisonment for 30 years. This not only protects those families who fight on a daily basis to keep their sons and daughters out of

gangs but also sends a strong message of deterrence for perpetrators and potential perpetrators.

The severity of the penalty sends a strong message, “Stay away from our children and our families”. Moreover, the proposed legislation would also have the effect of preventing persons close to a child, such as a parent or anyone with responsibility to care for the child, who actively seeks to engage a child in gang activities by also preventing such persons from exercising coercive or retaliatory action against the child. The Government is aware that child protection must begin with those who have responsibility and are duty-bound under the law to care and protect children. The message being sent by this Bill is to stay clear from our children and zero tolerance of gangs.

Mr. Deputy Speaker, clause 11 criminalizes the harbouring of a gang leader or a gang member with a penalty of imprisonment for 10 years upon summary conviction. This clause is beneficial as it may act as a deterrent for those who actively engage gang leaders or gang members. Mr. Deputy Speaker, the Bill has the depth needed to protect our children and aligns well with this Government’s policy for child protection. Clause 13(2) focuses specifically on children and is carefully crafted to dictate that:

“A person who recruits a child to a gang commits an offence and is liable—

- (a) on summary conviction to imprisonment...; or
- (b) on conviction on indictment to imprisonment for twenty-five years.”

It sends a clear message that children do not belong in gangs and cannot be recruited into gangs. The message to the gang members and the gang leaders is clear, “Hands off our children”.

Mr. Deputy Speaker, we know only too well that our schools and

recreational fields have become places of gang recruitment. I remember one time walking in a community in my constituency and engaging some young persons, Mr. Deputy Speaker, and hearing persons talking, and I did not really believe that we had gangs—as naive as it may be, that we had gangs active in Tobago. I thought Tobago was clean, green, safe, serene; all is well and good; halleluiah. And hearing these young boys interacting and talking about, you know, what they were doing, and then I recognized, you know what, this is sounding as though it is gang activity.

2.30 p.m.

So they were talking about, you know, what they are doing at the schools, what they are doing by the football field and what they are doing, you know, in different places to help to recruit other persons to join. So it is very important for us to ensure that we put measures in place to ensure that those places that are supposed to be places of safety, places of recreation, that they do not become harbouring grounds for criminals and recruitment grounds for those persons who are bent on establishing gangs and promoting gang culture in Trinidad and Tobago.

Mr. Deputy Speaker, the Bill offers protection to our children at places which are established as safe places for children such as our schools and places of worship. The Bill makes it clear that anyone found recruiting a child:

“within five hundred metres of a school or a place of worship...

....commits an offence and is liable on conviction on indictment to imprisonment for twenty-five years.”

Mr. Deputy Speaker, the proposed legislation accords well with existing legislation which prevents the sale of illegal drugs and alcohol within close proximity to schools.

Mr. Deputy Speaker, as I close, I wish to reiterate that this Bill is so

designed and crafted to offer the fullest protection to our children from the scourge of gang culture and the gang violence that we see emerging in our society. The Bill forms the necessary piece of the legislative machinery needed to ensure that outcomes which speak to the nurture and protection of our children are achieved. It intersects with those strategies which advocate for relationships of care, trust and a connection between children and their caregivers and families and their communities which prevent abuse and exploitation and children's involvement in violence. The Bill supports the rehabilitation and restoration of children and advances the notion of safe, child-friendly spaces for children's education, recreation and play.

Mr. Deputy Speaker, we need a strong legislative framework to support children's well-being and protection, one which will support the social protection mechanisms being rolled out in support of children and their families, which include the construction of the drug rehabilitation facility for boys, the transition home for girls, the re-establishment of restoration and rehabilitation facilities for boys in need of care and supervision, the training of caregivers and parents to supervise and care for their children, to name a few.

Mr. Deputy Speaker, I will go back to what I said before. It takes a village to raise a child. The Government, as part of this village, we are doing our part but what we need now, we need the parliamentarians to ensure that the legislation is in place to make gangs and gang activity less attractive to the young and impressionable minds of our children.

Mr. Deputy Speaker, the Opposition Bench; the Members of the Opposition; the Leader of the Opposition, the hon. Mrs. Kamla Persad-Bissessar, they are all part of the village called Trinidad and Tobago. We need the entire village on board to raise the child, Mr. Deputy Speaker. They should have been here today

exploring how this Bill would impact the lives of our future leaders.

I often say when I debate or when I speak in public that the seeds we sow into the lives of our children, we are going to eat the fruits tomorrow. Mr. Deputy Speaker, we have a duty as representatives, as policymakers; we have a duty simply as villagers in this village of Trinidad and Tobago to sow good seeds into the lives of our children. So I am disappointed, I am angry and I am hurt as a mother, as an auntie, as a godmother, that the Opposition is not here today to help me, to help the Government, to help all the other responsible villagers to raise the children of Trinidad and Tobago.

I commend the hon. Attorney General for his part in establishing a solid policy framework. I want to thank the Minister of Finance for ensuring that the funds are often made available—even though it may be difficult for us to prioritize—that the funding is often made available for projects, programmes, policies and initiatives that impact on the lives of our children, particularly those who are vulnerable. I want to commend my colleagues who are here today, who are standing up as responsible villagers, as we raise the children of Trinidad and Tobago.

Mr. Deputy Speaker, I commend the Attorney General for this piece of work and I look forward to its successful passage. I thank you. [*Desk thumping*]

Mr. Deputy Speaker: I recognize the Attorney General. [*Desk thumping*]

The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi): Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, it gives me no pleasure to draw conclusion to a debate in these circumstances. I thank my colleague the Member for Tobago East, a compassionate and caring and diligent soul in the exercise of her portfolio of protecting the children and the women and all gender issues in Trinidad and Tobago as it relates not only to this law but to the wider

circumstance of care and protection.

Mr. Deputy Speaker, we had an entire line up of speakers today. The Minister of National Security came fully prepared, the Member for Port of Spain South, the Member for Lopinot/Bon Air West, all of my colleagues—the Member for Arima, the Member for St. Joseph, the Member for San Fernando East, all of our colleagues came here today prepared to do the people's business.

Mr. Deputy Speaker, as of right now, we have had 125 speakers talk about anti-gang laws in the last 10 years, going on 11 years; 37 sittings of the Parliament, including in that number eight joint select committee meetings. And today we come to bring watered down, gutted but yet effective laws to protect our country.

And I want to ask the citizens of the Republic of Trinidad and Tobago, through you, Mr. Deputy Speaker: What has gone wrong? What explains the circumstance we are in? What explains the charade of alleging that the Prime Minister somehow contaminated in his Cabinet, when that is the opposite of the truth because we meet virtually. I myself have not seen the Prime Minister in person for weeks but speak to him every day, as all of my colleagues do, witnessed him at his age and in his circumstance carry out a marathon session at the Cabinet yesterday; watched and witnessed the hon. Prime Minister, before that, turn up and do the duty for Caricom, deal with the energy giants of this world.

Our Prime Minister is not even permitted a day off under the circumstances or COVID and Mrs. Kamla Persad-Bissessar is not here?—driven by the Government's car, receiving the same salary as the Prime Minister, more than the benefits of the Prime Minister, an office paid for by the people of the Republic of Trinidad and Tobago, a salary cheque deposited into her account every single month.

People do not know this, but the Leader of the Opposition is chasing down

entitlements right now for pension and benefits and gratuity that she is not even entitled to, and yet the hon. Member for Siparia, Kamla Persad-Bissessar, cannot turn up into this country's debate. But what does it say? It says in relation to this law, that good law is not enough. It says that the Chief Medical Officer, all the technocrats at the Ministry of Health, all of the security services at the hon. Prime Minister's residence are all liars or people that do not tell the truth. That is the UNC's version of Trinidad and Tobago in this charade of not turning up.

Mr. Deputy Speaker, I want to ask all right-thinking people: How can we support that? How do we watch Members of the Opposition say to a serving Member of this country, I wish you a slow recovery and I hope you suffer. How do we watch fake-accented people blabbering away in disingenuous circumstances talking about the law and the Prime Minister? When do we draw the line on decency? And where do we draw it?

This anti-gang law we intend to amend further. We intend to look at the issue of prisoner detention. We intend to look at some of the mens rea concerns which we gave an undertaking to have a look at. There is more work to be done. This Government will think its way out of the monkey pants that the UNC brings for us all to wear. The UNC says in the face of a machine gun shooting 50 people at Charlotte Street and Independence Square in Port of Spain, "Nah! No offence for that".

The UNC says, let us challenge the bail law and the constitutionality which is a companion to this law. The UNC says, let us let out of jail people who are on charges of murder even though that law is a saved law under our Constitution. Kamla Persad-Bissessar says let people on charges of murder free from pre-trial incarceration. That is what Kamla Persad-Bissessar, the Member for Siparia says.

The Member for Siparia says no to every white collar crime that we could

introduce. Do not follow the money. It is in the Schedule of the Anti-Gang Bill. No to including misbehaviour in public office in the Schedule to the Anti-Gang Bill. No to bugging prisoners' cells, that is what Kamla Persad-Bissessar, the Member for Siparia, says to this country. Mr. Deputy Speaker, they are on the radio and airwaves and annoying the people of Trinidad and Tobago almost on a daily basis.

Had we had a debate here today, the Member for Pointe-a-Pierre could probably have spoken. The Member for Pointe-a-Pierre, in treating with potential sabotage that could happen at a plant, which could fall under the anti-gang law, Member for Pointe-a-Pierre who does not even know, without using Waze, how to get to Pointe-a-Pierre, does not know where the Guaracara River is, has no clue where the Petrotrin plant is or the NiQuan facility is. The Member for Pointe-a-Pierre will regale this country with untruth, after untruth, after untruth. And I would just like to say on behalf of right-minded people in this country, just stop it.

Today is a watershed day. In my short 11 years in this Parliament I have never seen an Opposition not turn up; never. In my reflections on parliamentary history, I have not seen that either. So, Mr. Deputy Speaker, shame is upon us all as parliamentarians, in particular there is no hiding behind a fake smile and a fake charm, there is no pretending that you are the mother of this nation when you cannot turn up to look after children to pass anti-gang law. Keep your crocodile tears to yourself, Member for Siparia. [*Desk thumping*] Do not regale this country with false care and false promise, because if you are serious about bettering the lives of the citizens of this country, you would be here to support this law.

Mr. Deputy Speaker, there is nothing else to say. This is a dark day in the democracy of Trinidad and Tobago. And I, for the life of me, cannot appreciate or tolerate the behaviour of the UNC. To Trinidad and Tobago, we will fight against

untruth, distraction and the chaos that the UNC brings 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 20 ordered to stand part of the Bill.

Schedules 1 and 2 ordered to stand part of the Bill.

Mr. Al-Rawi: Mr. Chair, CPC is just asking for the record to reflect that it is called the First and Second Schedule. So just for clarity, to state the question that way, should it please you? The First Schedule and the Second Schedule as opposed to Schedules 1 and 2.

Mr. Chairman: Okay. Well, it is not necessary, Mr. AG.

Mr. Al-Rawi: I am just putting it on the record.

Mr. Chairman: Okay. It is not a problem.

Mr. Al-Rawi: Thank you, Sir.

Mr. Chairman: But point taken, but it is not necessary.

Mr. Al-Rawi: Appreciated.

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

House resumed.

Bill reported, without amendment.

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

Mr. Al-Rawi: Division.

The House voted: Ayes 18

AYES

Robinson Regis, Hon. C.

Anti-Gang Bill, 2021

Al-Rawi, Hon. F.

Young, Hon. S.

Beckles, Hon. P.

Hinds, Hon. F.

Deyalsingh, Hon. T.

Manning, Hon. B.

Webster-Roy, Hon. A.

Munroe, R.

Gadsby-Dolly, Hon. Dr. N.

Gonzales, Hon. M.

Mc Clashie, Hon. S.

Morris-Julian, Hon. L.

de Nobriga, Hon. S.

Leonce, Hon. A.

Cummings, Hon. F.

Richards, K.

Scotland, K.

Question agreed to.

Bill accordingly read the third time and passed. [Desk thumping]

QUARANTINE (MARITIME) (AMDT.) REGULATIONS, 2021

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, I beg to move the following Motion standing in my name:

Whereas it is provided by section 4 of the Quarantine Act, Chap. 28:05 (hereinafter referred to as “the Act”) that the Minister of Health may make Regulations, with respect to the whole or any part of Trinidad and Tobago,

including the ports and coastal waters thereof for preventing;

- (a) danger to public health from ships or aircraft or persons or things therein arriving at any place; and the spread of infection by means of any ship or aircraft about to leave any place, or by means of any person or thing:

And whereas it is provided by the said section 4 of the Act, that Regulations made under this section shall be subject to affirmative resolution of Parliament;

And whereas the Minister has on the 4th day of February, 2021 made the Quarantine (Maritime) (Amdt.) Regulations, 2021 (hereinafter called “the Regulations”);

And whereas the Regulations were laid in the House of Representatives on the 5th day of February, 2021;

And whereas it is expedient to approve the Regulations:

Be it resolved that the Quarantine (Maritime) (Amendment) Regulations, 2021 be approved.

Mr. Deputy Speaker, today, the 9th of April, 2021, this House meets to discuss the Quarantine Maritime (Amdt.) Regulations in very odd circumstances; circumstances that are sad, circumstances which point to a total dereliction duty on the part of 19 elected Members of House of Representatives of Trinidad and Tobago who are not here, who have decided deliberately, led by the hon. Kamla Persad-Bissessar SC, MP for Siparia, not to contribute to the debate on these Regulations.

Mr. Deputy Speaker, we are meeting in the House of Representatives, and the Constitution which sets up the House of Representatives says at section 48(1)(b):

“No person shall be qualified to be elected as a member the House of Representatives who—

- (b) is an undischarged bankrupt having been adjudged or otherwise declared bankrupt...”

I declare the UNC today morally bankrupt [*Desk thumping*] because they not here to debate these regulations. The Leader of the Opposition is morally bankrupt by leading a walk—not even a walk out, [*Desk thumping*] by not even coming, no show, strike, when we are discussing important matters.

Mr. Deputy Speaker, the matter before us today concerns amendments to the Quarantine Maritime (Amdt.) Regulations made pursuant to the Quarantine Act and in these days of COVID this is vitally important. Why? Because lawyers associated with the UNC have taken the State to court over and over on these quarantine amendments, on these quarantine laws, so they should be here to debate these Regulations.

3.00 p.m.

Mr. Deputy Speaker, why are we here? We are here to prevent the ever threat and danger to public health from ships or aircrafts or persons or things therein, arriving at any place. It could be the Port of Port of Spain, Point Lisas, Cedros, Piarco, Crown Point, Scarborough, and it means we are trying to control the spread of infections by means of any ship or aircraft. That is what we are here about. Mr. Deputy Speaker, the word “quarantine” is on the lips of everyone, 1.4 million people, since COVID started, and if you ask the layperson what is quarantine, you may get a plethora of answers, but what are the defining features of what a quarantine is?

For the purposes of *Hansard*, “quarantine” broadly defined means the restrictions placed on the entrance to and the exit from the place or premises where

a case of communicable disease exists. That is the classical definition of what a quarantine is. It is material to note, Mr. Deputy Speaker, that the Government of Trinidad and Tobago became a party to the International Health Regulations 2005, commonly called IHR, as established by World Health Organization on 15 June, 2007. The purpose of IHR, International Health Regulations is:

1. "...to prevent..."
2. "...protect against..."; and
3. "...control and provide a public health response to the international spread of disease in ways that are commensurate with the restricted to public health risks"—and—"which avoid unnecessary interference with international traffic and trade".

That is what we are here about.

And in these days of massive cruise ships, containerized cargo ships three football fields long, now with airlines that could fly cross Atlantic and do 19-hour flights nonstop, moving from Australia to New York, these Regulations take on a much more serious tenor and tone. Therefore, the Quarantine Act and Regulations made thereunder predate the IHR. So what are we here about today, Mr. Deputy Speaker? We are here to update. We are seeking to update these maritime regulations to bring it in line with some of the requirements of the IHR. What are we here about today? We are going to repeal the outdated declaration of health form and replace it with an updated declaration of health. We are going to repeal the deratisation certificate and deratisation exemption certificate which are no longer valid internationally—so we are trying to keep up with international trends—and replace them with a ship sanitization control certificate and ship sanitization control exemption certificate respectively.

How are we going to do that, Mr. Deputy Speaker? One, by the deletion of

the terms “deratisation certificate” and “deratisation exemption certificate”, wherever they respectively occur in the regulations, and replacing them with the terms “ship sanitation control certificate” or “ship sanitation control exemption certificate.” We are also going to repeal Part VI of the Regulations and replace with a new Part VI, which details, Mr. Deputy Speaker, the requirements for ships entering our sea ports and processes relating to the issuance of ship sanitation control exemption certificate or ship sanitation control certificate, which would allow for the examination of a ship by authorized officers for clinical signs and symptoms of public health risks, including sources of infection and contamination outside of rodents. So we are moving from a system, deratisation, which envisaged mainly disease spread by rodents to a more all-encompassing feature.

Mr. Deputy Speaker, the global supply chain, as we recently saw with the ship that became stuck in the Suez Canal, we cannot survive without global supply chains, whether it is by air or by sea. But, with the expansion of sea containerized cargo, with the explosion of cruise ships we must respond to the increased threat posed by disease which can come into our country. We are also going to repeal the Sixth Schedule and replace with a new Sixth Schedule. We are going to repeal the Second Schedule and replace with a new Second Schedule which contains a new declaration of health. That is what we are about today.

Mr. Deputy Speaker, to contextualize all of this, because I am coming to a rapid close, with your permission I would like to quote one paragraph please? It comes from the Oceans and Law of the Sea, Division for Ocean Affairs and Law of the sea Infectious Diseases and Maritime Law, the United Nations-Nippon Foundation Fellowship Programme 2009/2010. Just to contextualize the importance of what we are doing, and I quote:

“In as much as health is paramount crucial for the humankind right to live,

and therefore they must be protected and safeguarded against the ravages of infectious disease, not any of us can deny the fact that the maritime is one sector that contributed to the global spread of infectious diseases to the international community. Diseases have been spread by man, animal and animal products in vessel of transportation throughout recorded history.”

Mr. Deputy Speaker, I want to thank the Attorney General for assisting the Ministry of Health in crafting these new Regulations. I want to thank the Legislative Review Committee, headed by Sen. Clarence Rambharat and all the technocrats. I want to thank them sincerely. And in closing, I want to condemn the United National Congress for not being here today, the 9th of April, 2021, to debate a most important intervention, a most important piece of regulation, a most important piece of legislation to safeguard the health and safety of 1.4 million people. And with that, Mr. Deputy Speaker, I beg to move. [*Desk thumping*]

Question proposed.

Mr. Deputy Speaker: I recognize the Attorney General, and you have 30 minutes.

The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi): Thank you, Sir. I do not intend to use all, but I thank you very much. Mr. Deputy Speaker, having drafted these Regulations at the Attorney General’s Office and having witnessed the Minister of Health pilot this particular Motion, it is important to put a few additional matters onto the record. These Regulations are subsidiary law, fall under the Quarantine Act, Chap. 28:05. And I would like to just bear into this discussion, how critically important it is for us to be current with the law of the Republic of Trinidad and Tobago, being in harmony with the rest of Caribbean.

Right now our brothers and sisters in the island of St. Vincent are on evacuation because of the eruption of a volcano. Some 30,000 people are now in jeopardy, and the hon. Prime Minister, Dr. Ralph Gonzales of St. Vincent, has

received the full support of the hon. Dr. Keith Rowley, Prime Minister of the Republic of Trinidad and Tobago, through the quick action and reporting of my colleague, the Member for Port of Spain North/St. Ann's, West the Minister of National Security and the Minister of Foreign and Caricom Affairs.

Many of the people who are to be evacuated out of St. Vincent and the Grenadines now find themselves ship bound, and we are in a position of dealing with the Quarantine Act and the modernization of our regulations. And today to ensure that we do not have a conflict of laws in the Caricom setting, so that when you board a ship in St. Vincent, and you look to make your way to Trinidad in an emergency situation, that you find an ease of passage because there is a familiarity and one methodology of treating with matters, is why laws like this become important. And again I say, the Opposition is not here. It is quite convenient that this law seeks to remove deratisation, the phenomenon where you had to literally removed rats from ships, because it was then in abundance. Today, we do not have that phenomenon, certainly in the Parliament today where there are no rats that we look at in this modern plague and concept and position, this building having been renovated. But on our ships bringing our laws up-to-date harmonizing it with the Shipping Act, becomes equally important, as we have that Shipping Act in our Parliament in Joint Select Committee.

Mr. Deputy Speaker, what is of very important measure here, and the reason why I stand today, is to put on to the record that notwithstanding the efforts of Dinesh Rambally, the hon. Member for Chaguanas West, notwithstanding the efforts of Anand Ramlogan, past Attorney General, notwithstanding the efforts of a number of people in the UNC to remove the legitimate basis of the laws of this country, each and every one of their matters that have been brought to court to challenge the Quarantine Act, to challenge the Public Health Regulations, to

challenge the public health laws, all of them have met with disastrous failures. All! [*Desk thumping*] Including their attempts to tackle the sedition laws of this country, and so too will their attempts to remove the restrictions on bail and to challenge other areas fall into odium.

I say this, Mr. Deputy Speaker, because one can probably expect that these Regulations will be the subject of an attack by the UNC. And why do I say that? Because they have attacked every single other law; the Interception of Communication Act. And I would just caution the honourable citizens of this country, right-thinking people, to be very careful as to what is put on offer by the Opposition as it relates to these Regulations, the management of port services, the harmonization of ship sanitation control, the issuance of exemption certificates, how those certificates are brought into order. All of these things falling very importantly under the saved law of the Quarantine Act. These are the laws that we have managed to put into effect to protect the citizens of this country.

Today we have avoided a state of emergency, today we have avoided start and stop shutdowns of our economy, today 97 per cent of our economy is in full gear and operation, today there is a relative freedom in Trinidad and Tobago, and the only force pushing against the psychology of the people of Trinidad and Tobago is the UNC, as right now I understand the Leader of the Opposition, instead of being here, is doing a press conference to complain about who the Prime Minister get COVID from. An entire team went to China of WHO representatives and experts and still cannot find out the source or origin of the COVID-19 virus, but the Leader of the Opposition, instead of coming to the Parliament to do the people's business, is busy putting out a theory as to how the Prime Minister caught the COVID virus.

Mr. Deputy Speaker, this is a shameful state of affairs, and again, I just wish

to say, the people of Trinidad and Tobago deserve better. I am very pleased to report as Attorney General, that the attack against the quarantine legislation and the public health legislation, which are the parent laws that govern these Regulations, that those attacks by the UNC have all met with failure, and that we are intent on recovering the cost of litigation for the benefit of State. So, again, I would just like to say to the Opposition, enough is enough. This country deserves good leadership. I wish to thank the Minister of Health for advancing the harmonization of this legislation, and for ensuring that these Regulations see the light of day, and I thank you for this opportunity to make a short contribution.

The Minister of Health (Hon. Terence Deyalsingh): Thank you very much, Mr. Deputy Speaker, and I want to thank my colleague, the hon. Faris Al-Rawi, Member of Parliament for San Fernando and Attorney General for contributing. Mr. Deputy Speaker, I was looking forward to a contribution from Pointe-a-Pierre, there was none; I was looking forward to a contribution from Siparia, there was none. This is the House of Representatives. I was looking forward to a contribution from the Member of Parliament for Fyzabad, who normally speaks on health matters, but where is he? I am normally regaled by MP Seecheran, shadow Minister of Health, where is he to execute his constitutional duty here today? Where is Member Dr. Rai Ragbir who normally contributes on matters dealing to health? Where is he? Where is his contribution? What am I responding to from the Opposition? Where is St. Augustine? Where is Couva South? Where is Naparima? Oropouche West? Oropouche East? Mayaro? They are not here to lend, if not support, to at least represent people who look to them for leadership. Where are they? Sadly, they are not here. So there is nothing to respond to from a vacuous, bankrupt Opposition, and therefore, Mr. Deputy Speaker, I beg to move. [*Desk thumping*]

Question put and agreed.

Resolved:

That the Quarantine (Maritime) (Amendment) Regulations, 2021 be approved.

Mr. Deputy Speaker: I recognize the Minister of National Security. [*Desk thumping*]

**DEPUTY COMMISSIONER OF POLICE
 (NOMINATION OF MR. MC DONALD JACOB)**

The Minister of National Security and Minister in the Office of the Prime Minister (Hon. Stuart Young) Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, I beg to move the following Motion:

Whereas section 123(3) of the Constitution of the Republic Trinidad and Tobago, Chap. 1:01 (“the Act”) provides that the Police Service Commission shall submit to the President a list of the names of the persons nominated for appointment to the office of Commissioner or Deputy Commissioner of Police;

And whereas section 123(4) of the Act provides that the President shall issue a Notification in respect of each person nominated under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives;

And whereas the Police Service Commission has submitted to the President the name Mr. Mc Donald Jacob as the person nominated for appointment to the office of Deputy Commissioner of Police.

And whereas the President has on the 11th day of March, 2021 issued a Notification in respect of the nomination;

And whereas it is expedient to approve the Notification:

Be it resolved that the Notification of the President of the nomination by the Police Service Commission of Mr. Mc Donald Jacob to the office of Deputy Commissioner of Police be approved.

Mr. Deputy Speaker, I beg to move. Sorry, Mr. Deputy Speaker. This is the Motion that is before us here today. As we are all aware, the Police Service Commission went through the constitutional road map of selecting a firm to then go out and recruit Deputy Commissioners of Police for the Trinidad and Tobago Police Service. This exercise finally came to an end very recently. A merit list was presented to Her Excellency the President, and in keeping with the Constitution and the Standing Orders, Her Excellency the President has sent to Parliament for debate here today the first person on the merit list, a career police officer, Mr. Mc Donald Nathaniel Jacob.

Mr. Deputy Speaker, I do not intend to keep us here for very long this afternoon, but one would have thought that an important decision such as the present, the Opposition would have found themselves here today. And whatever is the reason that they are attempting to give to the population for the complete dereliction of their duty, the sensible in our population, the right-thinking and civic-minded citizens of our population will see through it, and will make their own judgment call, as they already did in 2015, and again in August 2020.

Mr. Deputy Speaker, it gives me great pleasure to stand here today, as the mover of this Motion, as the Minister of National Security, and to put forward to my colleagues here in the Parliament, and to put forward to the population, that this gentleman, Mr. Mc Donald Nathaniel Jacob, should be confirmed as a permanent Deputy Commissioner of Police in our Trinidad and Tobago Police Service. I can speak from first-hand experience, as I will in a short while, but I think it is necessary, through you, Mr. Deputy Speaker, to tell the population a

little bit of why it is the Government's position that Mr. Mc Donald Jacob, currently acting as a Deputy Commissioner of Police, who topped the merit list in the recruitment exercise for a permanent Deputy Commissioner of Police, should be confirmed in this position.

He has been a career police officer. His educational and academic qualifications are as follows. He started off with a certificate in Project Management from the University of the West Indies. He continued to further his studies and got a certificate in Criminology at the University of the West Indies School of Continuing Studies. He went on to do a Technician's Diploma in Supervisory Management and Leadership at the San Fernando Technical Institute. Mr. Jacob then went on to do a Post Graduate Diploma in Mediation Studies at the University of the West Indies, St. Augustine. He then pursued an LLB, a Bachelor of Laws Degree from the University of London and got Second Class Honours. He went further and achieved a Masters, a Philosophy in Criminology and Criminal Justice System at the University of the West Indies St. Augustine.

Mr. Deputy Speaker, these are his academic qualifications. He has throughout his career quite properly been an exemplar, and he has also done a number of courses, too numerous really to name here today, all aimed at making him a better police officer and a person ideally suited to serve in the Trinidad and Tobago Police Service, and to serve the police service and protect us the citizens of Trinidad and Tobago. Some of the relevant professional training and qualifications he did, not only in Trinidad and Tobago, but also in Belize under the United Nations drugs arm. He also did courses in Jamaica, the United States and the United Kingdom. He has a list of professional societies and other activities in civic, public or international affairs that he has achieved in International Association of Crime Analysis, the Association of Criminologist and Criminal Justice

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Practitioners, the William J. Perry Centre for Hemispheric Defence, Technical Working Groups of the Caribbean Basin Security Initiative, International Working Committee for the Standardization of the Classification of Crime with the UNODC. He is a registered certified mediator with the Judiciary of Trinidad and Tobago, and he has done many other things. He has served in his community of Princes Town in the Lion's Club.

Throughout his career in the police service at the executive level in 2007 he was an Inspector; in 2010 he became an Assistant Superintendent, put in charge of crime; in 2015 he went on to be the Senior Superintendent of Criminal Investigations; in 2016 he became Senior Superintendent in charge of the Port of Spain Division, then in 2016 again he became Senior Superintendent, Northern Division, in 2017 he was appointed Assistant Commissioner of Police since the 2nd of 2020, i.e. February of 2020 to now, he has been an Acting Deputy Commissioner of Police. Mr. Mc Donald Jacob has also acted as Commissioner of Police on a prior occasion.

Mr. Deputy Speaker, it is without hesitation, as the Minister of National Security and a person working closely with the Trinidad and Tobago Police Service, I put forward Mr. Mc Donald Jacob for confirmation as Deputy Commissioner of Police by this Parliament here today, the House of Representatives, and I would like to now just speak a little bit about my experience of the gentleman. I first met Mr. Mc Donald Jacob in or around 2015 when he was then in charge of the Port of Spain Division and chairing an outreach programme in Port of Spain in the Boissiere Village of Port of Spain North/St. Ann's West. My next interaction with Mr. Jacob professionally was then as a Minister, when one Sunday—and I believe if I am right in my recollection, Mr. Deputy Speaker—it may actually have been in your constituency of Tunapuna, there was an

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unfortunate incident on a Sunday morning where gunmen ran into a churchyard and persons—it was either in Tunapuna or in St. Joseph, and the persons who were worshiping had to take cover in the churchyard. I then reached out to Mr. Jacob who was then in charge of the Northern Division, and within a matter of minutes, with the utmost professionalism, Mr. Jacob got the police officers to the church, secured the church, everyone was kept safe, and later on, I believe, they apprehended the person who was under threat and those who were threaten him with the firearm. Mr. Jacob continues to rise in the police service at every occasion that he has been called upon to do yeoman service he has done it.

One of the recent matters that Mr. Jacob has spearheaded that the population may have heard me speaking about recently is ballistics and the building out of an intelligence database with respect to ballistics. Mr. Jacob came to me a couple of years ago with an idea and a proposal to clear the backlog with respect of ballistics and forensics issues with ballistics. He then took the bull by the horns, with the support of the Commissioner of Police, and in a very short order we got a Ballistics Recovery Unit for the police service. We engaged the UN as well as the UK. We got specialists' expert advice and training, and I am proud to say that Mr. Jacob led that whole charge, and today the police service is much better off, in not only ballistics recovery, but building out an intelligence databases.

Mr. Jacob has performed excellently as an Acting Deputy Commissioner of Police. Within recent times he spearheaded the investigation into the Drug Sou Sou, and he has also done a number of other leadership—taken leadership of a number of other investigations that are currently attracting attention. He came into commendation recently by the National Crime Agency when I was dealing with them, as well as other foreign police officers who made it their duty to inform me that in their workings with Mr. Jacob, completely unsolicited by me, that they were

very pleased, and he was top of the batch and an exemplar of what a police officer should be. Mr. Jacob has also spearheaded a number of other initiatives. When he was the Divisional Commander in the Port of Spain Division, he conceptualized the unified crime control approach which identified a collaboration among several agencies and departments using the port authority police, the municipal police, the CID department patrol teams, IATF, operating in the Port of Spain Division, and took on several special projects which managed to bring down the murder rate in the Port of Spain division from 2012 where it was 104 to 2018 where it was 67.

I can say without fear of contradiction, in my interactions with Mr. Jacob as a member and a senior member of the Trinidad and Tobago Police Service, our country will be well served by confirming him here today as a Deputy Commissioner of Police, and with those few words I would like to ask my colleagues to support this, and for us all to unanimously here today go ahead to confirm as a permanent Deputy Commissioner of Police, this career officer, Mr. Mc Donald Jacob.

Mr. Deputy Speaker, I beg to move. [*Desk thumping*]

Question proposed.

Mr. Deputy Speaker: No other Members joining the—okay, right.

The Minister of National Security and Minister in the Office of the Prime Minister (Hon. Stuart Young): So, Mr. Deputy Speaker, there being one sole mover of the Motion and one sole speaker on behalf of the Government on this Motion, I beg to move. [*Desk thumping*]

Question put and agreed to.

Resolved:

That the Notification of the President of the nomination by the Police Service Commission of Mr. Mc Donald Jacob to the office of Deputy

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Commissioner of Police be approved.

Mr. Deputy Speaker: Leader of the House.

ADJOURNMENT

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

Thank you very kindly, Mr. Deputy Speaker. Mr. Deputy Speaker, I beg to move that this House do now adjourn to a date to be fixed.

Mr. Deputy Speaker: Hon. Members, there is one matter that qualifies to be raised on the Motion for the Adjournment of the House. However, given the absence of Members, the Motion for the Adjournment of the House on the Order Paper will be deferred.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 3.32 p.m.