

SENATE*Tuesday, March 17, 2015*

The Senate met at 1.30 p.m.

PRAYERS[MADAM PRESIDENT *in the Chair*]**LEAVE OF ABSENCE**

Madam President: Hon. Senators, I have granted leave of absence to Sen. H. R. Ian Roach who is ill.

SENATOR'S APPOINTMENT

Madam President: Hon. Senators, I have received the following correspondence from His Excellency the President, Anthony Thomas Aquinas Carmona O.R.T.T, S.C.:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS
AQUINAS CARMONA, O.R.T.T., S.C.,
President and Commander-in-Chief of the
Armed Forces of the Republic of Trinidad
and Tobago.

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.
President.

TO: DR. KRIYAAN SINGH

WHEREAS Senator Hugh Russell Ian Roach is incapable of performing his duties as a Senator by reason of his illness:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS

CARMONA, President as aforesaid, in exercise of the power vested in

UNREVISED

me by section 44(1)(b) and section 44(4)(c) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, Dr. Kriyaan Singh, to be temporarily a member of the Senate, with effect from 17th March, 2015 and continuing during the absence by reason of illness of Senator Hugh Russell Ian Roach.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 16th day of March, 2015."

OATH OF ALLEGIANCE

Senator Dr. Kriyaan Singh took and subscribed the Oath of Allegiance as required by law.

TRIBUTES

(DR. ALLOY LEQUAY)

Madam President: Hon. Senators, as you are aware, former Senator Dr. Alloy Lequay passed away on 15th March this year. Tributes would be paid to him later in today's proceedings.

VISITORS

(CANADIAN PARLIAMENTARY DELEGATION)

Madam President: Hon. Senators, I also wish to announce that we have the honour and the privilege of welcoming the parliamentary delegation from Canada who are sitting with us in the persons of Sen. Leo Housakos, Speaker Pro Tempe; Sen. Anne Cools; Sen. Pana Merchant; Sen. Grant

Mitchell; Sen. Betty Unga; Sen. David Wells; and Miss Marie-Eve Belzile.

Welcome to our Parliament. [*Desk thumping*]

PAPERS LAID

1. Third Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sangre Grande Civic Centre for the year ended December 31, 1978. [*The Minister of Finance and the Economy (Sen. The Hon. Larry Howai)*]
2. Third Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sangre Grande Civic Centre for the year ended December 31, 1979. [*Sen. The Hon. L. Howai*]
3. Third Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sangre Grande Civic Centre for the year ended December 31, 1980. [*Sen. The Hon. L. Howai*]
4. Third Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sangre Grande Civic Centre for the year ended December 31, 1981. [*Sen. The Hon. L. Howai*]
5. Third Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sangre Grande Civic Centre for the year ended December 31, 1982. [*Sen. The Hon. L. Howai*]
6. Third Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sangre Grande Civic

7. Centre for the year ended December 31, 1983. [*Sen. The Hon. L. Howai*]
8. Third Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sangre Grande Civic Centre for the year ended December 31, 1984. [*Sen. The Hon. L. Howai*]
9. Third Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sangre Grande Civic Centre for the year ended December 31, 1985. [*Sen. The Hon. L. Howai*]
10. Third Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sangre Grande Civic Centre for the year ended December 31, 1986. [*Sen. The Hon. L. Howai*]
11. Third Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sangre Grande Civic Centre for the year ended December 31, 1987. [*Sen. The Hon. L. Howai*]
12. Annual Report of the Equal Opportunity Commission for the year 2010. [*The Attorney General (Sen. The Hon. Garvin Nicholas)*]
13. Annual Report of the Equal Opportunity Commission for the year 2011. [*Sen. The Hon. G. Nicholas*]
14. Annual Report of the Equal Opportunity Commission for the year 2012. [*Sen. The Hon. G. Nicholas*]
15. Annual Report of the Equal Opportunity Commission for the year 2013. [*Sen. The Hon. G. Nicholas*]

16. Trinidad and Tobago Housing Development Corporation (Vesting) (Amendment to the First Schedule) Order, 2015. [*The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh)*]
17. Trinidad and Tobago Housing Development Corporation (Vesting) (Amendment to the First Schedule) (No. 2) Order, 2015. [*Hon. Dr. R. Moonilal*]

JOINT SELECT COMMITTEE REPORT

(Presentation)

Ministries, Statutory Authorities and State Enterprises (Group 2)

(Port Authority of Trinidad and Tobago)

Sen. Dr. Victor Wheeler: Madam President, I have the honour to present the following report:

The Nineteenth Report of the Joint Select committee on Ministries (Group 2), and on the Statutory Authorities and State Enterprises falling under their purview on the Administration and Operations of the Port Authority of Trinidad and Tobago (PATT).

ORAL ANSWERS TO QUESTIONS

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Thank you very much, Madam President. Madam President, as is the practice of the Senate, I see that my colleague, the hon. Minister of Health, is here. So we are in a position to answer Questions 65, 16, 32, 35, 43 and 62. We seek a deferral for two weeks of the other questions.

The following questions stood on the Order Paper in the name of Sen. Camille Robinson-Regis:

“New Flying Squad”**(Status of)**

23. Would the hon. Minister of National Security provide the status of the investigation into the re-establishment of a “New Flying Squad”?

Ministry of National Security**(Cost of Advertisements and Public Relations Campaigns)**

27. Could the hon. Minister of National Security provide the Senate with the cost of advertisements and public relations campaigns conducted by the Ministry of National Security in the Media for the period January 2011 to November 2014?

Ministry of Housing and Urban Development**(Cost of Advertisements and Public Relations Campaigns)**

39. Could the hon. Minister of Housing and Urban Development provide the Senate with the cost of advertisements and public relations campaigns conducted by the Ministry of Housing and Urban Development in the Media for the period January 2011 to November 2014?

Office of the Prime Minister**(Cost of Advertisements and Public Relations Campaigns)**

40. Could the hon. Prime Minister provide the Senate with the cost of advertisements and public relations campaigns conducted by the Office of the Prime Minister in the Media for the period January 2011 to November 2014?

Ministry of Foreign Affairs**(Cost of Advertisements and Public Relations Campaigns)**

- 41.** Could the hon. Minister of Foreign Affairs provide the Senate with the cost of advertisements and public relations campaigns conducted by the Ministry of Foreign Affairs in the Media for the period January 2011 to November 2014?

**Ministry of Labour and Small
and Micro Enterprise Development**

(Cost of Advertisements and Public Relations Campaigns)

- 42.** Could the hon. Minister of Labour and Small and Micro Enterprise Development provide the Senate with the cost of advertisements and public relations campaigns conducted by the Ministry of Labour and Small and Micro Enterprise Development in the Media for the period January 2011 to November 2014?

Questions, by leave, deferred.

Scarborough General Hospital CathLab

(Details of)

- 65. Sen. Dr. Victor Wheeler** asked the hon. Minister of Health:
- With respect to the new Cardiac Catheterisation Laboratory (CathLab) under construction at the Scarborough General Hospital could the Minister of Health state:
- i. the expected completion date of this construction
 - ii. the expected date of commissioning and the start of Cardiac CathLab services at the Scarborough General Hospital;
 - iii. whether a cardiologist has been selected to direct the Cardiac CathLab Programme at the Scarborough General Hospital;

- iv. whether there is a plan to partner with a Cardiac CathLab and Cardiothoracic Surgery Programme in Trinidad to initiate these services;
- v. whether there is a plan to train a Scarborough General Hospital team to operate the Cardiac CathLab;
- vi. if there is a plan to train the staff, could you state where this training will be taking place; and
- vii. if it is the intention for the Cardiac CathLab to be internationally accredited and if so, what type of accreditation is being sought?

The Minister of Health (Hon. Dr. Fuad Khan): Thank you, Madam President. Before I start answering, could I just first congratulate you on your elevation to the Office of President of the Senate? It is my first time in the Senate since your elevation and I would like to congratulate you officially. [*Desk thumping*]

Also, I would like to take this opportunity to welcome the Canadian delegation who I had the pleasure of having hosted for lunch in the tea room and I found out, on an aside, that in the Canadian Parliament a Minister from a Lower House could not enter the Senate. Well, I am very glad that our system allows that so that we could discuss, Dr. Wheeler and myself, on the medical aspects of it.

The other thing, Madam President, when I walked into the Senate I was a bit confused because I wondered if Sen. Faris Al-Rawi had morphed or was it disguised when I looked across the Chamber. I realized after last night he would be coming here in a different disguise. [*Desk thumping*] I realize that he has, being here, Madam President. Well, I was just

wondering because I saw his nametag there and he is looking a little bit different. After the hon. Prime Minister's wonderful speech last night, I was wondering if he had decided to come in disguise. But that is an aside.

Okay, first let me say that times have changed in Trinidad and Tobago. I would tell you why because it relates to this question. Of course, it has. In 2010, the people of Tobago were crying out for a hospital. They were crying out for a hospital. They were put in a very old dilapidated building and the hospital of Tobago was not finished, was incomplete. When I looked at the question here today I realized that times have changed. Not only has the People's Partnership been able to deliver the hospital to Tobago, commission the hospital in Tobago—[*Desk thumping*—]—move from the old hospital to the new hospital, which they are enjoying quite well, as they say “medical tourism”.

Now this question is asked about the CathLab, the Cardiac Catheterisation Lab, and I would like to put in, Dr. Wheeler, the MRI, which is located next to the lab because Tobago did not have an MRI or a CathLab. When I visited the hospital I realized that was a necessity. This CathLab and MRI have been built for the last eight months and I hope to deliver it to the people of Tobago at the end of this month, March 31, both the Catheterisation lab, as well as the MRI. [*Desk thumping*]

Also, may I add it is on the cards for an endoscopic suite and an endoscopic centre for the people of Tobago which would be added on to the CathLab and MRI. I do hope that comes to fruition. The expected date of commission and start of the CathLab services at Scarborough, we do hope that one month from the construction handover, which is the end of this month, we would be able to commission the CathLab as well as the MRI.

The other thing: whether a cardiologist has been selected? That is not the purview of the Minister of Health, based on the legislation. However, we are willing to help the Tobago Regional Health Authority should they so desire.

Whether there is a plan to partner with the CathLab and Cardiothoracic Surgery Programme in Trinidad? We would like to do that but, as the Minister of Health, I would approach the Secretary for Health at the Tobago Regional Authority to do that, for our experience in Trinidad and Tobago, but, as you are aware, the Regional Health Authority Act indicates that the Tobago House of Assembly is responsible for TRHA.

The other question: whether there is a plan to train Scarborough General Hospital team to operate the Cardiac CathLab? We have done that. In 2014 we sent a team to Johns Hopkins in Baltimore to train for the commissioning of that CathLab.

Part (v) has been answered in part (iv) and part (vi) has asked: whether the CathLab would be internationally accredited?

1.45 p.m.

Madam President, the Ministry of Health has begun the implementation of accreditation standards for all regional health authorities, and it is according to the Qmentum standard, the quality momentum, which is Qmentum. This Qmentum International Accreditation Programme, is based on the highly regarded Canadian health system quality model. It has been developed through extensive research and experience. We do have a team from Canada developing the accreditation standards, for all regional health authorities, the programmes, as well as the infrastructure and the building.

Thank you, Madam President. [*Desk thumping*]

Sen. Dr. Wheeler: Supplemental. Thank you, Minister. Could you say if the Tobago House of Assembly has approached you for assistance in the provision of a cardiologist for Tobago, or to provide assistance in the setting up of the services, or have you formally offered your services to them? The reason I am asking that, is that I would not like the CathLab to be built, ready for use, and there is a delay before it is actually operational. Thanks.

Hon. Dr. F. Khan: Thank you, Sen. Dr. Wheeler. We have been in discussions with the Secretary for Health, Mrs. Groom-Duke, about the development of the CathLab and the MRI. She has asked that we look as a team, whether we could get a cardiologist resident in Tobago. We are looking at it, but at the end of the day, it will be a cardiologist that will be hired by the Tobago Regional Health Authority. So, the Ministry of Health, we are always in discussion with the Secretary for Health, so that ongoing process is being done.

Housing Development Corporation

(Details of Houses)

16. Sen. Camille Robinson-Regis asked the hon. Minister of Housing and Urban Development:

With respect to the Housing Development Corporation (HDC), could the Minister inform this Senate of:

- (a) the number of houses constructed throughout Trinidad and Tobago for the period May 2010 to August 2014;
- (b) the specific number of houses constructed in each Housing Development; and
- (c) the total cost to build and outfit these houses?

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Thank you very much, Madam President, between May 2010 to August 2014, the HDC achieved substantial completion of 6,999 housing units. Construction of some of these units would have commenced prior to 2010. Information on the specific number of houses constructed in each housing development, is as follows:

Sites	Total 2010- 2014	201 0	2011	2012	2013	2014
Beetham, Port of Spain	6			6		
Beverly Hills, Port of Spain	36		36			
Cleaver Heights, Arima	136		136			
Clifton Street, East Port of Spain	78		78			
Corinth Hills, San Fernando (Pace)	224			224		
Corinth Hills, San Fernando (Rainbow)	279		60	105	114	
Corinth Hills, San Fernando (Trinity)	233		80	153		
East Grove, Apartments	180			114	66	
East Grove, Single Family Units	55			18	37	
Edinburgh Close	35		35			
Edinburgh 500 South (Carillion)	611		202	245	164	

Sites	Total 2010- 2014	2010	2011	2012	2013	2014
Edinburgh 500 South (H. Lewis)	264		172	92		
El Guayanapo, Rio Claro	16		9	7		
Lionsgate, Enterprise, Chaguanas	231		71	60	100	
Exchange, Couva (Housing)	227			139	88	
Glenroy, Princes Town	130		90	40		
Golconda II	196		140	56		
Gomez Trace, Moruga	97		40	57		
Hubertstown, Guapo	50			50		
Malabar Phase 3, Site 1	48			48		
Malabar Phase 3, Site 1	44			44		
Maracas St. Joseph	41			41		
Oropune, Site 1	128			64	64	
Oropune, Site 2	354		192	162		
Oropune, Site 3	426		248	106	72	
Retrench	202		202			
Mora Heights	132					132
Wellington Road, Debe	280			200	80	
Infill	29		10	19		
Carlsen Field 3C	185					185
Greenvale Park, Phase 1	194					194

Greenvale Park, Phase 2	191					191
Greenvale Park, Phase 3	240				64	176
La Fortune, Point Fortin	200					200
Cypress Hills, Union Hall	519				88	431
Egypt Village, Enterprise	386					386
Fairfield, Princes Town	170					170
Hubertstown 2	10					10
Beetham 2	12				12	
Exchange Phase 5 (116 incomplete, 72 new)	116					116
Glenroy	8					8

Sen. The Hon. G. Singh: 8 completed in 2016. With respect to Exchange Phase 5, 116 in 2014. Total—[*Interruption*]

Sen. Robinson-Regis: Sorry, Minister. Did you say 2016?

Sen. The Hon. G. Singh: 2014, 116; 2014.

Sites	Total 2010- 2014	201 0	201 1	201 2	201 3	201 4
TOTAL	6,999	0	1,801	2,050	949	2,199

Sen. The Hon. G. Singh: The total cost to build and outfit these houses was, \$2,268,756,381.57.

Sen. Robinson-Regis: Supplemental, Madam President. Minister, would you be able to indicate how many of these houses were incomplete, and you had to just complete them? Or how many of the houses were just houses that you put the finishing touches on? Would you be able to indicate that?

Sen. The Hon. G. Singh: Madam President, thank you. I would not be in a position to indicate that, but what the answer does, in fact say is that there were some houses that began construction prior to their completion.

Sen. Robinson-Regis: Minister, would you be able to indicate whether you listed the Victoria Keys and the houses at Trestrail Lands in Arima?

Sen. The Hon. G. Singh: Based on the information provided to me, the Trestrail is not here, nor is the Victoria Keys here.

Sen. Robinson-Regis: Minister, would you be able to indicate how many of these were delivered when they were complete, because you said some were completed in 2011/2012/2013? Would you be able to indicate how many were delivered?

Sen. The Hon. G. Singh: Well, certainly 6,999 were completed, and there is a phased process of delivery, but if it is necessary and a question posed, we can indicate how many were delivered, and over what period, and too, I guess, the recipients.

Sen. Al-Rawi: Further supplemental. Thank you, Madam President. Hon. Minister, thank you for the responses on behalf of the Minister of Housing and Urban Development. May I enquire with respect to your answer to the learned Sen. Robinson-Regis, with respect to Victoria Keys and Trestrail Lands, hon. Minister, could you square away the answer provided against the Minister's statement in the public domain that 1,057 homes at Trestrail Lands are to be given out?

Sen. The Hon. G. Singh: Madam President, an answer to that question can be provided. I certainly am not aware of the content of that newspaper report, but certainly, I can provide that answer subsequently.

Sen. Al-Rawi: Thank you, hon. Minister. With respect to the project at

Victoria Keys,— again, long announced and covered in the public domain, —is the hon. Minister aware as to why the project at Victoria Keys since completed in 2011, has not been included on that list of the 6,000-odd homes?

Sen. The Hon. G. Singh: Madam President, I do not want to speculate on an answer if, in fact, what the hon. Senator says, is so. Certainly, if a question is posed, we will be able to provide that answer.

Sen. Al-Rawi: Thank you, hon. Minister. Final further supplemental, perhaps? Hon. Minister, with respect to construction, the figure of some \$2.26 billion, was that the figure for construction in total over the period 2010—2014, and including the original contract dates for those projects prior to 2010? In other words, hon. Minister, having stated that most of these are continuation projects, was that total sum of \$2.2 billion, the total cost for contracts prior and those subsequent to 2010?

Sen. The Hon. G. Singh: Just merely to correct—Madam President, thank you. Just merely to correct the hon. Senator, I did not say that most of these were continuation projects. I said some of these houses, construction had begun in 2010.

Secondly, the answer provided indicated that the cost of building the 6,999, was \$2,268,756,300 plus dollars, and that would be to build and outfit these houses. As to the period prior, I cannot say, perhaps the hon. Member will be in a better position being a former member of HDC, to indicate that, but I am certainly not in possession of that information. It is something that I can provide.

Sen. Al-Rawi: Thank you, hon. Minister. Further supplemental, clearly not the last, the penultimate, so forgive me, arising out of your answer. Hon.

Minister, I thank you for the clarification. Hon. Minister, yes, it is correct that I was a member of the HDC, and that the vast majority of these projects listed were all commenced prior to 2010. Hon. Minister, are you in a position, perhaps I missed the answer, maybe you just wish to refresh it. Are you in a position to tell us what percentage of these several projects listed, which I am aware were projects commenced prior to 2010, what percentage of them were continuation works post-2010? In other words then, fresh projects commenced by the current Government.

Sen. The Hon. G. Singh: Madam President, certainly that is a question that I do not have the data to provide, but certainly that is data that is easily available, and we can provide that.

Sen. Al-Rawi: Thank you.

Ministry of Justice

(Cost of Advertisements and Public Relations Campaigns)

32. Sen. Camille Robinson-Regis asked the hon. Minister of Justice:

Could the Minister provide the Senate with the cost of advertisements and public relations campaigns conducted by the Ministry of Justice in the Media for the period January 2011 to November 2014?

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Madam President, thank you. Allocations for promotions—
[*Interruption*]

Sen. Robinson-Regis: Who is the Minister of Justice, again?

Sen. The Hon. G. Singh: The Minister of Justice/Legal Affairs is Minister Prakash Ramadhar, who is engaged in his constituency work.

Sen. Robinson-Regis: Constituency work?

2.00 p.m.

Sen. The Hon. G. Singh: Allocations for promotions, publicity and printing are provided for under Vote 62 in the annual estimates of expenditure. For the period 2010 to 2014, the Ministry of Justice received the following allocations for promotions, publicity and printing: the sum of one and a half million dollars was allocated, and \$1,433,633.80 was expended. This represented 95.5 per cent of the annual allocation.

Madam President, in fiscal 2010/2011, the Ministry of Justice concentrated on highlighting the mandate of this newly established Ministry via a booklet delivered through postal mail to households nationwide. The Ministry also concentrated on filling vacancies and, consequently, recruitment advertising comprised much of the spend conducted during that fiscal year.

For the fiscal year 2011/2012, a sum of \$2 million was allocated of which \$1,344,867.57 was spent. This represented 67.24 per cent of the allocation.

In 2012/2013, the Ministry of Justice was allocated \$1,673,000 for promotions, publicity and publishing. The Ministry expended a total of \$1,701,000 which was \$28,000 above the budgeted allocation.

Hon. Members would recall that 2012/2013 would have been the first year of implementation of legislation that would have significant impact on the administration of criminal justice in Trinidad and Tobago, namely the removal of the system of preliminary enquiries and the establishment of a duty counsel scheme. Public sensitization campaigns were prepared to ensure that the members of the public and stakeholders would have been adequately equipped for the anticipated changes in the system. Madam President, these campaigns, though prepared, were never executed owing to

the change in policy and administrative arrangements.

The Ministry of Justice also conducted a roles and function campaign in a bid to educate members of the public on the mandate of the Ministry and the services offered by its statutory bodies, namely the Legal Aid and Advisory Authority and the Criminal Injuries Compensation Board.

In fiscal 2013, the Ministry also hosted a youth justice symposium which brought together local and international practitioners and stakeholders in a bid to develop a youth justice policy to inform how juveniles in conflict with the law, and young persons needing the care and the protection of the State, are served. The Ministry developed a campaign to encourage the widest possible participation in the policy development process. The Ministry also embarked on a number of community outreach initiatives via exhibits at conferences and seminars, as well as in rural communities across Trinidad and Tobago.

For fiscal year 2013/2014, a sum of \$1,584,000 was allocated. Some \$1,139,000 or 71.88 per cent of the allocation was expended. For the period October 2014 to November 2014, for the first two months of fiscal 2014/2015, the Ministry of Justice expended \$78,130 for promotions, publicity and printing. Portions of that expenditure represented newspaper and online advertisements related to recruitment of staff. As at November 30, 2014, a total of \$326,283 was committed to spending but not fully disbursed.

Madam President, restorative justice week was observed in October 2014. Most of the sums expended went towards a series of newspaper publications on restorative justice.

Sen. Robinson-Regis: Supplemental please, Madam President. Thank you.

Minister, again, the figures are different, and I really eagerly await the Minister of Finance and the Economy coming forward with the information that he has promised. Minister, I would like to know, in circumstances where you said in 2012/2013 there was a change in policy and money had already been expended on, I guess, advertisements and promotions and so on: would you be able to say how long before the change in policy these moneys had been expended?—because I would assume that the policy would not have changed overnight and this percentage represents a year of expenditure. So, are you able to say?

Sen. The Hon. G. Singh: Thank you, Madam President. Madam President, I am not in a position to indicate that because it deals with the detailed operations of the Ministry; however, I am certain that the Minister will be able to provide that answer. But from my general knowledge of how these things operate, you would take some time, you would have the concept, you would have the work done for the design and the artwork and so on, and then if there is a policy change whether by legislation or otherwise, then you would have a gap in the system, but you would have expended some moneys.

Sen. Robinson-Regis: Minister, would you be able to indicate with regard to the youth justice programme what effect the advertisements and promotions had? Are you capable of doing that, especially since it is not your Ministry?

Sen. The Hon. G. Singh: Well, the Minister understands the position that I am in—that certainly it is the line Minister—and I am certain that he is aware of what is happening as his staff is here; so that, therefore, he can provide that necessary detail with respect to the restorative justice issue that

came by in justice week.

Sen. Al-Rawi: Further supplemental. Hon. Minister, thank you. I appreciate that you are substituting for the line Minister, and I thank you for your cooperation. Hon. Minister, do we have your undertaking that the Minister of Finance and the Economy would deal with the reconciliation of figures appearing under this Ministry, Head 58, with respect to Item 62, as there is an obvious disparity between the published actual figures for this heading and the figures stated in the Parliament?

Sen. Howai: Could I?

Sen. Robinson-Regis: The last time you did that, you had some trouble, you know.

Sen. Howai: Okay, well I would try not to do it too often. [*Laughter*] Some work, Madam President, has been done on the matter. In doing the reconciliation, what we realized is that included under this heading are a number of other areas of expenditure which were not picked up by some of the Ministries, for example, things like application forms, internal published reports, business cards, the state enterprise manuals and some printing of calendars. So there were some things which were not picked up. They have not completed the full reconciliation, but I thought that I would share with Senators that the work had started.

They have given me a list of details of all of the expenditure for each of the years, from 2011 to 2015. What they are doing is, they are in the process of reconciling, but they had identified to me that there were a number of areas which are included under the heading of promotions, publicity and printing, but some Ministries would have extracted just the areas relating to advertising and promotions. Even in there, as we started to go through, we

realized that some Ministries interpreted promotions differently. For example, the giving-out of pens and bags and so on, which were interpreted as promotions in one Ministry and not in another. So we are still in the process of trying to sort that out so that everyone would use a consistent reporting arrangement, but the exercise is not completed.

Sen. Al-Rawi: Further supplemental. Thank you hon. Minister of Finance and the Economy, through you, Madam President, for that useful clarification. If I may enquire: what is meant by “picked up”? Is it that the actual expenditure that appears in the budget which is a higher expenditure than that given in answer to these questions over the last two weeks; is it that the higher amount of expenditure is correct or incorrect?

Sen. Howai: Well, the figure is correct in the sense that that is the total that was picked up under promotions, publicity and printing, but this figure is a total figure including all of those, but the advertising figure and the promotions figure are lower than what is here because they would have excluded some of these expenses, as I said, such as the printing of the state enterprise manual and internally published reports and so on. So the reports tend to be—the amount reported by the Ministers tend to be less than is actually shown here.

Sen. Al-Rawi: Thank you. And for clarity—thank you again, hon. Minister. Hon. Minister, the position that we are faced with is somewhat worrying, and that is that answers that come to the Parliament may be at variance because of a lack of a policy prescription as to the full extent of inclusion of items. Is it that the Ministry of Finance and the Economy is now going to supervise for the first time, the rubric by which Ministries are guided in answering these questions so that there is, therefore, proper

reconciliation between the published stated actual accounts of Trinidad and Tobago as against the answers given now?

Sen. Howai: Madam President, I think we are going back into what happened the last time, but there is no issue of Ministries not understanding what falls under the different headings. The question that had been asked appears to be a subset of the total expenditure that is captured under this heading. So what is happening is that the total that is captured under this heading has a figure that is higher than the question that was asked, because the question does not deal necessarily with printing, for example, and that is the reason. So that different Ministries then had to go through and pick up a subset of the total.

Sen. Al-Rawi: Okay. Thank you for the very useful answer. Further supplemental, Madam President.

Madam President: Senator.**Sen. Al-Rawi:** I am sorry. Oh, there is someone else?

Madam President: Sen. Mahabir.

Sen. Dr. Mahabir: Further supplemental to the hon. Minister of Finance and the Economy. Minister of Finance and the Economy, at the beginning of the fiscal year, you present to the Parliament the Appropriation Bill which outlines the sums allocated to each Ministry. It is an intention and it is ex ante. At the end of the year, the Ministry concerned would have spent—either they would have spent more or they would have spent less. Does the Ministry of Finance and the Economy require each and every Ministry at the end of the fiscal year to submit to the Ministry of Finance and the Economy its accounts so that you would know if there is a difference between the amount allocated in September and the amounts actually spent by the

September afterwards? Do you do that on an annual basis?

Sen. Howai: Yeah. Madam President, yes. The answer to that is yes, and that information is audited first by the Auditor General, and then it is included in the numbers that are presented to the Parliament at the end of the fiscal year when we do the appropriation.

Sen. Al-Rawi: Further supplemental, Madam President, to the hon. Leader of Government Business in substitution for the Minister of Justice. Hon. Leader of Government Business, would you please clarify, arising out of your answer with respect to the expenditure of several million dollars for the policy that was not implemented with respect to the Preliminary Enquiries Act, is it that the policy that was not implemented, is that the section 34 repeal policy that we are talking about, hon. Minister, just for clarity?

Sen. The Hon. G. Singh: Madam President, I think that based on what is presented here by the Ministry of Justice, I think that there was some measure of a public sensitization campaign that was prepared, and that therefore I am not in a position to indicate the detail exactly what is anticipated in that campaign but, certainly, I can provide that answer.

Madam President: Question No. 35 by Sen. Camille Robinson-Regis.

Sen. Robinson-Regis: Thank you very much, Madam President. It looks as though we have to work obeh to get these correct answers—[*Laughter and crosstalk*]*—*obeah or something.

Ministry of Energy and Energy Affairs

(Cost of Advertisements and Public Relations Campaigns)

35. Sen. Camille Robinson-Regis asked the hon. Minister of Energy and Energy Affairs:

Could the Minister provide the Senate with the cost of advertisements and public relations campaigns conducted by the Ministry of Energy and Energy Affairs in the media for the period January 2011 to November 2014?

The Minister of Energy and Energy and Affairs (Sen. The Hon. Kevin Ramnarine): Thank you very much, Madam President. The cost of advertisements and public relations conducted by the Ministry of Energy and Energy Affairs for the period January 2011 to November 2014 was \$8,696,576.46. That concludes the answer to the question, Madam President.

Sen. Robinson-Regis: Supplemental please, Madam President. Madam President, again, just at a glance at the figures that we have here, the amount is approximately \$16 million—the information that we have is approximately just over \$16 million rather than \$8 million, and we also note that for 2015 it has gone up from \$16 million to \$22 million. That is the information that we have. Again, Madam President, we are very concerned about this apparent discrepancy between the information that we have taken from the documents that were provided and the information that the Ministers are giving to the Parliament today.

2.15 p.m.

The budget documents, again, have a certain—well, we thought that the budget documents were accurate, but, apparently, there is some major problem between the information that is in the budget documents and in the information that is being given to us by the Ministers. Madam President, again, I register my deep concern regarding this situation, and I find it very disturbing that, on each occasion, the Ministers are giving us different

answers from what is in the budget documents. [*Desk thumping*]

Madam President: Hon. Senators, the time for questions has expired. I therefore wish to ask if the Leader of Government Business would like to continue with the two questions still remaining, as indicated to be answered today.

Sen. Robinson-Regis: Madam President, the two questions that are remaining, one is Question No. 43 and Question No. 62. Madam President, we will ask Question No. 62—well, 43, I am going to ask for it to be deferred, given the fact that we keep getting different information. But, Madam President, as I am on my legs—[*Interruption*] Sorry?

Sen. Lambert: If it is prepared, how could you ask for it to be deferred?

Sen. Robinson-Regis: You can.

Madam President, as I am on my legs, I just want to enquire of the Leader of Government Business regarding the other questions that have been deferred now. Question No. 23, for instance, has been deferred for over a period of seven weeks and Question No. 27, five weeks, and we still have no answers to the written questions. So, I am just concerned about that.

Madam President: Leader of Government Business.

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Yeah. Thank you. First, I want to indicate that we are prepared to answer question 43, but the hon.—[*Interruption*]

Sen. Robinson-Regis: Bring it, you could answer it.

Sen. The Hon. G. Singh: Yeah, let us get it over—let us get it over and get it out of the Order Paper. With respect to Questions 23 and 27, the hon. Minister of National Security is overseas on government business and we felt that it would be prudent for him to answer those questions when he

returns during the course of this week.

Sen. Robinson-Regis: Who is that again?

Sen. The Hon. G. Singh: Brig. Gen. Carlton Alfonso is currently out of the country on official business. So that, therefore, we are in a position to answer those questions but we felt it would be prudent for him to be here.

Sen. Robinson-Regis: All right. Sure.

Sen. The Hon. G. Singh: So, Question 43, I am prepared to answer, Madam President.

Ministry of Legal Affairs

(Cost of Advertisements and Public Relations Campaigns)

43. Sen. Camille Robinson-Regis asked the hon. Minister of Legal Affairs:

Could the Minister provide the Senate with the cost of advertisements and public relations campaigns conducted by the Ministry of Legal Affairs in the media for the period January 2011 to November 2014?

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Well, of course, Madam President, thank you, subject to the usual caveats. [*Laughter*] Madam President, allocations for promotions, publicity and printing are provided for under Vote 62 in the annual Estimates of Expenditure.

For the period 2011 to 2014, the Ministry of Legal Affairs received the following allocations for promotions, publicity and printing: January 2011 to September 2011, the sum of \$1,000,661 was allocated, of which \$1,639,229 was expended. This represented 98.69 per cent of the annual allocation. For fiscal 2011/2012, a sum of \$2,170,000 was allocated. This represented an increased allocation of approximately 30 per cent over the

fiscal year. Of the increased allocation, \$2,023,093, or approximately 93 per cent, was expended.

For fiscal year 2012/2013, the Ministry of Legal Affairs was allocated \$3,492,000 for promotions, publicity and publishing. The Ministry expended a total of \$2,545,012. It is worth noting that by this time many of the Ministry's initiatives to rationalize and transform its services would have begun to materialize. Some of these changes involve a complete revamp of the procedures that would have previously applied. Among them was a system for applying for birth and death certificates, as well as the newly introduced procedure for inserting first names on birth certificates which did not previously have first names. These all required public sensitization. It is worth noting, as well, that notwithstanding the increased allocation, the increase in actual spending over the previous year was moderate.

For fiscal 2013/2014, a sum of \$10,889,500 was allocated. The actual sum expended over the period was \$8,363,977. Madam President, this sum was used, in part, to settle outstanding balances brought forward from the previous year's sensitization campaign. A significant portion was also allocated to promotions, publicity and publishing related to the exercise in constitutional reform, which was carried out that year. The cost associated with constitutional reform was a one-off cost which accounted for the unusually high allocation.

For the period October 2014 to November 2014, the sum expended in fiscal 2014/2015, up to November 30, 2014, is \$95,337.10. However, a total sum of \$596,942 has been committed but not yet paid. This is the answer, Madam President.

Sen. Al-Rawi: Supplemental. Thank you, hon. Minister. Hon. Minister,

the accounts of Trinidad and Tobago, as reflected in the budgetary documents delivered, are in significant variance from the answers given—where, for instance, the hon. Minister speaks to \$10million in allocations for 2014, the accounts of Trinidad and Tobago speak to \$9,200,000 as actual from the budget documents; where the hon. Minister speaks to \$3,400,000, it speaks to, again, an entirely different sum. Hon. Minister, could you please, either by way of undertaking or explanation, do the usual?—which is to give us the commitment of the hon. Minister of Finance and the Economy that the reconciled sum will be delivered to us so that the public may have an explanation as to why the answers given are at such variance to the actual budget figures of Trinidad and Tobago.

Sen. The Hon. G. Singh: Thank you, Madam President. Madam President, in keeping with the assurances given, previously, with respect to questions of this nature, dealing with publicity and advertising and promotions, as indicated by the Minister of Finance and the Economy, he has engaged in an exercise for the reconciliation to fill the gaps that wherever they are to be filled and, therefore, that is an exercise that will be presented to the honourable Senate.

Sen. Robinson-Regis: Madam President, if I may, on behalf of my colleague, Sen. Dr. Lester Henry, he has indicated that he would prefer question No. 62 to be answered next week, and, given the fact that we are already over the time, I would ask the Leader of Government Business to indulge him.

Sen. The Hon. G. Singh: Madam President, we have a very amicable arrangement between the various—the coordinator and the Leader of the Opposition in the House, and, therefore, the Government is prepared to

answer, but if there is the necessity for a deferral, we will defer for one week. [*Crosstalk*]

The following question stood on the Order Paper in the name of Sen. Dr. Lester Henry:

**Government Borrowing
(Total Amount of)**

- 62.** Could the hon. Minister of Finance and the Economy indicate the total amount of government borrowing for the period January 2013 to present?

Question, by leave, deferred.

PRECURSOR CHEMICALS (NO. 2) BILL, 2014

[Third Day]

Order read for resuming adjourned debate on question [December 09 2014]:

That the Bill be now read a second time.

Question again proposed.

Madam President: Those who spoke before on Tuesday, December 09, 2014, Sen. The Hon. Anand Ramlogan SC, mover of the Motion; Sen. Faris Al-Rawi; Sen. Dr. Dhanayshar Mahabir; and those who spoke on Tuesday, January 20, 2015, Sen. The Hon. Ganga Singh; Sen. Shamfa Cudjoe; Sen. Anthony Vieira. Senators wishing to join the debate may do so at this time.

The Minister of Energy and Energy Affairs (Sen. The Hon. Kevin Ramnarine): Thank you very much, Madam President. Madam President, many years ago I had the privilege of meeting the Minister of Energy of the Islamic Republic of Iran, and, in making conversation with him, I told him that Trinidad and Tobago was quite possibly the only country in the western

world to have had a Muslim Head of State, in the person of President Noor Mohamed Hassanali, and with your elevation, Madam President, to the presidency of the Senate, it may well again happen that we will have a Muslim Head of State in Trinidad and Tobago when you act—[*Desk thumping*]
—when the time comes for you to act as President of the Republic of Trinidad and Tobago.

And I say that with great pride, as a citizen of Trinidad and Tobago, that while we have a tremendous amount of conflict and disorder in the world, this country has remained a beacon and a bastion for diversity, [*Desk thumping*] and harmony in diversity. Regardless of our adversarial politics, we have never had major religious or ethnic strife in this country.

I say that, also, to recognize our friends from the Canadian Parliament, and recognize the contribution that that country has made to the development of Trinidad and Tobago. They may or may not know that several of the top high schools in Trinidad and Tobago had as their precursor—and we are talking about precursor chemicals here—had as their precursor, the Canadian Mission. [*Desk thumping*] It was sometime in the 1860s that a Canadian—[*Interruption*]

Sen. Rev. Abdul-Mohan: 1868.

Sen. The Hon. K. Ramnarine: We have in our Chamber a Minister of the cloth from the Presbyterian Church—that a reverend from Nova Scotia came to Trinidad and established the Canadian Mission. That was Rev. John Morton, and he established several schools throughout the country, and those schools are now among the best high schools in Trinidad and Tobago. So we thank the Canadians [*Desk thumping*] for their contribution to the

social and economic fabric of Trinidad and Tobago.

With regard to the Bill that is before us today, I want to admit, of course, that I am stepping out of my area of comfort, which is energy and a bit of economics, and delving into an area that I had to do a lot of research, but it was very interesting, because when you go into new areas it always stretches your imagination and you learn so much more.

The world we live in is an increasingly dangerous place, and there is a recently published book by *Henry Kissinger* called *World Order*, where he talks about disorder in the world and order in the world, and, increasingly, when you look at your television you see that disorder is increasing in the world, and things like the drug trade contribute increasingly to that increasing disorder in the world.

The United Nations has been at the forefront of work to eradicate the drug trade throughout the world, and there is a UN report that I will quote from, shortly—if I could find that UN report—that deals with the whole drug trade. But looking at the global situation, I did some research on the *CIA World Factbook* to understand where we—the *CIA World Factbook* has a section on illicit drugs—to understand where we in the Caribbean reside in terms of the international narco-trade.

Going through this list of countries in the *CIA World Factbook*—I go through the Caribbean countries to give you an idea, to give the Parliament an idea of the role of the Caribbean countries in the international illegal trade in drugs: Anguilla, trans-shipment point; Antigua and Barbuda, considered a minor trans-shipment point; Aruba, trans-shipment point for US and Europe; the Bahamas, trans-shipment point for cocaine and marijuana bound for the

US and Europe; Barbados, not far from here, one of many Caribbean trans-shipment points for narcotics bound for Europe and the US offshore financial centre; Belize, trans-shipment point for cocaine and small-scale cannabis; Dominica, trans-shipment point; Dominican Republic, trans-shipment point; Grenada, lesser trans-shipment point; Guyana, trans-shipment point; Haiti, trans-shipment point for cocaine; and, of course, Trinidad and Tobago—you have to go all the way down to T, to the end of the listing here; Montserrat, trans-shipment point; St. Kitts and Nevis, trans-shipment point. And, of course, when you go to the end of the list, Trinidad and Tobago being, alphabetically, at the back of the list, Trinidad and Tobago, trans-shipment point for South American drugs destined for the US and Europe.

2.30 p.m.

So as I said, the world we live in is increasingly complex and increasingly dangerous. Many years ago there was a time in this country where we did not have a major illegal drug problem. I will go back to the history of the Scott Drug Report in a bit. But what we have increasingly is the emergence of transnational crime, and the same features of globalization that have lent to globalization, the same things that have afforded the free movement of labour, of capital, of technology to flow across borders has also facilitated the drug trade and has facilitated the emergence of things like terrorism and so on around the world.

So the world that we are a part of and Trinidad and Tobago sits at the southern tip of the archipelago, we sit between supply and demand for illegal drugs. The largest producer of cocaine in the world, according to the *CIA*

World Factbook, remains Colombia and that is despite very good efforts by the Government of that country to reduce the production of coca in Colombia. The largest consumer of illegal in the world is the United States. Drugs, according to research, tend to flow towards countries where there is a high per capita income and, of course, North America has one of the highest per capita incomes in the world.

So, Trinidad and Tobago, sitting as it does at the southern tip of the archipelago on the edge of South America sits, therefore, between supply and demand and we have a problem in this country with the fact that the country is used as a transshipment point, according to the *CIA World Factbook*, and the fact that there is also consumption of drugs here in Trinidad and Tobago. That drug trade has, of course, lent to or has been related and obviously related to the crime in Trinidad and Tobago and the increase in crime we have seen in the country over the last 30 years.

But I want to put on record this whole issue of crime. I am looking at some of the data with regard to crime. With respect to the first quarter of this year—that is January to March 2015—and the first quarter is not yet over. We have, I think it is, 14 days left in the month of March. For the first quarter of 2015, thus far we have recorded 71 murders in Trinidad and Tobago; that are murders reported. For the corresponding period in 2014—and that is the full quarter—the number of murders was 101. So there has been a reduction in the murder rate in Trinidad and Tobago by some 30 per cent on quarter, and that must be because of the policies and the strategies that have been adopted [*Desk thumping*] by the Government of the Republic of Trinidad and Tobago.

One of the interesting things, Madam President, about this Bill is the relationship between the Ministry of Energy and Energy Affairs—and Ministry of Energy and Energy Affairs is specifically mentioned the Bill because a tremendous amount of chemicals are produced in Trinidad and Tobago and a tremendous amount of chemicals are used in Trinidad and Tobago. In looking at the remit of the Ministry with regard to regulating the use of chemicals in the oil and gas industry, and with regard to regulating the production of chemicals in the oil and gas industry, we will look at the Schedule attached to the Bill and speak to some of the chemicals that are mentioned there.

In recent years, the Ministry of Energy and Energy Affairs has been very successful in dealing with the entire illegal diesel trade. I thought I would bring—because I have gone on record as saying that there is a link between the trade in illegal diesel and the drug trade. I think that persons in the intelligence agencies, persons in the police service and so on would corroborate what I am saying. So, I want to give some data on the demand for diesel in Trinidad and Tobago from the year 2005 to the year 2014, and this is in millions of litres.

In the year 2005, Trinidad and Tobago consumed 389 million litres of subsidized diesel—subsidized diesel. In 2006, 427; in 2007, 463; in 2008, 528. It is increasing. In 2009, 528; in 2010 which was the year our good friends demitted office, 669 million litres of diesel was sold in Trinidad and Tobago; in the year 2011, following the state of emergency, 587—a significant reduction in the sale of subsidized diesel. In the year 2012, reduction again, 552 million litres of diesel; in the year 2013, reduction

again, 549 million litres of diesel; and in the year 2014, 522 million litres of diesel. The point is that every year since the year 2010 the consumption of subsidized diesel in this economy is on the decline— is on the decline. [*Desk thumping*] That is a direct consequence of the intervention of the Ministry of Energy and Energy Affairs and other Government agencies including the Ministry of National Security, the Customs and Excise and the Coast Guard and so on, to crack down on the illegal diesel racket. I have said that the illegal diesel racket, we were told, our information is directly related to [*Crosstalk*] or connected to the illegal trade in drugs, and both, of course, involve maritime transport.

So, we have had success in terms of reducing the consumption of diesel in Trinidad and Tobago. And people this is not because people are driving less or this is not because there are less cars on the roads in Trinidad and Tobago, this is a direct consequence of the policies and strategies, again, of the Government of Trinidad and Tobago to reduce, to impact on the illegal trade in diesel.

Madam President, for the information for the Parliament, 42 per cent of all the liquid fuels consumed in this country is diesel, and 58 per cent is gasoline, super gasoline and premium gasoline.

Madam President, as I said, the Bill before us is about precursor chemicals and in the actual Bill there is a Schedule of some of the chemicals that fall under the purview of the Bill. Some very complex names are mentioned. We have things like acetic acid. Acetic anhydride—sorry—acetone. I do not know if people know that acetone is actually nail polish remover. [*Crosstalk*] So when you—not that I use any nail polish remover,

Madam President, [*Crosstalk*] things like benzyl chloride, benzyl cyanide, ethylamine and methylamine. All these chemicals I just called here have been highlighted in this document for me because acetic anhydride, acetone, benzyl chloride, benzyl cyanide, ethylamine, methylamine, and toluene can all be synthesised using either ammonia or methanol, and Trinidad and Tobago is the world's largest exporter of ammonia and methanol.

So it may well be that if persons are desirous of setting up some of these labs in Trinidad and Tobago that the precursor to the precursors—but these are precursors—but these precursors also have precursors, that the precursors to the precursors are also abundantly available in Trinidad and Tobago.

As I said, looking at the Bill itself, one of the things that the Bill deals with and in researching this I do not know how many of you all look at television. I do not have much time to look at television, but there is a show called *Breaking Bad* on TV. I do not know if any of the Independents look at TV and see this show called *Breaking Bad*. *Breaking Bad* is a television show about a chemistry teacher who has discovered that he has not long again to live—[*Interruption*]

Sen. Small: Walter White.

Sen. The Hon. K. Ramnarine: What is his name? Walter what?

Sen. Small: Walter White.

Sen. The Hon. K. Ramnarine: Walter White. He does not have long again to live and he wants to provide for his family after he is gone. So he gets involved in the manufacture of something called crystal meth. Now in preparing for this Bill I did quite a lot of research on this thing called crystal

meth.

Hon. Senator: Did you watch the series?

Sen. The Hon. K. Ramnarine: Yeah. I also looked at one of the episodes of *Breaking Bad*. One of the interesting things to note about crystal meth is that whereas cocaine and heroin are natural products—that is they are derivatives of plants, one being the coca plant and one being the opium plant. The coca plant and opium plant are not—the opium poppies—indigenous to Trinidad and Tobago. So therefore, for cocaine and heroin to enter this country they must come via the sea. But for something like crystal meth—crystal meth for an enterprising chemist with some resources could be synthesised here in Trinidad and Tobago using very basic things like cough syrup.

One of the things that is also on this list of precursor chemicals here that are used in the manufacture of things like crystal meth is something called ephedrine—ephedrine, also known as ephedra. Many years ago, I remember that there was a product on the market called Hydroxycut. Anybody remember Hydroxycut?

Hon. Senator: It is still there. It is still there.

Sen. The Hon. K. Ramnarine: Hydroxycut was very popular in gyms around Trinidad with people who wanted—was called a weight loss pill, and Hydroxycut had this ephedrine or ephedra in it.

Shortly after, my research indicates that in the year 2004, the use of ephedrine or ephedra was banned by the USDA, drug enforcement agency, and by the US EPA. That company Hydroxycut still exists, but they have removed this ephedrine or ephedra from that product. I thought that the

reason that they have removed that from the market was because ephedrine or ephedra caused your heart to race, and it had been linked to heart attacks and so on. But that was not the main reason. The main reason that product was removed from the market was that people were using that product to extract the ephedrine and the ephedra to manufacture crystal meth in the United States. It was a product that was actually very popular here in Trinidad and Tobago.

In terms of some of the chemistry, the Royal Society of Chemistry, they had a very interesting article on the Internet. They talk about when we fall in love—something which I hope many of you all have experienced.

Sen. G. Singh: Tell us about it. [*Laughter*]

Sen. The Hon. K. Ramnarine: When we fall in love. According to the Royal Society of Chemistry, when we fall in love our brain is taught to produce something called 2-phenylethylamine, also known in the underground world as P2P—that is a mood enhancing molecule. There is a fair bit of that phenylethylamine in chocolate.

Hon. Senator: I could sell?

Sen. The Hon. K. Ramnarine: But when you eat the chocolate, your liver, the enzymes in your liver and body and so on would synthesise the chocolate and much does not get to your brain. But the consumption of chocolate actually puts you in a slightly different mood. Right. That is the chemical that is the building block for crystal meth.

They go on with regard to the chemistry to talk about how crystal meth is actually formulated and they talk about the addition of hydrogen and the addition of a methyl group and so on. They go on to talk about some of

the early products that had phenylethylamine in it as being Vicks inhalers. You remember the Vicks inhalers. I do not know if they are still around. But in the early days—because one of the things that phenylethylamine does, it causes the dilation of the blood vessels in the nasal passage and so. So if you have a stuffy nose, it would clear up your nose and so on. There have been instances athletes have been found to test positive as a result of a simple innocent mistake as using the Vicks inhalers. There was, according to this article, a brand of Vicks in United States and a brand of Vicks in Britain and one of those—the American Vicks—had a form of that phenylethylamine and there was a disqualification of a British athlete in the Winter Olympic Games in Salt Lake City because he was accustomed using the British Vicks, and when he came across to the US he bought the American Vicks and he was found to be doping and so on.

So as I said, Madam President, we have a problem in Trinidad and Tobago with the drug trade. It has been around for a very long time and the Government of Trinidad and Tobago has taken tremendous steps in the last year, the last five years to deal with the issue of crime. According to the data that is coming out of the police service with regard to crime, serious crime is at a significant low in Trinidad and Tobago.

We put on record our commendation for the very diligent work being done by the Prime Minister as Chairman of the National Security Council. Because I am a member of the National Security Council and many Senators of this Senate are also members of the National Security Council, and we all know that the Prime Minister places great emphasis on the strategies and the policies and the resources that are required to reduce crime in Trinidad and

Tobago to enhance the standard of living and life of the people of Trinidad and Tobago. So, we place on record our recognition of her role in that regard.

2.45 p.m.

But the issue of drugs in Trinidad and Tobago, and research, Madam President—and I know you are a robust researcher, having sat next to you for two years—is an incredible thing. I was able to get from the Parliament this morning a copy of the Scott Drug Report, and the Scott Drug Report was published in the year 1987, and the Chairman of the Commission of Enquiry at that time was Justice Garvin Scott, and the Commission of Enquiry included a very prominent doctor, Dr. Michael Beaubrun and Mr. Louis J. Rodriguez, and I will just read some extracts from the report. With regard to cocaine it said:

“The most striking development during the 1980’s has been an explosive increase of cocaine use in Trinidad and Tobago. This increase has reached epidemic proportions in the past three years.”

So, the report is published in the year 1987, it is referring to the last three years, it is referring to roughly the early 1980s, and it was during that time—and I do not want to go that far back in time and blame our friends opposite—that there was an explosion in illegal drug activity in Trinidad and Tobago, and the report goes into detail as to who some of the players are.

Some of those players are alive, some of those players are no longer with us, but this graph here shows the explosion in cocaine and, I believe, these are raids made with respect to cocaine. It shows that in the 1970s there was little or no activity with regard to cocaine in Trinidad and Tobago, and

there was that explosion in the early '80s to mid '80s. And the report actually goes on to be very critical of the then Commissioner of Police, Commissioner Randolph Burroughs—who is deceased—and it refers to his dismantling of a narcotics unit in the early 1980s that was responsible for overseeing the illegal drug trade in Trinidad and Tobago, and his passing of that remit to a nefarious and famous organization that is part of the—*[Interruption]*—you are familiar with that organization, I see, and that organization is referred to something called the Flying Squad, and the report said:

“Indeed, with the disbanding of this Narcotics Squad in early 1980, in what was apparently a mischievous administrative decision by the Commissioner”—this is Randolph Burroughs—“the police attempt to control and curtail the incidence of illegal drug use became far from effective.

According to the evidence, this police function the Commissioner now allocated fully to the Flying Squad.”

And it goes on to name some of the people who were members of the flying squad. One ASP Carrington was a member of the Flying Squad and he is no longer with us. I think he was recently found murdered in Manzanilla, and another person who is still with us and still making news is one Sergeant M. Cordner, who is still with us today.

So, this report is now part of the historical lore of Trinidad and Tobago—not L-A-W, L-O-R-E, of Trinidad and Tobago—and it makes very interesting. Copies are available in the Parliament—you want to have a copy? Sen. Hadeed has asked to see a copy of the report, and there are some

names inside there who are deceased and who are no longer with us.

[*Crosstalk*]

Madam President, with regard to the energy sector in Trinidad and Tobago in particular, the energy sector, as I said, we are the largest producers of ammonia and methanol in the world, and ammonia and methanol can be used or misused to form precursors to the precursors.

Ammonia is used in the power generation process. I was not aware of that. Ammonia is used to generate electricity in Trinidad and Tobago. Why is ammonia used to generate electricity? Electricity generation requires a tremendous amount of water. We have simple cycle and combined cycle power plants in Trinidad and Tobago. And that water if left alone becomes acidic because of the reaction between water and carbon dioxide in the air; you form what is called carbonic acid in the water, and that acid could attack the boilers in the power plants. So what the power plants like TGU do, is they infuse ammonia into the water and increase the pH and make the water more alkaline, and that preserves the boilers.

There is a very interesting ad today, as we were talking about the whole issue of power generation and electricity. The Trinidad and Tobago Electricity Commission, today—and again we are talking about the use of ammonia, a precursor to the precursors to generate electricity for its customer T&TEC, a very important company, very, very important company, and I have great regard for the Board of Directors of T&TEC and for the General Manager of T&TEC, Mr. Kelvin Ramsook, who on numerous occasions when this country was in a state of crisis, has stepped forward and has done yeoman service to this country. [*Desk thumping*]

This full-page ad in the newspaper today relates to a previous sitting of Parliament and quotes what was said by Sen. Al-Rawi in the Parliament last week Tuesday. It goes on to say that during a contribution on the floor of the Senate, Sen. Faris Al-Rawi stated that:

“TTEC is demanding, right now”—those are the words of the Senator, the *Hansard* being quoted in the papers—“in Trinidad and Tobago, that industrial customers be subjected to an increase in their rates from \$41 to \$43 per kilovolt...”

—that is \$41 to \$43, to \$125.40 per kVA. That is a fact in Trinidad and Tobago, “a well hidden fact”. Those are the words of the Senator that were produced or reproduced today by T&TEC in the newspaper.

TTEC has to take great pains to set the record straight for the people of Trinidad and Tobago, lest they believe that T&TEC is about to increase its rates without consulting the Regulated Industries Commissioner or without consulting the line Minister for T&TEC, who is Minister Nizam Baksh.

In setting the record straight, Madam President, T&TEC is ever mindful of its importance to the profitable business operation of its valued industrial customers, and wishes to assure such customers as well as the general public that it is pursuing dialogue within the remit of the law, because there is an Act that governs T&TEC with only one customer, and that customer being its largest customer. And the T&TEC Act—and we have looked at the Act—allows for T&TEC to enter into bilateral negotiations with a customer provided that that customer is in agreement with what is being proposed by T&TEC.

So, this matter became a hotly contested matter in Parliament recently,

and let me continue to read this because it goes on to say, and this is a state enterprise of this country that has—and I want to say that the lights in Trinidad and Tobago are very efficient. I remember as a child growing up, having to reach home early before the sun set to finish homework, because you were not sure if current was going to go, and this would have been '82, '83, '84, '85, around there.

Today, that is not the case here in Trinidad and Tobago. T&TEC has taken a lot of beating, and that is not right, from the Opposition. T&TEC is a well-run organization and power generation in Trinidad and Tobago is something of which we should be proud. And the article goes on to say that:

“At present this customer has a contracted capacity of 150,000 kVA which is supplied at \$43 per kVA. The customer has expressed an interest in increasing their reserve capacity by a further 90,000 kVA.”

They did not say who the customer was.

“In order for TTEC to supply this extra 90,000 kVA, same would have to be purchased by TTEC from third-party suppliers at a cost of approximately \$125 per kVA. TTEC is only willing to provide the additional capacity to the particular customer at this cost.”

If the commission were to supply the requested 90,000 kVA at the existing rates of \$43, the commission—that is T&TEC—would incur a loss of approximately \$88 million annually. Again, \$88 million annually. This is T&TEC to one customer—having to subsidize the operations of one customer—if they were to accept what was being proposed in this Parliament, what was being suggested in this Parliament last week. Again, T&TEC wishes to reiterate that this is the only customer with whom

dialogue is taking place. In this regard T&TEC wishes to advise the public that:

“...the utterances made in the Senate are misleading and most unfortunate.”

For a conservative state enterprise to have done this, it takes quite a lot, and this says quite a lot. And, coming back to the whole efficiency of power generation in Trinidad and Tobago—[*Interruption*]

Sen. G. Singh: Madam President, lest it be said that this is applicable to all Senators, I think the Minister ought to be specific, because I do not want the T&TEC ad to indicate that it is any and every Senator made such a remark. I think you ought to be specific.

Sen. The Hon. K. Ramnarine: Thank you very much, Madam President. Thank you for the guidance from the Leader of Government Business. T&TEC is being very specific here and I do not want to cast any aspersions on any member of this Parliament. They are referring to the contribution of Sen. Al-Rawi which is now in the public domain, reported in the newspapers, and last night the Prime Minister took great pains to make the point that we are not into the business of conflict of interest in this House, that persons' interest with regard to their private clients should be declared as is said in the May's *Parliamentary Practice*—chapter 20 of the May's *Parliamentary Practice*—and we take it very seriously on this side when persons purport or persons use the cloak of parliamentary privilege to further the interest of their clients.

And, Madam President, I want to stay on this matter of efficiency because, coming back to precursor chemicals, the production of iron and

steel is a chemical process. We are using iron oxide, which is Fe_2O_3 , and you are reacting that with coke, which is carbon, and using natural gas to extract iron from iron ore, and we have a well-established iron and steel industry in Trinidad and Tobago, and we have more than one iron and steel company in this country. The other one being Nucor or Nu-Iron. So, the chemistry is very relevant to this debate. power generation companies, as I said, they use ammonia to make their processed water more alkaline, and therefore the relationships between the chemistry and the energy sector are very important relationships.

But, Madam President, in looking at the Bill before us, the Bill before us is a Bill which is long overdue, and when you look at the Bill essentials that were circulated on the Parliament website, this Bill has actually been passed in other jurisdictions in the Caribbean—places like the Bahamas and St. Kitts/Nevis and so on. So, it is very timely and very important, and the United Nations has taken great pain to work with the Government of Trinidad and Tobago to have this piece of legislation at this point in time.

I will just go through some of the critical clauses in the Bill that I thought were interesting. The Bill, of course, speaks to the Strategic Services Agency or the SSA, and the SSA is one of the intelligence agencies in Trinidad and Tobago under the remit of the Minister of National Security. It speaks to the competent authority for the Bill as being the DMO, and with regard to clause 5 subclause (1), it says:

“There shall be established within the Strategic Services Agency a unit to be known as the ‘Precursor Chemicals Unit’.

The Unit shall be headed by a person appointed by the Agency

who shall—

- (a) have training and experience in precursor chemical control and such other”—relevant—“training and experience...”

And it goes on to talk about:

“The functions of the Unit are to—

- (a) monitor any prescribed activity as it relates to specified chemical substances with a view to detecting and preventing their diversion...”

And the important word here is “diversion”—from a legitimate use to an illegal use.

And that is at the crux of the whole philosophy behind the Bill, and that is that the precursor chemicals that are listed in the schedule to the Bill are chemicals which occur daily in the products that we use. They occur, as I said, in cough medicine, and if used in large quantities those chemicals could be diverted for illegal use with things like narcotic drugs, psychotropic substances and so on.

The Bill in clause 9 also says that:

“Notwithstanding any other written law, the following ministries, government departments and statutory bodies shall share the information described in Schedule 3 with the Unit:”

And that is the unit to be established within the remit of the SSA, and those Ministries are the Ministry of Health, for obvious reasons; the Ministry of Energy and Energy Affairs, because of the chemicals that are used in the energy sector, and the chemicals that are produced in the energy sector; the Ministry with responsibility for foreign affairs; the Ministry of Trade,

Industry and Investment; the Department of Customs and Excise; the Pesticides and Toxic Chemicals Control Board; and the Food and Drug Administration. And the Bill, as I said, lists those precursor chemicals in great detail in the schedule.

3.00 p.m.

So, Madam President, what this Bill seeks to do, therefore, is to strengthen our legislative and administrative apparatus to oversee and to have greater control over the trade in illegal drugs in Trinidad and Tobago, and, therefore, we must commend those who have brought this Bill to the Parliament.

The Bill was actually piloted by the former Attorney General of Trinidad and Tobago, Sen. Anand Ramlogan. [*Desk thumping*] I think we have to put on record, regardless of the circumstances, that Sen. Ramlogan made a tremendous contribution, not only to the Parliament but to the Republic of Trinidad and Tobago. [*Desk thumping*] I, myself, want to put, personally, on record the amount of support that he lent to the Ministry of Energy and Energy Affairs while he was the Attorney General of Trinidad and Tobago with regard to production sharing contracts and so on.

So, Madam President, crime is a serious problem. In many of the polls that are done on Trinidad and Tobago, crime always comes out as the number one problem that the population believes is a number one problem facing them. We had a situation in this country - and Sen. Ganga Singh would recall because in those days we were in contact -between 2002 and 2007 that was untenable, and during those years there was a proliferation in Trinidad and Tobago of kidnapping for ransom. And that kidnapping for

ransom became personal to many people in Trinidad and Tobago, because being a small country many of us would have known persons who were victims of kidnapping for ransom.

Vindra Naipaul-Coolman is somebody I have never known and never met. Her two brothers are personal friends of mine. And even closer to me, in Sangre Grande, was the kidnapping of the Nath brothers, Richard and Ronnie Nath, and these are people that I grew up with. These are two young businessmen who, having been kidnapped and having been rescued, decided to leave Trinidad and Tobago and have never returned to Trinidad and Tobago. What that means therefore is a loss of entrepreneurial talent, and that is something you cannot quantify. That family has been in business in Sangre Grande for close to 100 years and that may now well come to an end because of the kidnapping episode.

And that period 2002 to 2010 was a very, we had a peak in murders in Trinidad and Tobago in the year 2008, when murders peaked at 550. That has now come down, I think it was around 400 murders in 2014. Based on the data that we are seeing coming out of the police service at this point in time, the incidents of serious crimes and the incidents of murders have started to retreat and that, therefore, is a great achievement. It is something, as I said, it is considered to be one of the achievements of the Government, but that is not something to boast about because we simply do this to enhance the quality of life of the people of Trinidad and Tobago.

I am certain that the people of Trinidad and Tobago have no desire to return to the year 2007 or the year 2006 when kidnapping for ransom was a norm in Trinidad and Tobago, when businessmen in Trinidad and Tobago

had to send their children to live - I met some of those people in Fort Lauderdale. If you go to Fort Lauderdale there are people living permanently in Fort Lauderdale who left this country in 2003, 2004, 2005 to attend university, they left the University of the West Indies. There are people who had to take their children out of school, out of high school and hive them away in the State of Florida.

As one person said, at that point in time, the people of Trinidad and Tobago had more confidence in Jeb Bush than they had in the then Government of Trinidad and Tobago led by the Member of Parliament for at that time, the Prime Minister, Patrick Manning. And the people of the United States may soon again have confidence in, may also have confidence in Mr. Bush given that he may run for the Presidency.

But we in Trinidad and Tobago and certainly we as a Government, as a responsible Government, we take very seriously the whole issue of the management of crime and we take very seriously international best practice. Certainly, therefore, I commend this Bill, I support this Bill. I want to commend, as I said, the former Attorney General, and indeed we will hear in the winding up from the current Attorney General the rationale for this Bill and why this Bill is very important to enhance the legislative and administrative architecture for the administration of Trinidad and Tobago and for dealing with the criminal justice system in Trinidad and Tobago.

Thank you very much, Madam President. [*Desk thumping*]

Sen. Avinash Singh: [*Desk thumping*] Thank you, Madam President. I rise this afternoon to contribute to this Bill, but before I do so I would like to also acknowledge and welcome the hon. Members of the Canadian Delegation

who are present in our Chamber here this afternoon, and I look forward to the continued support from the Canadian Parliament system to our Parliament system.

Madam President, I rise to also contribute briefly on this legislation. Trinidad and Tobago and, by extension, the world, continues to struggle to control the illegal drugs. The Precursor Chemicals (No. 2) Bill, 2014, in principle, is, in my opinion, one promising tactic to prevent illegal drug manufacturers from obtaining the raw material of drug production. Without these chemicals, illegal drugs cannot be produced.

However, Madam President, we must also understand that precursor and essential chemicals are also critical to many other legitimate industries. Thus, the control of illegal trafficking in these materials must not unduly hinder in any way the use by the legal businesses. And I will go into some of the details on that point a little bit later in my contribution.

Madam President, you must also be aware that the intention is not to ban the importation of these types of chemicals, but simply to monitor and control its use. So already the most important factor in this Bill is the ability to detect illicit transactions involving precursor chemicals and other types of chemicals.

Madam President, while I am on that point I need not reiterate our disgraceful detection rate where criminal activity is concerned, because we really need to improve detection and conviction for any success at all in curbing the crime rate in Trinidad and Tobago. And I say this point, Madam President, in light of our newspaper reportings and articles that surface on a daily basis. It is somewhat comical because it is very serious in nature when

you have things like, wheelchair killer not being able to be caught by the law enforcement agencies and so on.

So we really need to be serious, the law enforcement agencies, in my view, really need to have the tools. And if we are not serious to even catch someone who is on the run who is on a wheelchair, then we are definitely playing games with the population where crime is concerned.

Let me also add that any place big enough to hold a kitchen table is big enough to contain a clandestine drug manufacturing laboratory. Now, these clandestine laboratories or “clan labs” as they are commonly referred to, are places where illegal or illegally diverted chemicals are turned into illicit drugs. And in the same way, clandestine drug labs are often located in rural and deserted sites, where less attention will be paid to their dangerous, polluting activities. So even small rural law enforcement agencies far away from urban drug markets have to be prepared to encounter the diversion of these substances.

Madam President, local policing would be valuable in assisting law enforcement in detecting questionable activities and transactions that must be brought to the attention of the unit.

Now, clauses 5 and 6 provide for the establishment and staffing of the precursor chemicals unit. Given the fact that the most insulting nature of the appointment and hiring of persons to similar agencies, Madam President, I am very worried that another Resmi Ramnarine fiasco does not reoccur. Because my friends on the other side, you know, tend to use the phrase, “repetition leads to retention”. And this country will never forget nor forgive the hon. Prime Minister, Kamla Persad-Bissessar SC, [*Desk*

thumping] for appointing an unqualified junior to head an elite organization such as the Security Intelligence Agency, the SIA.

Madam President, can you imagine that not because you are a telephone operator in a state security agency means that you have the intelligence or you are fit for the position and elevation to head that authority.

Turning my attention to the Fourth Schedule now. Whereas, no new Fourth Schedule is being replaced. I see clause 7(i) in the Bill, under the Functions of the Unit is to:

“establish and maintain a register of specified chemical substances;”

So it is, are we to understand that now, work, effort and resources would have to be allocated in compiling a new list? I simply ask the rationale for this? In fact, I would like to speak a few minutes to the drug itself or the drug industry.

Madam President, the control of illegal drugs has become an important part of the operations of law enforcement agencies across this country. Unlike many other crimes, the world of illegal drugs somewhat resembles an industry.

First, there is the product, the drug itself. That product must be manufactured and then transported to the drug markets. It must be marketed or sold to buyers at the retail level. The need to distribute drugs widely also results in the need for the middlemen who buy these substances from manufacturers and sell them to the street level or the drug dealers.

Madam President, organized gangs often act as distribution networks

that can make the marketing and sale of illicit drugs more and much efficient. And the profits from these drug sales must be invested somewhere and in most cases they are invested in other illegal activities.

A great percentage of our reported murders, crimes and gang- related activities in Trinidad and Tobago is as a result of the drug trade. So we must give law enforcement agencies all the necessary tools in carrying out their duties.

Let us understand a little bit about the precursor and essential chemicals and how they work. Madam President, the production of most drugs require complex chemical processes, and the Minister of Energy and Energy Affairs was well in authority and he dealt with some of the issues in terms of the chemical processes and, even straying away, to how T&TEC would have come into this in terms of the precursor chemicals and essential chemicals to the drug industry.

But an example, cocaine is an example. Cocaine is present in the leaves of the coca plant and we are all aware of the history and how it is done, but I just would like to get in some of the information.

The cocaine is present in the leaves but in very small concentrations. And a large amount of leaves and solvents are required for the extraction process. The coca leaves are macerated in water, and a base, such as lime, is added. Kerosene or some other organic solvent is used in the process to extract the cocaine from the leaves. A dilute aqueous solution of an acid, such as sulphuric acid, separates the kerosene and the cocaine, and ammonia water is used to precipitate the cocaine.

When this process and when this solution dries, a coca paste is

produced. That coca paste is then purified with an oxidizing agent, sometimes potassium permanganate, an additional processing results in that. An acid such as hydrochloric acid produces the final product or cocaine hydrochloride.

Madam President, all the salts, solvents and acids used in this process are known as the essential chemicals. They include reagents and catalysts used in the manufacture of a controlled substance. Although they are essential to the manufacturing process, they do not become part of the molecular structure of that drug.

The precursor chemical is used in the manufacture of a controlled substance. It is critical to its creation and actually becomes part of the controlled substance's molecular structure. For example, the Minister that spoke before me would have mentioned ephedrine, and this is a substance commonly used in the manufacture of medicines, like over-the-counter cold tablets and diet pills. And they can be mixed with other substances, like thionyl chloride and hydrogen to form methamphetamine, which is a central nervous system stimulant with a molecular formula C_{10}, H_{15}, N that is used clinically for the treatment of hyperkinesia or for blood pressure maintenance in hypotensive states. And it is also used widely in the illicit drug markets.

3.15 p.m.

So ephedrine is a precursor to the production of methamphetamine because it is actually a part of the molecular structure of that substance. Essential chemicals, such as the solvents and compounds, are also used in the process to adjust the conditions in that reaction. Manufactured drugs,

including the illicit drugs, require precursor and essential chemicals for their production.

The production of illicit drugs can be slowed by inhibiting the availability of precursor and essential chemicals. However, the control of precursor and essential chemicals is a complicated undertaking for various reasons and I will try to identify some of those challenges.

Madam President, firstly, as I have indicated earlier, almost all these precursor and chemicals have numerous other uses in legitimate businesses. Most of these chemicals used in the processing of cocaine—such as the acetone and hydrochloric acid, and even ammonia—have thousands of uses in dozens of industries and are found in most homes, and we would have heard the example, acetone in nail polish remover. But materials like ether, acetone and methyl ethyl ketone have hundreds of uses in production processes for plastics, rubber, petrochemicals and pharmaceuticals, even in the agro-industry, in terms of fertilizers and all these chemicals. Likewise, precursor chemicals are usually used in the production of medicines and other legitimate chemical processes and products.

Secondly, because these chemicals are so widespread, many opportunities exist for illegal diversion. Many are produced in dozens or hundreds of chemical plants around the world. The chemical industry makes hundreds of thousands of tons of some of these products every year, and chemical manufacturing is an important component of the economy of many countries. An example is right here in Trinidad and Tobago because we have very dynamic chemical producing companies; some of them located in the Point Lisas Industrial Estate.

Another reason why it is difficult to control illicit trade of these chemicals is the sheer size of the problem. Because many of these chemicals are so important to industry, they are very easy to obtain. In addition, many can be manufactured using household chemicals or other easily obtained substances. Because manufacture—or drug manufacture—is usually a standard chemical process, it is often easy to substitute similar readily obtained acids, bases, or solvents for regulated chemicals that are preferred in the manufacture process.

Now, notwithstanding some of these challenges I have identified, I hope that the unit that will be up and running will be able to effectively and efficiently carry out its duties in making proper recommendations and develop its policy relating to the specific chemical substances. While we are here religiously trying to legislate the control of chemicals used in the manufacturing of illicit drugs, manufactured illegal drugs are ready to hit the market, in some cases—and in many cases used by addicts and so on—are being smuggled in, as we speak, through our porous borders and unofficial ports of entry via the sea. With our geographical location so close to the South American mainland, our ability to detect and control this trade continues to be very challenging for our law enforcement.

It is even so, particularly since this UNC Government saw it fit to pussyfoot around, or politicize past policy in combatting crime. And the first that comes to mind is the cancelling of the OPVs which would have served this country in the capacity to protect [*Desk thumping*] our marine borders and monitor vessel movements and intercept any questionable activities at sea.

So on the one hand, we are here trying to legislate, but on the other hand, the UNC Government does not really care what goes on at sea, and we are no stranger to being bombarded, humiliated and internationally insulted and embarrassed [*Desk thumping*] when one illicit transaction out of thousands does make its way to the news when detected. We are no strangers to all the cocaine in orange juice tins or the marijuana-seasoned chickens, total embarrassment to our international image, and none of these incidents would have brought forward some sort of justification or answers from the authority.

We have failed when an individual can check in, in a private health facility to undergo emergency operations involving narcotics, and still be walking around free. We have failed, as I mentioned, when marijuana-seasoned chickens can enter our port and no one can be held accountable. [*Desk thumping*] We have failed when over \$600 million in a drug bust originated right here in Trinidad and Tobago, and we have failed when Trinidadians can be held for over \$2 million worth in cocaine four days apart at the JFK with, one, cocaine concealed in his crutch, and the other, with cocaine in frozen goat. I can go on and on, but you get the point.

Sen. G. Singh: What about the one in mascara?

Sen. A. Singh: I would like to make a few recommendations, but before I make those recommendations, I would like to answer some of the points made by the previous speaker. In fact, how could I forget Room 201? [*Desk thumping*] But that is the level of disrespect to the population and the right-thinking citizens of this country, where this UNC-led Government is

concerned.

Now, the previous speaker would have spoken to the crime rate and I would just like to put my two cents in. He indicated a 30 per cent reduction of the crime rate, but I recommend that that information be given to the Minister of Tobago Development who saw it fit to make a statement—unfortunate as it is—that you are more likely to get shot dead in Tobago than in Trinidad, and that was carried in the *Tobago News*, Wednesday, February 11, 2015.

So on the one hand, you have the Government Ministers going in one direction and, on the next hand you have the Government—from the same cloth—going in a different direction. So, unfortunate as I said it was, perhaps the hon. Minister could educate that Minister in terms of public statements where our international image is concerned.

Now, I would like to make, as I said, a few recommendations, and the first is in relation to the enforcement of this Bill, Part V, particularly the duties of police officers or customs officers with the authority and responsibility in clause 15(2) and clause 15(3), where the designated officer has to gather evidence or seize equipment believed to be involved in the manufacturing of illicit drugs. Madam President, seizing is a risky operation. Even if the users are long gone, the dangerous chemicals used in the production of illicit drugs expose officers to a range of health risks not ordinarily associated with law enforcement. These risks include explosions, inhalation of toxic substances or even sometimes booby traps, as well as the risks associated with dismantling these types of labs and disposing of toxins.

So, in my opinion, clean-up is another huge area of concern. Should

premises be detected, I would like to know that the liability should fall within the remit, in most cases, of the perpetrator and not the State, as this will entail very measured and technical clean-up systems and structures and most times a HAZMAT team or (hazardous material team) would have to be outsourced to do this kind of work. I am sure that hon. Members here would understand, and would recall, how expensive it was to source the international team—the hazardous material team—when La Brea was recently polluted by the oil spill, and you would have seen where the Corexit 9500 would have been used to clean up. So the environment is very sensitive.

I would also like to indicate that training and education is also key and should be taken seriously as law enforcement officers and officials involved in gathering evidence and seizure must be properly trained, even under the OSHA law, but more so to protect officials from injury resulting in lack of knowledge of various types of chemicals.

Madam President, we have also witnessed, in recent times, where it concerns our detection and conviction rate, and it is public knowledge that over TT \$1.12 billion was reported in suspicious activity to the FIU, and a range of activity would have been indicated. You have tax evasion, drug trafficking, human trafficking, fraud, forgery, extortion, financing of terrorism and so on. But where money laundering is concerned—and money laundering goes directly hand in hand where drugs or illegal narcotics are concerned because that is the heart and soul of that business—the illegal drug industry.

So we really need to bolster and get our country's image where

detection and conviction rates are concerned, and we really need to start putting strict measures in place where money laundering is identified and persons really need to face the full brunt of the law if caught in these circumstances because, as I said, it is directly related to the drug industry, in many cases.

Madam President, I have tried to identify some of my concerns with respect to this Bill, as I said. There are many more situations and policies of concern that directly and indirectly relate to this Bill, but I hope, hon. Members all help in shaping this legislation as we try to achieve the real goal and what we would really like to accomplish where this Bill is concerned. Because in recent times in this country we are open to so many speculations and we have been here—we would have recently debated our trade agreement policies and direction with Trinidad and Tobago and the Republic of Panama, so we must set an example. We must lead by example and we must show the international public that we are serious in curbing our crime situation. We must show the international market that we are serious in putting those perpetrators behind bars and effectively give our country that image that we so require.

So, Madam President, I would like to thank you again for giving me the opportunity to contribute briefly on this Bill, and to the Canadian delegation, I would also like to say thank you for being here and we would like to have you—[*Interruption*]

Hon. Senator: “They gone. They gone. Yuh didn’ see when they gone?”

Sen. A. Singh: Yes, I know they are gone but I am just putting on the record that we acknowledge their intervention and their support in our

parliamentary system.

Madam President, I thank you. [*Desk thumping*]

Madam President: Sen. Dr. Balgobin. [*Desk thumping*]

Hon. Senator: Try and be short, eh.

Sen. Dr. Rolph Balgobin: I will try. Thank you, Madam President. I rise to make, what I hope will be a short, crisp contribution to this Bill. As we have heard, it really treats with what has come up in the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, and we know that this was ratified by Trinidad and Tobago in 1995. This Bill seeks to implement Article 12 of the Convention.

I confess to having some difficulties, which I hope can be resolved in the committee stage, if we get there, and I will start where so many other speakers have left off, to say, I am not clear that either data or proof has been presented that this is actually happening in Trinidad and Tobago. And while others have made that point, there is a specific concern that I have about that particular matter, and I will come back to that. But I make it here just to rule out the possibility that we are treating with a mischief that is alive and before us. And if I rule that out, then what I have in front of me is a compliance matter. And so, we are seeking to pass a piece of legislation to ensure compliance and, really, clause 12(e) and (f) bear this out for the CMO and 7(e) does so as well for the Unit, and that is to say, well, we are reporting to other people on the state of play here in Trinidad and Tobago in relation to the matters governed by this Bill.

But I have a question, and really my jumping-off point for this is, in doing that must we offend the Constitution so? I wonder. Because we live

in a society where everything, Madam President, or many things are personal.

3.30 p.m.

It is very personal and if I look at the provisions of 15(2), for example, I find those grievously offensive. You know, once a police officer or a customs officer feels like it, he can set aside my right to peaceful enjoyment of my property or any citizen to their property, and then 15(3) goes on to say that he can also deprive me of my property if he feels like it. Then it goes on to say further on in clause 16, that if I do not help him in these endeavours that I may be deemed to have failed to comply or to obstruct him, in which instance is a next fine for me. So he has invaded my privacy, he has taken my property and I have not helped him enough—perhaps I did not serve him tea and coffee when he came—so you fine me on top of that. But then it gets better, because clause 17 says he can bring a friend. He does not have to come alone. He can bring somebody else to this little party. Clause 17 says that explicitly.

Now why do I say he can bring a friend? Because certainly I cannot expect or be expected to verify that the accomplice he is bringing with him is an expert in anything. Do I ask him for his certifications at my front door? Certainly not! So he turns up and he says, “I have here with me this expert”. I say, “Well I do not know this man”. And he says, “Well, he is an expert”. How does the man prove that to me? So this to me really looks like draconian legislation because I have not been able to understand from a read of the Bill or any of the Acts that it touches on, when I come back to this question of reasonableness. What is the definition of “reasonable cause”?

Because, Madam President, I know a lot of people who consider things reasonable to do that I do not find reasonable.

When they were paving over the highway to go south and there was one lane, I happened to be driving behind a man who stopped in the one lane and caused however long traffic, and he gets out of his motor car and urinates in the middle of the road and he found that was reasonable to do. Otherwise, presumably, he would not have done it. So he had a massive audience and we were all captive to his—*[Interruption]*

Sen. Prescott SC: Indiscretions.

Sen. Dr. R. Balgobin: Yes, indiscretions. Thank you. And so, that question for me it raises some concern.

Now earlier, just a few moments ago, I said everything is personal, and so do we not see that this whole enormous potential for mischief or for victimization? And here I wish to make a point that really concerns me and I will not be much longer. What I want to say here, Madam President, and to all of my colleagues in here, even in the latter stages of this Parliament, is that I find that we are slipping away bit by bit from the freedoms that wars have been fought to protect, and I find that increasingly one seems to have to prove their innocence, and that more and more legislation that passes in front of us appears to presume guilt. I mean, I think that is a very dangerous road for us to be on.

You come into a citizen's home without a warrant and the citizen must now prove that what they have in their property is for legitimate use. If the citizen does not help you under clause 16, it is a charge, and then you have to search both for the nearest "crapaud" and a pipe and pair the two

together if you do not have records throwing back five years. So you have to have a fairly sound filing system—we are generating a lot of paper. We are killing a lot of trees—because I must be able to produce these records for you. The proposed law says so. And where is the balance in this then? If I look at clause 18, no mention is made of what happens to my property if you came and you picked up a bag of flour and thought it was something else. How do we treat with that? Again, the legislation presumes guilt.

There is nothing in it that says well I am innocent, and therefore, when can I get back my computer, my phone, my tape recorder, my whatever? Where is it? So how do we cast aside property rights, the rights of citizens to enjoy these things, so easily? So I will say here, Madam President, I think we need to be careful not to anticipate too far ahead, lest we trample on the rights of citizens, constitutional rights, rights enshrined in the Constitution. We should be careful not to anticipate too far ahead, lest we trample on the rights of citizens and call it protection.

Clauses 13, 15, 16, 17, 18, all cause me grave concern. Like my colleague, Sen. Vieira, I am concerned as well about anything which limits or circumscribes the opportunity for judicial scrutiny. Go and get a warrant. Why am I letting you just walk into my home? [*Desk thumping*] We should not hear, seek actively to diminish the power and the reach of our courts. Parliament should not do that. It should only do that at its grave peril.

There are only two other things that I would say very quickly in what I promised would be a short contribution, and these two other things concern me, one is specific and one is general. Specifically, I could not figure out why this Unit, the Precursor Chemicals Unit, is not located—which is

established in clause 5—in the Trinidad and Tobago Police Service? The SSA is under civilian control. Section 4(5) of the SSA Act says, if I quote from memory:

“The Director shall be subject to the directions of the Minister.”

And so the SSA is not like the police service or some other such thing. The SSA is actually an intelligence organization. Why are we locating this there?

There is an OCNU, an Organised Crime and Narcotics Unit, in the police service, yet we put this in the SSA and say in clause 5(2) here that the head of this Unit shall be employed in accordance with section 5 of the SSA Act. I am of the view that it ought not to be in the SSA at all. If we have to put it anywhere, it ought to be in the TTPS. Why? Because I looked at the powers of this Unit and it says, “la de da”, you know, it is all nice. Okay, fine. The functions are set out in clause 7 in detail. However, if I look at clause 12, 12(b) says that the Competent Authority should assist “the Unit in the conduct of investigations”.

Now investigations are police matters. Presumably, because of what we are talking about, any investigations you are going to conduct really should create a criminal issue if wrongdoing is found. This is why we are passing this law. Likewise, 12(e) and (f) speak to reporting and providing assistance to other agencies and so and so. Madam President, my suspicion is that this appears to be more the province of the TTPS than an intelligence organization. How they reach in this particular thing? I do not know, but having been identified as being here, perhaps they should exit and we bring an agency, or an organization, or an institution that is subject to a different

level of transparency, to the fore.

And finally, Madam President, I would say the second issue for me of interest, more generally, is why we spend so much time passing pieces of legislation like this and figuring how to lock people up for crimes like these, rather than address frontally here which I have never seen done, why so many people need to take drugs in the first place. Too many of our people are not balanced and happy, and perhaps we should devote more of our time and attention here to working out why.

Thank you, Madam President. [*Desk thumping*]

Madam President: Sen. Diane Baldeo-Chadeesingh.

Sen. Diane Baldeo-Chadeesingh: Thank you very much, Madam President, for the opportunity to contribute to the Precursor Chemicals Bill, 2014. This Bill seeks to establish a Precursor Chemicals Unit within the Strategic Services Agency. It is proposed that this Unit will monitor and control:

“...precursor chemicals...used, or capable of being used, in any type of illicit transaction involving narcotic drugs, psychotropic substances and other...substances”—which have—“a similar effect...”

This is one such Bill that affects everyone. It affects the housewife, it affects the small business owner, it affects the nail technician; everyone in more ways than one. As we can see with some of the specified chemical substances outlined in Schedule 1, such things as acetone which many of the previous speakers—I mean, this is a simple thing, nail polish remover. Incidentally, I tried seeing how far I could purchase this over the Net to see how quickly it could get to me and if I can get it at my doorstep, and strange

enough with a first-class international packaging services or priority mail international, acetone can be shipped to your doorstep.

Another specified chemical is ephedrine and, again, this is used as a stimulant, decongestant, and even with this you can claim 75 per cent on a discount card and products can be shipped to your home as well, Madam President. Iodine as well, potassium carbonate which is used in the production of soap and glass, and a very simple one, sodium carbonate, also known as washing soda. I mean, who does not have these to eliminate strong odours in the kitchen and so on. Very, very simple substances commonly found in our homes and used by the common people, not only those involved in clandestine chemistry.

3.45 p.m.

And so clever are some of these chemists around the world, Madam President, that these lab operators in Bolivia, they are now using inferior substitutes for these such as cement instead of lime— cement— and sodium bicarbonate instead of ammonia and recycled solvents like ether. But some non-solvent fuels such as gasoline, kerosene and even diesel fuel are even used in place of solvents.

So the common man is also subjected, apart from that, and Sen. Balgobin alluded to it but I wanted to spend some time on it myself. The common man is further subjected to clause 15(2). It says in clause 15(2):

“A police officer or customs officer who has reasonable cause to suspect that—”

And it goes on (a), (b), (c), (d), (e)

“...may, by day or night, without a warrant, enter and search any such

place and bring any specified chemical substance or specified chemical equipment...”

And it goes on. But, you know, I have to point out because this is clearly an invasion of people's rights, under the guise of solving crime.

There are those who use precursor chemicals for normal everyday business, like I have said before. Even a simple pepper sauce maker. So these searches—anytime, day or night without a warrant, in any home or business searches can be made any time, there is just suspicion. You just have to be passing and be suspicious that something is going on there. I agree with Sen. Balgobin that citizens ought to be treated with respect. They are entitled to enjoyment of property and if there is sufficient or reasonable cause, a warrant should be issued or obtained, otherwise there will be further discord already from what exists between citizens and the police service.

Madam President, I also have some other issues that I would like to share with this Senate. The Precursor Chemicals Bill is being brought by the Minister of National Security, but the competent authority, as stated in the Bill, is the CMO but already all of the regulatory controls with regard to precursors are conducted by the Ministry of the Health; Chemistry, Food and Drug Division or the current drug inspectorate, via the Dangerous Drugs Act.

Straight out of—I would get to that in a moment. But I find this to be rather awkward and inconsistent because once this unit is established, the Bill is proposing to repeal the Schedule of the Dangerous Drugs Act that deals with the precursor chemicals. I would explain further when I get on to my other points why I said that.

The proposal of the Precursor Chemicals Unit appears to be a watchdog function over the Ministry of Health—this is how I viewed this when I was going through my notes—when in fact the Ministry of Health, through the Pesticides and Toxic Chemicals Control Board, can provide the functions as required by the Bill, with the development of institutional capacity of both the board and the Pesticides and Toxic Chemicals Inspectorate.

I wish to go straight to a piece straight out of the website. “The Mission of the Chemistry, Food and Drugs Division...is to:

- Ensure safe quality of an equitable standard for use by consumers of food, drugs, cosmetics and medical services;
- Ensure safety in use, the proper management and acceptable standards for pesticides and toxic chemicals;
- Provide technological and laboratory services in the areas of food, drug, cosmetics, medical devices, pesticides and toxic chemicals.

The CFDD is comprised of three main units:

- Food and Drug Inspectorate
- Pesticides and Toxic Chemicals Inspectorate
- Laboratory Services

The CFDD is the local regulatory and standards monitoring agency that monitors all aspects of the importation, manufacture, storage, distribution, sale, fraud and deception in labelling and marketing and disposal of food and drugs.”

Madam President, these functions already exist within the Chemistry,

Food and Drugs Division. The development of this unit, therefore, seems to be a duplication of efforts. Already the board and Pesticides and Toxic Chemicals Inspectorate would adequately bring our legislation consistent, if that is the point, to the Convention of Psychotropic Substances of 1971, and even so the UN Treaty signed in 1988, if that was also one of the intentions. It does that already.

This Bill, Madam President, aims to monitor and prevent the use of precursor chemicals. But where are the statistics that point to such a problem? Where are they? What is the volume of illicit drugs produced in Trinidad and Tobago? What is it? How many labs do we have in Trinidad and Tobago? Who gives us that information? Where is that information? Where are these labs? Where is the evidence? We are putting a Bill in front us to debate, but what is the evidence that we have before us? [*Desk thumping*]

Further, the Bill does not clearly define how it is going to prevent the illicit use of precursor chemicals nor its diversion, except by information sharing, by the competent authority with the Precursor Chemicals Unit.

And who regulates this Precursor Chemicals Unit? As a matter of fact, if I go to clause 12(e)—you want me to deal with (c) as well too? I was looking at clause 12(e), because in the Bill Essentials, similar legislation is evidenced in the Bahamas and certain other territories, but I saw here in clause 11:

“For the purposes of the Act, the Chief Medical Officer shall be the Competent Authority for Trinidad and Tobago.”

And 12(e) says:

“report to the International Narcotic Control Board on matters relating to specified chemical substances;”

Which brings the question: is this the role of the CMO? Because I was a bit confused there. Is the CMO, is that competent authority, now to report to the International Narcotic Control Board? Is that the responsibility of the competent authority and the CMO?

Madam President, also within this Bill, the main issue regarding the illicit use of precursor chemicals is through the diversion of the chemicals to manufacture illicit drugs. A major activity which can contribute to this is the trans-shipments of chemicals, which is not clearly dealt with in this Bill.

Let me refer as well, Madam President, to a report. And this is the *U.S. Department of State 2014 International Narcotics Control Strategy Report*, of course, March 2014. Within this it says, where it deals with institutional development:

“Trinidad and Tobago's drug control institutions...continue to be challenged by deficiencies in staffing, organization, funding and interagency communication.”

Now I pause there because when I saw “interagency communication”, at the beginning of my contribution I told you I had a concern with the Bill being brought by the Ministry of National Security, but the competent authority in this Bill is the CMO. So, again, they have also indicated this in the US State Department report.

Further in this report, it says similarly narcotics prosecutions convictions and extraditions continue to remain low, relative to the scale of drug trafficking in Trinidad and Tobago.

“While 4,027 people were arrested for possession and another 468 for trafficking...only 58 small scale traffickers were convicted during the year.”

And this is from the US Department of State 2014, Control Strategy Report.

Also in this Bill, chemicals so diverted can be used in the production of illicit drugs for onward transshipment to the drug-consuming north, from the production of raw materials from the south, with Trinidad and Tobago being strategically placed as a result of its geography between the two.

Today I ask, like Sen. Avinash Singh, what is the update with the Norfolk Virginia shipment out of Trinidad? What was the outcome of that? Seven hundred and thirty-two pounds of cocaine found in cane juice. The container originated in Trinidad and Tobago, with a street value of up to \$100 million, the biggest ever drug bust in the history of Norfolk Port in Virginia, US. Emanating from where? Trinidad and Tobago, US \$100 million.

I also wish to refer to another article, and this is the *Sunday Guardian*. I pulled this out of an article titled:

“Tackling the smugglers”

This article was written on October 02, 2010. It was written by Sue-Ann Wayow of the South Bureau, *Sunday Express*. This was when the current Government just came into Government some months before. Right? I quote:

“Government's decision to not buy the three Offshore Patrol Vessels... may be good news for smugglers posing as fishermen.

The billion-dollar contract signed by the People's National Movement

Government in 2007 to build and commission the vessels, is all but dead, Prime Minister Kamla Persad-Bissessar confirmed last week.

The OPVs, law enforcement experts believed, were critical to stopping the flow of guns, ammunition and illegal drugs into the country, much of it coming in aboard boats making fast trips between the South American continent and Trinidad's gulf and south coasts.

And recent reports of cocaine floating up on beaches of Trinidad is more proof that the waters around the island may be a drug transshipment highway.

...12 interceptor crafts, six fast patrol crafts and two coastal patrol vessels...The TTCG has operational bases in Cedros, Galeota, Staubles Bay and Tobago with 14,000-plus trained officers.

Radars are placed strategically throughout the country to monitor the movement of vessels at sea.”

This is what this Government got from the People's National Movement when they came into power, Madam President. And it also goes on to say, which is quite applicable to the Bill we are debating today.

“An International Narcotics Control Strategy Report on the US Department of State's website reports that Trinidad and Tobago is a convenient transshipment point for drugs, mainly cocaine, but also heroin, destined for US and European markets from South America.

The document also noted that previous eradication operations reduced the amount of cannabis available for domestic consumption but that this led to the importation of marijuana from St. Vincent and Venezuela.

The report also noted that ‘Trinidad and Tobago has an advanced petrochemical sector which requires the import/export of precursor chemicals that can be used to manufacture cocaine hydrochloride.’ According to US law enforcement officials, precursor chemicals originating in Trinidad and Tobago have turned up in illicit drug labs in Colombia.”

So, you know, it is very interesting that when this Government came into office, they had available all of the equipment.

[MR. VICE-PRESIDENT *in the Chair*]

4.00 p.m.

Then in 2012, just to bring an analogy, Mr. Vice-President, it says from another article by Asha Javeed on April 28, 2012. She writes:

“The assets which belonged to the Special Anti-Crime Unit of Trinidad and Tobago...are now being re-distributed through the State’s other intelligence agencies...vehicles and ammunition assigned to SAUTT were being assimilated and earmarked for other agencies even as the future of the National Security Operations Centre...remains in limbo.”

Case in point, Mr. Vice-President.

So, moving right along. The outline of the establishment of the Precursor Chemical Unit is extremely vague. There is no identification as to the numbers in the unit, who will be employed to fill these positions within the unit. All the Bill identifies, is the person in charge will be the CMO, no operational personnel is listed. No identification as to the number of personnel is proposed in the unit. How and who, will be employed to fill the

positions within this unit? [*Desk thumping*]

The activities of this unit as outlined, are already conducted by agencies within the Ministry of Health. So, will some now be transferred to this unit? If staff is new, then what experience will they have in running this unit? Further, the duplicated role as required by this Bill will place an additional burden on the industrial sector, who are the bona fide users of these chemicals. Unilever perhaps is one such company that comes to mind, they import potassium carbonate for the making of soaps—and in their detergents.

So what does this delay mean, then? The delay in clearing shipments due to the inability of Ministries to coordinate effectively and efficiently, can, in fact, increase the cost of certain goods and services in the country. Also, the proposed regulations which the Minister may make under this Bill are quite vague, and overlap with current pieces of legislation of the Ministry of Health, and from my research, the Ministry of the Environment and Water Resources, as well. I wish to refer to clause 27. Clause 27 says:

“The Minister may make regulations for the purpose of giving effect to provisions of this Act, and in particular, but without prejudice to the generality of the foregoing, such regulations may contain provisions in relation to the following:”

And it outlines, (a), (b), (c), right? But the regulations are extremely vague and overlapping with current pieces of regulations found under other Ministries. So, duplication of effort, vague and non-existent regulations, no well-developed overarching plan, as we struggle with the scourge of drugs will only offer doom, and an expansion of the narco trade in Trinidad and

Tobago.

Mr. Vice-President, Trinidad and Tobago deserves better than this.

Thank you. [*Desk thumping*]

Sen. David Small: [*Desk thumping*] Thank you very much, Mr. Vice-President. It is good to see you in the Chair again, Mr. Vice-President.

I am here to make a contribution on this very important Bill, and I want to say at the get-go, I think that this is an important piece of legislation for the country. I have a general comment, if you would permit me. I go back to something that I pursued several years ago, and one of the programmes I did was something called development administration. It rings true with one of the points made by one of the earlier speakers, in particular, my colleague, Sen. Dr. Balgobin. Development administration has two facets. One is administration of development, and the second facet is, administrative development. One of the challenges of administration development in the developing world, is the identification of the right approach when tackling problems.

We have passed many, many, very good pieces of legislation, which really relate to the administration of development, but we need to see concerted efforts of the latter, administrative development, where we design structures, we approve structures, but having those structures in place and having them work effectively, is where I think we are going to have a lot of the challenges in implementing a lot of these little systems that we are putting in place. It is not that we should stop doing what we are doing here, but there needs to be an acceptance and an understanding, and concomitant with that, there needs to be the proper support structures in place to make

these things works. Otherwise, we would be passing legislation that will not be as fully effective as envisaged when we passed it.

Mr. Vice-President, I want to start my contribution with a quote from the autobiography of Mahatma Gandhi, entitled *Autobiography: The Story of My Experiments with Truth*. The quote goes as follows:

“Remember that all through history, there have been tyrants and murderers, and for a time, they seem invincible. But in the end, they always fall. Always.”

This is the message that we are sending here by passing these types of legislation that you may seem to be untouchable, invincible, invisible, but they will always fall.

Trinidad and Tobago is in a place where the general quality of life is quite—I should choose my words carefully—superior to many other places of similar size. We have a phenomenon in the country where we are presiding over what I consider to be a general breakdown in law and order. We seem to have developed a numbness to the heinous crimes being perpetrated in the country, unless it hits close to home. Disappearing persons rates only are mentioned up until the next person disappears. Unfortunately, the majority of these cases have sad endings.

One of the concerns that I have, Mr. Vice-President, is the issue of unreported crime. According to criminologist and sociologists, it is referred to as the dark figure. What they say is, that for a crime to be recorded, at least three things must happen:

1. somebody must be aware a crime has taken place;
2. that crime must be reported to the police; and

3. the police or other agency must accept that a law has been broken.

Unreported crime has the vexatious consequence, in that it limits the deterrent capability of the criminal justice system because it shields offenders from police action.

Mr. Vice-President, I say that because there is an issue that several speakers have raised, about the existence of data statistics to support the existence of people taking these chemicals, and converting them into illicit drugs. As I try to share, I think that this legislation is something that we are putting in place to protect against it, and because this data or statistic may not be readily available, it does not necessarily means that it not happening. I continue to be of the view that we need to treat with things in a comprehensive way, and as in terms of my opening, I am generally supportive of the intention of this legislation.

Mr. Vice-President, we are facing a growing challenge in the way in which we protect citizens from drug trafficking, and the collateral damage that comes with it. We live in an ever more interconnected and fast moving world, and it brings many opportunities, but unfortunately, it brings many threats. Drug trafficking and the trafficking of precursor chemicals, together with the related issues of money laundering and corruption, are foremost amongst these. When one looks at developments in drug trafficking, there is more innovation, more organizations that are quick to adapt to threats and exploit opportunities. Drug traffickers are taking on a more global perspective in their operations.

As a member of the global community, this legislation signals that we

here in Trinidad, are doing what we can to ensure that our responses to drug trafficking are equally innovative, equally equipped to adapt to changing circumstances and equally global in our outlook. The situation developing with cannabis, is an interesting example of how drug markets are evolving. There now seems to be a shift towards domestically grown cannabis and away from imports. Many countries are reporting the existence of indoor production sites. The recent find by local law enforcement, will suggest that Trinidad and Tobago is not immune to this emerging global trend.

Mr. Vice-President, with the exception of cannabis, as noted by more than one speaker before me, every illicit drug requires chemicals to be refined to its final consumable form. Keeping these chemicals away from drug trafficking organizations, is an effective way to prevent or reduce drug production. However, many of these chemicals are also used for legitimate purposes, thus preventing the diversion of these chemicals from legitimate commerce to illicit drug manufacturing, is especially challenging.

Mr. Vice-President, I have come here and I have recognized over my short stint here, that it is very easy to come with big ideas and ask questions, but often forgetting how hard it is to deal with the circumstances in the field, and bringing people together and getting things done. To be able to come up with a prescription, one has to grasp the nature of the issue and the underlying causes and effects.

Today's home grown boutique drugs such as meth, pose a great threat to communities. In addition to the human toll, human terms and the human toll it takes, meth labs pose a serious threat to the welfare of all persons who live or work nearby. Exposure to the chemicals used in manufacturing meth

can cause severe illnesses and chronic health problems, even death.

Mr. Vice-President, I continue to be an optimist, and that is manifested in my feeling that we can work together, identify problems before they become significant issues for this nation, and take steps to solve the problems, and thus continue to reduce crime once and for all, and once and for all, end the culture of violence in the country.

One of the efforts that could be explored, is the addition of drug courts, but there has to be a difference between drug courts and other courts. The caseload has to be managed, so that the judges are not overwhelmed, perhaps introducing the court on a phased basis, to allow for the development of experienced practices and capabilities. Of course, it goes without saying that such courts would need to be provided with sufficient resources, to match the needs of the people in the programme. There also needs to be careful control of the caseload, so that it does not just become as overwhelmed as the current court system is.

Mr. Vice-President, in many countries around the world, it has been shown that drug courts can be powerful forces for change if they got the resources, and they can make a difference. But now, let me be clear, traditionally, drug courts have been for those who are first offenders charged with possession of a small amount, the concept of the drug court can work effectively. It is really for a person who is in prison having participated in a drug crime, but also having an abuse problem. It makes no sense to send that person to prison for five years, and have them return to the community without having done anything to address the problem, while that person is in prison.

So, Mr. Vice-President, when we notify a chemical supplier that their chemical has been used in the manufacture of illegal substances, we need the tracking in place for swift and certain follow up, to ensure that suspicious chemical sales have ended. For those chemical suppliers who knowingly continue to profit from illegal use of their chemicals, we must step up our response by recombining a full range of criminal, civil and administrative sanctions, such as what we are debating here in this Bill. This legislation creates a structure, but we must remain vigilant with respect to these chemicals, even to the individual chemicals, and be creative as to what we could do properly, to control the distribution of these and the availability of these substances.

4.15 p.m.

Mr. Vice-President, networking with international drug interdiction agencies is also critical as the drug kingpins continue to evolve their operating strategy. In the case of controls on chemical precursors, it is being seen that these are being met by a more chemically sophisticated response from the illicit trade which can undermine the progress made. If we look at synthetic drugs, we see that the illicit trade is not only manufacturing the precursor chemicals themselves, but also importing uncontrolled chemicals that can easily be converted into precursors.

Criminal organizations involved in trafficking have short-term goals, a high degree of flexibility and no concern for the damage that they inflict. We on the other hand have values, respect decision-making processes, we are accountable, and we have the long-term goals of preserving our society and the life and well-being of all the citizens. Within this framework, we

need to be as proactive, flexible and innovative as those we face.

Mr. Vice-President, when one thinks about the precursor chemicals, we also have a situation in the country that we have to manage because, as I continue to do the research and I do the reading, there are several pharmacologically heterogeneous groups of psychoactive drugs. I hope the medically-trained persons will bear with me.

There is a drug called GHB—I would try to pronounce it—gamma-hydroxybutyrate. It is one of those chemical drugs that are produced, and it has the effect on people of making them tolerant to people doing unwitting things to them, and then it has the bad side effect from a law enforcement point of view. It causes short-term memory loss, and then it disappears from the system within eight to 10 hours of ingestion. So that these are the types of drugs that come. People create them, not for good purposes, but then there are drugs that are created for good purposes such as ketamine, which my colleague Senator is well aware. It is a common drug used in his field of endeavour, but sometimes it ends up selling in the wrong hands, and it has a similar effect to what is called these club drugs. It causes people to lose reality of what is going on around them, and people take advantage of them and then they have no recollection of it, and then there is no trace in their bloodstream several hours later. So these are things that really need some tight, tight controls.

I have had experiences, not necessarily personal, but of close friends of mine who have had experiences going to a party or a fete, as you want to call it, and his girlfriend is missing for two or three hours in a party—when we find her she is in the back somewhere vomiting and has no recollection

of what happened two hours before—and these are things that are happening and we should not ignore that they are happening.

So that, Mr. Vice-President, through this legislation, the citizens of our fair country should clearly understand that the legislative arm is working in doing its part do ensure that components and precursors do not reach the hands of those who wish to inflict harm and to prosecute those that subvert the rule of law and threaten our national security.

I also believe that while we work very hard to draft the best legislation that we can and to try to cover as many gaps, I have stated it on the record here many times, we would probably never get 100 per cent solution, but I am one of those persons that always say, let us try to get to an 80 per cent or a 75 per cent solution, and we can tweak and fix as we go along, because we need to get something on the books to deal with this. I think that the issue of—I have noted the amendments circulated in the name of the hon. Minister of National Security—and that is one of my issues—regarding the issue of a warrant. So, I am happy to see that the Government has understood some of the concerns raised, and has acted and it is already amended. So I would not go into my issues there.

I just want to say that we have an ethical and moral decay festering through the country, and this drug malaise in the country has permeated the society in general. One of the things that we should always—this legislation can hope to capture it, but there are the people who are engaged in crime, and I have said this many times, they do not engage in crime for fun, they engage in crime for the proceeds of crime, and this is another area where all the legislation is interconnected.

No one who gets involved in trading crystal meth—I think the hon. Minister of Energy and Energy Affairs spoke and he mentioned Walter White. I think I have looked at every single episode of seasons one to five more than once. [*Laughter*] I have seen every episode, but it speaks to the moral and mental decay of a person who, having a relatively noble intention at the beginning, and how that crumbles because you get sucked up into the vortex of crime. He got into it with an intention to take care of his children—he had a short lifespan left—and he got involved in it deeper and deeper and then could not extricate himself, and this is what happens. You know, if you take a quote from the same book, the autobiography of Mahatma Gandhi, there is a quote that he says: An eye for an eye will make the world blind.

So that we need to understand—which is why I mentioned the drug courts. There needs to be complementarity in what we are doing. Having understood what the challenges are, we need to find ways and put systems in place to try to help some of these people, and we need to be able to have some sort of appropriate rehabilitation so that it just does not become what it is now, or we try to improve what we have now. What we have now is not a system that allows for proper regeneration of persons who are convicted of crime.

So that, Mr. Vice-President, this is a piece of legislation that I have no major issues with. I want to commend the honourable mover of the Motion for bringing this Bill. I think that while we certainly do not have the obvious evidence of meth labs all over the country, I, for one, because—I think if you asked someone last year this time so, if there was someone growing

marijuana inside a house if that was ever possible, ever found in Trinidad, everybody would say no, that does not exist, we never had it. So just because we have not found it does not necessarily mean it does not exist. I think that what we are doing here is putting legislation in place so that if per chance we are blessed and it does not exist, we make it extremely difficult for someone to think about setting that up in any significant scale. If that is something that comes out of this, that is the way in which this Parliament and these types of legislation should think.

I understand the issue of going too far and extending too far, and I am a supporter of that school, but given the insidious nature of drug crime and the way in which drugs infiltrate the society and causes breakdown in law and order, causes breakdown in families, it causes breakdown in the law enforcement systems, who persons and parties are known, become involved in crime.

Let me say this, Mr. Vice-President, if you would permit me. The law enforcement officers in this country are fighting with every resource they have to keep crime under control. Crime, if you have nothing to do in a day, turn up at any neighbourhood—Arima or Tunapuna or Port of Spain Magistrates' Court and you see the array. I am not saying that everyone is a criminal, but the local law enforcement authorities are going at this with every source they have and are fighting an uphill battle. I really feel for the officers who have to do this job. It is really, really a difficult tough environment. It is tough!

Mr. Vice-President, this is why I go to the point of—I made the point in my contribution about unreported crime. There are lots of crimes that are

reported; lots of crimes that are not. I think that having something in place like this to treat with a scourge that is obvious in several other countries in the world, and while it is not necessarily obvious for us, we do not want to wait until it is obvious for us to treat with it. So that in that respect, I think that the legislation is forward looking. It puts a piece of legislation in place that allows now for the State's arms to say that we have something that we can move on these perpetrators or purported perpetrators or planning perpetrators, that puts some limits on the activities now and will certainly be a deterrent to those who wish to come into that type of business.

We talk about it but, again, the insidious nature of the drug scourge, I think someone, one of the earlier speakers—I think it was the hon. Minister of Energy and Energy Affairs—mentioned some of the personalities from a particular document. I am familiar with the document also, and the names that are in there. Some of them here and some of them no longer here through actions of other parties, and these are the things that have to happen. We need to have stringent legislation; we need to have proper enforcement and we need to have an efficient judicial system.

So I am here as a member of this legislature, I can only deal with the legislative part. I have no influence over those other parts, but it is all part of the system. We have to have the legislation. There needs to be good enforcement and good detection and then there needs to be an efficient court system, and then after that if it gets into the custodial system, there needs to be system in place to try to help those persons to try to get them, when they come out, to be good citizens, and if they want to be bad citizens, well so be it.

I think that I have a quote from—well it is a quote and it says that many studies have shown there is a clear view that most people who commit crime do it as a general course of their actions. The obvious action of putting those persons behind bars drops the rate. The thinking is that there are people who are involved in crime—the same way you and I wake up in the morning and we get in our cars and we go to work and we go through our normal day—go to the office and pick up the kids and drop the kids to school—there are people who get up every day and their sole objective during the day is to commit crime. That is it. That is their lifestyles. Their lifestyle is crime. We tend to paste over it and not acknowledge that there is a whole culture out there—a whole group, a whole portion, a small portion of the society—for whom the pursuit of crime is their single daily endeavour, nothing else.

In the same way in which we would all go about our daily day—go to City Gate, get a maxi, get to Port or Spain, go to work, go to lunch—there are people who get up in the morning and their whole objective is: who am I going to hit today or what am I going to do in terms of crime? We need to get that on to the consciousness of normal persons, and we need to accept it that that is part of what is happening in our country, and a big driver of this is the illegal drug trade and then the proceeds generated—I go back to this—from crime is what is the attractor. No one gets into car stealing because they want to steal nice cars. Everyone who is involved in crime now is purely behind the cash.

Mr. Vice-President, I think I have engaged the attention of everyone for a little while, and in terms of timing I seem to have been doing a good

job. So, with these words—[*Interruption*]

Sen. Maharaj: You have three more minutes. [*Crosstalk*]

Sen. D. Small: Mr. Vice-President, I thank you again for the opportunity to have contributed to this debate. I believe that what we are doing here is setting the frame for making sure that the issue of precursor chemicals is brought up onto the radar. It places Trinidad and Tobago in line with the countries in the world who have recognized that it is a scourge and have indicated their particular ways of treating with it.

Legislatively, Trinidad and Tobago will be on par. It sends a clear message to those who are involved in it now that the State is willing to take severe action to deal with those individuals and for those who are thinking about it or thinking of expanding the operation, it is a major deterrent. I think that this Bill is something that I certainly support, and I am thankful for the opportunity to have been able to contribute on this debate.

Thank you, Mr. Vice-President.

Mr. Vice-President: Hon. Senators, the time now is 4.28 and I intend to take the tea break now and we will return at 5.00. Therefore, the sitting is suspended until 5.00 p.m.

4.28 p.m.: *Sitting suspended.*

5.00 p.m. *Sitting resumed.*

[MADAM PRESIDENT *in the Chair*]

TRIBUTES

(DR. ALLOY LEQUAY)

Madam President: Hon. Senators, as you are aware, former Senator Dr. Alloy Lequay passed away on March 15, 2015. As is the rich tradition of

this honourable Senate, I now invite the Leader of Government Business to pay his tribute, to be followed by the Opposition and the Independent Benches. [*Desk thumping*]

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Thank you, Madam President. Madam President, on behalf of the Government and, by extension, the country, we wish to pay tribute on the passing of Dr. Alloy Lequay. Madam President, in perusing the literature, I happened to look at the *Newsday* editorial today, which really captures a lot of the life and times of Dr. Alloy Lequay, and I will quote liberally from it:

“A good innings

ALLOY Lequay, who died on Sunday at the age of 90, was a man for all seasons, who served the country in the sporting and political arenas, among others, always with humility. While he excelled at much, his enduring legacy is the transformation of cricket, opening it up to the nation as a whole.

Upon Lequay’s death, Prime Minister Persad-Bissessar said, ‘Mr Lequay personified selflessness and service, he was an illustration of hard work and dedication and his legacy will continue to motivate us all.’ Cricket great Brian Lara said, ‘When I reflect on my coming into Trinidad cricket as a teenager, there are only two faces that come to mind — Joey Carew, who left us four years ago, and Alloy Lequay.’

Lequay was born on October 1, 1924, in Port-of-Spain. He once recalled his childhood days, describing them as a time of struggle. His father died when Lequay was just eight years old. For the youngster, sport was a way out.

‘I used sports, community work and politics as building blocks to achieve some of the Creator’s expectations in exchange for the talent of organisational skills bestowed on me,’ he said in a 2012 interview with the UWI Today magazine. At 20 years of age, he became a member of Oxford Sports Club of San Fernando with a preference for table tennis, while also playing football and cricket. In a sign of his versatility, he was elected General Secretary of the Table Tennis Association and Assistant Secretary of the newly formed Trinidad Cricket Council—now known as the TT Cricket Board (TTCB)—in the same year, 1956. He later played a key role in establishing a regional table tennis body.

In cricket, Lequay was elected President of the TTCB in 1977, as the sport shifted into a period of decentralisation championed by him in particular. He became TTCB CEO in 1978, and was made the TTCB delegate to the West Indies Cricket Board in 1994. In recognition of his service in sport administration he was awarded the Chaconia Medal (Gold) in 1988. He also was the first winner of the Jeffrey Stollmeyer Award for outstanding administration in sport in 1990. In 2004, he was inducted into the First Citizens Sports Foundation Sports Hall of Fame. Lequay was also key in the establishment of the Sir Frank Worrell Cricket Development Centre at Balmain, Couva, which opened in 2002.”

In 2012, Alloy Lequay was declared one of the country’s 50 sporting legends as part of the country’s 50th Independence anniversary celebrations.

Alloy “Lequay was also a politician. In 1960, he served as Secretary of the Democratic Labour Party (DLP)—which was the first

opposition party in the country's post-Independence history. He also contested two elections with the DLP and was elected a Member of Parliament for Naparima South six years later, in 1966. Lequay further served as the Leader of Government Business in the Senate from 1986 to 1991, while the National Alliance for Reconstruction (NAR) was in office."

In 2012, he was awarded an honorary doctorate in law by the University of the West Indies in recognition of his contribution to the political development of Trinidad and Tobago's society.

"In the 2012 interview, Lequay spoke of the changes he witnessed in his lifetime and fused sport with the idea of political liberty. Asked what, in his lifetime, had been the change that meant the most, he said, 'In the late sixties I was convinced that there had to be a struggle for cricket's independence from the gridlock constitutionally imposed by the social elite of that era who felt they had the right to rule and lead. Restrictions prevented both administrators and players from leadership roles if they did not belong to a particular club.' He continued, 'Change did not come until October 1980 and only after the report of a Commission of Enquiry (The Rees Report) was approved by Cabinet. The Trinidad Cricket Council was founded in June 1956, but was not independent until 1980.'"

Perhaps, Madam President, you can say that he was vital in bringing to an end the oligarchy in cricket.

"The transformation of Trinidad and Tobago's cricket, physically from cities to villages, remains my legacy, hence its importance to me."

It is clear that Alloy Lequay's innings was a great one. I personally will remember him for his quiet nature, his calm temperament and his dry sense of humour, having worked with Alloy during the NAR days, 1986 to 1991, when I was Youth Officer of the NAR in those days; it is a long time since then. But what marked him for me—the stature of the man, he was small in stature but he was a giant of a man—was his penchant for meticulous detail, and that he was extraordinarily effective, but almost invisible. He suppressed his vanity and his ego, and he had this ability to make you work and felt so hard, and he mentored a lot of young people in the process.

To his wife, Sheriffa, our sincere condolences. Alloy Lequay was a giant of a man, may he rest in peace. [*Desk thumping*]

Madam President: Sen. Al-Rawi.

Sen. Faris Al-Rawi: Thank you, Madam President. May I offer my very hearty thank you to the Leader of Government Business for a very moving tribute to a very great man. Madam President, I stand humbled by the task of regaling the memory of Dr. Alloy Lequay. I think from my perspective of someone that knew him only by name, as a legend, he being very much the topic of conversation and reflection for generations of my own existence, starting with my grandfather's reflections of him, *Lionel Frank Seukeran*, the DLP days, to my mother's reflections of him, as a boy growing up, always pointed as a gentleman to be viewed as a true exemplar. It is not often in life that we stand to celebrate someone's 90-year innings on this earth. Many of us pass through trials and tribulations in life that test us, that bring us closer to realization of self, self-worth, and of purpose.

Indeed, I think that the legacy of Alloy Lequay is one that is singular in

description, by the use of word dignity, dignity in all of his affairs. Certainly, he managed, from the immense history that he set forth, that the hon. Leader of Government Business has put before us, he managed to marry a careful balance in life. He seemed to hold excellent pursuits with a very excellent poise. It is not often that someone can say that you come from a strong sporting background, be it in table tennis or cricket, and then move on to sports administration. That is the administration of youth, of enterprise, of purpose, of encouragement, of direction. Then to move on, obviously, as a family man as he did, but, more importantly, to take that extra stretch on the human spirit of causing the movement of men and policies and ideals.

The two tenures that he served in the Parliament of Trinidad and Tobago certainly were not ordinary times in the history of Trinidad and Tobago; after all, Alloy Lequay served in the Parliament when we were birthed as a nation. He saw the passage of Trinidad and Tobago from days of colonialism into our independence, and then republicanism. And I think that Sen. Singh was true to say that he cracked or broke the oligarchy, not only in cricket, but I add now, the oligarchy of society, at that point.

Look next to his passage through the hallowed halls of Parliament in the period of the NAR governance of this country. Alloy Lequay lived to see an attempted coup, and then lived to reflect upon it, and it is, perhaps, as amazing a reflection as picturing a very young Ganga Singh as “Youth Officer Male”—as we would call it—of the NAR Youth League. Quite interesting, but it shows that there is an incarnation of spirit and service for all people that choose to persist in public life.

And I wish to say that we in Trinidad and Tobago certainly are all the

much richer for that kind of contribution, and that we owe a debt of sincere gratitude, not only to the humble spirit that we are told Alloy Lequay was, and surely still is, but a serious debt of gratitude as a nation to his family who shared him with public life, because that is not an easy balance for many, Madam President, as we are all aware.

5.15 p.m.

So, Madam President, may I—in being humbled to deliver a tribute to so great a man on behalf of the People’s National Movement, may I express my debt of sincere gratitude to Dr. Lequay’s family, my deepest condolence to all of his relatives that survive him, to all of his extended friends and family that surely are the network of support around him and have been for the years of his existence on earth.

Trinidad and Tobago should celebrate so bright an example of a wonderful spirit and man as Alloy Lequay, and I certainly recommend that we all hold him with great regard in all of our endeavours and memories. May we all be, gentlemen that sit here and work here, at least half the man that he was, and ladies that sit here and work here, at least good companions of his example. Thank you, Madam President. [*Desk thumping*]

Sen. Dr. Rolph Balgobin: Thank you, Madam President. I rise to pay tribute to the life and works of a true son of the soil, a man who was born in Port of Spain and whose work shaped the face of sport nationally, as well as locally. For this he was, thankfully, honoured with the Chaconia Gold Medal, an honorary doctorate from the UWI, among other awards.

Dr. Lequay was born in 1924, and from the moment he had the opportunity it appears that he gave his life over to the service of his country. He was a Member of Parliament for Naparima South around the time that I was born

in San Fernando and became a Member of this august House in 1987 under the NAR administration.

What strikes us about him was his ability to oscillate between national and local, national and community, making his contribution at multiple levels of the society—not always easy to do in a place like Trinidad and Tobago.

His other achievements have been documented and praised, but his impact on San Fernando, in particular, was profound. Although he was born in Port of Spain, Dr. Lequay did at least two things which I think contributed immeasurably to the development of sporting life in south Trinidad. One was his participation in the development of table tennis as a sport which, at the time I used to play, had achieved significant adoption by the youth. He gave 30 years to the sport, and even went so far as to lead this country's first sport team to China in 1973. Back here in south Trinidad there were many competitions, clinics and sessions organized by himself and other giving souls like Victor Cowan, all of which kept you busy, kept you fit and kept you out of trouble.

The other noteworthy thing he did in south, for me, was his role in the formation and the development of the Oxford Cricket Club which was an institution in San Fernando and which drew people from far and wide in what was still, at that time, largely rural Trinidad. This was the pre-eminent club for cricket and sports in the area for a very, very long time.

So, Madam President, I wonder how many lives Dr. Lequay saved without knowing it? Hundreds, maybe thousands, have lived better lives because of his untiring efforts. Out of the limelight, but in the trenches, he worked hard to make a difference and took nothing for himself, giving it all

to the country he loved.

We could have no finer example of a national to pay homage to this day, and we expect—I certainly expect—that he will duly take up a leadership role in sports administration in heaven. [*Laughter*] Heaven's gain is our loss, Madam President, and the Independent Bench unites with Government and Opposition alike to honour his memory, and joins with his family in prayer in their time of sadness. May his soul find its way back to God quickly that he may rest in peace. [*Desk thumping*]

Sen. Lambert: Senator, you are a poet?

Madam President: Hon. Senators, may I respectfully endorse all that has been said by the Members of this honourable Senate and to add, in addition to all the accolades, that during his tenure in the Senate, Bills of note that were debated by him included the Integrity in Public Life Bill, the Citizenship Bill; revision of the Standing Orders Bill, among many others.

I too, when I was but a child, associated the Oxford Cricket Club with Dr. Alloy Lequay, and for a while I thought that they were one and the same. But certainly his contribution to cricket as a sport, to the Best Village Olympics and the Best Village Olympics Committee, which he headed and/or chaired for a few years, as well as the fact that he was the author of his autobiography—*Winning Against the Tide: A Life Devoted to Sports and Politics*.

No doubt Dr. Lequay was a great contributor to many, many communities and his loss is a loss to the citizens of Trinidad and Tobago in general, and to his family in particular. We extend our deepest condolences to his family. May his soul rest in peace.

Hon. Senators, I hereby instruct the Clerk to convey to his beloved

family your deep condolences and our kind sentiments. [*Desk thumping*]

Hon. Senators, may we now observe a moment of silence.

The Senate stood.

Madam President: Thank you.

PRECURSOR CHEMICALS (NO. 2) BILL, 2014

Madam President: Hon. Senators may we resume debate on the Bill. Senators wishing to contribute—Sen. Abdul-Mohan.

Sen. Rev. Joy Abdul-Mohan: Thank you very much, Madam President, for giving me the opportunity to join what we will call the end of a very important debate. After such glowing tributes we perhaps feel that we should go home quietly and have a peaceful night's rest. Unfortunately, we must continue. I want to preface my contribution, which will be short, that whenever we have to pay tribute to stalwarts like Dr. Lequay, we speak with such care and compassion and concern, and I pray that we could continue to do so when we speak about those who are alive and not only those who have gone before us. [*Desk thumping*]

So from the onset, Madam President, I want to place emphasis on the term “prevention”. As I take part in this debate, “An Act to provide for the monitoring of prescribed activities and the prevention of the diversion of precursor chemicals...” inter alia, I place emphasis on prevention.

To suppress the trade of illicit drugs and to monitor and control precursor chemicals in Trinidad and Tobago, I believe is a complex issue and process. And even though we may not have statistics, hats off to enforcement agencies that take this matter and their job seriously. Albeit significant legislative efforts are made around the world, based on the 1988 United Nations Convention, to control the chemicals used for cocaine and heroin

production, but the drug traffickers are still evading these laws, and domestically producing dangerous drugs. How do they do this? They must have special skills that you and I are still to acquire. That is why global efforts to prevent the diversion of precursor chemicals require cooperation of the countries that produce these chemicals.

Madam President, I firmly believe that Trinidad and Tobago must be part of this preventative process if we want to see a reduction in crime and drug trafficking. And yes—not everything can be legislated, but some reasonable and workable legislative structure must be put in place to combat this problem we may face or are facing. I do believe that this piece of legislation has the potential to do so. I consider the illicit use of precursor chemicals, the cradle stage of the drug trade. We know the old adage—the hand that rocks the cradle rules the world. Therefore, prevention is better than cure. Thus there is a dire need to establish some form of education programme for all stakeholders.

Having said this, Madam President, I want to agree that we need to modernize legislation and improve its application. If we can do so with this piece of legislation then it may not sound draconian. Therefore, we need to review and update current legislation and regulations to support effective enforcement and public safety, and by applying more effective sentencing to reflect the seriousness of these kinds of criminal activities that can occur due to the illicit use of precursor chemicals.

But on other hand, Madam President, if I understood him clearly, I am inclined to agree with Sen. Al-Rawi when he made his contribution on this Bill, indicating that we need to take precaution and ensure fairness in the

conviction process. I think even this point was alluded to by Sen. Vieira. So, perhaps in the committee stage we can look more carefully under the Offences, Part VI, I believe, of the Bill, from clauses 21 to 25 to ensure that the basic rights of citizens are not trampled upon.

I believe, with the implementation of the appropriate legislation, the country will be able to strategically target the links to organized crime by guiding the law enforcement capacity and targeting the proceeds of crime and offence-related property, as well as strengthening the availability of tools to target criminals and to increase the risk of consequences to perpetrators.

Madam President, as an in-transit country for the drug trade—and I cannot overemphasize this point enough—we need legislation to enhance health and public safety. So the illicit manufacture, trafficking, sale and abuse of drugs worldwide, and the diversion from legitimate commerce of the chemicals used to process and refine those drugs, have become an increasingly serious problem in recent years worldwide.

Therefore, we need to perhaps develop a comprehensive public information campaign like other countries. Trinidad should not do any differently. Of course, we need to engage the world, as it were—think globally and act locally. When we hear reports about doctors who failed to notify the law enforcement authorities about cocaine said to have been surgically removed from the body of a patient or about young men growing marijuana in their apartments, trafficking almost 900 grams to make more money, it is important for us to come to terms with what is happening, not only in the world, but in our nation. So, prevention is better than cure.

5.30 p.m.

So, it is not just about persons using drugs to feel good about themselves or to be relieved of stressful circumstances, but, as Sen. Small reminded us, it is about financial gain, lucrative. And the question is, how are we going to control these chemicals? The problem is made more difficult because many chemical shipments are directed through third countries in an attempt to disguise their real purpose and final destination.

So, it is important for us to be reminded that men and women, young people and children can be exploited when precursor chemicals are used illicitly. As some of the chemicals covered by the 1988 convention, some of which are also listed on the schedule on page 23 of the Bill, they have become more difficult to obtain as a result of the introduction of controls, traffickers have sought to obtain new chemicals that they may be used as substitutes for those that are closely monitored.

So, Madam President, as a nation we can never do too much to prevent diversion and to limit the availability to traffickers of these precursor chemicals as it were used in illicit drugs manufacture. And I want to therefore say that such legislation even though with, perhaps, its weakness as it were, as mentioned by some of our contributors, it is necessary.

It was interesting while doing the research on this Bill, I came across a model state Chemical Control Act of 1992, USA, and I have the feeling that the drafters of this legislation may have taken into consideration this model Act as they did with other comparative legislation, whose drafters sought to close loopholes in existing legislation and to foster greater consistency among other regulations. Unlike most criminal laws the model is preventive

measure, or preventative as it were, its goal is to stop drug offences before they occur by preventing precursor and essential chemicals from being diverted to illegal channels.

And the model state Chemical Control Act creates a monitoring system that tracks chemicals from source to use, and I believe that this is what this piece of legislation is attempting to do, and so I agree with that. That is why I am inclined to agree with Sen. Dr. Mahabir's amendment to section 21, that the persons who operate clandestine laboratories should be held accountable, thus there is need for some safeguards to prevent unauthorized or unscrupulous persons from gaining access to regulated chemicals.

It specifies that the following persons are eligible as it were to apply for a registration or permit. For example, convicted persons who have had a prior registration or permit or licence, in the case of juveniles who are subject to milder penalties than adults, they frequently have been recruited to become participants in criminal activities, and these are the vulnerable persons who can be used in those clandestine laboratories.

Madam President, as I close, I ask that all that I have said up to this point, not much, but added to what we have heard from all our contributors, not to overshadow any practical real world experience with the underworld drug addiction and the failure of our institutions to protect the helpless.

In another context while studying abroad in the early '90s, I encountered how innocently right-thinking people can be corrupted. I saw it in sport athletes. It started with simple things like a very sharp looking blazer with brass buttons and fancy dinners and receptions, after which came

the booster parties, vehicles on permanent loan and the perennial presence of the opposite sex. Before these young athletes knew it, they were hooked and obligated to make decisions in certain directions.

Madam President, we talk about the age of “selfies”, and I would like us all in this Chamber to pause and take a step back and perhaps take a spiritual “selfie”. We are all spiritual beings. Metaphorically speaking, are we the proverbial athletes?

Let me explain a little further, I think it is mentioned that CNC3 is running a new series called “Cracks in our Borders”, and it was mentioned that very often, underworld figures would compromise public officials. And my take on this, again, it happened so innocently, so benignly, but it happens. Maybe a small donation to a campaign or a charity foundation, and before the recipient knows it, again the hook is set and decisions are made in a certain direction.

So, Madam President, I ask again, are we proverbial athletes? Do we need this legislation? Of course, we do. But, after we take our spiritual “selfies”, is it more the case that setting this legislation is likened to setting the kitten to guard the milk. I admit, in many ways, I may have been the proverbial athlete. Could I have taken an extra step at one time or another to help the helpless? Could I have fought a little harder for restorative justice measures? When the ordinary people of our country look at all of us in this Senate they expect more from us every time we speak and act. They expect us to do the right thing. But, you know what they say? They say that the ill members of our society will find a way to break the law regardless of whatever laws we pass, because we are all proverbial athletes.

Almost 30 years ago while I served as a Minister in training in the Piparo community, I came face to face with a drug trade for the first time. While my supervisory Minister and I conducted prayer meetings at the homes of church members every week, the whole community was invited to attend, and I noticed that almost every one of those meetings a man with a scar on his face would attend at the end of the service and he will give \$100 as an offering. You know, 30 years ago \$100 was like \$100,000 for some people. I found it odd that he would come in later than other members or other guests, and I asked my supervisor, who is that generous man? And he replied to me saying, you do not know him? That is the famous Dole Chadee, and I thought he meant, infamous, but he said famous.

I was so naïve, Madam President, they called him famous and they revered him, people were okay with this. But, I was gravely concerned because of what I would read in the newspaper, and whether it was morally or ethically right to accept money from persons who allegedly may be involved in the drug trade knowingly or unknowingly.

So, Madam President, persons who make money from the drug trade and from precursor chemicals using them illicitly as it were, are so proud about it, and most of the times it means nothing to them that their actions will and have destroyed lives. It is all about the money and it is a slap in the face of humanity.

So, Madam President, any piece of legislation within reason that can destroy the backbone of the drug trade or the cradle stage of the drug trade and its sustainability in any form or fashion, especially the monitoring of activities and the prevention of the diversion of precursor chemicals and

other drugs and substances, I am willing to support it for the sake of public health and safety and for the well-being of citizens of my country and humanity as a whole.

I thank you, Madam President. [*Desk thumping*]

The Attorney General (Sen. The Hon. Garvin Nicholas): Thank you, Madam President. I join this debate somewhat late. My predecessor piloted this legislation on behalf of the Minister of National Security, and I am here to wind up on behalf of the Minister of National Security.

Madam President, I am always saddened to hear Trinidad and Tobago described as crime ridden or a society that is not doing as well as it should. I have listened to colleagues on all sides of the House, and, of course, they make points that are indeed correct, that are indeed relevant, but, at the same time, saddening. Because, Trinidad and Tobago for me represents a jewel that perhaps needs to be polished.

And if we look at Trinidad and Tobago in that way, then we can look towards ways in which we can make Trinidad and Tobago better; better for all of us. And I think that when we come here as legislators we should look towards finding ways and opportunities to make Trinidad and Tobago a better place. As such, I have listened, and even because I came in late I read the contributions that were made prior to me coming into this honourable Senate to get a good idea of what Senators were actually thinking and what concerns they might have with this particular legislation.

Because, at the end of the day—yes, there is politics, but we need to find a way to balance legislation, balance policy, balance what is the best in the interest of all. It is for that reason that I have taken on board much of

what has been said, analysed it and tried to figure out what the real genuine concerns are, and I have circulated a list of amendments that I hope will deal with some of the issues that have been raised.

Madam President, let me just say though, that before I get into the list of amendments, there were issues raised by—I think I made a note of Sen. Faris Al-Rawi's concerns, of which there were quite a few, and I would like to start by dealing with some of those. For instance, Sen. Al-Rawi stated that we have existing laws, for example, the Dangerous Drugs Act, the Pesticides and Toxic Chemicals Act, the Food and Drugs Act, et cetera. The question therefore is why should we adopt this law? Why do we need this legislation? Well, the idea is to align with international obligations.

And, it was felt that dedicated legislation is required to address new and emerging developments in illicit drug manufacturing. Because, of course, we are aware that as the drug becomes more sophisticated, and it continues to become more sophisticated day by day that the threats will continue to evolve. And, although we believe—well, some believe—that Trinidad and Tobago may not be ripe with, overrun with illegal labs, we still believe, and I take the point of Rev. Abdul-Mohan and others, that we should actually prepare for the circumstances that can arise, and therefore we can be best ready should they arise. And, certainly, the monitoring of the precursor chemicals at the moment is scattered throughout different pieces of legislation. We felt it would be best to bring it under one legislation, one piece of legislation.

Madam President, the concern was also raised with regard to what is reasonable, and whilst one of the amendments is actually to deal with the

whole issue of the warrant, I still think that it is necessary to deal with what is reasonable, because what is reasonable is an established definition in law.

One can turn to *Halsbury's Laws* Vol. 45(2), where it states:

“Reasonable and probable cause for a prosecution has been said to be an honest belief in the guilt of the accused based on a full conviction, founded upon reasonable grounds, of the existence of a state of circumstances which, assuming them to be true, would reasonably lead any ordinary prudent and cautious man, placed in the position of an accuser, to the conclusion that the person charged was probably guilty of the crime imputed.”

5.45 p.m.

Madam President, there is actually a body of case law that deals with the whole idea of what is reasonable. And therefore it is not a willy-nilly type approach to what is reasonable. The court can clearly decide and determine what is reasonable in particular circumstances.

Sen. Al-Rawi also had another concern with regard to clause 20 of the Bill which specified that:

“Where a person is convicted of an offence under this Act and the Court...is satisfied that any property...was in his possession or...control”—et cetera—“...may make an order for the forfeiture...”

And he asked the question, how could that be a delinking of a predicate offence? Meaning, how could that be to remove the necessity of having an offence to allow you to forfeit as we did in the amendments in August, in amending the Proceeds of Crime Act?

Well, the rebuttal point, Madam President, is that clause 20 of the

Precursor Chemicals (No. 2) Bill, and sections 18, 19, 20 and 38 of the Proceeds of Crime Act are in sync with each other. This particular Bill is for a specific licencing regime for the purpose of diverting specified chemical substances into narcotic drugs and psychotropic substances. The main purpose of the Bill is diversion into substances that are illegal. The question of a predicate offence simply does not arise.

The Food and Drugs Act, the Pesticides and Toxic Chemicals Act and the Dangerous Drugs Act all have specific licencing regimes to be used for specific purposes. All these Acts were examined thoroughly by technocrats and the Precursor Chemical Bill was drafted with the prevention of the diversion of precursor chemicals and other chemical substances used or capable of being used in any type of illicit transaction involving narcotic drugs and psychotropic substances, specifically.

Madam President, the question was also asked that the hon. Attorney General said that we could be reversing the burden of proof and we are doing potentially the opposite. Well, the burden of proof remains on the accused to show that he did have a licence or to prove that he did not commit the offence.

Clause 21(1) of the Bill was also a major source of concern, and this is where, Madam President, the issue of:

“A person who uses or causes another person to use a specified chemical equipment or a specified chemical...”

“Equipment” is defined as—meaning, if you use it illegal or illicitly and every single manufacturer it was thought in Trinidad and Tobago who imports or creates, who deals with any aspect of the precursor chemicals

automatically is guilty of an offence.

Well, Madam President, we have taken that on board and we have suggested that the appropriate amendment be made to deal specifically with persons operating unlawfully.

I can go through all the amendments now, but I think it will be most appropriate if Senators have an opportunity to digest the amendments, and therefore allow us to come back and go through the committee stage in a much easier fashion, having given Senators the opportunity to digest the amendments and the time to consider them properly. And as such, Madam President, I believe that the Leader of Government Business on this side would have something to say on the issue. [*Desk thumping*]

ADJOURNMENT

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Thank you, Madam President. Madam President, of course, he has not completed, the hon. Attorney General will continue his winding up on the next occasion. In the circumstances, Madam President, I beg to move that this Senate do now adjourn to Tuesday, March 24, 2015 at 1.30 p.m. where we would deal with and continue the debate on the Private Members' Motion moved by Sen. Dr. Victor Wheeler.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 5.51 p.m.