



JOINT SELECT COMMITTEE ON

NATIONAL SECURITY

REPORT OF THE
JOINT SELECT COMMITTEE ON NATIONAL SECURITY

FOURTH SESSION (2023/2024) OF THE TWELFTH PARLIAMENT

On an inquiry into the safety, security and protection of citizens with specific reference to the factors that contribute to the prevalence of illegal firearms and gun violence in Trinidad and Tobago.

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Introduction/Overview

Safety and Security

1.1 The pervasive threat of gun violence has long been analysed within national, regional and international context. UN measures¹ have been put and agreed to by numerous nations with an aim to limit the proliferation of illicit firearms. These policies are often politically but not legally binding, allowing states to nationally regulate the manufacture and distribution of guns without risk of severe consequence. This lack of consequence has permitted a steady increase in the global stockpile over the last decade; currently, the Small Arms Survey estimates that of the one billion firearms in global circulation as of 2017:

- 857 million (85%) are in civilian hands;
- 133 million (13%) are in military arsenals; and
- 23 million (2%) are owned by law enforcement agencies.²

1.2 It is evident that there is a constant demand for, and an even greater supply of, small arms/firearms; the Small Arms Survey outlines that “38% of military small arms in government arsenals are surplus to requirements, representing a large waste of resources but also a serious hazard to military and civilian populations living near accumulations of surplus weapons.”³ These surplus stocks can potentially fuel the illicit firearms trade, thereby facilitating criminality and endangering the lives of many. Direct correlations can be seen between the proliferation of illegal firearms, prevalence of crime using these weapons and the loss of public safety and confidence in law enforcement agencies to protect the innocent. This unfavourable scenario is undoubtedly rooted in the manufacture and dissemination of illegal firearms by nations with the capacity to produce, then purchased illegally and utilised by individuals with corrupt and immoral motives.

1.3 Unfortunately, Trinidad and Tobago (and by extension, the Caribbean region) finds itself in a geographically problematic position; as a historical transshipment point for the transfer of illicit weapons and substances from South America to North America, and from North America to Europe, the region is challenged to control the influx of such items, which unreservedly shape the criminal landscape of the region’s territories with their proliferation. Corruption enables weapons to enter the country, encouraging gang presence and fostering crime and criminality.

¹ Examples include: UN Firearms Protocol, the UN small arms Programme of Action, UN Register of Conventional Weapons and the UN Arms Trade Treaty.

² Small Arms: No Single Solution <https://www.un.org/en/chronicle/article/small-arms-no-single-solution>

³ Global Firearms Holdings: <https://www.smallarmssurvey.org/database/global-firearms-holdings>

Research conducted

1.4 Surveys assessing the citizens of Trinidad and Tobago's perception of safety and security have been administered or facilitated by the Police Service Commission (PSC), the University of the West Indies, the TTPS and the United States of America (USA) Embassy since 2015; such surveys have provided data that suggest that citizens' sense of safety has diminished over the period, see Figure 1 below.

Figure 1 Summary of Surveys

Area	2015 UWI Fear of Crime Survey/ NCVS ⁴	2016 PSC Public Satisfaction Survey (Response for 2015)	2016 PSC Public Satisfaction Survey (Response for 2016)	2018 US Embassy TTPS Public Perception Survey	2019 TTPS Public Satisfaction Survey (Response for 2018)	2019 TTPS Public Satisfaction Survey (Response for 2019)	2019 PSC Public Satisfaction Survey	2020 PSC Public Satisfaction Survey
Overall satisfied with the service received from the police	35%	38.3%	31%	38.3% ²		44.8% ³	49%	37%
Satisfied with the job that the police are doing in this country			39.4%				30%	25%
Have confidence in TTPS ability to Reduce Crime		53.8%	53.4%	52.8%				37%
Have confidence in TTPS ability to Solve Crime		52.4%	51.9%	37.5%				29.7%
Had some trust or full trust in the police	49%	61.5%	58.7%					
Approve of the overall performance of the TTPS					36%	55%		25%
Feel safe on community streets at night	65.5%					28.4%	34%	36%
Feel safe on community streets during the day	86.8%					51.2%	67%	68%
Police follow-up on reports made							12%	14.5%
Police interact with residents in a fair manner	59%					35.8%		27.9%
Satisfied with police visibility in your community			64.6%				35%	33%

4

1.5 During this inquiry, the Committee conducted its own survey of the public's perception of safety and security, receiving 1,252 responses.

1.6 Responses were received from citizens living in every constituency, with the majority (839 persons) residing in their region for over sixteen (16) years.

1.7 The following Figures summarise the Committee's findings:

⁴ Submission from the Trinidad and Tobago Police Service, dd. January 10, 2022: pg. 10

Demographic Features

Figure 2 Gender of Respondents

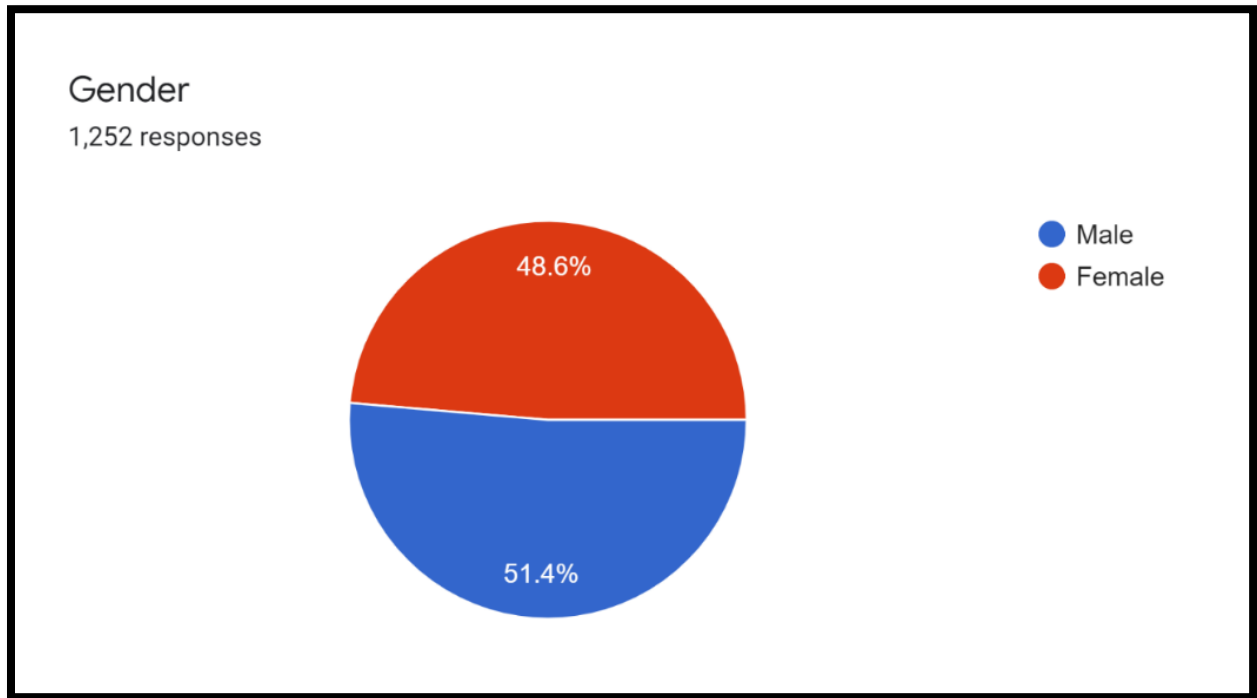
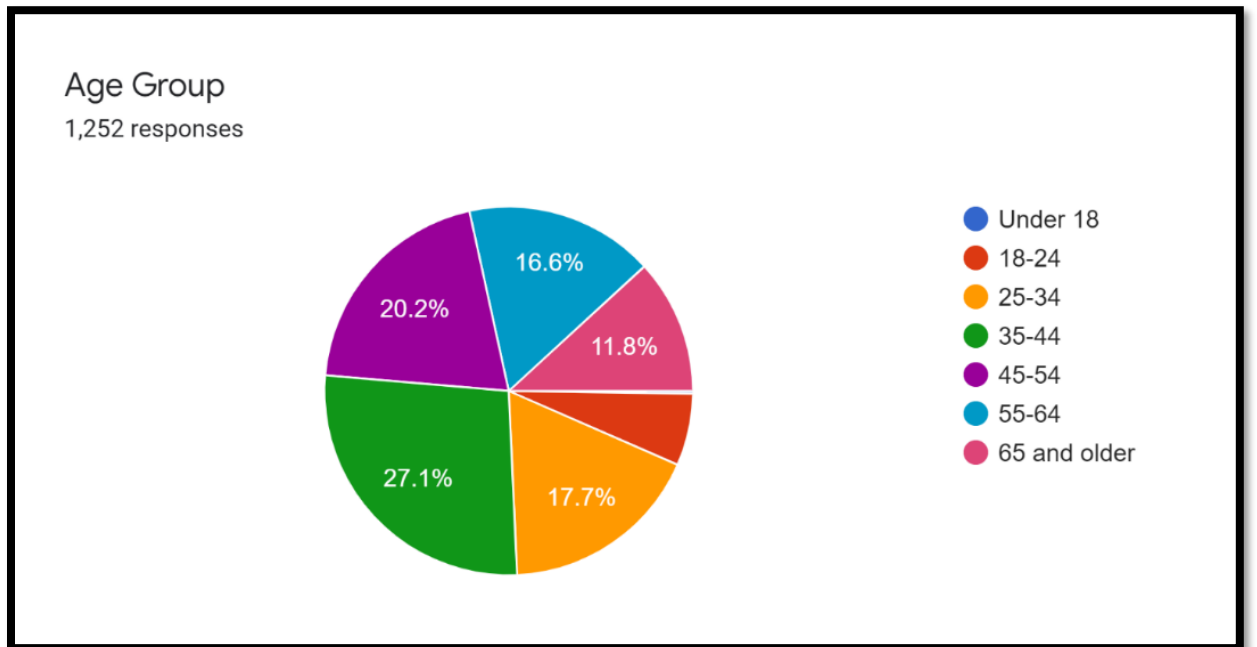


Figure 3 Age Groupings of Respondents



Safety in Communities

Figure 4 Respondents' Sense of Safety

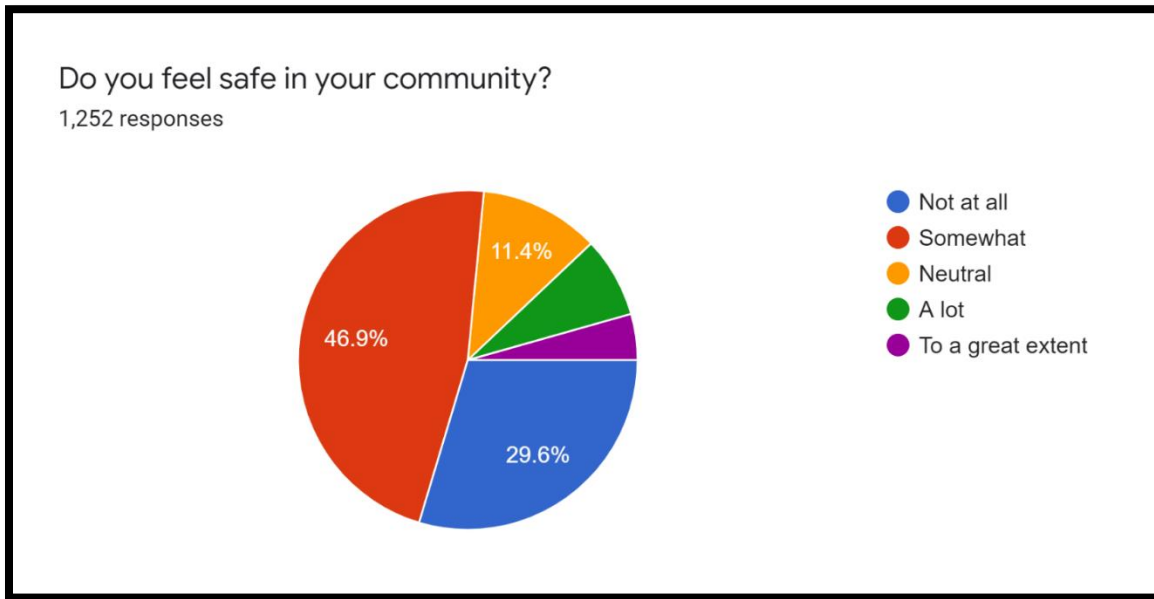
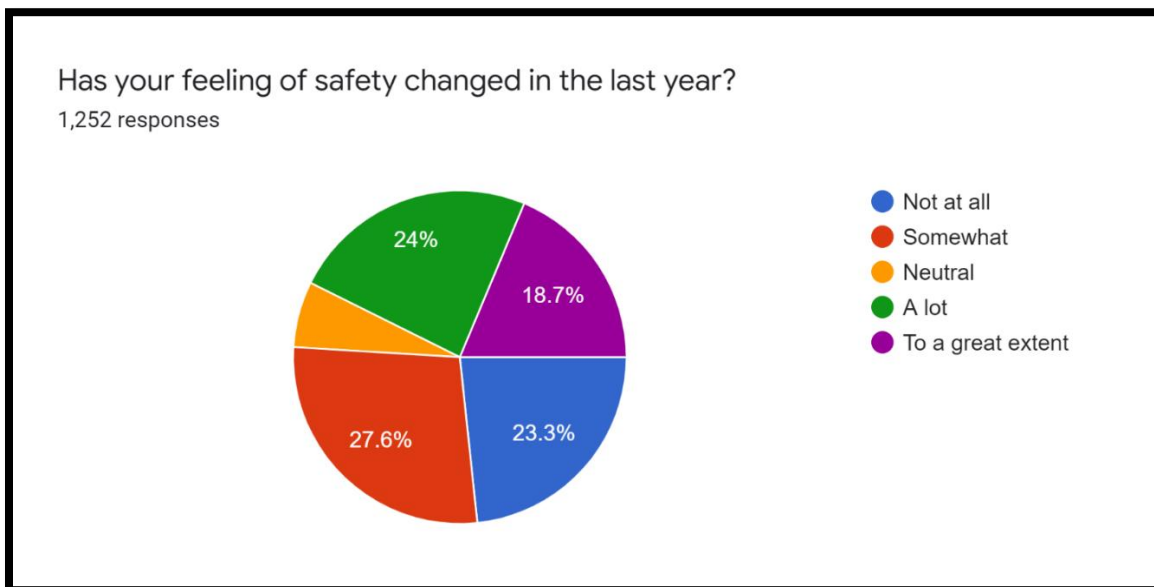


Figure 5 Changes Experienced re Sense of Safety



- 1.8 The security issues that most concerned respondents were:
- Burglaries and Break-ins (71.1%);
 - Robberies (57.2%);
 - Murders (37.5%);
 - General Larceny (22.1%);
 - Wounding and Shootings (21.7%);

- vi. Possession of Firearms and Ammunition (20.2%);
- vii. Drug Offences (18%);
- viii. Sexual Offences (Rapes, serious indecency, incest etc.) (11.9%);
- ix. Kidnapping for Ransom (8.1%); and
- x. Fraud Offences (2.9%).

Prevalence of Illegal Firearms and Gun Violence

1.9 The Committee understands that numerous factors contribute to a citizen's sense of safety and security, particularly as relates to the efficacy of the criminal justice system. However, an analysis of data from the Strategic Services Agency revealed that illegal firearms were utilised in **8,472** fatal and non-fatal reported serious crimes committed over the period 2016-2020⁵.

1.10 Given that the prevalence of crime (which is in most cases gun-related) remains the most publicised content in all forms of media, the prevalence of illegal firearms and firearms related offences has a direct correlation with the citizenry's sense of safety and security. Therefore, the Committee chose to focus its inquiry on addressing the challenge of illegal firearms and gun violence as a strategy to address the broader implications associated with the maintenance of safety and security.

1.11 The impact of such proliferation of illegal firearms in Trinidad and Tobago society is significant. According to the Small Arms Survey/IMPACS Caribbean Firearms Study⁶, Trinidad and Tobago places second (with St. Lucia) in a comparative study of the homicide rate per 100,000 population, behind Jamaica. For the years 2016 up to 2020, Jamaica has shown a rate of 44.7 homicides per 100,000 population, Trinidad and Tobago 28.5, St. Lucia 28.3, St. Vincent and the Grenadines 26.1 and Belize 25.7.

1.12 A reasonable estimate is that every year, 1,000 more illegal firearms are available for criminals in the streets and homes of Trinidad and Tobago, and that during the same time the total efforts of law enforcement manage to only intercept 50 firearms (5%).

1.13 It is therefore true that Trinidad and Tobago does not suffer exclusively from a security crisis, but also a border control crisis; owing to the lack of efficiency of the Customs and Excise Division and the Trinidad and Tobago Coast Guard and a gun retrieval crisis, owing to the lack of efficiency of the Trinidad and Tobago Police Service. The prevalence of these crises and the agencies that struggle to hinder their spread will be explained further in this report.

⁵ Submission from the Strategic Services Agency, dd. October 21, 2022: pg. 4

⁶ "CARICOM-IMPACS-SAS-Caribbean-Firearms-Study" CARICOM IMPACS (April, 2023)

<https://www.smallarmssurvey.org/sites/default/files/resources/CARICOM-IMPACS-SAS-Caribbean-Firearms-Study.pdf>

1.14 The intentional and justified use of the word “crisis”, at repeated times, is meant to foster higher sensitivity to this report’s recommendations, thus enhancing the chances for those to be taken into account and implemented.

The Committee’s Conclusion

1.15 The firearms industry is lucrative in Trinidad and Tobago, valuing anywhere from TT\$56,169,000 to \$144,362,000 with an average black market price of TT\$17,429 per firearm.⁷

1.16 Traffickers moving arms by freight use different techniques for concealing their identity and illicit cargo, this includes adopting fictitious or intermediary addresses, fake paperwork like misidentifying the arms as objects of similar shape and density (metal tools, engine parts, etc.) as well as undervaluing the goods.

1.17 Certainly traffickers are also aided by corrupt personnel who facilitate activities. According to the Strategic Services Agency (SSA) assessment, corrupt law enforcement personnel have been uncovered at all law enforcement organisations, see Figure 6 below⁸:

Figure 6 The distribution of the number of corrupt law enforcement personnel as at December, 2022

LE Organisation	Number of Active Personnel	Number of Discharged Personnel	Total
Customs and Excise Division (C&ED)	4		4
Immigration Division	7		7
T&T Prison Service (TTPrS)	52		52
T&T Coast Guard (TTCG)	5	1	6
T&T Police Service (TTPS)	109	1	110
T&T Regiment (TTR)	7	4	11
TOTAL	184	6	190

1.18 Given that Trinidad and Tobago does not manufacture firearms or ammunition, the prevalence of illegal firearms is primarily a result of challenges with efficacy of the functions to control the:

⁷ Submission from the Strategic Services Agency, dd. October 21, 2022: pg. 4

⁸ Submission from the Strategic Services Agency, dd. December 19, 2022: pg. 3

- i. importation of illegal firearms – which falls under the Customs and Excise for the legal ports, and the Coast Guard for the general surveillance of the seashores, and
- ii. retrieval of illegal firearms in circulation – which falls under the Trinidad and Tobago Police Service.

1.19 The Committee is particularly concerned whether these agencies in their current state have the capacity to effectively address the crisis.

1.20 Recommendations are therefore made under the following two transformation “Pathways”:

- i. **Pathway A:** Improving the efficacy of the functions to control the importation of illegal firearms; and
- ii. **Pathway B:** Improving the efficacy of TTPS operations.

Mandate and Powers of the Committee

2.1 The Joint Select Committee on National Security (“the Committee”) is established by Standing Orders 103 and 93 of the House of Representatives and the Senate respectively and is mandated to consider, from time to time, and report to the Parliament whenever necessary, on all matters related to the national security policy of Trinidad and Tobago. In particular, the Committee is authorised to examine:

- a) the security, safety and protection of citizens;
- b) the working relationships between the various agencies involved in intelligence gathering, and how they collect, coordinate, analyse and disseminate information and how these functions might be enhanced; and
- c) the mechanisms to review the performance and activities of the various agencies involved in National Security and critical infrastructure.

2.2 By motions approved in the House of Representatives on November 09, 2020 and June 16, 2021 and Senate on November 17, 2020, the following members were appointed to serve on the Committee:

Mr. Keith Scotland	Chairman
Dr. Paul Richards	Vice-Chairman
Mrs. Ayanna Webster-Roy, MP	Member
Mr. Kennedy Richards, MP	Member
Dr. Roodal Moonilal, MP	Member
Mr. Randall Mitchell	Member
Mr. Richie Sookhai ⁹	Member
Mrs. Jayanti Lutchmedial	Member

⁹ Mr. Richie Sookhai was appointed to the Committee w.e.f. 28.03.2023 in lieu of Mr. Nigel de Freitas.

2.3 The Committee has held twenty-four (24) meetings to date in the Twelfth Parliament.

2.4 The Committee has the power, *inter alia*:

- a) to send for persons, papers and records;
- b) to sit notwithstanding any adjournment of the House;
- c) to adjourn from place to place;
- d) to report from time to time;
- e) to appoint specialist advisers either to supply information which is not otherwise readily available, or to elucidate matters of complexity within the Committee's order of reference;
- f) to communicate with any other Committee on matters of common interest; and
- g) to meet concurrently with any other Committee for the purpose of deliberating, taking evidence or considering draft reports.¹⁰

Secretariat Support

2.5 The following Officers were assigned to assist the Committee:

Mrs. Jacqui Sampson-Meiguel	Secretary
Mr. Brian Caesar	Assistant Secretary
Ms. Krystle Gittens	Senior Parliamentary Research Specialist
Mr. Chad Salandy	Parliamentary Research Specialist
Mr. Roger Hector	Legal Officer

Objectives of Inquiry

The main objectives of the inquiry were:

- i. To understand the primary factors that contribute to the prevalence of illegal firearms and gun violence;
- ii. To identify prevailing trends concerning illegal firearms and gun violence;
- iii. To understand what is being done to address the primary factors that contribute to the prevalence of illegal firearms and gun violence;
- iv. To measure the effectiveness of strategies currently being utilised by stakeholders;
- v. To identify additional strategies to address the primary contributing factors; and
- vi. To develop and propose recommendations to Parliament where applicable.

¹⁰ Standing Orders 101 of the Senate and 111 of the House of Representatives.

Conduct of Inquiry

3.1 At the Committee's fifteenth (15th) meeting held on September 23, 2022, the Committee agreed to conduct an "examination into factors that contribute to the prevalence of illegal firearms and gun violence in Trinidad and Tobago."

3.2 The Committee identified key stakeholders, apart from the public, that have either provided valuable information on the topic or have a vested interest in combating the prevalence of illegal firearms and gun violence in Trinidad and Tobago. These are:

- Customs and Excise Division (CED),¹¹ under the Ministry of Finance (MOF);
- Ministry of National Security (MNS) and agencies under its remit, including
 - the Trinidad and Tobago Coast Guard (TTCG),
 - the Trinidad and Tobago Forensic Science Centre (TTFSC) and
 - the Trinidad and Tobago Police Service (TTPS);
- Port Authority of Trinidad and Tobago (PATT); and
- Strategic Services Agency (SSA).

3.3 The Committee received written submissions from all of the aforementioned, with most of the entities also appearing before the Committee for an in person hearing.

3.4 Submissions were also received from:

- i. The Association of Security Companies of Trinidad and Tobago;
- ii. The Security Owners and Managers Association of Trinidad and Tobago; and
- iii. The Ministry of Finance

3.5 The Committee held 3 (three) interactions with entities listed below in **Table 1**.

Table 1 Persons who appeared and provided oral evidence

Name of Official	Portfolio	Organisation
Hearing Held on November 09, 2022		
Honourable Fitzgerald Hinds, MP	Minister of National Security	Ministry of National Security
Hearing Held on November 30, 2022 (1:10 p.m. – 2:31 p.m.)		

¹¹ NB. The functions of the Customs and Excise Division will be subsumed under the Trinidad and Tobago Revenue Authority once established.

Ms. Ann Marie Alleyne-Daly	Deputy Director	Strategic Services Agency
Dr. Andy Short	Chief of Secretariat	Strategic Services Agency
Mr. Osiris Senghor	Analyst II	Strategic Services Agency
Hearing Held on November 30, 2022 (2:42 p.m. – 4:20 p.m.)		
Mr. McDonald Jacob	Commissioner of Police (Ag.)	Trinidad and Tobago Police Service
Mr. Kerwin Francis	Senior Superintendent (Ag.)	Trinidad and Tobago Police Service
Ms. Vidyah Marcial	Comptroller	Customs & Excise Division
Ms. Yasmin Harris	Deputy Comptroller (Ag.)	Customs & Excise Division
Mr. Leslie Hewitt	Assistant Comptroller (Ag.)	Customs & Excise Division
Mr. Riad Juman	Assistant Comptroller (Ag.)	Customs & Excise Division
Colonel (Ret'd) Lyle Alexander	Chairman	Port Authority of Trinidad and Tobago
Ms. Marcia Charles-Elbourne	General Manager/CEO (Ag.)	Port Authority of Trinidad and Tobago

3.6 Oral and written submissions received from the entities appearing before the Committee provided a frame of reference for the questions posed at hearings.

3.7 The Minutes of the Meetings during which public hearings were held are attached as **Appendix I** and the Verbatim Notes as **Appendix II**.

Current State Analysis

4.1 Inquiry Objectives 2 to 5 require a comprehensive assessment of the current state as regards:

- i. the proliferation of illegal firearms in Trinidad and Tobago,
- ii. the function of the customs and border control arrangements; and
- iii. the response of the Trinidad and Tobago Police Service.

4.2 Each of these elements is examined in detail in the proceeding sections.

The current situation related to the proliferation of illegal firearms in Trinidad and Tobago

4.3 Based on SSA analysis in 2021¹², the statistical estimate of illegal firearms in circulation within Trinidad and Tobago for 2021 was 11,043(+/-6%). This represented a 17% increase from the initial 2019 estimate of 9,389.

4.4 The Trinidad and Tobago Police Service provided the following data on gun retrievals¹³.

Figure 7 Firearms found and seized for the years 2019 to 2022 and the period Jan 1 to Sep 19, 2023¹⁴

FIREARM TYPE	2019	2020	2021	2022	2023	TOTAL
REVOLVER	197	149	120	117	90	673
PISTOL	473	396	360	396	290	1915
SHOTGUN	91	88	76	35	35	325
HOMEMADE SHOTGUN	46	48	44	37	16	191
RIFLE	63	56	62	105	61	347
SUB-MACHINE GUN	16	16	14	11	11	68
OTHER	2	2	5	2	1	12
TOTAL	888	755	681	703	504	3531

¹² Submission from the Strategic Services Agency, dd. October 21, 2022: pg. 3

¹³ Submission from the Strategic Services Agency, dd. October 21, 2022: pg. 3

¹⁴ Submission from the Trinidad and Tobago Police Service, dd. September 19, 2023: pg. 2

4.5 Based on data from 2019 and 2021, the percentage of firearms interdicted is below 10%.

4.6 According to the Bureau of Alcohol, Tobacco, Firearms and Explosives Firearms Trace Data for the Caribbean, 2020¹⁵, of the 303 requests made for the country of origin of these weapons:

- (52%) stated that the firearm was either manufactured in the US or first imported into the US, and
- (48%) revealed that the firearm was from an undetermined country of origin.

4.7 A breakdown of the above total was:

- 189 pistols (64%),
- 59 revolvers (19.8%),
- 22 rifles (7.4%),
- 20 shotguns (6.7%), and
- 8 “others” (2.7%).

4.8 Therefore, Pistols and Revolvers accounted for 84.6%, while rifles and shotguns were 14.1%.

4.9 Every long arm rifle smuggled through the border has generated a gross profit of on average USD \$5,500, while the gross profit for handguns ranges from about USD \$1000 to \$2000 based on the demand. See Table 3 below and the Callout Box: Comparison with Mexico for a Global Context.¹⁶

Callout Box: Comparison with Mexico

Global Financial Integrity published a report in March 2017²¹ indicating that the black market value of an AK 47 was USD \$1200 – 1600 near the Northern border of Mexico, and USD \$2,000 – 4,000 at the Southern Border of Mexico.

The report mentions four criteria affecting a weapon's price:

- High demand commands higher prices;
- The price increases the further the weapon is smuggled. The risk of detection increases according to the distance, and the crossing of a border;
- High level of governance and enforcement increases the risk for the trafficker, also increasing the price; and
- The local perception of quality versus certain weapon brands.

¹⁵ “Firearms Trace Data: The Caribbean – 2020” Bureau of Alcohol, Tobacco, Firearms and Explosives Firearms (March 10, 2021) online: <https://www.atf.gov/resource-center/firearms-trace-data-caribbean-2020>

¹⁶ “Global Financial Integrity, Transnational Crime and the Developing World” Channing May, (March 27, 2017) online: <https://gfintegrity.org/report/transnational-crime-and-the-developing-world/>

NB. These were prices from 7 years ago. It remains to be seen how much such weapons would cost in 2023 in Mexico

Table 2 Gross profit per illicit firearm

Type	USA price, USD\$	TT black market, USD\$	Gross Profit US\$
AR 15 semi-automatic rifle	630	6,000	5,370
AK 47 semi-automatic version	700	6,500	5,800
Pistol (e.g., Glock 19)	580	2,625	2,045
Revolver (egg S&W 637)	500	1,650	1,150

Examination of the current Customs and Border Security arrangements in Trinidad and Tobago

4.10 According to submissions by the SSA, there are a total of one hundred and twenty-three illegal ports in Trinidad and Tobago of which sixty-six (66) facilitate the entry/exit for illegal firearms and ammunition¹⁷.

4.11 The following nine (9) legal ports were flagged as key locations for the entry of contraband¹⁸:

Table 3: Lists of legal ports of entry for illicit contraband

Alcoa Bauxite Terminal - Tembladora	National Petroleum Company - Carenage
Caridoc - Chaguaramas	Pier One - Chaguaramas
King's Wharf - San Fernando	Pier Two - Chaguaramas
Labidco Port - La Brea	Point Lisas Port
Medway, Freeport	

4.12 Illegal entry or export of firearms and ammunition occurs at almost all the ports at any given time.

4.13 The importation of arms and ammunition are facilitated by individuals/associates who reside in North America; namely Baltimore, Georgia, Miami, New York and Texas in the USA, Canada, some European countries and Brazil, Columbia and Venezuela¹⁹.

¹⁷ Submission from the Strategic Services Agency, dd. December 19, 2022: pg. 4

¹⁸ Ibid, pg. 4

¹⁹ Ibid, pg. 5

Customs & Excise Division of the Ministry of Finance²⁰

4.14 The Customs and Excise Division (CED) is a division of the Ministry of Finance and plays a key role in assisting the Government of Trinidad and Tobago to achieve its national and international policy aims. The Division has the following roles²¹:

- Revenue collection and protection – implementing national, regional, and international policy, the aim of which is to raise revenue and combat any associated fraud.
- The correct application of trade policy – applying and monitoring compliance with trade-related rules and agreements, to facilitate legitimate trade.
- Protecting physical borders, society, and the environment – combatting smuggling and enforcing health standards and environmental policy and laws.
- Collect and disseminate accurate trade-related information and statistics – required by law to provide this information to the Central Statistical Office for compilation, analysis, and publication of trade data.

4.15 The duties and responsibilities of the Customs & Excise Division are outlined in the Customs Act 22 of 1938²² (and numerous subsequent amendments), and the Excise (General Provisions) Act and associated Regulations²³.

4.16 The Customs and Excise Division is responsible for enforcing the following main laws in an efficient, professional manner and with integrity²⁴:

- The Customs Act;
- Value-added tax;
- Anti-dumping and countervailing duties;
- The Excise General Provisions Act;
- Liquor licenses;
- Brewery;
- Spirit and spirit compounds;
- Registration of clubs;
- Petroleum tax; and
- The Free Zones Act.

4.17 The Customs Act empowers solely personnel appointed by the Customs & Excise Comptroller to implement the control of the discharge of cargo, the clearance of the cargo, and the collection of Customs and Excise duties.

²⁰ **NB. The functions of the Customs and Excise Division will be subsumed under the Trinidad and Tobago Revenue Authority once established**

²¹ Customs and Excise Division Website: <http://www.customs.gov.tt/>

²² Customs Act Chap 78:01 <http://www.customs.gov.tt/content/Customs%20Act.pdf>

²³ Excise (General Provisions) Act 78:50

[http://www.customs.gov.tt/content/Excise%20\(General%20Provisions\)%20Act.pdf](http://www.customs.gov.tt/content/Excise%20(General%20Provisions)%20Act.pdf)

²⁴ Customs and Excise Laws <http://www.customs.gov.tt/customs-laws>

4.18 The Customs & Excise Division cooperates with two Government agencies in relation to border security at the legal points of entry:

- The Trinidad and Tobago Port Authority, in all areas of port facilities. The Port Authority manages and runs port logistics and oversees the facilities through patrols by the Port Police, and in the event of a breach of security, reports are made to the CED and Trinidad and Tobago Police Service.
- The Trinidad and Tobago Police Service collaborates with CED whenever illegal firearms are discovered. In such cases, the weapons are seized and sent to the Special Evidence Recovery Unit (SERU) to be analysed and DNA tested. An e-tracing is conducted to track the manufacturer and distributor of those firearms. TTPS, in collaboration with the CED, is in charge of the investigation and collects information on packages, paperwork, consignor, consignee, shipping agent, and potential information sources.

4.19 In instances when illegal firearms are discovered, Customs and Excise personnel call on the Police to continue with the investigation.

4.20 There are 2 airports, 13 seaports and 6 transit sheds under the purview of the Customs and Excise Division:

Table 4 Legal Ports in Trinidad and Tobago

Airports	Seaports	Transit Sheds
Piarco International	Brighton	Aeromarine
Arthur N.R. Robinson International	Cedros	Amerijet
	Chaguaramas	Caribbean Airlines Transit Shed
	Charlotteville	Gas Transit Shed
	Cocorite	Medway
	Port-of-Spain Wharves	Piarco Air Services
	Point Gourde	
	Point Fortin	
	Point Lisas	
	Pointe-A-Pierre	
	San Fernando	
	Scarborough	
	Tembladora	

4.21 CED Officers are mandated to be stationed at each point of entry under their purview. However, human resources challenges do not permit each point of entry to be sufficiently manned at any given time.

4.22 In recent years, incidents of discovery of illegal firearms have occurred mostly at Transit Sheds. Table 5 below illustrates the types of illegal firearms discovered for the 2019-2022 period.

Table 5 Types of Illegal Firearms Discovered by CED

Location	Year	Type	Quantity	Origin/Source
Shed 10 – Port of Spain	2019	Pistol	1	USA
		AK 47	1	
		Short Assault Rifle	1	
		5.56mm	28	
		9mm	14	
	2021	Pistol	15	
		Shot gun	1	
		Assorted rounds	52	
Medway Warehouse - Freeport	2022	AK 47	9	
		AR 15	8	
		Pistols	2	
		Assorted rounds	1021	
		Pistols	5	
		5.56 Rifles	16	
		Plipdeco Warehouse – Point Lisas, Couva	Assault Rifles	
			9mm	160
.45mm			53	
5.56			500	
7.62			300	

Customs & Excise Division Operations and Border Security Arrangements

Initial Screening - ASYCUDA

4.23 Cargo clearance, including the collection of customs duties and taxation, is at the core of the Customs and Excise mandate.

4.24 The primary tool employed by the CED for this purpose is the ASYCUDA World software.

4.25 ASYCUDA World operates on a centralised architecture that provides 24/7 processing of trade transactions through the Customs network via the Internet. The ASYCUDA Program was designed with the aim of reforming the Customs clearance process. Its objectives are:

- Improve the efficiency and effectiveness of Customs operations;
- Reduce the time needed for Customs clearance;
- Simplify procedures;
- Reduce administrative costs;
- Improve management and control of Government finances;
- Provide quality information for decision-making;
- Capacity building of Customs;
- Improve trade conditions; and
- Provide a reliable source of information on foreign trade.

Callout Box: ASYCUDA

ASYCUDA (Automated System for Customs Data) is a United Nations Conference on Trade and Development (UNCTAD) created programme aimed to support the efforts of developing countries to modernise and automate their Customs clearance processes. The Headquarters of the programme is in Geneva, Switzerland.

The programme also developed an application software for use by the Customs staff, economic operators and partner government agencies since the early 1990s. ASYCUDA is used in 110 countries and territories. ASYCUDA operates in 83% of the least developed countries, in 66% of the landlocked developing countries and in 59% of small island developing states.

4.26 The major expected benefit of ASYCUDA is the **increase in Revenue collection**. It also replaces paper-based and manual clearance with a paperless system²⁵.

4.27 Chris Thibedeau, Customs and Trade Modernisation Specialist, expressed some of his views on risk management systems for Customs.

“As many of our clients still place a large focus on revenue leakage on imports, revenue evasion is only one of many threats occurring at the border. Others include security, narcotics, sanitary and phytosanitary safety, health, agricultural and environmental impact, commercial disruption, chemical weapons precursors, dual-use goods, prohibited items, weapons and ammunition, endangered species, and more....

Today, these various pending threats are not systematically analysed or managed by Customs Administrations and Other Governmental Agencies, with which

²⁵ “Computerisation of Customs and Trade – Selectivity and Accounting Controls”, a presentation by David Wright, ASYCUDA World. <http://www.customs.gov.gd/pdf/Asyscuda%20World%20Presentation%20Grenada.pdf>

Customs must coordinate and make inter-operable clearance and release decisions on goods at the border.”²⁶

4.28 ASYCUDA and its risk-profiling program (ASYCUDA algorithm) are not expressively designed for security risk detection, but rather for risks related to financial fraud and customs duty collection.

4.29 The factors that are part of the selection process are:

- Criteria-specific: Specific input to select red, yellow, or green/blue based on the combined experience of the department. A certain percentage may be set for each categorisation for random selection for additional screening, so that the shipping agent cannot predict whether his goods will be examined or not; and
- Manual: An approved officer may re-select a blue-selected declaration if there is any possible discrepancy or fraud.

4.30 When the selection programme flags containers as a potential risk, those will then undergo Customs Scrutiny of documents and, in some cases, an additional physical inspection (post-clearance audit in ASYCUDA language).

4.31 Interventions are possible at two stages of the ASYCUDA program where the human factor is of capital importance:

- First, in setting criteria in the selection based on personal or the department’s common experiences, hence in re-directing blue/green shipments for paper checks or physical checks; and
- Secondly, technically independent from the ASYCUDA program, the Officer can be proactive at the command of the scanning facility. Based on his experience and training, the Officer can detect suspicious shapes and materials that are non-consistent with the declared cargo and decide to conduct physical inspection.

4.32 Based on oral submissions by the CED during the Committee’s site visit to the Port of Port of Spain on December 07, 2022, on average the ASYCUDA System red-flags at least 50 containers daily and green-flags over 100²⁷.

4.33 All containers red-flagged by the ASYCUDA trigger further examination by the lead Container Examination Station (CES) Officer in the Division.

²⁶ “Perspective on risk management systems for Customs administration”, by Chris Thibedeau, TTEK Inc. Published: WCO News October 2019, <https://mag.wcoomd.org/magazine/wco-news-90/perspective-risk-management-systems/>

²⁷ Key Points: JSC National Security Visit to the Port of Port of Spain, dd. Wednesday December 7, 2022.

Scanning and the New Scanners Procurement Process

4.34 As at November 30, 2022, the CED clarified that based on an Inter-American Development Bank Non-Intrusive Inspection Needs Report, the present fleet of Mobile VACIS scanners are “all and have been determined to be not fit for purpose. Due to their emission source, they cannot be upgraded.”²⁸

4.35 Therefore, containers are being checked primarily through physical examination.

4.36 However, the Committee learned that inadequate staffing does not permit efficient and timely physical examinations, with only 3 of 14 bays being utilised by officers at the Port of Port-of-Spain²⁹.

4.37 The CED currently utilises four fixed (4) scanners³⁰ –

- two at Piarco Int’l Airport,
- one at the Port of Port-of-Spain and
- one at A.N.R Robinson Int’l Airport in Tobago.

4.38 For the period January to August 2022, the CED scanned **3,998** containers out of **23,000**.³¹

4.39 The issues of limited scanner usage and a lengthy procurement process for replacements have severely impacted the functions of the CED, creating an evident correlation between inefficient technological capabilities and the prevalence of illegal firearms in recent years.

4.40 CED has made numerous proposals to bolster their staff. However, as a division and not a department, they can only make recommendations to their line Ministry, the Ministry of Finance, to enhance their staff complement or procure tools and equipment in order to augment their operations. ³²

²⁸ Appendix II Submission from the Ministry of Finance, dd. pg. 9.

²⁹ Key Points: JSC National Security Visit to the Port of Port of Spain, dd. Wednesday December 7, 2022

³⁰ Oral submission made during the 17th Public Hearing of the Joint Select Committee on National Security, dd. November 30, 2022.

³¹ Ibid

³² Ibid

4.41 The procurement process to replace the mobile scanners is as follows³³:

Table 6 Timeline for procurement of new mobile scanners

Oct 2021	i. The sum of \$63 million TTD was provided for the acquisition of scanners by the CED in the financial year (FY) 2021-22 Budget.
Feb 2022	i. MOF receives a request from the Comptroller of CED to purchase 2 mobile scanners. ii. The Permanent Secretary (PS) of the MOF recommended that a draft Cabinet Note be prepared to procure the required equipment.
Jul 2022	i. A file was sent to the PS MOF indicating a Request for Quote for the purchase of four (4) mobile scanners. ii. The CED is working towards the procurement of these scanners before the end of the FY 2022.
Aug 2022	i. Discussions were held between the CED and the US Customs Adviser regarding the procurement process with an attached Request for Proposal (RFP). ii. The approval by the PS MOF was sent to CED, and the PS MOF was advised that the RFP would be issued, and the actual acquisition of the scanners could be made early in FY 2023.
Oct 2022	i. Provisions for the acquisition of scanners were made in the FY 2022-23 Budget in the amount of \$90 million TTD.
Nov 2022	i. Discussions were held between the CED and the MOF on the non-issuance of the RFP. ii. The PS MOF instructed CED to send the RFP to the Central Tenders Board immediately.
Jan 2023	i. The MOF issued a statement on the procurement process for four (4) new mobile scanners.

Additional Issues with operations of the Customs & Excise Division

Shortage of Customs personnel

4.42 The major challenge for the Customs & Excise Division is the shortage of personnel to carry out its mission in an effective manner. The Customs Act requirement of 700 employees predates the explosion of containerised cargo that occurred after 1990.

4.43 Current staffing is only 50% (352 employees) of that obsolete requirement. In real words, a shortage of more than 50% of personnel needed to fulfil its mandate with satisfaction is more a staffing crisis. By the end of 2023, 80 additional Customs officers will graduate from their basic training and be deployed.

³³ Submission from the Ministry of Finance, dd. December 8, 2022: pgs. 2-3.

Integrity

4.44 The Joint Select Committee was informed during a visit to the Port premises that most importers who have brought in contraband utilise fake names and fake addresses in the Customs documentation.³⁴

4.45 Moreover, there are instances when cargo with contraband is never collected from the Port. This certainly shows that somebody working inside the Port facilities has warned the consignee that the contraband had been uncovered.³⁵

4.46 The Joint Select Committee on National Security questioned the Customs and Excise Division about mechanisms used to regulate the conduct of Customs and Excise personnel to avoid corrupt activities in the execution of their duty. The CED provided the following:

- “Candidates who are successful at the entrance examination for the office of Customs and Excise Officer I are all thoroughly vetted.
- Our Recruit training programmes always include the very critical module entitled “Ethics and Integrity in the Workplace”.
- Officers are exposed to various training programmes, which incorporate best practices to develop personal integrity toward fostering and maintaining a strong organisational culture.
- There is continuous electronic monitoring of the activities of officers through CCTV cameras to detect inconsistencies and identify trends to institute the appropriate remedies.
- Our senior officers are encouraged to exercise meaningful supervision, to be impactful mentors and to generally exhibit character which worthy of emulation.
- Supervisors are responsible for completing Performance Appraisals. These allow for examining shortcomings and for identifying areas for behavioural change and personal development.
- In an effort to reinforce the Department’s vision, some of our printed communication is emblazoned with the words, which represent our Core Values, “Integrity, Accountability and Service”.
- In instances where it is required, the Division resorts to triggering the mechanism for disciplinary proceedings in accordance with the provisions of the Public Service Commission Regulation.”³⁶

³⁴ Key Points: JSC National Security Visit to the Port of Port of Spain, dd. Wednesday December 7, 2022

³⁵ Key Points: JSC National Security Visit to the Port of Port of Spain, dd. Wednesday December 7, 2022

³⁶ 84. *An officer who is alleged to be guilty of misconduct or who is alleged to be guilty of indiscipline by failing to comply with any regulation, order or directive for the time being in force in the Ministry or Department to which he is assigned, is liable to disciplinary proceedings in accordance with the procedure prescribed in these Regulations.*
<http://www.scd.org.tt/images/regulations/Public%20Service%20Commission%20Regulations.pdf>

4.47 The US Customs Border Patrol (BCP) is assisting the Division with the development of an “Integrity/Anti-Corruption Strategy” and the establishment of an Internal Affairs Unit.³⁷

Non-scanned cargo

4.48 Working with an automated selection programme can produce a pleasant routine where human input in risk selection can quickly become marginal. For a Customs Officer, it is even possible to think that all the risks have already been analysed by the ASYCUDA algorithm, and further checks will be carried out only on what the program has selected.

4.49 Additional to the aforementioned issues with operability of scanners, it must be noted that scanning is limited to Full Container Load Containers. Less than Container Load (LCL) Containers containing plastic barrels and other packages of diverse merchandise for different consignees are not subject to scanning³⁸. After examination of the paperwork, they are referred to the Container Examination Section (CES), where in-depth physical inspection is done.

4.50 One has to understand that the number of containers offloaded every day and presented for Customs clearance represents a constant flow. Customs personnel must process this amount of work in a timely manner – if not, the storage space available for containers in the port could become overcrowded, leading to ships having to wait on shore for several days.

4.51 Under such conditions, it is natural that the percentage of intrusive inspections will be considerably low. This percentage is certainly in line with the low level of illegal firearms discovered.

4.52 There is also a great risk that this practice facilitates the operations of corrupt personnel.

4.53 The Committee noted that in a published report in the Trinidad Guardian, a senior Customs officer explained how corruption is possible:

“There is a physical presence when they are informed of particular cargo coming in. They are on-site and, in some cases, are involved in the clearance of cargo which has contraband like guns and drugs and turn a blind eye and let it go. There is also delaying of documents, copying of documents from the original and changing the information on them”.

³⁷ Submission by the Customs & Excise Division, dd. November 28, 2022: pg. 9

³⁸ During the Joint Select Committee visit on 7th of December 2022, Customs officers mentioned that “Only Full Load containers are scanned because LCL imports create images that are too difficult to analyse”.

“Most of the bonds where these weapons come in do not have a scanner, only shed ten has one in Port-of-Spain. Added to that, one of the particular bonds is private and we do not have control over that bond's opening and closing hours. Meaning things can come in and go even when customs officers are not there”³⁹.

Storage of imported second-hand vehicles

4.54 Imported used vehicles are stored in the Port of Spain Spectrum parking lot. These vehicles do not pass through a scanner. According to the information provided by Customs to the Joint Select Committee, no weapons or other illegal materials have been found so far in these vehicles.

4.55 Given that only cursory checks are conducted on vehicles, it is likely that concealed weapons if present would actually remain unfound by Customs agents.

Figure 8 Firearm Concealed in Vehicle



Figure 9 Firearm Concealed in Vehicle

Callout Box: International Context

In other countries, cases of smuggling firearms hidden in cars were reported. In some cases, the entire inside of the backbench of a SUV was found full of guns or drug packages. Figures 6 and 7 to the left are some pictures of illegal arms hidden in cars; the first picture is from South Africa and the second is from Dover in the UK.

³⁹ Customs officers complicit as illegal guns pass through ports, Raphael John Lall, Mark Bassant, 6th November 2022 <https://www.guardian.co.tt/news/customs-officers-complicit-as-illegal-guns-pass-through-ports-6.2.1566575.9e7c675ca7>.



4.56 An additional concern of the Committee is that wire mesh and poles of a height of about 2 metres fence the vast parking lot used to store vehicles awaiting clearance. Such a fence is not a serious hindrance to throwing packages overboard. In October 2021, the parking area has been equipped with CCTV surveillance cameras.

Border Security and Firearms-related activities of other Government Agencies in Trinidad and Tobago

Trinidad and Tobago Port Authority

4.57 The Port Authority's main purpose is to develop the port facilities, run port operations, and collect dues and charges.

4.58 The PATT does not open, inspect or examine any cargo that enters or leaves the nation's borders; this function is performed solely by the CED. However, the PATT does maintain a fixed scanner facility – operational since 2015 – that is utilised by CED for the scanning of imports.

4.59 The Port Authority Police Department (PAPD) provides security services. Its Officers are trained, amongst other areas, in crime scene awareness and crime scene management. Some PAPD units and sections are directly involved in security management, like:

- The Crime Unit; and
- The Intelligence Unit; and
- The Container Security Unit; and
- Fixed postings and Patrol Units.

4.60 In its submission to the Joint Select Committee on National Security⁴⁰, the Port Authority stated that it had undertaken the following activities to regulate the conduct of cargo handlers:

⁴⁰ Submission by the Port Authority of Trinidad and Tobago, dd. 25 October 2022: pg. 2-3.

- As for policy development, the PATT has issued a Code of Business Ethics and Conduct (2020), a Whistle Blower Policy (2020), a Corporate Fraud Policy (2020) and a Substance Drug and Alcohol Abuse Policy (2021);
- Training and up-skilling of Managers/Supervisors and Port Police Officers;
- CCTV cameras in all main operational areas, entrances, exits of the Port Terminal facilities; and
- Collaboration with key external stakeholders such as TTPS and Customs and Excise Division.

Trinidad and Tobago Coast Guard

4.61 The Trinidad and Tobago Coast Guard is the maritime component of the Trinidad and Tobago Defence Force and falls under the Ministry of National Security.

4.62 The Trinidad and Tobago Coast Guard manages the maritime borders of the country via patrols and coastal surveillance through the use of a coastal radar that provides 360° coverage of the island.

4.63 Currently seven (7) of the fourteen (14) vessels available to the TTCG are operable⁴¹. The inability to operate at full capacity stems from difficulties procuring spares and other equipment for the remaining vessels.

4.64 For the period 2018-2022, the TTCG has intercepted vessels and seized the following⁴²:

Table 7 Lists of arms and ammunition seized by the TTCG from 2018-2022.

Year	Firearm	Quantity	Ammunition	Quantity
2018	Nil			
2019	Sig Sauer Pistol	1	5.56 mm rounds	6
	7.65mm Magazine	1	9mm rounds	5
2020	Twelve Gauge Shotgun	1		
2021	Nil			
2022	Nil			

4.65 Intelligence acquired by the TTCG suggests that arms and ammunition are mainly brought into the country through legal ports of entry; large caches arrive through containers and barrels⁴³.

⁴¹ Oral submission made during the 20th Public Hearing of the Joint Select Committee on National Security, dd. March 15, 2023.

⁴² Submission from the Ministry of National Security, dd. November 28, 2022: pg. 2.

⁴³ Ibid

4.66 However, there exists a strong probability that arms and ammunition may arrive in smaller quantities, along with other illegal contraband such as narcotics, illegal migrants and livestock through entry points at villages along the Northern and Southern coastlines of Trinidad and the North-Western coastline of Tobago, including⁴⁴:

Table 8 Lists of points of entry for illicit contraband

Icacos Point	La Brea Area
Erin Point	Couva
Puerto Grande	Cangrejos Point
Palo Seco Bay	La Vache
Point Fortin	Chupra to Toco
Point Ligoure	Buccoo to Crown Point

4.67 In submissions received, the Coast Guard has not directly expressed any challenges in terms of equipment and staffing to the Committee. Despite this, Coast Guards, like Customs and Excise Division personnel, are at the forefront of the crisis related to the illegal influx of firearms in the country.

Trinidad and Tobago Forensic Science Centre (TTFSC)

4.68 The TTFSC collects, analyses and interprets all aspects of physical evidence that may be submitted by the TTPS or any other relevant agency/personnel. The technology employed by the TTFSC allows for critical examination results such as the determination of the types of firearms, calibres of arms and ammunition, correlation of shooting incidents.⁴⁵ Such information can guide other associated agencies on trends within the criminal sphere.

4.69 As at 30th September, 2022, there are approximately **8,066** firearm cases submitted to the Centre. These cases include firearms, ammunition, components of firearms and ammunition.

4.70 According to the TTFSC, common/popular choices of firearms, ammunition calibre and brands are as follows⁴⁶:

Table 9 List of popular arms and ammunition brands and calibres

Firearm Brands	Ammunition Brands	Ammunition
Smith and Wesson	II	5.56mm
Colt	Remington Peters	7.62x39mm
Taurus	Sellier & Bellot	9mm

⁴⁴ Ibid

⁴⁵ Trinidad and Tobago Forensic Science Centre <https://nationalsecurity.gov.tt/divisions/trinidad-and-tobago-forensic-science-centre> Accessed April 26, 2023.

⁴⁶ Written submission received from the Ministry of National Security, dd. November 28, 2022.

Glock	Israeli Military Ind.	.38mm
Pietro Beretta	CAVIM (Compania Anonima Venezolana de Industrias Militares)	.40mm
Tanfoglio		

4.71 As stated in previous reports of this Committee there are significant backlogs at the Trinidad and Tobago Forensic Sciences Centre (TTFSC) relating to forensic analysis related to firearms. As at end of year 2022, this backlog stood at 5631⁴⁷:

4.72 The Committee understands that the backlogs at the TTFSC are a result of multiple factors including a lack of expert human resources and adequate accommodation, technology and tools. Indeed, these challenges have been in existence for quite some time and were documented in detail in the 3rd Report of this Committee during the 11th Parliament.⁴⁸

Examination of the current response of the Trinidad and Tobago Police Service

4.73 The primary responsibility of the Trinidad and Tobago Police Service is safety through the maintenance of law and order. Amongst the major functions entrusted to the Police Service⁴⁹, these two can be linked to border security issues:

- Preserving the peace, detecting crime and other infractions of the laws.
- Apprehension of alleged offenders and bringing them before courts of competent jurisdiction.

4.74 The Police Service is the primary agency in combatting the prevalence of illicit firearms within the territory of Trinidad and Tobago, through a range of strategies and partnerships including:

- i. the execution of responsibilities under the Firearms Act;
- ii. the activities of the Coastal and Air Support units, in collaboration with the Trinidad and Tobago Coast Guard;
- iii. the multi-agency and multi-national tools such as Aircop and Seacop and collaborations such as Unodc and Interpol;
- iv. responses to intelligence from Customs, the Port Authority and the Coast Guard; and
- v. the collaboration with US Homeland Security Investigations (HSI), US Drug Enforcement Administration (DEA), the US Bureau of Tobacco, Firearms and Explosives (ATF) and the US Federal Bureau of Investigation (FBI).

⁴⁷ Submission by the Ministry of National Security of Trinidad and Tobago Submission, dd. May 15, 2023: pgs. 24-25

⁴⁸ "Third Report of the JSC on National Security on An Inquiry into the Operations of the Trinidad and Tobago Forensic Science Centre and the Issue of DNA Sampling in Trinidad and Tobago" (June 06, 2017) online: <https://www.ttparliament.org/wp-content/uploads/2021/11/p11-s2-J-20170606-NSEC-R3.pdf>.

⁴⁹ Public Statement of the Trinidad and Tobago Police Service in compliance with section 7,8 and 9 of the Freedom of Information Act (FOIA) 1999.

4.75 According to submissions from the TTPS dated October 25, 2022, the strategy for removing guns utilises the⁵⁰:

- i. National Firearm Retrieval Programme;
- ii. Forensic Science Initiatives – Ballistics and DNA (E-Tracing);
- iii. Intelligence gathering;
- iv. Collaborating with other law enforcement agencies to gather intelligence and promote the sharing of information;
- v. Partnering with the community;
- vi. Continuous training and building capacity within the Specialist Units and Gang Units; and
- vii. Informant Fund.

4.76 The Committee also examined the operations of the TTPS in relation to the monitoring of legal firearms and ammunition.

4.77 The TTPS is given a comprehensive range of authority under the Firearms Act, particularly as relates to monitoring the operations of legal entities who deal with firearms and ammunition as well as their current stock. See below:

- Section “21C The Commissioner shall establish and maintain a register, to be known as “the Trinidad and Tobago Firearms Register”, in which shall be kept, a record of –
 - (a) every licence, registration certificate and permit that is issued, renewed or revoked by the Commissioner;
 - (b) every application for a licence, registration certificate or permit or renewal thereof that is refused by the Commissioner;
 - (c) every importation into or exportation from Trinidad and Tobago of a firearm and ammunition of which the Commissioner is informed under this Act;
 - (d) every loss, finding, theft or destruction of a firearm and ammunition of which the Commissioner is informed under section 28; and
 - (e) such other matters as may be prescribed.”
- Section “26(1) Every licensed dealer shall provide and keep a register of transactions and shall enter or cause to be entered therein such particulars as may be prescribed of all transactions relating to his business as a licensed dealer.
...(3) Every such licensed dealer shall on demand allow any police officer duly authorised in writing in that behalf by the Commissioner of Police or any police officer of or above the rank of Inspector to enter and inspect all stock in hand and shall on request by – (a) any police officer duly authorised in writing in that behalf by the Commissioner; or (b) an officer of Customs; or (c) any police officer above the rank of Inspector, produce for inspection the register required to be kept under

⁵⁰ Written submission received by the TTPS, dd. October 25, 2022.

subsection (1), but so that any written authority required by this subsection shall be produced on demand.”

- Section “26(A) There shall be compiled and retained by the prescribed authority, a database of all licensed and, where possible, unlicensed firearms and ammunition located in Trinidad and Tobago.”

4.78 Additionally, the following was submitted to the Committee by the TTPS in response to a question on the frequency of audits of firearms and ammunition registers kept by FUEC holders and agencies with approved caches of firearms and ammunition:

- i. “In accordance with Police Standing Orders, Section 22 the Licensed Premises (Gun Smiths and Firearms Dealers) are to be visited at least once per month; and
- ii. In relation to FUEC Holders (Security Companies), an audit is also conducted annually to facilitate the payment of the appropriate fee for each firearm included in the licence.”⁵¹

4.79 It is unclear to this Committee the level of diligence with which the TTPS either maintains or monitors the aforementioned registers. However, the following submission received in relation to private security companies suggests that gaps in supervision exist⁵²:

“Mrs. Harewood-Christopher: ...It is the policy of the Trinidad and Tobago Police Service delegation that the police officers in the area where security companies exist, that they visit and account and ensure that firearms and ammunition are properly accounted for.”

Mrs. Webster-Roy: In your submission to the Committee you indicated that the current system in place is under review, can you indicate ... how many visits would have been done using the existing system within the last year?

Mrs. Harewood-Christopher: Unfortunately, there were not many visits over the last year. So that is actually a breakdown in the management and supervision.”

4.80 This revelation troubles the Committee. It would be logically expected that any leniency applied to the deliberate, legal regulation of guns and ammunitions can trigger uncertainty and doubt in the regulatory body charged with that particular function.

4.81 By extension, a lack of enforced checks and balances on legal operations can leave room for guns and ammunition to simply “leak” into the populace, under the radar.

⁵¹ Written submission received by the TTPS, dd. October 25, 2022.

⁵² Oral submission made during the 19th Public Hearing of the Joint Select Committee on National Security, dd. February 27, 2023.

Risk assessment and GAP analysis

Shortage of personnel in the Customs & Excise Division

5.1 Personnel shortage already plays a role in the programming phase of the Customs clearance process using ASYCUDA. In its submission to the Committee dated November 22, 2022, the Customs and Excise Comptroller mentioned that “the capacity of available staff to physically examine cargo”⁵³ was one of the four mentioned parameters for targeting containers in their Risk Management process.

5.2 In short, this means that the number of containers inspected is reduced because of the recurrent personnel shortage. Containers that would have been red-flagged in a situation of full staffing are allowed through without examination.

5.3 On November 30, 2022, Ms. Yasmin Harris, Deputy Comptroller (Ag.), stated in before the Committee that the shortage of personnel has an impact on the number of containers that can be physically examined by Customs. She mentioned that CED has 14 examination bays in Port of Spain. Due to the shortage of personnel, only three examination officers can be deployed there.

5.4 The Customs and Excise Division has contracted 80 new personnel since June 2022. Two weeks of induction training finished on the November 25, 2022. A one-year detailed training will start in January 2023. However, these trained officers will not be fully competent until after three years of experience in the fulfilment of their duties.

5.5 Even if we can consider that, under the current situation of a severe shortage of personnel, and shortage of specially trained screening officers, certain fatigue and loss of concentration after several hours of screening can happen, the fact that CED personnel has not detected any illicit firearms through screening in two years is not an encouraging result.

Poor results of illicit firearms discovered by scanning general cargo at Customs

5.6 During the Committee’s February 20, 2019 hearing, Ms. Vidyah Marcial, Comptroller of Customs and Excise, stated that within the four month period of October 12, 2018 and February 20, 2019, no single firearm or narcotics was detected amongst an estimation of 3,960 scanned containers⁵⁴.

⁵³ Written submission by the Customs and Excise Division, dd. November 22, 2022.

⁵⁴ 120 days with an average of 33 containers scanned daily.

5.7 From October 12, 2018 to January 31, 2019, 36 containers were subject to Customs examination through unsnuffing. During the same period, an estimated total of 2574⁵⁵ containers were scanned.

5.8 In 2021 and 2022, no single firearm was discovered during the containers' scanning process. Indeed, the 7 discoveries of firearms in 2021 and 2022 were discovered through the physical examination of cargo. The latest was discovered on the October 14, 2022 at the Medway Transit Shed.

5.9 In 2022 only, firearms were discovered on 5 occasions, all of them in bonded warehouses in Port of Spain or Point Lisas.

5.10 It must be noted that Transits from the port, under seal, to bonded warehouses are not always submitted to scanning prior to being allowed to proceed.

5.11 In its submission to the Joint Select Committee dated October 21, 2022, the Strategic Service Agency mentioned, "Most of the weapons, including high-powered weapons are generally imported through the legal ports".

5.12 The SSA also specified that "the majority of interceptions have been made at the various transit/commercial/courier sheds and bonded areas".

Poor results in the seizure of illicit firearms by the Coast Guard

5.13 According to the submission to the Joint Select Committee, dated November 28, 2022⁵⁶, The TTTCG seized the following number of firearms from intercepted vessels:

Table 10 Firearms Seized by the Trinidad and Tobago Coast Guard

Year	Firearm	
2018	NIL	
2019	1 SIG Sauer pistol	+ one 7,65 mm magazine and 11 rounds of ammunition
2020	1 shotgun cal. 12	
2021	NIL	
2022	NIL	

5.14 The Trinidad Coast Guard reported, via the Ministry of National Security, to the Committee on November 28, 2022 that 4 out of the 8 patrol boats are operational.

5.15 The true level of smuggling through smaller coastal locations is difficult to quantify as "contraband is usually jettisoned overboard prior to the interception by the

⁵⁵ 78 days with an average of 33 containers scanned daily.

⁵⁶ Submission by from the Trinidad and Tobago Coast Guard, dd. November 28 2022: pg. 1

TTCG.” The overall result in intercepting illegal firearms transported by small boats consists of one pistol and one shotgun in the last 5 years.

5.16 The SSA submission dated October 21, 2022 mentions, “there are high-powered weapons, revolvers, and pistols coming through Venezuela via pirogues and fast boats.”⁵⁷ In this case, none of them has been intercepted by the Coast Guards within the last two years.

Poor record of arms discoveries in imported vehicles

5.17 On July 14, 2017, the Committee visited the Spectrum area and learned that imported cars were not searched upon arrival, assuming that they had to be searched at the port of departure.

5.18 Furthermore, these cars would stay 7-10 days in the parking lot before being taken away by the consignee. A superficial search of the bonnet, the trunk, and the interior of the vehicle was carried out when the vehicle was ready to leave the port.

5.19 According to the submission to the Committee dated 28 November 2022, improvements in the Spectrum area were made, namely with the installation of 25 CCTV cameras. Information was also given that all cars are now locked, and keys deposited with the Port Authorities.

5.20 The ASYCUDA compendium 2022⁵⁸ specifically highlights the progress made in Trinidad and Tobago in the clearance of motor vehicles. In 2021, 13,008 motor vehicles were imported and processed using the ASYCUDAWorld upgrade (at least 50 per weekday). Customs inspections at the port were accelerated with a web application.

5.21 All improvements in the process are aimed at expediting clearance and reducing the opportunity for unethical practices.

5.22 During a two days Crime Symposium held in Port of Spain on 17-18 March 2023, criminologist Darius Figuera said to journalists “While the simple method of bringing in guns is through personal cargo, professional smugglers have been dismantling the guns and hiding them in engine blocks, automobiles, appliances, coffee cans, and even cartons”⁵⁹.

⁵⁷ Submission by the Strategic Services Agency dated 21 October, 2022

⁵⁸ United Nations Conference on Trade and Development, ASYCUDA Compendium 2022, Digital Connectivity for Inclusive Trade, United Nations, Geneva 2022.

⁵⁹ Fear and Anger as lives lost-illegal gun trade creates epidemic of violence, 03.04.2023.

<https://www.guardian.co.tt/news/fear-and-anger-as-lives-lost-illegal-gun-trade-creates-epidemic-of-violence-6.2.1689182.949a0cae15>

5.23 In Trinidad and Tobago, not a single firearm has been discovered inside an imported vehicle since 2017.

New types of firearms and parts: a challenge for detection

Ghost guns

5.24 Ghost guns are unfinished guns, available as a building kit, and are made of mostly hard plastic parts. A ghost semi-automatic rifle kit can be purchased in the US without a background check, is cheaper than an original brand, does not bear serial numbers hence is untraceable⁶⁰.

5.25 Ghost guns in the shape of AR 15, AK 47, or Glock 17 pistols can be built in one hour only. This FGC-9 complete build kit pictured here with machine threaded barrel sells for \$379.99⁶¹. The butt has to then be bought separately.

Figure 10 Ghost Gun



Callout Box: Jamaica Example

On 27 January 2023, 22 guns were seized at the Wharf in Freeport, Montego Bay, Jamaica, during a joint operation between Police and Customs¹. The majority were ghost guns bearing no serial number. A Large quantity of ammunition was also uncovered, originating from the US.

The article further stresses that ghost guns could make it more difficult to obtain a conviction in a court of law, as without a serial number, it is hard to prove that the gun was involved in the incident.

Risk assessment and GAP analysis: Conclusion

- 6.1 It is clear that the drastic changes are required to transform the efficacy of:
- the customs and border control functions; and
 - the operations of the Trinidad and Tobago Police Service.

⁶⁰ For more information, "Untraceable; The Rising Specter of Ghost Guns."

www.everytownresearch.org/untraceable-ghost-guns

⁶¹ <https://ghostguns.com/3d-print/>

6.2 The Committee has identified that the primary issues affecting agencies are both resource based and structural.

6.3 The following “Transformation Pathways” have been identified by the Committee and will be explained in detail subsequently:

Pathway A: Improving the efficacy of the functions to control the importation of illegal firearms

- A1: Establishment of a Border Protection and Security Agency (BPSA) under the Ministry of National Security.
- A2: Increasing the Human Resources capacity of the primary agencies responsible for customs and excise and border protection and security.
- A3: Increasing the Technological capacity of the primary agencies responsible for customs and excise and border protection and security.

Pathway B: Improving the efficacy of TTPS operations

- B1: TTPS Institutional Strengthening Project

Pathway A: Improving the efficacy of the functions to control the importation of illegal firearms

6.1 The recommendations in this section focus on addressing the operational challenges with the customs and border security functions as identified by the Committee.

Key performance indicators for this pathway

- % increase in the interception of illicit cargo
- % increase in the arrest and prosecution of smugglers
- % increase in staffing numbers

The Path Forward

6.2 During oral submissions by the SSA the Committee was informed that recommendations were made for the:

“...development of an effective and comprehensive operational plan, using intelligence and evidence to target various elements and traffickers in order for law enforcement to effect seizures, arrests and prosecutions.

It was agreed that a team from the Trinidad and Tobago Police Service, that is the Organised Crime and Intelligence Unit, the defence force and the SSA, would collaborate on developing the plan to implement the strategic recommendation.”

6.3 The Committee suggests that this recommendation be evolved to create a taskforce with the responsibility to develop an operationalisation plan for a law enforcement agency staffed by a combination of customs officers and police officers who are entirely focused on border security operations related to the importation of contraband.

A1 Establishment of a Border Protection and Security Agency (BPSA) under the Ministry of National Security

6.4 As stated within this report, emphasis on the border protection and security function of the CED is imperative for achieving greater safety and security within the country. The Committee corroborates the view of the SSA – “consider separating duties and taxation regimes of Customs & Excise from the Border Security function. The Law Enforcement/security function should be considered separate and apart from revenue collection.”⁶²

6.5 Consequently, the Committee recommends that the Border Protection and Security function of the CED should be separated into a new agency and fall under the purview of the Ministry of National Security – as the issues of border protection and security are essentially national security concerns.

6.6 Placing this agency under the MNS’s remit will ease the security burden misplaced on the CED’s current form, whilst affording the CED a singular focus on the customs and excise function.

6.7 The Committee contends that the CED should exclusively operate as a financial and administrative division, tasked solely with:

- revenue collection and protection,
- the correct application of trade policy; and
- collecting and disseminating accurate trade related information and statistics.

6.8 Under the stewardship of the Ministry of National Security, the BPSA should be vested with the powers, capabilities and status required to perform its functions effectively. The Committee suggests that the Border Protection and Security Agency be charged with, inter alia:

- conducting specialised screening, examination and inspection of received barrels, containers etc. for illicit cargo;
- interdiction of illicit items and/or persons at any national location upon intelligence received from the SSA, TTCG or other related entity; and
- collaboration with relevant law enforcement agencies on the development of strategies geared towards the interception, retrieval and destruction of contraband, and the charging and arrest of persons involved.

⁶² Submission by the Strategic Services Agency dated 21 October, 2022

6.9 The taskforce suggested by the Committee should be responsible for establishing and formalising the roles of the BPSA, optimising to the combined expertise of the named agencies.

6.10 Another option is for an organisational structure that mirrors already established local law enforcement agencies:

- A Commissioner as the head of the agency, reporting to the line Minister (i.e., Minister of National Security);
- Deputy Commissioners attached to divisions created by geographical placement (i.e., Deputy Commissioner of the Northern Division);
- Border Protection and Security Agency Officers, separated into varied units (and divisions) created for the agency, or absorbed from other law enforcement agencies.

Responsible Organisations: Ministry of National Security

Measures: % increase in staffing numbers, % increase in the instances of contraband discovered, % increase in the arrest and prosecution of smugglers

A2 Increasing the Human Resources capacity of the primary agencies responsible for customs and excise and border protection and security

The Path Forward

6.11 While the Committee is aware of the Government's intention to amalgamate the CED with the Board of Inland Revenue, to establish the Trinidad and Tobago Revenue Authority, the following recommendations are still suggested for consideration.

6.12 The Committee notes with concern the staffing arrangements of the CED, which extends to the recruitment of necessary specialised staff. Staffing numbers of 352 personnel out of an antiquated mandate of 700 is inadequate and requires immediate action to strengthen the human resource capacity of the Division.

6.13 Additionally, the Committee is desirous of seeing an enhancement in the competencies of personnel entrusted to manage the customs, excise, border protection and security functions of the country. This will require a commitment from all agencies responsible to the constant development of knowledge, expertise of their personnel.

Step One Recommendations

Augmenting the workforce at the Customs and Excise Division

6.14 It is imperative that the CED, with assistance from the Ministry of Finance, immediately start a 2024 recruitment process for 100 more officers per year for at least the next 5 years, to augment the staffing arrangements of the division.

6.15 To establish a larger workforce, the CED should:

- modify existing remuneration packages (salaries, benefits, etc.) for Officers to attract applicants; and
- develop public awareness programmes and education campaigns on the importance of the Division to solicit greater interest by the public.

Responsible Organisations: CED, Ministry of Finance

Measures: % increase in staffing numbers, % increase in the number of containers examined (physically or otherwise), % decrease in the time taken to clear cargo from the Port facilities

Enhancing employee capabilities at the Customs and Excise Division

6.16 The recruitment effort championed above by the Committee must be matched with requisite, adequate training in all forms of revenue collection and taxation, to ensure a streamlined and well-managed customs and excise process:

- Specialised training on records management, digitisation, collection methods, trade policy etc.; and
- Scanner and screening operations, including extensive focus on the build out of a consigner and consignee registry to log all importation/exportation of goods, with an easily accessible database.

Responsible Organisations: CED, Ministry of Finance

Measures: % decrease in time taken to clear cargo from the Port facilities, % increase in number of containers examined (physically or otherwise), % increase in the instances of contraband discovered

Enhancing employee capabilities of the Port Authority of Trinidad and Tobago

6.17 While the PATT manages and runs port logistics and oversees the facilities through Port Police patrols, in the event of a breach of security, the current process dictates that reports be made through the channels of the CED and the TTPS.

6.18 The PATT should:

- be granted the ability to perform random and non-intrusive inspections of cargo at the Ports;

- Actively collaborate to a greater degree with other primary agencies (such as the BPSA and the TTPS) to maintain a stronger presence at points of interest.

Responsible Organisations: PATT, BPSA

Measures: % decrease in time taken to clear cargo from the Port facilities, % increase in number of containers examined (physically or otherwise)

Encouraging honesty and integrity, discouraging corruption and immorality

6.19 The threat of corruption to border security is clear. To ensure the integrity of agencies remains intact and resistant to negative influences, agencies should:

- Conduct regular implementation of security screening, including polygraph testing for employees within each identified agency;
- Implement a process to ensure that across all relevant agencies, personnel receive and retain background check records, including employee lists and results of background checks; a similar process must be established for workers that may require temporary access for contracted jobs;
- Increase punishment/penalty for any employee, past or present, of any Government agency, in charge of border security and internal security involved directly or indirectly in firearms trafficking or firearm-related crime; and
- Renew efforts to investigate, identify and prosecute corrupt officials and employees involved in the illegal entry of firearms.

Responsible Organisations: MNS, BPSA, CED, PATT

Measures: % increase in the number of corrupt incidences/practices uncovered

Strengthening the competencies and collaborative efforts of all agencies involved

6.20 The Committee holds the view, without reservation, that greater collaboration must occur between all identified, primary agencies tasked with customs and excise and border protection and security.

Responsible Organisations: MNS, BPSA, CED, PATT, TTPS, TTCG

Measures: % increase in the number of corrupt incidences/practices uncovered, % increase in the number of corrupt personnel removed from service

A3 Increasing the technological capacity of the primary agencies responsible for customs and excise and border protection and security

Indicators

- % increase in the number of containers scanned (including LCLs)
- % increase in the instances of contraband discovered

- % decrease in the time taken to clear cargo from the Port facilities

The Path Forward

6.21 While the Committee is aware of the Government's intention to amalgamate the CED with the Board of Inland Revenue, to establish the Trinidad and Tobago Revenue Authority, the following recommendations are still suggested for consideration.

6.22 The adoption of technological developments will prove useful to all primary agencies responsible for customs and excise and border protection and security. To be a few steps ahead of criminal elements – or at the very least on par – technology is requisite. The Committee recommends a deliberate approach to the acquisition of technology, as it would greatly assist in the detection of contraband and has the potential to drastically reduce its prevalence in the country.

Step One Recommendations

Utilising technology to increase transparency and encourage honesty and integrity

6.23 Technology can be utilised in the Ports of the country via:

- Outfitting of gate access systems that capture an image (or copy of identification) of all visitors to the facility for record keeping. Facial recognition/biometric data usage may be a future consideration if such technology can be acquired.
- Priority should be given to the swift procurement of modern scanning facilities to abet officers in performing their functions effectively. These should include:
 - Mobile scanners;
 - Additional fixed scanners; and
 - Portable scanners attached to vehicles for patrols.

Responsible Organisations: CED, BPSA, PATT

Measures: % increase in the number of containers scanned, % increase in the instances of contraband discovered, % decrease in time taken to clear cargo at the Port facilities

Increase oversight and control in transit sheds and private bonded warehouses

6.24 As most interdictions of firearms and other illicit items have been discovered at bonded warehouses and transit sheds, immediate attention must be paid to:

- Acquisition and deployment of effective cabin x-ray equipment, trace detection and chemical identification systems, as outlined by the Minister of Finance
- A comprehensive database of those employed at all transit sheds and bonded warehouses should be developed; names, addresses and fingerprints (or other forms of identification) for all company officers and other employees that can access recordkeeping information.

Responsible Organisations: CED, BPSA, PATT, all private companies that provide transit shed/bonded warehouse services

Measures: % increase in the instances of contraband discovered, % increase in the number of corrupt incidences/practices uncovered

Pathway B: Improving the efficacy of TTPS operations

Key performance indicators for this pathway

- Improvement in the TTPS adherence to oversight responsibilities under the Police Standing Orders and other relevant legislation.
- Improved TTPS efficacy at the retrieval of illegal firearms and ammunition
- Increased public confidence in the TTPS
- Reduced Police misconduct
- Improved decision making on policing matters

B1 TTPS Institutional Strengthening Project

Indicators

- 100% compliance with oversight responsibilities under the Police Standing Orders and other relevant legislation
- % increase in measure of public safety
- % increase in crime reporting by communities
- % increase in TTPS detection rate
- % increase in the retrieval of illegal firearms and ammunition
- % increase in the number of corrupt personnel removed from service

The critical success factors

6.25 The TTPS Institutional Strengthening Project must be comprehensive and include the establishment of a Police Inspectorate with appropriate authority under law to effect change.

The Path Forward

6.26 Ethical, professional and integrity concerns about TTPS performance have been examined in great detail in the 5th Report of this Committee on the Manpower Audit Report.⁶³

6.27 In light of the findings of the Committee during this Inquiry, it is an opportune time to rehash the need for the implementation of a TTPS Institutional Strengthening Project.

6.28 The Committee therefore recommends that the Prime Minister move immediately to adopt the recommendations of the 5th Report of the JSC on National Security on the

⁶³ Police Manpower Audit Report is provided in the Bibliography.

Final Report of the Police Manpower Audit Committee, particularly with respect to the commencement of a Cabinet approved TTPS Institutional Strengthening Project with a primary mandate, among other things, to implement a new structure of governance and oversight for the TTPS, inclusive of a Police Inspectorate.

Final considerations

A Segment on the US Security-related policies in the Caribbean Drug trafficking, a primary security risk for the US as per past policy

7.1 According to the 2019 study entitled “Organised Crime and Security Threats in the Caribbean Small Island Developing States (SIDS)⁶⁴”, the prevailing attitude of international legal institutions was still that drug trafficking remained a dominant organised crime, which represents a major security threat to all nations, including the USA.

7.2 Support provided to the Caribbean SIDS by the US was intended to improve capacities to fight anti-drug tailored policies. The international community, including Caribbean SIDS, has embraced such policies addressing the threat of drug trafficking. It also allowed Caribbean SIDS to benefit from support programmes.

7.3 This study argues that the US paradigm of organised crime control policy continues to frame drug trafficking as the main problem in the Caribbean, and fails to recognise that in Jamaica, and other SIDS including Haiti and Trinidad and Tobago, **the real issue is the illicit trafficking of firearms from the US.**

7.4 While the study mentions the fact that *“the weaponisation of civil society in the Caribbean is connected to the market of illicit drugs”*, it could arguably have been (and continues to be) intensified by international efforts to curb regional drug trafficking.

7.5 Interviewees for that study (2019) stated that the reluctance of the US to take responsibility for the gun problem in Jamaica and other Caribbean SIDS may stem from the economic boom and growth that the US firearms and ammunition industry is currently enjoying. Its firearms are just another export product, as the US also exports firearms to police forces in the Caribbean.

⁶⁴ This paragraph feeds on the study by SGOC (Studying Group on Organised Crime) entitled “Organised crime and Security Threats in the Caribbean Small Island Developing States : A critical analysis of the US assumptions and policies”, published in the European Review of Organised Crime 5, 2019.
<https://standinggroups.ecpr.eu/sgoc/organised-crime-and-security-threats-in-caribbean-small-island-developing-states-a-critical-analysis-of-us-assumptions-and-policies/>

Trinidad & Tobago Transnational Crime Unit (TOCU)

7.6 The Trinidad and Tobago Transnational Crime Unit (TOCU) is located at the Ministry of National Security. TOCU has been collaborating with the U.S. Embassy's DEA Office personnel for several years. In 2021, TOCU was provided with a new office infrastructure. Information gathered through that transnational network has already led to several seizures of drugs and illegal arms.

Recent new elements in the US security strategy in the Caribbean

7.7 In 2023 however, the United States seems to have embraced a broader understanding of security threats in the Caribbean SIDS.

7.8 In March 2023, US Law Enforcement agencies such as the Alcohol Tobacco and Firearms Bureau, Homeland Security, and Customs and Border Protection partnered with the CARICOM Implementation Agency for Crime and Security to launch the Crime Gun Intelligence Unit to increase illegal arms seizures, identify and charge criminals engaged in the gun trade⁶⁵.

7.9 On the 8 June 2023, US Vice President Kamala Harris announced new assistance for the Caribbean at a meeting in the Bahamas to discuss gun crimes, climate change and Haiti's crisis⁶⁶.

"The US Justice Department expects to appoint a coordinator to oversee cases involving illegal weapons smuggling in the Caribbean, as island nations report a rise in violent crimes.

In addition, the state department promised to help improve forensic work in the region and help strengthen local police departments. It will also support a unit based in Trinidad and Tobago aimed at helping islands solve gun-related cases and provide training for the collection and analysis of related intelligence.

Example

U.S. Embassy personnel from the Drug Enforcement Administration (DEA) and the U.S. Department of State's Diplomatic Security Service (DSS) assisted the Trinidad and Tobago Police Service Special Investigations Unit (TTPS/SIU) and the Transnational Organised Crime Unit (TOCU) in an investigation. On 18th of May 2023, three Trinbagonian nationals were arrested, one Glock pistol and approximately 168 kilograms of cocaine with a value of over TT\$234 million, were seized. By volume of the narcotics, this was the largest seizure of drugs during an on-land operation in Trinbagonian history¹.

⁶⁵ Important step for gun control, Newsday Sunday 5 March 2023. <https://newsday.co.tt/2023/03/05/important-step-for-gun-control/>

⁶⁶ <https://www.aljazeera.com/news/2023/6/8/us-vice-president-harris-announces-new-assistance-for-caribbean>

The US, with help from the UK, plans to establish a program as well in the eastern Caribbean to mentor local judges and prosecutors, in a bid to improve prosecution of gun-related crimes as island nations struggle with a backlog of cases.

The US has also pledged support for the regional Crime Gun Intelligence Unit (CGIU) established in Trinidad and Tobago. The CGIU will facilitate gun intelligence sharing with international law enforcement partners, provide critical firearms and investigate training and assist the region with deterring and solving gun-related crimes⁶⁷.”

7.10 In its address to the CARICOM Plenary on the 5 July 2023, in Port of Spain, US Secretary Anthony Blinken mentioned the following:

“We’re also working together to address another priority that you share, and this is to stem the rising tide of violent crime taking a devastating toll on communities across the region.

Just last month, we created a new position at the Department of Justice to deepen collaboration among us on gun prosecution. Today, I am pleased to announce that Michael Ben’Ary, a very experienced DOJ Prosecutor, will serve as the United States very first coordinator for Caribbean Firearms Prosecutions”.

Review of International Strategies

Increase cargo screening efficiency in the detection of illicit firearms

7.11 One specific study, entitled “Increasing X-Ray image interpretation competency of cargo security”, has shown that, after three months of training in cargo image screening based on the Cargo X-Ray Competency Assessment Test (C-CAT), participants demonstrated an increase in detection

Callout Box: Dominican Republic, weapons seized by Customs using a new scanner

The website of the Dominican Republic Customs mentions the successful seizure on 15 March 2022, of military type of firearms (8 rifles, 5 pistols, 3 rifles, and 1 shotgun), close to 25’000 rounds of ammunition, 68 magazines, cables, and detonators, and other parts of firearms. The press release¹ mentions that this success is due to the use of the newly installed scanner in the HIT Rio Haina Port, in Santo Domingo. On May 26, 2022, a second operation in the Port was launched to dismantle a trafficking ring, where 11 rifles, six pistols, ammunition, cash, and vehicles were seized¹.

It is worth noting that the Dominican Republic Customs, like Trinidad and Tobago’s Customs & Excise Division, uses the ASYCUDAWorld cargo clearance program.

⁶⁷ <https://newsday.co.tt/2023/06/08/pm-meets-with-us-vp-harris/>

performance of 14.9%.

7.12 The C-CAT consisted of 240 trials based on 120 different X-ray images of cargo containers and Unit Load Devices. All images were once displayed without prohibited items and once containing prohibited goods or threat items.

7.13 The C-CAT contained 36 Customs-related and 24 security-related objects, which were visually similar to objects included in the training system, but not identical. The number and types of prohibited items were defined and selected in collaboration with Customs experts.

7.14 The Customs-related objects were 24 drug items, eight weapons, and four “miscellaneous” (e.g., Chinese medicine, watches, etc.) items

7.15 In 2020, the Centre for Adaptive Security Research and Applications (CASRA) carried out an international cargo detection study aimed at assessing, among other topics:

- The impact of adaptive Computer-based Training on the capacity of trainees to recognise objects accurately,
- And the relevance of X-ray screening selection tests, such as the X-ray Object Recognition Test (X-Ray ORT).

7.16 The cargo detection study demonstrated that substantial improvements in the performance of the screeners could be obtained after a total of approximately 11 hours of training. The number of identifications by screeners who participated in the study had increased by 8% on average.

Automatic threat detection and screener assist technology

7.17 Further improvements in man-machine system performance in cargo security screening must not **only rely on training** but also technological enhancements such as **automatic threat detection and screener assist technologies**. This conclusion is widely shared amongst specialised studies available online.

Purchase of Unmanned Aerial Vehicles (commonly called 'drones')

Figure 11 CAMCOPTER S100



Global Context

Coast Guard forces from countries or international organisations around the world have been increasingly purchasing or considering the purchase of UAVs. This is the case in Japan, Taiwan, Philippines, Seychelles, Nigeria, South Korea, Indonesia, the European Union, and, of course, in the USA¹.

5.26 UAV technology is not cheap and has to be linked to new specific IT and communication programs. It is however more cost-efficient than the purchase of new vessels and requires a lesser workforce to be operated.

5.27 The budget necessary for the purchase of UAVs varies regarding the type of drone, ranging from smaller commercially available multi-copters (multi-rotor) launched from patrol vessels to multi-million dollar military-grade aerial vehicles managed from a land base. Some countries managed to purchase their UAV technology through grants lent by partner/donor countries or organisations.

5.28 UAVs and Remotely Piloted Aircraft Systems can undertake a wide range of coastal missions like:

- Maritime border control;
- Maritime safety;
- Maritime security;
- Maritime rescue;
- Fisheries Control;
- Customs control;
- General law enforcement at sea; and
- Protection of the marine environment

5.29 The introduction of UAV capacity for the Trinidad and Tobago Coast Guard may require new legislation, a budget for equipment and the training of personnel. In some countries, a UAV special unit within the Coast Guard was created.

A Note on Integrity

Integrity in the Customs & Excise Division

7.18 The mention of corruption within Trinidad and Tobago's Customs and Excise Division, or at least the presence and actions of corrupt Customs Officers has been mentioned by Law enforcement agencies in their submission to the Committee, and in the press. Recommendations to that effect were also submitted.

General considerations related to the issue of corruption in CED

7.19 Customs is vulnerable to corruption because the nature of its work puts its officials, even at junior levels, in situations where they have sole authority and responsibility. They are authorised to make important decisions on the level of admissibility of imports and exports; and in which careful supervision and accountability is difficult. In addition, they work face-to-face with members of the trading community who have strong incentives to influence the decisions made by customs officials. The fact that officials are poorly paid is often a strong incentive to accept or solicit bribes in the execution of their duties⁶⁸.

The example of the Trinidad and Tobago 1990 attempted coup

The 2014 Report of the Commission of Inquiry appointed to enquire into the events surrounding the attempted coup d'état of 27 July 1990 explains in detail the immoral actions of a Customs officer with links to the insurgents who oversaw the arrival of firearms concealed in a shipment of hollowed-out plywood. The arms originated in Florida in the USA. The Commission's report highlights several shortcomings in the Customs procedure, which facilitated corrupt practices at that time. The Report of the Commission of Inquiry also mentions that, later on, the rogue Customs officer actively took part in the insurrection. The following paragraphs can still be of interest.

"7.159. The evidence raises the suspicion in the Commission's mind that not only lax procedures but corruption as well in the Customs and Excise Department may have helped to facilitate the attempted coup....Only the designated Customs officer was authorised to break the seal on a container....Moreover, a Customs Officer was advised of his assignment to a station and that assignment was for four months. That was sufficient time to enable a corrupt officer to conspire with dishonest exporters and importers. Finally, an importer bent on smuggling could have changed the seal of a container.

7.160. ...There were so many loopholes in the system in 1990 to have permitted the illegal importation of the weapons without difficulties".

⁶⁸ V/lex, Your World of Legal Intelligence, extract of Integrity in Customs, by Gerard McLinden.
www.international.vlex.com/source/custom-modernization-handbook-2245/cross

7.20 The adverse effects of corruption within a customs administration include the following:

- A reduction in public trust in government institutions;
- Significant revenue leakage;
- A reduction in the level of trust and cooperation between Customs and other government agencies and between customs and relevant counterparts in other countries;
- Low staff morale and “esprit de corps” (solidarity spirit, although this is both an effect and a cause);
- A reduction in the level of voluntary compliance with customs laws and regulations by the business sector;
- A reduction in national security and community protection;
- The maintenance of unnecessary barriers to international trade and economic growth; and
- Increased costs, which are often borne by the poorest sector of the community.

7.21 Most, if not all, customs functions are susceptible to corruption. Examples of integrity violations that can be linked to the illicit importation of firearms are cited by Gerard McLinden:

- Ignore the fact that some cargo listed on the manifest is not declared;
- Permit goods in transit to be released for domestic consumption;
- Ensure that an inspecting officer is chosen who will take an accommodating approach to the inspection;
- Influence the findings of the inspection (by inspecting a selected part only);
- Skip the inspection; and
- Accepting payment to influence the outcome of post-clearance audits.

Measures susceptible to reducing corruption opportunities⁶⁹

7.22 This paragraph contains useful extracts from James T. Walsh “Practical Measures to Promote Integrity in Customs Administration”.

Staff rotation and annual leave

7.23 Revenue agencies should carry out their function in an impartial manner, and it is easier to do so if it remains at arm’s length from those it is charged with regulating. Staff rotations must take place regularly to reduce opportunities for collusion.

7.24 Staff and, in particular, managers and supervisors, should be required to take their annual leave to reduce the chance of excessively close relations emerging undetected. Relief managers should then be placed in their positions.

⁶⁹ Practical measures to promote integrity in Customs Administrations, James T. Walsh
<https://www.elibrary.imf.org/display/book/9781589062115/ch11.xml>

Training

7.25 Too often, new legislation and procedures are introduced with inadequate attention given to the training needs of staff. In addition to improving technical skills, training can also build team spirit and awareness of the need for responsibility and loyalty to the organisation, thereby promoting integrity.

Separation of responsibilities

7.26 The creation of an organisational structure in which key functions for the tax administration, such as assessment, collection, and audit, are separated across distinct departments is one of the most effective ways of combatting corruption.

7.27 Individual officers are frequently assigned responsibility for all activities related to an importer or exporter. This invites collusion and the granting of favours. For example, the processing of customs declaration and physical inspection of goods, when carried out by different officers, can reduce the opportunity to influence decisions.

Code of conduct (specifying disciplinary actions)

7.28 The code of conduct should contain behavioural expectations from the Customs officers, the importers, and the exporters. Customs administration can take appropriate action when the expected standards are not met. For a code of conduct to be effective, it must also include a description of disciplinary actions to be taken in case of unacceptable behaviour.

7.29 A Code of Conduct is easy to draft, and remains just a document if not implemented and if management does not monitor its implementation. As an example, in its monthly newsletter entitled “Trade Beat” of December 2014, the Jamaica Customs Agency advertised its anti-corruption strategy, which includes the following initiatives:

- Staffing policy⁷⁰
- Annual Customer Satisfaction Survey
- Risk management tools
- Increased automation of Customs processes
- Comprehensive regulatory framework
- Enhanced relationship with our stakeholders.

⁷⁰ The recruitment process includes security vetting. Senior staff receives set term renewable contracts. Select positions will be subject to polygraph tests and contracts limited to 3 years. Staff members are guided by JCA’s Integrity Manual, the Staff Orders and HR Policy document, which outlines ethical behavior.

7.30 This laudable effort did not prevent, for years later in 2018, the Assistant Superintendent of police to express publicly his opinion that corrupt officers are hurting the reputation of Customs, as already mentioned in a previous paragraph⁷¹.

Good practices in Human Resources departments

7.31 Good human resources practices will ensure that the conditions for successfully establishing core integrity values are in place within Customs administrations. Good practices identified in this chapter are:

- Use security checks upon recruitment of new personnel, such as educational background, professional competencies, previous employment records, and criminal records;
- Use comprehensive and ongoing security checks on Customs officials, including reinvestigations in employees' backgrounds, behavioural checks, psychometric checks, management checks, elaboration of risk profiles, and random auditing; particularly for positions that are highly vulnerable to corruption and other integrity risks;
- Require the disclosure of private interests by Customs Officials, to detect potential conflicts of interest or illicit enrichment;
- Conduct integrity training that seeks to foster an institutional culture based on values and ethics;
- Provide for salaries and advantages that allow Customs officials to have a proper standard of living, and make clear that accumulated pension benefits may be lost upon conviction of a serious offence about their duties; and
- Provide for the rotation of employees and succession planning for strategic positions as well as those that are highly vulnerable to corruption and other integrity risks.

⁷¹ Criminal corrupt customs-Cops say crooks threaten agency's integrity, giving workers a bad name. Published July 23, 2018, Carlene Davis, <https://jamaica-gleaner.com/article/lead-stories/20180724/criminals-corrupt-customs-cops-say-crooks-threaten-agencys-integrity>

Summary of Recommendations

Table 11: Pathways

Title	Description	Responsible Organisation	Measures
Pathway A: Improving the efficacy of the functions to control the importation of illegal firearms			
A1: Establishment of a Border Protection and Security Agency (BPSA) under the Ministry of National Security			
	As stated within this report, emphasis on the border protection and security function of the CED is imperative for achieving greater safety and security within the country. The Committee corroborates the view of the SSA – “consider separating duties and taxation regimes of Customs & Excise from the Border Security function. The Law Enforcement/security function should be considered separate and apart from revenue collection.” Consequently, the Committee recommends that Border Protection and Security function of the CED should be separated into a new agency and fall under the purview of the Ministry of National Security – as the issues of border	Ministry of National Security	% increase in staffing numbers, % increase in the instances of contraband discovered, % increase in the arrest and prosecution of smugglers.

Title	Description	Responsible Organisation	Measures
	protection and security are essentially national security concerns. Placing this agency under the MNS's remit will ease the security burden misplaced on the CED's current form, whilst affording the CED a singular focus on the customs and excise function. The Committee contends that the CED should exclusively operate as a financial and administrative division, tasked solely with: • revenue collection and protection, • the correct application of trade policy; and • collecting and disseminating accurate trade related information and statistics. Under the stewardship of the Ministry of National Security, the BPSA should be vested with the powers, capabilities and status required to perform its functions effectively. The Committee suggests that the Border Protection and Security Agency be charged with, inter alia:		

Title	Description	Responsible Organisation	Measures
	• conducting specialised screening, examination and inspection of received barrels, containers etc. for illicit cargo; • interdiction of illicit items and/or persons at any national location upon intelligence received from the SSA, TTCG or other related entity; and • collaboration with relevant law enforcement agencies on the development of strategies geared towards the interception, retrieval and destruction of contraband, and the charging and arrest of persons involved. The taskforce suggested by the Committee should be responsible for establishing and formalising the roles of the BPSA, optimising to the combined expertise of the named agencies. Another option is for an organisational structure that mirrors already established local law enforcement agencies:		

Title	Description	Responsible Organisation	Measures
	• A Commissioner as the head of the agency, reporting to the line Minister (i.e., Minister of National Security); • Deputy Commissioners attached to divisions created by geographical placement (i.e., Deputy Commissioner of the Northern Division); • Border Protection and Security Agency Officers, separated into varied units (and divisions) created for the agency, or absorbed from other law enforcement agencies.		
A2 Increasing the Human Resources capacity of the primary agencies responsible for customs and excise and border protection and security.			
Augmenting the workforce at the Customs and Excise Divison	It is imperative that the CED, with assistance from the Ministry of Finance, immediately start a 2024 recruitment process for 100 more officers per year for at least the next 5 years, to augment the staffing arrangements of the division. To establish a larger workforce, the CED should:	CED, Ministry of Finance	% increase in staffing numbers, % increase in the number of containers examined (physically or otherwise) , % decrease in the time taken to clear cargo from the Port facilities.

Title	Description	Responsible Organisation	Measures
	• modify existing remuneration packages (salaries, benefits, etc.) for Officers to attract applicants; and • develop public awareness programmes and education campaigns on the importance of the Division to solicit greater interest by the public.		
Enhancing employee capabilities at the Customs and Excise Division	The recruitment effort championed above by the Committee must be matched with requisite, adequate training in all forms of revenue collection and taxation, to ensure a streamlined and well-managed customs and excise process: • Specialised training on records management, digitisation, collection methods, trade policy etc.; and • Scanner and screening operations, including extensive focus on the build out of a consigner and consignee registry to log all importation/exportation of goods, with an easily accessible database.	CED, Ministry of Finance	% decrease in time taken to clear cargo from the Port facilities, % increase in number of containers examined (physically or otherwise), % increase in the instances of contraband discovered
Enhancing employee	While the PATT manages and runs port logistics and oversees the facilities through Port	PATT, BPSA	% decrease in time taken to clear cargo from the Port

Title	Description	Responsible Organisation	Measures
capabilities at the Port Authority of Trinidad and Tobago	Police patrols, in the event of a breach of security, the current process dictates that reports be made through the channels of the CED and the TTPS. The PATT should: • be granted the ability to perform random and non-intrusive inspections of cargo at the Ports; • Actively collaborate to a greater degree with other primary agencies (such as the BPSA and the TTPS) to maintain a stronger presence at points of interest.		facilities, % increase in number of containers examined (physically or otherwise),
Encouraging honesty and integrity, discouraging corruption and immorality	The threat of corruption to border security is clear. To ensure the integrity of agencies remains intact and resistant to negative influences, agencies should: • Conduct regular implementation of security screening, including polygraph testing for employees within each identified agency; • Implement a process to ensure that across all relevant agencies, personnel receive and retain background check	MNS, BPSA, CED, PATT	% increase in the number of corrupt incidences/practices uncovered

Title	Description	Responsible Organisation	Measures
	records, including employee lists and results of background checks; a similar process must be established for workers that may require temporary access for contracted jobs; • Increase punishment/penalty for any employee, past or present, of any Government agency, in charge of border security and internal security involved directly or indirectly in firearms trafficking or firearm-related crime; and • Renew efforts to investigate, identify and prosecute corrupt officials and employees involved in the illegal entry of firearms.		
Strengthening the competencies and collaborative efforts of all agencies involved	The Committee holds the view, without reservation, that greater collaboration must occur between all identified, primary agencies tasked with customs and excise and border protection and security.	MNS, BPSA, CED, PATT, TTPS, TTCG	% increase in the number of corrupt incidences/practices uncovered, % increase in the number of corrupt personnel removed from service

Title	Description	Responsible Organisation	Measures
A3 Increasing the technological capacity of the primary agencies responsible for customs and excise and border protection and security.			
Utilising technology to increase transparency and encourage honesty and integrity	Technology can be utilised in the Ports of the country via: • Outfitting of gate access systems that capture an image (or copy of identification) of all visitors to the facility for record keeping. Facial recognition/biometric data usage may be a future consideration if such technology can be acquired. • Priority should be given to the swift procurement of modern scanning facilities to abet officers in performing their functions effectively. These should include: ○ Mobile scanners; ○ Additional fixed scanners; and ○ Portable scanners attached to vehicles for patrols.	CED, BPSA, PATT	% increase in the number of containers scanned, % increase in the instances of contraband discovered, % decrease in time taken to clear cargo at the Port facilities
Increase the oversight and control in transit	As most interdictions of firearms and other illicit items have been discovered at bonded	CED, BPSA, PATT, all private companies that	% increase in the instances of contraband discovered, % increase in the number of

Title	Description	Responsible Organisation	Measures
sheds and private bonded warehouses	warehouses and transit sheds, immediate attention must be paid to: - Acquisition and deployment of effective cabin x-ray equipment, trace detection and chemical identification systems, as outlined by the Minister of Finance - A comprehensive database of those employed at all transit sheds and bonded warehouses should be developed; names, addresses and fingerprints (or other forms of identification) for all company officers and other employees that can access recordkeeping information.	provide transit shed/bonded warehouse services	corrupt incidences/practices uncovered
Pathway B: Improving the efficacy of TTPS operations			
B1: TTPS Institutional Strengthening Project			
Establishment of a Police Inspectorate	The TTPS Institutional Strengthening Project must be comprehensive and include the establishment of a Police Inspectorate with appropriate authority under law to effect change.	MNS, OPM	100% compliance with oversight responsibilities under the Police Standing Orders and other relevant legislation, % increase in measure of public safety, % increase in crime reporting by

Title	Description	Responsible Organisation	Measures
	Ethical, professional and integrity concerns about TTPS performance have been examined in great detail in the 5th Report of this Committee on the Manpower Audit Report. In light of the findings of the Committee during this Inquiry, it is an opportune time to rehash the need for the implementation of a TTPS Institutional Strengthening Project. The Committee therefore recommends that the Prime Minister move immediately to adopt the recommendations of the 5th Report of the JSC on National Security on the Final Report of the Police Manpower Audit Committee, particularly with respect to the commencement of a Cabinet approved TTPS Institutional Strengthening Project with a primary mandate, among other things, to implement a new structure of governance and oversight for the TTPS, inclusive of a Police Inspectorate.		communities, % increase in TTPS detection rate, % increase in the retrieval of illegal firearms and ammunition, % increase in the number of corrupt personnel removed from service

Conclusion

This inquiry has revealed that for the last year, citizens have felt a decreasing sense of safety and security in Trinidad and Tobago. Burglaries, break-ins, robberies, and murders were some of the most pressing security concerns expressed in the Committee's public online survey.

Though the TTPS has made some effort through the establishment of the GBVU and SVD, training of Officers, media programmes, and a greater effort to have uniformed Officers in cities and some communities, there is a gap between the TTPS and citizens. The public does not have the trust and confidence in the TTPS, so that promotes a feeling of fear and unsafety.

Despite the current state of affairs, this Committee believes that with proper investigations into the operations at the TTPS, an effective strategy can be developed and implemented to alleviate its issues that are evidently affecting the public's purview of, and feeling towards the TTPS.

The Committee will engage in follow-up inquiries in relation to the proposed strengthening initiatives proposed and report on this matter to the House of Representatives/Senate from time to time.

Your Committee therefore awaits the response of the Ministry of National Security, Ministry of Finance and the Office of the Prime Minister to the recommendations listed on pgs. 40-46 in accordance with Standing Orders 100(6) and 110(6) of the Senate and the House of Representatives respectively which states inter alia that –

“The Minister responsible for the Ministry or Body under review shall, not later than sixty (60) days after a report from a Standing Committee relating to the Ministry or Body, has been laid upon the Table, present a paper to the House responding to any recommendations or comments contained in the report which are addressed to it....”

The Committee respectfully submits the foregoing for the information of the Parliament.

Sgd

Mr. Keith Scotland, MP

Chairman

Sgd

Dr. Paul Richards

Vice-Chairman

Sgd

Mrs. Ayanna Webster-Roy, MP

Member

Sgd

Mr. Kennedy Richards, MP

Member

Dr. Roodal Moonilal, MP

Member

Sgd

Mr. Randall Mitchell

Member

Sgd

Mr. Richie Sookhai

Member

Ms. Jayanti Lutchmedial

Member

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**MINUTES OF THE SIXTEENTH MEETING
JOINT SELECT COMMITTEE ON NATIONAL SECURITY
HELD ON
WEDNESDAY NOVEMBER 09, 2022 at 1:30 PM**

PRESENT

Committee Members

Mr. Keith Scotland, MP	-	Chairman
Mr. Paul Richards	-	Vice Chairman
Mrs. Ayanna Webster-Roy, MP	-	Member
Mr. Kennedy Richards, MP	-	Member
Dr. Roodal Moonilal, MP	-	Member
Mr. Randall Mitchell	-	Member
Mr. Nigel de Freitas	-	Member
Mrs. Jayanti Lutchmedial	-	Member

Secretariat

Mrs. Jacqui Sampson- Meiguel	-	Secretary
Mr. Brian Caesar	-	Assistant Secretary
Mrs. Krystle Gittens	-	Graduate Research Assistant
Ms. Safiyyah Shah	-	Graduate Research Assistant
Dr. Marcia Headley	-	Parliamentary Researcher

Mr. Roger Hector

-

Legal Officer

Also Present:

Honourable Fitzgerald Hinds, MP

-

Minister of National Security

Call to Order

1.1 The Chairman called the meeting to order at 1:44 p.m. and welcomed Members present.

Confirmation of the Minutes of the Fifteenth Meeting

2.1 The Chairman invited Members to consider the Minutes of the Fifteenth Meeting held on Wednesday September 23, 2022 and inquired whether there were any omissions or corrections.

2.2 There being no omissions or corrections, a Motion for the confirmation of the Minutes was moved by Mr. Nigel de Freitas and seconded by Mr. Paul Richards.

2.3 The Minutes were approved.

Matters Arising from the Minutes

3.1 **Para 4.4, page 2:** The Chairman also informed Members that requests for submissions were sent to the following entities:

- i. The Trinidad and Tobago Forensic Science Centre;
- ii. The Customs and Excise Division;
- iii. The Port Authority of Trinidad and Tobago;
- iv. The Chief of Defence Staff o.b.o. the Coast Guard;
- v. The Association of Security Companies of Trinidad and Tobago;
- vi. The Strategic Services Agency;
- vii. The Security Owners and Managers Association of Trinidad and Tobago;
- viii. The Ministry of National Security; and
- ix. The Trinidad and Tobago Police Service.

Of the above entities, submissions were received from the following, and subsequently circulated to Members via email:

- i. the Port Authority of Trinidad and Tobago;
- ii. the Association of Security Companies of Trinidad and Tobago.
- iii. the Strategic Services Agency;
- iv. the Security Owners and Managers Association of Trinidad and Tobago;
- v. the Ministry of National Security; and
- vi. the Trinidad and Tobago Police Service.

Pre-Hearing Discussion

4.1 The Chairman informed Members that by letter dated November 02, 2022, the Minister of National Security was invited to appear before the Committee.

4.2 The Chairman reminded Members of the protocols guiding the examination of witnesses.

4.3 The Chairman inquired of Members whether they had considered the Issues Paper provided.

4.4 A discussion ensued and Members agreed on the order for questioning the witness.

Meeting was suspended at 2:17 p.m.

Meeting was resumed at 2:33 p.m.

Public Hearing with the Minister of National Security

5.1 The Chairman re-convened the meeting and welcomed viewers and listeners to the Committee's *inquiry into the security, safety and protection of citizens with specific reference to the factors that contribute to the prevalence of illegal firearms and gun violence in Trinidad and Tobago*.

5.2 The Chairman welcomed the Minister of National Security and invited him to make introductory remarks.

5.3 The Chairman gave a brief background into the inquiry and listed the following inquiry objectives:

- i. To understand the matters related to national security policy in Trinidad and Tobago;
- ii. To consider the security, safety and protection of citizens with specific reference to the factors that contribute to the prevalence of illegal firearms and gun violence in Trinidad and Tobago;
- iii. To understand the primary factors that contribute to the prevalence of illegal firearms and gun violence;
- iv. To identify prevailing trends concerning illegal firearms and gun violence;
- v. To measure the effectiveness of strategies currently being utilized by stakeholders;
- vi. To identify additional strategies to address the primary contributing factors; and
- vii. To develop and propose recommendations to Parliament where applicable.

5.4 The Chairman informed the Minister of the protocols guiding the public hearing.

DURING THE HEARING THE WITNESS MADE THE FOLLOWING ORAL SUBMISSIONS

- i. The bulk of firearms that are present in Trinidad and Tobago are manufactured in and sold from the United States and South America.
 - Regional leaders have raised the matter of illegal firearms with the United States Government at the Summit of Americas in Los Angeles.
 - The proliferation - the sale, the trade, the import - of firearms in Trinidad and Tobago is part of what the Ministry recognises as transnational organised crime.
- ii. The Ministry of National Security's substantial focus is on improved border security arrangements:
 - A fully functional radar system with the capacity to monitor any vessel or aircraft;
 - In 2021, the Government purchased Ocean Patrol Vessels (OPVs) which have small or fast boat launch capacity to investigate incursions; and

- Establishment of the Coastal and Riverine Patrol Unit of the Trinidad and Tobago Police Service which is responsible for coastlines and rivers up to two miles out.
- iii. There are two established international platforms dealing with border security in the context of the issue of importation of drugs and firearms – Aircop and Seacop. Intelligence and training are shared among participating member states, via these platforms.
- iv. Between 2017 and 2021, 108 firearms owned by licensed individuals have come to the attention of law enforcement for incidents such as negligence, lost or stolen, used in criminal activities, etc.
 - 7 shootings have occurred using licensed firearms
 - 18 of the firearms involved in the 108 incidents have been recovered.
 - There have been cases where persons have made licensed firearms available to criminals for criminal activity.
- v. It is the Minister's opinion that Trinidad and Tobago has a restrictive policy regarding the number of firearms that should be licensed, based on the criteria for being awarded a license.
 - Concern was expressed that the increase in the issuance of firearm user's licenses correlates with an increase in the number of criminal incidents with legal firearms.
 - A draft policy is currently being refined by the Ministry to better guide the Commissioner of Police in the administration of the Firearms Act.
- vi. There is uncertainty whether mechanisms in place for the monitoring of legally issued firearms, as outlined by the police regulations, are being consistently followed.
- vii. There are serious consequences of the mismanagement of legal firearms, the proliferation of illegal firearms, and the authorisation of the importation of an amount of ammunition by firearms dealers.
 - An additional issue is the importation of component parts that may be used to "upgrade" firearms e.g. new barrels, and essentially change the category of an already registered firearm e.g. component parts can include parts that convert a weapon from a semi-automatic to a fully automatic.
- viii. It is the Minister's opinion that the number of illegal firearms has surpassed the Strategic Services Agency estimate of 12,000.
 - Approximately 570 firearms have been retrieved by the Police Service through the national gun retrieval strategy
 - 76 are described as high-powered military-type assault weapons by the Police.
- ix. The Ministry of National Security meets regularly with Customs and Excise Division due to the risks and threats attributed to the country's legal ports of entry.
 - Customs Officers are part of the Aircop and Seacop units; and
 - Customs and Excise Division is represented at National Inter-Agency Committee meetings.
- x. There are an estimated 264 illegal points of entry to Trinidad and Tobago.

- xi. There continues to be the problem of State personnel who lack integrity and turn a blind eye to illegal activities at legal points of entry.
 - A draft policy and a Bill arranging for law enforcement officers - the police service, the defence force, the prison service, customs, immigration - to be subjected to mandatory and spontaneous, ‘integrity testing’, is on the Ministry’s agenda.
- xii. The term “Legal port” is not only confined to the Port of Port of Spain, the Port at Point Lisas, or the airports at Piarco, or in Tobago. There are various off-station, authorised ports of entry, or transit sheds
 - Most interceptions of illegal firearms take place at these legal ports of entry
- xiii. The Minister anticipates that those who own illegal guns, will not hand them over in an amnesty because these guns are a serious trade commodity with lots of money behind it.
 - Instead, focused law enforcement driven by intelligence and a commitment to the ongoing gun retrieval exercise could do a lot to remove illegal firearms from the streets.
- xiv. The Homicide Unit and the Commissioner of Police has noted significant improvement in the process at the Forensic Science Center (TTFSC), and strengthening of the ballistic capacity.
- xv. The Special Evidence Recovery Unit (SERU) of the TTPS assists with some ballistic analysis.
 - 21 Police Officers who received basic training in ballistic analysis at SERU were posted to the TTFSC for further upskilling and certification.
- xvi. The Commissioner of Police has indicated to the Minister that the reversal of the stringent provisions of the Bail amendment law and the Bail Act has weakened the police’s capacity to manage gangland and other criminal activity.
 - There is a need for the support of the Parliament, the Judiciary and the members of society in the fight against criminal activities.

(See the [Verbatim notes in Rotunda](#))

The meeting was suspended at 4:35 p.m., to allow the Minister to exit the meeting room.

Meeting was resumed at 4:36 p.m.

Post-Hearing Discussion

- 6.1 There was a brief discussion on the oral submissions made.

6.2 The Committee agreed that in accordance with Standing Orders 110(4) of the House of Representative and 100(4) of the Senate, two sub-committees should be established to consider and report on follow-up matters related to:

- Border control and inter-agency collaboration; and
- Electronic Monitoring, Operations of the Forensic Science Centre and the issue of DNA sampling in Trinidad and Tobago

Other Business

7.1 The Committee agreed to next meet on **Wednesday November 30, 2022** to convene its second hearing on *an inquiry into the security, safety and protection of citizens with specific reference to the factors that contribute to the prevalence of illegal firearms and gun violence in Trinidad and Tobago*.

Adjournment

8.1 The adjournment was taken at 4:41 p.m.

I certify that these Minutes are true and correct.

Chairman

Secretary

November 25, 2022

**MINUTES OF THE SEVENTEENTH MEETING
JOINT SELECT COMMITTEE ON NATIONAL SECURITY
HELD ON
WEDNESDAY NOVEMBER 30, 2022 at 12:30 PM**

PRESENT

Committee Members

Mr. Keith Scotland, MP	-	Chairman
Mr. Paul Richards	-	Vice Chairman
Mrs. Ayanna Webster-Roy, MP	-	Member
Dr. Roodal Moonilal, MP	-	Member
Mr. Randall Mitchell	-	Member
Mr. Nigel de Freitas	-	Member
Ms. Jayanti Lutchmedial	-	Member

Secretariat

Mrs. Jacqui Sampson-Meiguel	-	Secretary
Mr. Brian Caesar	-	Assistant Secretary
Mrs. Krystle Gittens	-	Graduate Research Assistant
Mr. Roger Hector	-	Legal Officer

Absent/Excused

Mr. Kennedy Richards, MP	-	Member
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Also Present:

Strategic Services Agency

Ms. Ann Marie Alleyne-Daly	-	Deputy Director
Dr. Andy Short	-	Chief of Secretariat
Mr. Osiris Senghor	-	Analyst II

Trinidad and Tobago Police Service

Mr. McDonald Jacob	-	Commissioner of Police (Ag.)
Mr. Kerwin Francis	-	Senior Superintendent (Ag.)

The Customs and Excise Division

Ms. Vidyah Marcial	-	Comptroller
Ms. Yasmin Harris	-	Deputy Comptroller (Ag.)
Mr. Leslie Hewitt	-	Assistant Comptroller (Ag.)
Mr. Riad Juman	-	Assistant Comptroller (Ag.)

The Port Authority of Trinidad and Tobago

Colonel (Ret'd) Lyle Alexander	-	Chairman
Ms. Marcia Charles-Elbourne	-	General Manager/CEO (Ag.)

[Vice-Chairman in the chair]

Call to Order

1.2 The Vice-Chairman called the meeting to order at 12:38 p.m. and welcomed Members present.

Confirmation of the Minutes of the Sixteenth Meeting

2.4 The Vice-Chairman invited Members to consider the Minutes of the Sixteenth Meeting held on Wednesday November 09, 2022 and inquired whether there were any omissions or corrections.

2.5 There being no omissions or corrections, a Motion for the confirmation of the Minutes was moved by Dr. Roodal Moonilal, MP and seconded by Mr. Nigel de Freitas.

2.6 The Minutes were approved.

Matters Arising from the Minutes

3.2 **Para 3.2, page 2:** The Chairman also informed Members that submissions were received from the following, and subsequently circulated to Members via email:

- vii. The Trinidad and Tobago Forensic Science Centre;
- viii. The Chief of Defence Staff, Coast Guard; and
- ix. The Customs and Excise Division, Ministry of Finance.

3.3 **Para 7.1, page 5:** By letters dated **November 22, 2022**, the following entities were invited to appear at today's hearing:

- i. The Strategic Services Agency (SSA);
- ii. Trinidad and Tobago Police Service TTPS, (Commissioner of Police (Ag.));
- iii. The Port Authority of Trinidad and Tobago; and
- iv. The Customs and Excise Division, Ministry of Finance

3.4 By letter dated **November 14, 2022**, a request for additional information was sent to the Minister of National Security, following his appearance before this Committee on **November 09, 2022**.

- i. By letter dated **November 25, 2022**, the Minister of National Security requested an extension to **December 16, 2022** for submission of the additional information.

Pre-Hearing Discussion

4.5 The Vice-Chairman inquired of Members whether the engagement with the Strategic Services Agency should be held in-camera.

4.6 A discussion ensued and Members agreed the engagement with the Strategic Services Agency should be recorded, and a decision taken subsequently to broadcast if the information shared is not of a sensitive nature.

4.7 The Vice-Chairman reminded Members of the protocols guiding the examination of witnesses.

4.8 The Vice-Chairman inquired of Members whether they had considered the Issues Paper provided.

4.9 A discussion ensued and Members agreed on the order for questioning the witness.

Meeting was suspended at 12:53 p.m.

Meeting resumed at 1:10 p.m.

[Chairman in the chair]

Public Hearing with the Strategic Services Agency

5.5 The Chairman re-convened the meeting and welcomed the officials of the Strategic Services Agency.

5.6 Introductions were made.

5.7 The Chairman informed the invited officials of the Committee's decision to record the engagement with the Strategic Services Agency, and that a decision will be taken subsequently to broadcast once there is no information of a sensitive nature.

5.8 The Chairman gave a brief background into the inquiry and listed the following inquiry objectives:

- viii. To understand the matters related to national security policy in Trinidad and Tobago;
- ix. To consider the security, safety and protection of citizens with specific reference to the factors that contribute to the prevalence of illegal firearms and gun violence in Trinidad and Tobago;
- x. To understand the primary factors that contribute to the prevalence of illegal firearms and gun violence;
- xi. To identify prevailing trends concerning illegal firearms and gun violence;
- xii. To measure the effectiveness of strategies currently being utilised by stakeholders;
- xiii. To identify additional strategies to address the primary contributing factors; and
- xiv. To develop and propose recommendations to Parliament where applicable.

5.9 The Chairman informed the entity of the protocols guiding the hearing.

5.10 The Chairman invited the Deputy Director of the SSA to make introductory remarks.

DURING THE HEARING THE WITNESSES MADE THE FOLLOWING ORAL SUBMISSIONS

- xvii. The following activities took place subsequent to the July 03, 2017 presentation to the JSC on National Security by officials of the Strategic Services Agency (SSA):
- Recommendations were presented to the security heads and the Commissioner of Police and his executive;
 - One of the recommendations was for the development of an effective and comprehensive operational plan, using intelligence and evidence to target various elements and traffickers in order for law enforcement to effect seizures, arrests and prosecutions;
 - It was agreed that the Organised Crime and Intelligence Unit of the TTPS, the Defence Force and the SSA, would collaborate on developing a plan to implement the strategic recommendation;
 - The Trinidad and Tobago Police Service was identified as the lead on this particular recommendation;
 - The team was constituted and the SSA provided a headquarters for the meetings and collaborations to take place;
 - However, with the constant change out of officers from the TTPS due to retirement, transfers and vacation leave, the stability of the team was affected; and
 - As a result, the collaborations and plans became de-energised.
- xviii. In 2019, an update to the 2017 estimate of illegal firearms was calculated. The following findings were presented:
- There was a 15 per cent increase to an estimated availability of about 9,389 illegal firearms;
 - The updated value of the overall trade was estimated to be about TT \$190 million;
- xix. In 2021, an update to the 2012 estimate of illegal firearms was calculated. The following findings were presented:
- There was a 17 per cent increase to an estimated availability of about 11,043 illegal firearms;
 - The average black market price for a firearm was \$17,429.00; and
 - As a result of the increased availability of illegal firearms, including high-powered rifles, victims now include more innocent bystanders and children, compared to previous years.

- xx. The number of telephone interceptions conducted by the SSA has significantly declined as the criminal elements now utilise various strategies to avoid being intercepted or detected.
- xxi. The SSA has shared intelligence gathered on law enforcement personnel who are complicit in the entry of illegal firearms, including at meetings with the National Security Council.
 - Additionally, the SSA is working with the Professional Standards Bureau and the Anti-Corruption Branch of the TTPS.
- xxii. The Director of the SSA and the Commissioner of Police have identified specific units that the SSA partners with and those working relationships are going well.
 - However, the distinction between intelligence and evidence must be understood. Intelligence has to be converted to evidence that can be used to charge and eventually convict an individual.
 - The Investigations Department at the SSA has as its primary function *to take the intelligence that we have and bring it closer to evidence*.
 - The SSA under the SSA Act is strictly an intelligence agency. Certain amendments have to be made to the Act to give the entity more authority and thus more effective.
 - The SSA would also benefit from the acquisition of improved equipment.
 - Additionally, the SSA is currently reviewing its organisational structure and will be submitting staffing recommendations.
- xxiii. The SSA is working at developing better performance measures and a more frequent reporting schedule.
- xxiv. The SSA is currently responsible for monitoring specific CCTV cameras.
 - Additional cameras are being implemented within the country and will also come under the SSA.
- xxv. Based on SSA data, between 2019 and 2021, there was a 38 percent decrease in the number of gangs and 57 percent decrease in the number of gang members. The reasons for this decrease include:
 - Assimilation of smaller gangs by the larger gangs within the country; and
 - Splintering of smaller gangs.

The meeting was suspended at 2:31 p.m., to allow the entities to exit the meeting room.

Meeting resumed at 2:42 p.m.

5.11 The Chairman re-convened the meeting and welcomed the officials of the Trinidad and Tobago Police Service, the Customs and Excise Division and the Port Authority of Trinidad and Tobago.

5.12 Introductions were made.

5.13 The Chairman gave a brief background into the inquiry. *(See 5.4 above)*

5.14 The Chairman informed the entities of the protocols guiding the public hearing.

5.15 The Chairman invited introductory remarks.

DURING THE HEARING THE WITNESSES MADE THE FOLLOWING ORAL SUBMISSIONS

Ag. Commissioner of Police: Mr. McDonald Jacob

Ag. Senior Superintendent: Mr. Kerwin Francis

- i. Transnational organised crime, globalisation and the international drug trade account for the increased prevalence of illegal firearms in Trinidad and Tobago.
 - The Merida Agreement between the USA, Columbia and Mexico has caused Trinidad & Tobago to become an important trans-shipment point to Europe for the drug trade, which uses firearms as payment for drug shipments.
 - The TTPS has been engaged in analysing all ports of entry as well as courier services in the facilitation of drugs and illegal firearms importation. Legal points of entry now account for most avenues utilised for the importation of illegal firearms.
 - An estimated \$798,000,000 worth of drugs has been intercepted over the last two years with joint collaboration between the TTPS and the Customs & Excise Division.
 - FedEx was identified as the major courier service amongst smaller ones that have had instances of illegal importation. Citizens were charged.
- ii. The Central Intelligence Bureau of the TTPS was established in 2020 in an attempt to better address the issue of illegal firearms.
 - Combining technology and intelligence from units such as Crime and Narcotics, Firearms and the Transnational Organised Crime Unit allows for synergy and co-ordination.
 - Remits of the various units may overlap – consequently, officers are often cross-trained for skill usage in more than one unit.
 - A total of 626 firearms have been seized this year, of which 116 were sub-machine guns and rifles.
 - The Commissioner of Police indicated that revisions are currently being made to the “*whole strategic approach*” to address the issue of organised crime in Trinidad and Tobago.
- iii. The TTPS received requests for approximately 124,000 legal firearms imports over the last 2-3 years. However, data from Customs and Excise only shows an annual average of 17,000 legal firearms entering the country.
 - The TTPS faces an issue as regards its legal authority to charge for any trafficking offence pursuant to illegal importation of firearms under the Firearms Act, 2019:

- The possession of firearms for trafficking purposes requires the individual be in possession of 2 or more firearms; and
- Section 213 states that the Customs & Excise Division is meant to deal with the importation of prohibited goods (i.e. trafficking).

Comptroller, The Customs & Excise Division: Ms. Vidyah Marcial

Ag. Deputy Comptroller, The Customs & Excise Division: Ms. Yasmin Harris

- iv. The Customs & Excise Division (CED) has outlined human resource challenges as the most prevalent issue affecting their ability to combat the growing illegal firearm importation.
 - The CED currently has approximately 700 established posts, inclusive of officers and guards.
 - This number predates modern estimates for successful and efficient operations and does not account for the explosion in containerised cargo, staffing required for the Marine Interdiction Unit (MIU), K9 Unit, investigation, intelligence and post auditing.
 - The CED currently employs a total 272 experienced officers and 82 recently employed acting officers.
 - Some functions of the CED cannot be fulfilled due to staff constraints. For example:
 - A shift for the Marine Interdiction Unit requires at least six to eight persons. Presently, there are two to three persons. It is too risky to deploy a team of two to three persons; and
 - With a total of 14 bays at the container examination station at Port of Spain, the CED can only assign 3 examination officers to assess all containers that enter the country.
 - The CED has made recommendations since 2008 for replacement of staff, bolstering of resources and specialised training of staff.
 - As the CED is the sole legal entity to examine and detect illicit items, sufficient manpower and resources are imperative.
- v. The CED also outlined the issue of availability of serviceable scanners for efficient operations at all examination stations.
 - The only operational scanners are in the Baggage Room at the Piarco Airport and the fixed scanner at the Port of Port of Spain.
 - The four scanners donated by the USA in 2003 were rendered obsolete in 2021.
 - For the period January to August, 2022, the CED scanned 3,998 containers out of a total of 23,000. (17% scanned)
 - \$90 million has been allotted to purchase new scanners and the CED is in the process of requesting proposals through the Central Tenders Board.

- The cost of a new scanner is \$1 million USD, the CED is expecting to purchase 4 scanners with its allocation.

Chairman of the Port Authority: Colonel (Ret.) Lyle Alexander
Estate Security Superintendent of the Port Authority: Mr. Azim Ali

- vi. The Port Authority of Trinidad and Tobago (PATT) agrees that the ports of Trinidad & Tobago are primary points of entry for illegal firearms, but the remit of the PATT, according to the Act, is not inspection of imported cargo.
- vii. The Port Police are tasked with protecting the assets of the PATT, the staff, the cargo and ensuring safe delivery of cargo to the correct consignee.

The meeting was suspended at 4:20 p.m., to allow the entities to exit the meeting room.

Meeting resumed at 4:23 p.m.

Post-Hearing Discussion

6.3 There was a brief discussion on the oral submissions made.

6.4 Based on information shared during the oral submissions, the Secretariat was directed to dispatch requests for additional written submissions to:

- i. The Strategic Services Agency;
- ii. The Commissioner of Police;
- iii. The Customs and Excise Division, Ministry of Finance; and
- iv. The Permanent Secretary, Ministry of Finance.

6.5 The Committee agreed that the next three engagements would be focused, one-on-one interactions with each of the entities who appeared during the public hearing, in the following order:

- i. The Customs and Excise Division, Ministry of Finance;
- ii. The Port Authority of Trinidad and Tobago; and
- iii. The Trinidad and Tobago Police Service.

Other Business

7.2 The Committee agreed to next meet on **Wednesday December 14, 2022 at 1:30 p.m.** to convene its third hearing on *an inquiry into the security, safety and protection of citizens with specific reference to the factors that contribute to the prevalence of illegal firearms and gun violence in Trinidad and Tobago.*

Adjournment

8.2 The adjournment was taken at 4:28 p.m.

I certify that these Minutes are true and correct.

Chairman

Secretary

February 07, 2023

**MINUTES OF THE EIGHTEENTH MEETING
JOINT SELECT COMMITTEE ON NATIONAL SECURITY
HELD ON
WEDNESDAY FEBRUARY 08. 2023 at 1:30 PM**

PRESENT

Committee Members

Mr. Keith Scotland, MP	-	Chairman
Mr. Paul Richards	-	Vice Chairman
Mrs. Ayanna Webster-Roy, MP	-	Member
Dr. Roodal Moonilal, MP	-	Member
Mr. Randall Mitchell	-	Member
Ms. Jayanti Lutchmedial	-	Member

Secretariat

Mrs. Jacqui Sampson-Meiguel	-	Secretary
Mr. Brian Caesar	-	Assistant Secretary
Mrs. Krystle Gittens	-	Graduate Research Assistant
Mr. Chad Salandy	-	Graduate Research Assistant
Mr. Roger Hector	-	Legal Officer

Absent/Excused

Mr. Kennedy Richards, MP	-	Member
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Also Present:

Trinidad and Tobago Police Service

Mr. Curt Simon	-	DCP Intelligence & Investigations (Ag.)
Mr. Winston Maharaj	-	ACP Criminal Division
Mr. Kerwin Francis	-	Senior Superintendent

[Chairman in the chair]

Call to Order

1.1 The Chairman called the meeting to order at 1:42 p.m. and welcomed Members present.

Confirmation of the Minutes of the Seventeenth Meeting

2.1 The Chairman invited Members to consider the Minutes of the Seventeenth Meeting held on **Wednesday November 30, 2022** and inquired whether there were any omissions or corrections.

2.2 There being no omissions or corrections, a Motion for the confirmation of the Minutes was moved by Mr. Paul Richards and seconded by Mrs. Ayanna Webster-Roy, MP.

2.3 The Minutes were approved.

Matters Arising from the Minutes

3.1 **Para 6.2, page 8:** The Chairman informed Members that requests for additional written submissions were dispatched to:

- x. The Customs and Excise Division, Ministry of Finance dated **December 01, 2022**;
- xi. Strategic Services Agency dated **December 02, 2022**; and
- xii. The Commissioner of Police dated **December 02, 2022**.

3.2 Additionally, by letter dated **December 01, 2022** a request for a written submission was sent to the Permanent Secretary, Ministry of Finance.

3.3 Submissions were received from the following entities and subsequently circulated to Members via email and uploaded on Rotunda:

- i. The Strategic Services Agency;
- ii. The Commissioner of Police;
- iii. The Customs and Excise Division, Ministry of Finance; and
- iv. The Permanent Secretary, Ministry of Finance

Site Visit to the Port of Port of Spain by JSC on National Security Sub-Committee on Border control and inter-agency collaboration

Sub-Committee Members

Mr. Keith Scotland	-	Chairman
Mr. Paul Richards	-	Vice Chairman
Dr. Roodal Moonilal, MP	-	Member

Absent/Excused

Mrs. Ayanna Webster-Roy, MP	-	Member
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4.1 By letters dated **December 06, 2022**, to:

- v. The Port Authority of Trinidad and Tobago; and
- vi. The Customs and Excise Division, Ministry of Finance

The *JSC on National Security Sub-Committee on Border control and inter-agency collaboration* requested a site visit to the Port of Port-of-Spain on **Wednesday December 07, 2022, from 2:00 p.m. to 4:30 p.m.**

4.2 Following the site visit, by letter dated **December 09, 2022**, additional information was requested from the following:

- i. The Port Authority of Trinidad and Tobago; and
- ii. The Customs and Excise Division, Ministry of Finance.

4.3 Additionally, by letter dated **December 14, 2022**, additional information was requested from the Commissioner of Police in relation to the scanners procured by the TTPS.

4.4 Submissions were received from the following entities and subsequently circulated to Members via email and uploaded on Rotunda:

- i. The Port Authority of Trinidad and Tobago;
- ii. The Customs and Excise Division, Ministry of Finance; and
- iii. The Commissioner of Police.

Correspondence Received from Members Jayanti Lutchmedial and Dr. Roodal Moonilal

5.1 The Chairman drew Members' attention to correspondence received from Members Jayanti Lutchmedial and Dr. Roodal Moonilal dated **February 01, 2023**.

5.2 The Chairman informed Members that the Secretary was directed to circulate said correspondence to Members, which was done via email on **February 03, 2023**.

5.3 The Chairman reminded Members that via round-robin, the Committee agreed to extend an invitation to the acting Commissioner of Police.

- i. By letter dated **February 03, 2023**, the Commissioner was invited to appear before the Committee on February 08, 2023.
- ii. By letter dated **February 07, 2023** the Commissioner informed the Committee of her inability to attend the scheduled meeting.
- iii. By letter dated **February 07, 2023** the Committee advised the Commissioner that the meeting would proceed as scheduled with officials identified on the submitted Witness Attendance Sheet.

Pre-Hearing Discussion

6.1 The Chairman reminded Members of the protocols guiding the examination of witnesses.

6.2 The Chairman inquired whether Members had considered the Issues Paper provided.

6.3 A discussion ensued and Members agreed on the order of questioning the witnesses.

Meeting was suspended at 2:04 p.m.

Meeting resumed at 2:12 p.m.

Public Hearing with the Trinidad and Tobago Police Service

7.1 The Chairman re-convened the meeting and welcomed the officials of the Trinidad and Tobago Police Service.

7.2 Introductions were made.

7.3 The Chairman gave a brief introduction into the objectives of the Evidence Session with the Commissioner of Police: that is, *to gain an understanding of the anti-crime strategies implemented by the TTPS to address criminal activity in Trinidad and Tobago.*

7.4 The Chairman outlined the protocols to be followed during the meeting.

7.5 The Chairman invited the acting Deputy Commissioner of Police, Mr. Curt Simon, to make introductory remarks.

DURING THE EVIDENCE SESSION, THE FOLLOWING ORAL SUBMISSIONS WERE MADE

- i. Expressions of regret from the Commissioner were relayed by the Deputy Commissioner of Police present.
- ii. The security arrangements for Carnival 2023 are being spearheaded by ACP Hazel and have been adopted by all 9 police divisions.
 - Plans have been developed that will target specific events at specific times during the season.
 - Activities will be augmented through collaboration with the Defence Force, Strategic Services Agency (SSA), municipal police and traffic wardens.
 - Police Officers who are on leave have been mandated to report for duty at the Police Headquarters.
 - Monitoring devices such as drones, body cameras and CCTV cameras are being used to boost surveillance over the period.
- iii. Meetings were recently held with the Fete Promoters' Association to discuss the challenges associated with the cost of "*extra-duty*" security services at fetes.
 - A policy document has been created to guide how officers are deployed to work at fetes and other events that may require a police presence.
 - There are a number of variables considered when determining the number of officers placed on duty at an event including historical data, number of entry and exit points, the number of bars, whether or not the event is cashless, the experience of the promoter, etc.
 - An automated matrix has been created to determine the number of officers required at a particular event, based on the variables considered.
 - The policy document and matrix have been shared with promoters.

- Within the policy there is provision for an appeal to the Assistant Commissioner for the area concerned, which can be done in writing or via a phone call.
- iv. The TTPS has embarked on an initiative to integrate residential video feeds into their CCTV coverage programme.
 - The TTPS has also embarked on a programme to ensure that equipment is well-serviced, maintained and up-to-date.
- v. Efforts are also being made to ensure proper connectivity among Police Operations Command Centres in all of the Divisions. This will boost interception rates.
- vi. The Commissioner of Police views the TTPS as a Service that is professional, agile and adaptable.
 - The Executive has set short-term, medium-term and long-term timelines for addressing crime in Trinidad and Tobago.
 - One aspect of current TTPS strategies is the operationalisation of certain key pieces of legislation such as the Proceeds of Crime Act Chapt. 11:27.
 - Systems are being implemented that target the beneficiaries of crime. For instance, greater emphasis is being paid to detecting larceny of vehicles, since stolen vehicles are the transport method used by criminals.
- vii. Citizens can expect a *“downward trend in the perpetration of crime February and moving forward”*.
- viii. The following measures have contributed towards the increase in TTPS detection rates:
 - Training of homicide investigators, with a focus on interview techniques.
 - Using technology to aid with interviews such as David Horn machines.
 - The consolidation of forensic and ballistic examination of firearms under SERU.
 - Use of CCTV footage.
 - Implementation of the Interception of Communication Act, in collaboration with the SSA.
- ix. The TTPS recently commissioned in excess of 15 police officers who are now ballistic examiners. This has improved the turnaround time for ballistic reports from the Forensic Science Centre.
- x. The two mobile scanners in the possession of the Trinidad and Tobago Police Service are not functioning due to a *“number of technical issues that are... affiliated with that equipment”*

- Efforts are being made to address the issues.
- xi. The TTPS is concerned by the instances of individuals impersonating police officers. The following steps have been taken to address this issue:
 - Internally, instructions have been given that only task forces personnel throughout the nation are allowed to use certain types of kit;
 - Other personnel are to revert to the blue and grey kit;
 - Officers have been instructed that balaclavas, which were used as masks during COVID, must be removed during interactions with members of the public;
 - Legislative changes are being considered to address the issue of private security companies being permitted “*to use items that are resembling police kit*”; and
 - There are plans to meet with the Customs and Excise Division to determine how best to address the importation of “*swivel light sirens*” by civilians.
 - xii. The TTPS currently recruits civilians to fulfil administrative tasks. Additional civilian roles include:
 - Analysts, who are used for investigations that are not criminal; and
 - Legal.
 - xiii. The TTPS has started implementing its 2022-2024 Strategic Plan.
 - xiv. The training that officers received from the Police Training Academy is complemented by training through collaboration with other countries such as:
 - Canada;
 - The United Kingdom;
 - The United State of America; and
 - El Salvador.
 - xv. Specific training to prepare officers to investigate and treat with rogue elements in the Service has been provided to officers assigned to the Professional Standards Bureau.
 - xvi. The TTPS also partners with external agencies such as the Drug Enforcement Administration, the Federal Bureau of Investigations, the Royal Canadian Mounted Police, the German Federal Police and the French Police.
 - The firearm seizure in April 2022 at the Swissport bonded warehouse was a beneficial outcome from training of officers of the TTPS by agents from the Homeland Security Investigations and the FBI Bureau of Alcohol, Tobacco, Firearms and Explosives.

The meeting was suspended at 3:32 p.m., to allow members of the TTPS to exit the meeting room.

Meeting resumed at 3:47 p.m.

Post-Hearing Discussion

8.1 There was a brief discussion on the oral submissions made.

8.2 Based on information shared during the oral submissions, the Secretariat was directed to dispatch requests for additional written submissions to the Commissioner of Police.

8.3 Additionally, the Secretariat was directed to invite the Commissioner of Police to a meeting scheduled for **Monday February 27, 2023 at 2:00 p.m.**

Other Business

9.1 The Committee agreed to next meet on **Monday February 27, 2023 at 1:30 p.m.** to continue its *Evidence Session with the Commissioner of Police to gain an understanding of the anti-crime strategies implemented by the TTPS to address criminal activity in Trinidad and Tobago.*

Adjournment

10.1 The adjournment was taken at 3:48 p.m.

I certify that these Minutes are true and correct.

Chairman

Secretary

February 15, 2023

**VERBATIM NOTES OF THE SIXTEENTH MEETING OF THE JOINT
SELECT COMMITTEE (IN PUBLIC) ON NATIONAL SECURITY HELD
ON WEDNESDAY, NOVEMBER 09, 2022, AT 2.33 P.M.**

PRESENT

Mr. Keith Scotland	Chairman
Mr. Paul Richards	Vice-Chairman
Dr. Roodal Moonilal	Member
Mr. Nigel de Freitas	Member
Mrs. Ayanna Webster-Roy	Member
Ms. Jayanti Lutchmedial	Member
Mr. Randall Mitchell	Member
Mr. Kennedy Richards	Member
Mrs. Jacqui Sampson-Meiguel	Secretary
Mr. Brian Ceasar	Assistant Secretary
Mr. Roger Hector	Legal Officer Intern
Mrs. Krystle Gittens	Graduate Research Assistant
Ms. Safiyyah Shah	Graduate Research Assistant

THE MINISTRY OF NATIONAL SECURITY

Hon. Fitzgerald Hinds	Minister of National Security
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Mr. Chairman: Good afternoon everyone. We reconvene the sixteenth meeting of the Joint Select Committee on National Security. I wish to welcome the hon. Minister of National Security who has agreed in keeping with the principles of transparency and accountability to attend at this meeting to be interrogated by the members. And we wish at this point in time to acknowledge that this meeting is being broadcast live on the Parliament's Channel 11, live on radio 105.5 FM and the

Parliament's YouTube channel *ParlView*.

I wish again, hon. Minister of National Security, to welcome you. My name is Keith Scotland the Chairman of this Joint Select Committee and I wish to acknowledge that members would introduce themselves starting at my left.

[Introductions made]

Mr. Chairman: I would like to introduce the support team who have made this meeting possible. Firstly, Mrs. Jacqui Sampson-Meiguel the secretary to the Committee. Mr. Brian Caesar our assistant secretary, Krystle Gittens and Safiyyah Shah our research officers, Maltie Jaglal and Koreen Villafana who represent the Hansard team. Mr. Roger Hector our legal officer, Reshaud Alexander, broadcasting unit and Karen Joachim our IT officer. Welcome. We ask—as Chairman I will now invite the hon. Minister to introduce himself, please.

Mr. Hinds: Thank you very much, Chairman, and members of the Committee. I am Fitzgerald Ethelbert Hinds, Member of Parliament and Minister of National Security. And I am more than pleased to have accepted your invitation in the spirit of accountability in the way we know how and I am happy to be in your company to treat with the very serious issue for which I was invited. Thank you.

Mr. Chairman: You are very welcome. A brief background as to this enquiry and its objectives is that the Joint Select Committee on National Security is pursuing an enquiry into security, safety and protection of citizens with specific reference to the factors that contribute to the prevalence of illegal firearms and gun violence in Trinidad and Tobago. The objectives of this enquiry are to try to:

- understand the matters related to national security policy in Trinidad and Tobago;
- to consider security, safety and protection of citizens with specific reference to the factors that contribute to the prevalence of illegal firearms and gun violence in Trinidad and Tobago;

- to understand the primary factors that contribute to the prevalence of illegal firearms and gun violence in Trinidad and Tobago;
- to identify prevailing trends concerning illegal firearms and gun violence, to measure the effectiveness of strategies currently being utilized by stakeholders;
- to identify additional strategies to address the primary contributing factors and;
- to develop and propose recommendations to Parliament where this is applicable.

This Committee is a very seasoned committee. I will just briefly remind, of course, all members as to our protocol and courtesies and the fact that the Committee members will direct their questions through the Chair and we will invite members to kindly activate their microphones once recognized by the Chair and please turn them off when they have finished speaking. We will now proceed to have our questions.

And, hon. Minister, I wish to direct the first set of questions that I have prepared to you and your good office. Could you tell us under your purview what is being done to address the primary factors that contribute to the prevalence of illegal firearms and gun violence in Trinidad and Tobago?

Mr. Hinds: Thank you very much, Mr. Chairman. Firstly, it is the recognition that the bulk of the firearms that are now present in Trinidad and Tobago are, of course, not manufactured here. They come into our borders from other jurisdictions. By now we are settled as to where the bulk of these weapons are manufactured and the jurisdiction from which the majority have come. Some weapons, of course, come from the South American mainland, some from the United States. I rather suspect the bulk of them where the sale of firearms in many of the states of the United States of America is quite legal and quite normal. I myself have visited, like so many of

our citizens, shops that make them available. Weapons of all descriptions. Of course, they are legally traded there. Of course, they enter our borders and from the time that happens it transfers to the realm of illegality because we have a different arrangement in Trinidad and Tobago where the possession of a firearm must be under licence either to a firearm user or to a firearm user's employee where he gets a certificate or to a dealer or to a gunsmith or to the Forensic Science Centre by virtue of its work is authorized to have them, and certainly several elements of the law enforcement platform who are exempt under section 6 of the Firearms Act from the need for a licence in order to possess them.

So the first idea is that, they are not manufactured locally. They are imported. So to answer your question, Mr. Chairman, we have focused substantially on improving our border security arrangements. The Government in support of the law enforcement platform and largely on their recommendations as professionals would have obtained several pieces of apparatus, equipment to secure our borders. For one thing, we have installed a radar system which has the capacity to see what is happening on our coastlines, any approach of any vessel or aircraft. I am happy to have you know that at times it has not been fully functional but at this time it is fully functional.

The Government has from time to time, the latest such time was 2021, purchased ocean patrol vessels, OPVs, which have small boat or fast boat launch capacity so that when the radar system picks up an approaching craft, these vessels are able to sufficiently be deployed, go after and to see exactly what that incursion might be. In addition to those vessels the coastguard has a fleet of other vessels. And, of course, we recently in 2021, established as well the Coastal and Riverine Patrol Unit of the Trinidad and Tobago Police Service which is responsible for our coastlines and our rivers up to two miles out.

Mr. Chairman: Thank you for that answer, Minister. Seeing that you have

identified the fact that we do not in Trinidad and Tobago manufacture firearms but you say that they are imported basically, what strategic collaborations regionally and internationally have been utilized to develop any potential solutions then to this issue of illegal firearms and gun violence?

Mr. Hinds: The first recognition is that, the proliferation, the sale, the trade, the import of firearms in Trinidad and Tobago is part of what we recognize as transnational organized crime. So we do have a very specialized transnational and organized crime unit in the police service which takes care of that aspect of things. In addition to that, because it is transnational we have built very strong relationships with our international partners particularly the United States and all others. In Caricom we have Caricom IMPACS, a security platform where we collaborate with our colleagues, with our fellow nations here in the Caribbean. So international partnerships are very, very critical to this because we share intelligence in that forum. We share equipment. We share training, focused training for personnel. So that is one of the ways in which we tackle that.

In addition to that, there are now two well-established international platforms dealing with border security in the context of the issue of importation of drugs and firearms. That is to say AIRCOP and SEACOP, two international platforms. A number of states around the world with a particular formula, with a particular structure which is replicated from country to country as participating member states. We share intelligence in that platform. We share training. So AIRCOP dealing with our airports and SEACOP dealing with our sea ports. And in that relationship—and I had the opportunity of to attend one of their sessions recently and saw first-hand the way in which they conduct affairs and the way in which they train our personnel and share information and we have had some successes in it. So those are some of the ways in which we are dealing with the question of our border security.

Mr. Chairman: Thank you, hon. Minister. I wish to turn the questions over now

to member Paul Richards.

Mr. P. Richards: Thank you, Chairman. Good afternoon, Minister, thank you for being here. I think it is commendable that you have presented yourself given the situation facing Trinidad and Tobago in the interest of identifying what the public can expect in the fight against crime. The first question, let me start with the most recent revelation by your good self yesterday in the Senate as much as what you can tell us. You indicated 108 legal firearms had been identified/used in criminal acts in Trinidad and Tobago including four murders. Would you be able to tell us at the time frame involved in that identification? One. Two, would those legal firearms include firearms issued to members of the protective services including TTPS, TT Defence Force, Coast Guard? And/or private security firms in Trinidad and Tobago?

Mr. Hinds: Just for specificity. I did say that they were engaged in matters that had attracted the attention of the police. The time frame, I would say, within recent months, I cannot be more specific than that at this point but within very recent months and it is not confined to security firms. Certainly not confined to law enforcement personnel who might have been issued with these licences. But I got the impression from information available to me, the general population, persons who would have applied for and were in receipt of firearm user's licences.

Mr. P. Richards: So just to be clear, private citizens but that does include the possibly of law enforcement.

Mr. Hinds: It is possible. But I could not tell you. What I got was the raw data identifying that 108 weapons have come to the attention of the police in some kind of situation either by virtue of being lost and some persons have been charged for negligently losing them, which is a criminal offence under the Firearms Act. Some were stolen. And if it is stolen, that is a criminal offence. Some were involved, in fact, since I spoke yesterday I got further clarification, I think, seven shootings with firearms issued to firearm user's licence holders, four of them murders and three

suicides in the context of some of those murders—murder/suicide actually. So those are the circumstances as exists in that regard.

Mr. P. Richards: A lot of emphasis has been placed by your good self and the acting Commissioner of Police in the past, on the issue of illegal weapons perpetrating most of the crimes in Trinidad and Tobago. Are you all concerned that this 108, as you have identified in recent months, is a new development that we should be concerned and focused on in the country?

Mr. Hinds: Absolutely. Information available to me suggests that some of the persons who own legal firearms have been negligent in the management of them. As one would imagine, the ownership and the management of a firearm is quite a very serious business and it requires a sober and disciplined handler and trained handler. We have had cases of people leaving firearms in cars to do shopping and other such things and criminals get easy access to them posing a danger to others. We have had situations of persons not securing them properly at home. We have had reports of people showing them off, showing off, “gallerying”, to use a colloquialism, showing off, posing with them, putting them on tables and that kind of thing.

Mr. P. Richards: Negligence is a bit benign or could be considered benign. Would you have information to suggest that people are transferring their legally acquired licences or firearms to criminal elements being more overt as being involved using these legally obtained firearms through licences to criminal elements to commit crimes?

Mr. Hinds: Of the 108 cases of which I just spoke, I am able to say that. But there have been cases where persons have made the firearm that they are lawfully in possession of available to criminals for criminal activity. Yes.

Mr. de Freitas: Thank you, Chair. Just to piggyback off of what member Richards is asking. Minister, could you, I may have missed this, could you indicate as to

whether the 108 is an anomaly in the sense that something that is not seen normally where you would notice an increase in the use of legal firearms in this type of activity?

Mr. Hinds: Well, it—given the time frame, as I said within recent months, it seems to be a burgeoning problem. Let me put it that way.

Mr. de Freitas: Okay.

Mr. Hinds: It is—I take your point about whether it is normal or abnormal. To my mind, quite unusual.

Mr. de Freitas: And the reason I was asking that is because we have heard in recent times and I am not sure if you will be able to answer this or not, if you cannot understandably so. But we have heard in recent times in the last year or two where the number of licences, firearm user's licences have increased quite a bit in terms of what has been given out. Would you say that there is a correlation between the increase in the issuance of firearm user's licences and this anomaly now occurring?

Mr. Hinds: I would easily say that. I would easily say that. Yes. Because the records that are available to me show an exponential increase in the issuance of licences and the issuance of firearms in the context of what the law requires or calls variations. There are persons who would get a licence and then they make an application for variation. And that variation now, they—the recent audit is revealing that the concept of variations may have been severely abused because the process for determining the safety and the security and the capacity to properly manage and the need for an additional or additional firearms was not properly exercised in the context of variations. So now you have many citizens out there, many citizens out there with three, and five, and seven, and nine, and 17, and 35 guns.

That incident in San Fernando recently, as the country now knows, published in the media, the individual who acted in that very horrific scenario, he had five firearms. I understand a rifle, I understand pump-action shotgun and I understand

three pistols. He went on the scene with two. I do not want to go further into that but clearly we do have a problem.

And in addition to that, when we see the number of rounds of ammunition discharged in murder, for an example, incidents, there was one murder in Woodbrook a few months ago where they recorded something like 65 shells, casings on the scene. So it tells us that there is a proliferation of and a tremendous amount of ammunition around. So that we have a problem.

Mr. P. Richards: To quote a US politician, I reclaim my time.

Mr. Chairman: Yes. Your time has been reclaimed. Continue.

Mr. P. Richards: On the same issue of legal firearms, would you be able to tell this Committee, Minister, if you believe the monitoring and mechanisms in place for persons with legally issued firearms is sufficient at this time in addition to what are the ammunition being used with these legally issued firearms? Because firearms user's licences also there is a component for acquiring ammunition and if you think that those mechanisms need to be reviewed and strengthened at this time.

Mr. Hinds: Absolutely yes. From the question—the information available to me, let me put it like that, the answer to that is, yes. Because under the law and in the context of police regulations, the police are duty bound to make regular visits to persons who, like security firms, firearm dealers, matching the police records with the records that are supposed to be kept by these institutions and seeing that they are properly managed and accounted for.

In respect of firearm holders licences there is a requirement that every year you license your firearm. It means therefore, that you should present yourself at the police station with your firearm or firearms. They will take a look at them, make sure that the serial number is that which is recorded in the police records. And on that basis satisfy that it exists, it is being safely kept. If the police want to come to check at home to see where you keep it, and keep it safely, that is open to them and

then the licence is granted. So for the firearm user's licence it is an annual audit so to speak. And the police can go at any time to check the books of a dealer, a distributor or a gunsmith who are authorized under licence to keep these weapons as well. But in the spirit of truth I am not now sure whether those methods have been consistently followed.

Mr. P. Richards: With that said and with the understanding of your own utterances in the past and that of the acting Commissioner of Police about the number of illegal guns and the type of weapons that we are seeing appearing in the streets of Trinidad and Tobago committing crimes and now the conversation about the number of firearm user's licences that had been issued in the past couple of years, does the Government/the State have a perspective on, based on international best practice, what we as a country consider a safe number of firearms available legally in Trinidad and Tobago?—so that we get a sense of per capita, what this country can safely accommodate.

Mr. Hinds: I do not think we have that. What we do have is so far an unwritten policy which is a restrictive policy, unwritten since independence to current time. In this restrictive policy a position was not taken on the number of firearms that you should have licensed and in the atmosphere, so to speak. But rather a firearm should be issued to someone when he or she is able to demonstrate a need for it, for self-protection, protection of one's business and that sort of thing. And a very robust assessment is done of the person and the circumstances and his or her capacity to keep it safely and then the licence is issued. This restrictive policy is in contradistinction to that which exists in the United States, for example, where in an amendment to their Constitution they have the right to bear arms and therefore, I told you, you can walk into any shop and buy whatever you want in any quantities that you want.

3.00 p.m.

So we had and we still have that restrictive policy. Within recent years, the conduct, to put it blandly, of a past commissioner reflected more that liberal, open, deputize everybody, give everybody a gun philosophy, that was contrary to the restrictive policy that this country always knew. And the figures, when you look at the figures for the grant of firearm user's licences for many years back, this is why it is very restrictive, very small. And when you compare it what happened in the context of the last three years or so, then you see the exponential jump that member de Freitas raised, to which I agreed.

Mr. P. Richards: I think I have—[*Inaudible*]

Mr. Hinds: So there is where it is at.

Mr. P. Richards: Do you, as Minister of National Security, with that said—and I am trying to get a sense of, given the exponential granting of those licences and the number of firearms legally available to private security firms, protective services, that we are in a safe space in Trinidad and Tobago with the number of firearms in the country, legal firearms, given what we are seeing of criminality and, as you said, some negligence being discovered in recent months and also an unregulated private security issue which also may be adding to the problem that we do not know about?

Mr. Hinds: Well, I would not want to comment on whether, for those reasons we can say that we are in a safe space. What I would say, is that the Strategic Services Agency of the Ministry of National Security conducted a very impressive, in my view; a very intellectually supported, in my view, assessment of the number of illegal firearms in the country a couple of years ago and arrived at a figure somewhere in the vicinity of about 12,000. In my own mind and anecdotally, I believe it has since increased based on other information available to me.

Apart from illegal firearms, we have just broached the question of legal firearms and the mismanagement of those and the potential for difficulty as a consequence of that. But we also have a problem where information available to me

shows that, I mean, an exponential, I mean in millions, I mean millions and millions and millions of rounds of ammunition were authorized to be imported by firearm dealers. Millions and millions and millions, and that—

Mr. P. Richards: So was there not a mechanism in place to manage that?

Mr. Hinds: Well, the mechanism is the Firearms Act, and the prime driver is the Commissioner of Police. And, as I told you, you have a restrictive policy that was challenged in that time and in that circumstance. So you had that, so we have an issue.

In addition to that what we have found is that contrary to previous times, not only was ammunition authorized to be imported, not only were firearms authorized to be imported, and I am talking about the legal regime in contradistinction to the illegal regime to which I should shortly return, but also we saw an importation of component parts, and for the civilians in the national community or those who are not aware of what that is, some of these parts might be a brand new barrel. So that the Forensic Science Centre, for an example, using ballistic expertise to determine whether this gun discharged this round of ammunition, leaving a footprint for assessment and matching, will now be having a difficulty if the barrel on that weapon is changed.

In addition to that, component parts also can include parts that can convert a weapon from a semi-automatic to a fully automatic weapon. And we have records where hundreds of component parts were allowed to be imported in addition to the ammunition and the firearms.

Let me skip over now to the illegal gun regime of which I said there was an assessment of some 12,000 and of which, anecdotally, I believe, based on information available to me as a Member of Parliament, as a citizen, as a former police officer, I believe it is a little more than that. We do have a serious issue with that, and the police have so far, for this year, retrieved—because we have

established, to answer member Scotland's question about what are we doing, one of the things this Government, this Minister initiated as a matter of government's policy, and the police service has obviously taken it up, and I engaged in, along with other arms of national security and customs and immigration, is a national gun retrieval strategy. Because we came to the conclusion, if you have a minimum of 12,000 illegal firearms around here, and each one of them with access to millions of rounds ammunition, you can have a serious problem. I compared that. You can have a serious problem and therefore, a national gun retrieval exercise is on the way.

So far, for this year, the police have surpassed the number of firearms that they retrieved in 2021. Of those 500-plus firearms, 570-something up the road that they have seized, about 76 of them are what the police will describe as high-powered military-type assault weapons. Thank you very much.

Ms. Lutchmedial: *[Inaudible]*

Mr. Chairman: Turn on your mike, please.

Ms. Lutchmedial: You are hearing? Is it on?

Mr. Chairman: Yes, do not be distracted by member Moonilal.

Ms. Lutchmedial: Never. Thank you, Chairman. Minister, although you cannot confirm the time frame for these four murders that have been committed, as you say, with legal firearms, are you aware that that is less than 1 per cent of the number of murders committed for this year so far?

Mr. Hinds: One murder is too much to bear in Trinidad and Tobago—

Ms. Lutchmedial: “Mm-hmm.”

Mr. Hinds: *[Inaudible]*—four is good enough—*[Inaudible]*

Ms. Lutchmedial: So we are looking at the issue now and it has made front page of the 108 incidents identified, I believe—108 firearms, legal firearms, you say, being used. And well, today you have clarified it, it is not necessarily—you cannot say the time period, but you said that they were involved in matters which attracted the

attention of the police—

Mr. Hinds: All right. I could clarify that now.

Ms. Lutchmedial: Sorry. Could I ask the question, please?

Mr. Hinds: Yeah.

Ms. Lutchmedial: Now, based on what you answered in response to member Richards, this could include non-violent offences, meaning offences such as being careless or negligent with a firearm, it could include offences or things that would have attracted the attention of the police such as misplacing or losing your firearm. And, again, you cannot say exactly over what period of time these 108 offences took place. So is it that it includes those types of non-violent, actually linked to a specific violent crime?

Mr. Hinds: I was talking about firearms.

Ms. Lutchmedial: Yes, I am talking about firearms too. You said 108 instances—

Mr. Hinds: Well—

Ms. Lutchmedial:—where legal firearms would have been used to commit crimes, but you have clarified today—

Mr. Hinds: No, I said 108 would have come to the attention and gaining the attention of the police.

Ms. Lutchmedial: And the attention of the police includes non-violent offences such as being negligent with a firearm, losing a firearm, et cetera. Does it also include—

Mr. Hinds: Well, no, no, member, I cannot settle on that, you see because you do not know what the firearm would have been used for. Some of them—

Ms. Lutchmedial: Well, neither you apparently.

Mr. Hinds: Some of them—no, I do. I absolutely do. Some of them were used to—involved in robberies.

Ms. Lutchmedial: Okay.

Mr. Hinds: I have those figures.

Ms. Lutchmedial: What about instances where—

Mr. Hinds: Just a second, and those that were stolen or lost, we do not know how they would have been used.

Ms. Lutchmedial: Sure.

Mr. Hinds: And therefore, the issue is the fact that they have now gone into illegal hands.

Ms. Lutchmedial: So the 108 firearms that came to the attention of the TTPS, could you say how many are now in the possession of the TTPS having been involved in matters?

Mr. Hinds: Yes. The Commissioner recently indicated that they would have recovered about 18 of them.

Ms. Lutchmedial: Eighteen of the 108?

Mr. Hinds: Yes. And I can now tell you that I am talking about events that took place between 2017 and 2021.

Ms. Lutchmedial: So from 20—of the 108 you are speaking about?

Mr. Hinds: Yes.

Ms. Lutchmedial: So between 2017 and 2021, of all the crimes committed involving firearms, 108 incidents you are saying, not necessarily violent incidents, were committed with legal firearms, legal firearms come to the attention of the police in five years, 108?

Mr. Hinds: I am saying to you, I cannot tell you—I am not in a position, neither would you, be able to say what these firearms would have been used for. Some certainly for robbery which is taking away from someone by force.

Ms. Lutchmedial: “Mm-hmm”, go ahead.

Mr. Hinds: And I told you that in seven cases it led to the death of human beings.

Ms. Lutchmedial: Seven? I thought you said four.

Mr. Hinds: Seven. Four murders and three suicides.

Ms. Lutchmedial: Okay, suicide is included. What about the corresponding exponential increase that we have noted in the number of persons who have defended themselves by the use of legal firearms over this period of time? I did a brief survey of the news and I could tell you now, just from the news reports, October 2022, Cunupia, armed bandit killed; October 2022, South Park, bandit killed; 2019, a 63-year-old supermarket owner shot one, three other bandits fled; December 2020, Petit Cafe, bandit shot; October the 4th this year, St. Joseph man chased off bandits, six armed bandits, a 59-year-old man; July 2022, two shot in El Socorro, third wounded, a businessman and his 88-year-old father; November 2021, it was reported that a prison officer who was shot dead whilst attending to his fruit stall had applied for an FUL and was awaiting that same to be processed. And, as we know, prison officers had been targeted—there was a period of time where prison officers were being targeted regularly.

The exponential increase that you speak about, of legal firearms being used, and there appears to be a significant amount of emphasis being placed on the issuance of legal fire—permits and so on, FULs, but there is also a corresponding increase in the number of persons being able to defend themselves and being forced to defend themselves due to the fact that they under attack, particularly people in the business community. How does the Ministry view that exponential increase in the number of persons who have saved perhaps their lives and those of their family members by arming themselves through a legal—perfectly legal process?

Mr. Hinds: Well, for my part, I do not see this discussion or discussions of this nature as one thing against the other. You are beginning to sound as though you are seeing this as some argument for licensed guns as opposed—

Ms. Lutchmedial: [*Inaudible*]

Mr. Hinds: Yeah, you are beginning to sound so to me, as though you are seeing

this as some juxtaposition of a battle between two positions, licensed guns, give everybody licensed guns as opposed to not being able to defend themselves or so. Our focus in National Security is the fact that we live in a society that is demonstrating that it is particularly and increasingly violent. Our focus is on the fact that we have so far 563 murders for the year, and our focus is on the fact that firearms are used in 87 per cent of those cases. So whether legal or illegal, the issue of the violence, and the mayhem, and the gore, and the bloodshed, is what is of concern to us, and we are grappling with the illegal issue and now the legal issue is beginning to—burgeoning as another element of the problem. That is the way we see it. But I do not see it the way you are sounding as though it is one argument against the next. That, to me, is futile and unattractive to me.

Ms. Lutchmedial: Well, it might be, Minister. However, it is not futile and unattractive to the citizens who are perhaps concerned that there appears to be a war being waged against them who are seeking—those who may seek to arm themselves. But be that as it may, you just said 563 murders, is that the current figure for this year? Correct me if I am wrong because I did not get that data. I do not know.

Mr. Hinds: I was talking about—

Ms. Lutchmedial: I do not know if you wish to correct yourself.

Mr. Hinds: I said earlier 563 firearms have been recovered.

Ms. Lutchmedial: Oh, you just said 563 murders for the year. I just wanted to be sure.

Mr. Hinds: Oh, I see, I am sorry. I am sorry.

Ms. Lutchmedial: Unless you are being—unless you are anticipating.

Mr. Hinds: Yes.

Ms. Lutchmedial: Could I just, in my short time, I want to ask you one other question about the number—there was an issue raised with respect to illegal firearms which is more of a concern to citizens, particularly in the business community. And

a suggestion had been made through the media about Customs and Excise Division being misplaced and perhaps the issue of port security being better placed in a Ministry that is focused on security because of the fact that customs, whilst they perform a revenue collection function being placed in the Ministry of Finance, the issue of port security appears to be one that is of grave concern and is not being given the attention it requires where they are presently located. Can you tell us how has the Ministry been dealing with the issue of customs and the fact that it appears to be well known, it was, I think, on every front page this weekend, that the issue lies in customs with respect to the entry of illegal firearms through the legal ports of entry in this country?

Mr. Hinds: Yes, I think it is well known to many of us. In fact, when I was a part of this Committee, we actually undertook an exercise of similar nature as today's business, we visited all of our ports—not all, most of our ports. We went to Point Lisas, we went to the Port of Port of Spain, we went to the airport. We did the rounds. And as long ago as that, we had become sensitized to the fact—and we reported to the Parliament that our legal ports of entry were proving to be a risk area and a threat area to us.

So the Ministry of National Security has a collaborative institutional arrangement in which the customs is a part. So we meet regularly with the customs because we understand the implication of that division for national security and we have working relationships with them. In the context of the AIRCOP and SEACOP that I had earlier described, customs officers are a part of those units. At the national inter-agency committee meetings we have, the customs is represented and we work very closely with them. And on the more operational level the police work very closely with the customs division in treating with that problem.

Ms. Lutchmedial: Can you say how many seizures there have been at the legal ports of entry in Trinidad and Tobago within the last year, or let us say for this year,

in terms of firearms trying to be smuggled into the country through the legal ports?

Mr. Hinds: I am unable to tell you with certainty as to how many, but within recent times there have been some substantial successes by the police, by law enforcement, and in which firearms were found on our legal ports of entry and seized. Thank you very much.

Mr. Chairman: Member, before you continue, and maybe you will have a chance to ask a couple more questions, would the Minister be able to provide us with an answer to that question in writing?

Mr. Hinds: Oh, most certainly.

Mr. Chairman: Because it is an important question.

Mr. Hinds: Most certainly.

Mr. P. Richards: Chairman, if I could, the port authority submission that we all have view of says the last serious interdiction was on March 22, 2021, and it states, one—

Dr. Moonilal: Could you repeat that? I did not hear.

Ms. Lutchmedial: 2021?

Mr. Chairman: The Port Authority is not here for us to interrogate.

Ms. Lutchmedial: Yes, sure. And I am aware of the submission hence the reason I posed the question.

Mr. Hinds: Who is not here, Mr. Chairman?

Mr. Chairman: The Port Authority is not here.

Mr. Hinds: Yes, yes.

Mr. Chairman: So, I would ask you, Minister, in your capacity as the Minister in charge of others, to see what you can provide for us in writing in answer to that question.

Mr. Hinds: Most certainly. Most certainly.

Mr. Chairman: Member Lutchmedial, you have another question you wish to ask?

Ms. Lutchmedial: One more please, before I give way.

Mr. Chairman: Certainly.

Ms. Lutchmedial: Minister, in the submission submitted by the Ministry, one of the things when we asked about the mechanisms being used to regulate the conduct of law enforcement, it came up again this issue of—and it has been in the news as well, of administering polygraph testing and also background checks. Under the former commissioner of police, that proposal had been touted, and I believe that those in the law enforcement community raised certain concerns, as well as threatened legal action because, of course, it deals with terms and conditions, privacy, constitutional issues, all sorts of different things. Has the Ministry given serious consideration to any other mechanism to discipline and to monitor law enforcement agencies to ensure that they are not complicit in the, one, entry into the country of illegal firearms; two, the use of firearms issued to law enforcement in committing crimes—I recall one instance, specifically in San Fernando and that is why I remember, of an officer being detained for renting, so to speak, his firearm—and three, ensuring that the gangs and so on are not being protected by members of law enforcement, be it police or otherwise? Apart from polygraph testing, is there anything else that might be a more immediate sort of solution to the problem that seems to be existing with law enforcement?

Mr. Hinds: When I was Minister in the Ministry of Attorney General, I got the law enforcement persons in consultation, and many others, as well as the Chief Parliamentary Counsel, the legal drafters, and we did draft a policy and a Bill which was presented to the Parliament. It lapsed and we have put it on the agenda again, I think, where we want to arrange for officers of the law enforcement platform, meaning the police service, the defence force, the prison service, customs, immigration and a couple other elements, to be subjected to mandatory and spontaneous, to use my words, integrity testing.

Polygraphing is not the only way in which integrity is tested. There are other means. And the law was drafted in such a way that it will take into account those things. But as you correctly pointed out a while ago, for the reasons of the Constitution, raising issues of privacy and so on, it would require a special majority.

Member: [*Inaudible*]

Mr. Hinds: Just a second, I am finishing. It will require a special majority for the Parliament's consideration. And one hopes that in recognition of the fact that personnel in key places, like the customs and the police service, in the example you just gave, the examples you have just given, can and have proven to be short on integrity and exposing the society, although they have been sworn and they are being paid to do their jobs, they pose the greatest risk and therefore, we need to pay attention to that. So one hopes that when that Bill comes before us all for consideration, it finds favourable consideration, so to speak.

But apart from that, the other way in which the integrity of officers could be tested, other than the scientific methods contemplated in the Bill, as I have just expressed it, is constant vigilance and investigation by law enforcement. Law enforcement has arrested—the officer you spoke about, he would have been under surveillance, he would have been charged—he would have been arrested, sorry, and charged and prosecuted for it. So the way in which this is done is that the very law enforcement has to police itself, so to speak, and that is an ongoing business and the records will show police officers, defence force personnel, customs personnel, immigration personnel have over the years been charged. But we would like to see more of it, because persons behaving like that in these institutions pose a serious danger to the national security of our country.

Mr. Chairman: Thank you, member Lutchmedial, Minister. May I remind, and I do not know if it had slipped the attention, but for those of us who sit well in both Houses, there is on the Order Paper:

“A Bill entitled, ‘an Act to amend the Judicial and Legal Service Act, Chap. 6:01, the Prison Service Act...the Defence Act...the Police Service Act...the Civil Service Act...the Fire Service Act...the Financial Intelligence Unit of Trinidad and Tobago Act to provide a regulatory framework for polygraph and drug testing and biometric identification for members of the Protective Services and certain offices in the Judicial and Legal Service and the Civil Service and for other related matters.’”

So maybe that may come to Parliament, in a short—

Mr. Hinds: Yes, that is the Bill to which I made reference. Thank you.

Mr. Chairman:—in short time, and it is here, and it is on the Order Paper.

Mr. Hinds: Thank you very much for your—

Mr. Chairman: So, I would now ask member Ayanna Webster-Roy, the floor is yours, Madam, and hon. Minister. You can ask your questions.

Mrs. Webster-Roy: Thank you, Mr. Chairman, through you, thank you for coming today, hon. Minister.

Mr. Hinds: Thank you.

Mrs. Webster-Roy: In your earlier discourse you would have mentioned licences being issued for the importation of component parts. And you highlighted the fact that sometimes when forensics is doing ballistic testing they would not be able to determine if a round of ammunition would be fired from a particular—

Mr. Hind: Barrel.

Mrs. Webster-Roy: Yeah, barrel—if they change it. Are citizens required to return or hand in component parts when they import new ones? What is the procedure?

Mr. Hinds: Well, the Commissioner of Police is the one who, under the Firearms Act, authorizes the importation of arms and ammunition. And once he authorizes that, then it becomes legal. So that the dealer has this and then the person applies for a licence, and I imagine the Commissioner of Police has the authority to authorize

the purchase of a component part. So persons are in possession of these, it may very well be that—so an audit is taking place now to see what the exact story is on those matters.

Mrs. Webster-Roy: The other thing I wanted to understand, you would have mentioned before that, yearly, persons would have to present themselves or their firearm for a reissuance of the licence.

Mr. Hinds: Yes, correct.

Mrs. Webster-Roy: Given the fact that you would have mentioned that sometimes some instances, I think it was 108 you said, weapons legally imported into the country, coming before the attention of the law enforcement—

Mr. Hinds: Yes.

Mrs. Webster-Roy:—do you think it would be wise for persons to present their weapons to be audited—persons to be audited more frequently instead of yearly to ensure that they are indeed in the possession of the persons who the licence was issued to?

Mr. Hinds: It might be useful to consider more than that, but for administrative reasons and for cost reasons, and all of that, six months might be a little bit burdensome, all things considered. At the moment, member, it stands at one year, and I have not applied my mind seriously to whether we should contemplate making it six months or every four months or so, but I do take your point. It means more frequent auditing, cross-referencing and therefore, less likelihood of the thing going totally array. So I take your point, but it is not something that I have or we have really focused on as one of the issues in this.

Mrs. Webster-Roy: Okay, thank you. One other question, hon. Minister.

Mr. Hinds: Sure.

Mrs. Webster-Roy: It is common knowledge that firearms would come into our country via legal ports of entry and other means, what new strategies would the

Ministry of National Security have engaged to help treat with the importation, legal/illegal, of firearms into the country?

Mr. Hinds: Well, certainly in terms of the legal regime, we have drafted a policy. Because the way the Firearms Act is structured it gives the Commissioner very wide powers under that law, so we have drafted a policy, and that policy is now being refined, fine-tuned, taking into account recent experiences and information out of the audit and other means. So it is to inform this draft and hopefully, very shortly, this draft will be brought to the attention of the Cabinet of this republic for its consideration. And once the Cabinet approves it, then it becomes the Government's policy in relation to firearms which will now guide those who administer the Firearms Act, more particularly the Commissioner of Police in whom all this authority now rests.

In addition to that, we have, as I indicated earlier, made efforts to improve our partnership with our international partners.

3.30 p.m.

Recently, at the Summit of the Americas in Los Angeles, the governments of the Caribbean—because the problem that we are having in Trinidad and Tobago magnified as it is, unfortunately, is replicated in St. Lucia, in Barbados, in Grenada, in St. Vincent. All these peaceful beautiful islands are now having no end of trouble because of the presences of firearms and gangs. I saw the St. Vincentian Prime Minister recently crying out. I saw St. Lucia in a report two days ago, crying out.

So the region's leaders took the opportunity at that Summit to raise this matter with the United States Government from which a number of these firearms flow. And it is that kind of international relationship and understanding and negotiation—we have a relationship with the United States where our personnel are given training in e-tracing, where when they discover a firearm they can trace all the way back to the manufacturer, coming forward to the distributor, who it was sold to in Trinidad,

and recently you would have seen persons in the United States who were charged for illegally exporting guns to Trinidad and Tobago. So that kind of relationship with international partners is at work.

As a matter of fact, as I speak to you, I signed off today and indicated my presence at a Caricom IMPACS, which is our regional security team, a platform, and they are having a symposium dealing with this very question of e-tracing and firearms and how we manage them because it is a major issue. Those things, in addition to our border security arrangements, are the ways in which we, Trinidad and Tobago, are trying to protect ourselves from the ravages of the—and the impact of firearms, legal and illegal, on the people of Trinidad and Tobago.

Mr. Chairman: Member, I know you had an issue to raise as it relates to Tobago, you do have your time so you can.

Mrs. Webster-Roy: Hon. Minister, you would have recently seen in Tobago where, a couple of murders involving firearms. And I want to know if there is any specific strategy or intervention to help to reduce the number of illegal firearms in Trinidad and Tobago and to further strengthen and protect our borders from the illegal entry of firearms into Tobago.

Mr. Hinds: Well, we, being Trinidad and Tobago, I give you the assurance the same training and the same strategies and the same positioning of the vessels and the radar system, all the things that apply to Trinidad apply equally to Tobago. But you do have another issue, the movement of those boats and aircraft between the two islands. So the police service now makes special arrangements. I saw Superintendent Benjamin leading the Tobago police. I think a few days ago driven by intelligence, no doubt, was able to make a little find on a vessel coming. But I know for many years the police pay particular attention, they pay attention to those vessels and movements particularly at certain times. But I do take the point that Tobago is having a tougher than usual time and we will ensure that all that is being

done flows to Tobago as well to protect the people just as we should. Thank you kindly.

Mr. Chairman: Member, are you finished or you have other issues? Member de Freitas.

Mr. de Freitas: Thank you very much, Mr. Chairman. Minister, I just wanted to ask a question and this may be a little bit more opinionated in terms of a response, but in relation to illegal firearms in this country, could you indicate just how easy it is to get a gun, an illegal gun.

Mr. Hinds: I get the impression that it is, as we used to say in yesteryear, “as easy as kissing hands”. They are very, very, very, available. I mean, you get reports through the police about teenagers in possession of a gun. You know, a couple days ago a parent approached me, her 17-year-old son is reported to have been caught by the police with a gun. They do seem very prevalent. It is 12,000, estimated, and I told you I think there might even be more because we have about 264 illegal points of entry around Trinidad and Tobago. And while we do have a radar system, and we do have our vessels that patrol our waters, and we do have the riverine police, and we do have our transnational and organized crime unit operating, but we do have the problem of personnel associated with the State who by reasons of lack of integrity may turn a blind eye.

We also have cases where citizens of Trinidad and Tobago support some of this by providing protection and cover to those who make incursions into our borders, in some cases 25 minutes away from the South American main land. We have had cases of police officers, defence force personnel supporting, protecting that kind of activity. It is particularly difficult. So it is an all frontier fight on an ongoing basis to try to bring resolution to some of those issues.

Mr. de Freitas: Thank you very much, Minister. And in your discourse and response to that question is exactly leading into the next question I am going to ask,

because everything you just stated speaks to happenings and goings-on, on this side of the equation. In your earlier discourse you alluded to the fact that, I would not say the majority, but we know that some of these guns could be coming from point of source of the US, maybe other places as well, but understanding that the border security in the US is a bit better than the one that we have here and in the Caribbean region. My question is that, if it is that we know these guns are coming from that location, how is it that they are slipping through their border security to even get out of the country to arrive here? It almost speaks to a big conspiracy between individuals here and the border security there for it to easily move through the system, so much so that we can have a problem now in Trinidad and Tobago. You spoke to collaboration with US authorities and what not. Do you think that collaboration would bear fruit given that it must start at some point? And based on what we are seeing here, which is the result, it means that something is wrong on that side for those guns to be leaving those shores without being caught. Can the US security not ramp up the checks and balances they put in place for shipments leaving to Trinidad and Tobago shores to ensure that at the point of source there is that extra security?

Mr. Hinds: A very incisive thought and question and the answer to yours is, yes. In fact that was one of the issues that the regional governments would have raised with the US and other leaders in the Summit to which I made earlier reference. And definitely, yes. So this is where the collaboration works. We get some help from them because we have a problem here. It might be legal there but when it enters my borders it becomes illegal here and therefore we have—and recently we had some collaboration where intelligence shared—I told you just now we are doing e-tracing and the US has shown its willingness to prosecute people where those kinds of things occur.

Mr. de Freitas: Last question, Mr. Chair.

Mr. Chairman: Go ahead.

Mr. Hinds: Before you do, just let me add, we also have had cases of citizens of Trinidad and Tobago jutting across to the Venezuelan mainland and Venezuelans jutting across here. That is part of the arms trade too. We have had that and then you have—so it is—

Mr. de Freitas: My last question was in relation to the mathematics of it all and the calls for gun amnesties to be implemented. Do you really think gun amnesty would be effective given that the mathematics seems to show that we are not yet at a level, statistically, to make a dent? So you are indicating that there are 12,000 approximately illegal firearms. But let us say we are removing 1,000 a year, but we are still fighting the issue of guns coming in. It seems as though we are not really making a dent and having a gun amnesty which may give you a bump of another 1,000 or so, the fact is that, is it really effective? Because somebody who has a gun and there is a gun amnesty, they will bring it in, walk right back out and get another one. So they are seeing it from a money-making stand point, I will come in and I will get some money or I would not be charged or what not, but I could walk right back out and get another gun quite easily. So how effective are gun amnesties?

Mr. Hinds: Again very incisive. You know, there has for years been discussions in Trinidad. I think somewhere back in the late 80s, early 90s there was some kind of gun amnesty and it turned out that it was not as successful as might have been anticipated. And there has been some discussion through the years about the value of that. We have not had another one since. From my own part and you have asked me to give my opinion, from my own part I do believe that a very focused law enforcement, driven by intelligence are all out committed ongoing retrieval exercise could do a lot to mop up many of those firearms here. I do not anticipate that those who have them to use illegally will hand them over in an amnesty because these guns, one, they themselves are a serious trade commodity with lots of money behind

it.

I know of a case where a gentleman, cleaning his yard found an assault rifle which he did not put there, in his backyard. Because sometimes, very often, criminals hide their stuff in the neighbour's yard, unbeknownst to the neighbour, sometimes they use fish wire and pull it up in the tree, they have all kinds of ingenious ways in evading detection. But this gentleman found it and did what any decent citizen should do, this happened in south Trinidad, and he called the police. And the police went and they took possession of the thing and then of course the criminal sent an emissary, and she went to the man to tell him that this thing was worth \$45,000 and he should not have called the police. And of course events flowed from that to some kind of resolution. But some of them, the commodity, it is a trade, so it is value, so they would not just hand it over. For some it is used to bring value to do robberies, to do extortion and all kinds of kidnapping for ransom and all kinds of nasty crimes.

So I do not personally anticipate that persons who have these assets, negative and dangerous and nasty and detrimental to this society as they in fact are, I do not believe they would easily hand them over and this is why I have faith that the police service supported by the defence force and all other elements of law enforcement driven by intelligence and with the support of the population should be able to deal with this matter over a period of time—

Mr. Chairman: Thank you.

Mr. Hinds:—while we work hard on hardening our borders in the ways that I have described to stop the inflow of these weapons. Thank you, Mr. Chair.

Mr. Chairman: Thank you, hon. Minister. Before we go to our next member, member Moonilal you are up next in the order.

Dr. Moonilal: Mr. Chairman, please, with the greatest respect in deciding on the order earlier, I got the impression that I was after Minister Mitchell and I will not

like to usurp the position we had already agreed to.

Mr. Chairman: You will not be usurping.

Dr. Moonilal: As I understood it I was the second to last and the last person would be Mr. Richards, member, who was joining us, has that changed inadvertently?

Mr. Chairman: It has not changed.

Dr. Moonilal: Or deliberately?

Mr. Chairman: You have the wrong impression. You go after member de Freitas and I have it in writing here, I have the order in writing. But before you go Sir, I have a question from a member of the public, you still have a little chance. This question is, given the clear connection between the prevalence of gun crimes and criminal gangs, does the Trinidad and Tobago Police Service and other law enforcement agencies have a proactive approach to eradicate organized criminal gangs in Trinidad and Tobago?

Mr. Hinds: Thank you very much. It is a—

Mr. Chairman: Question from a member of the public.

Mr. Hinds:—useful question. And one of the things I did not say a while ago is that these gangs have these weapons, this is why I do not anticipate that they would easily hand them up. But because of their gangland activity which would have involved murders in many cases, there is the question of retaliation and retribution. So if you killed my brother or my nephew or my mother, I want to kill you and yours and therefore in the context of that retaliation they need the guns to carry on. And I do not anticipate they would hand them.

But to specially answer the lady's question, we as a matter of government policy long understood, since 2010 or 2011 this government understood the adverse and nasty impact of criminal gangs in Trinidad and Tobago. And in 2011 for those who have recalled, and that is not too long ago, for that reason this Government at that time in Opposition gave full support in the Parliament to the passage of very

stringent provisions in the anti-gang law reflecting our view which is now the Government's policy. We also, along with that, supported amendments to the Bail Act which restricted bail for persons charged under the anti-gang law and we watched that work in Trinidad and Tobago for five years and we felt it was worth its while, it was quite effective, so we gave support to it. We continue so to do.

We have an anti-gang law in place today which the police are operating and up to recently and in briefings that I have been able to access, they are as we speak targeting gang members, many of whom have been arrested and charged and prosecuted under the anti-gang law. I hope that and this Government and the law enforcement platform are unrelenting in their pursuit of gangs with the one purpose to dismantle them because they are a dangerous threat to Trinidad and Tobago. They steal too many of our youngsters, inculcate them into the ways and the wiles of the gangs and spoil a lot of lives and cost a lot of lives so we are wanting to do something about it.

Mr. Chairman: Thank you, Minister. Member Moonilal, is snapping at his heels to get his questions in. Member.

Dr. Moonilal: Thank you so much, Mr. Chairman. I have just a few questions to the very distinguished Minister, two broad policy issues. A set of shorter questions for clarification based upon certain statements emanating from the Minister during these proceedings. So that is where I would go. Minister, you spoke at length and gave us some type of analysis of your very deep concern with the use of legal firearms, firearms obtained through a legal process in what you described as some increasing incidents of being involved in criminal activity in the recent past, and that is a preoccupation of yours as you demonstrated today and in the press within very recent time.

Mr. Chairman, if you would allow me I am going to lead to a policy issue with this Minister and invite him to give me a comment on a very serious policy issue.

Minister, bearing in mind that it has been in the public domain, uttered by the former Commissioner of Police, that during his stint very high ranking officials of the Government including, the hon. Prime Minister; including the former Attorney General, Mr. Al-Rawi; including Mr. Kazim Hosein; including one, Minister Fitzgerald Ethelbert Hinds; including other government Ministers, and I want to say now in absolute, with my integrity at stake, including Members of Parliament one such Member being Dr. Roodal Moonilal, who over a period of time requested or recommended persons for firearm use, for obtaining an FUL including your good self, Minister. Bearing in mind that the Prime Minister, the former Commissioner of Police indicated that the Prime Minister also recommended someone by the name of Michael Daniel for a firearm dealership licence, also recommended other persons as well for firearms. The policy issue is this, would you agree to a shift in policy so that Prime Ministers and Ministers of government and Members of Parliament ought not to be recommending civilians, private citizens of any kind for obtaining an FUL?

Mr. Hinds: Well, I do not recall ever recommending anyone for any firearm in this country. And I would want proof of that.

Mr. Mitchell: Yeah. Mr. Chairman, please.

Mr. Chairman: Only on the relevance of the question to be on the enquiry.

Mr. Mitchell: And I am very sorry to interrupt. But the Member, is this some official statement that was made or is it—was just passing conversation? Is it in an official report? Because the Member has just made some allegations and I would wish to believe that they are not spurious, but he has made some allegations and I am not sure where it is coming from about the Prime Minister and Minister recommending and all of these things.

Dr. Moonilal: Could I just settle the matter quickly, and I hope that Minister Mitchell is not intervening in my nine minutes.

Mr. Chairman: No, he is not.

Dr. Moonilal: But could I indicate that the former Commissioner, Mr. Griffith has stated this in the public domain and I stand by it and I can invite the former Commissioner, Mr. Griffith to deny this and in which case I would be wrong. But I challenge you to say that I am not wrong. But I am going to the policy issue—

Mr. Chairman: Member Moonilal.

Dr. Moonilal: The policy issue is—

Mr. Chairman: Member, member, member—

Dr. Moonilal:—whether MPs and Prime Ministers and Ministers ought to recommend—

Mr. Chairman: Member, member. It is a question and answer forum. You ask a question and then the answer would be given.

Dr. Moonilal: So could I move on?

Mr. Chairman: To your next question.

Dr. Moonilal: Okay, let me move on quickly.

Mr. Chairman: Yes, please.

Dr. Moonilal: Another policy issue—

Mr. Hinds: Well, before that—

Dr. Moonilal: Well, I would like to move on to my next question. I have a limited time here.

Mr. Chairman: [*Inaudible*] —hon. Minister with the answer.

Mr. Hinds: Thank you very much. Okay.

Dr. Moonilal: There is no need to rhapsodize on the answer. The next question here, Minister, I would like to return to the criminal activity including murders that occur, the 99.7 per cent of murders that occur. And a 99.7 per cent is based upon a current murder rate of 526 and your observation because we do not have that correct information, that there are four murders associated with legal firearms. That four murders is 0.07 per cent of 526, so I am returning to the 99.7 per cent. And we have

heard time and time again about the use of ports and illegal ports of entry and so on. Could you indicate to us today whether CCTV cameras, which is a wider issue I can raise at a later time, whether CCTV cameras are used at all in this jurisdiction to monitor borders so that they can intercept or interdict vessels coming on to the shore with illegal firearms and so on? Whether we do have any capacity at all with CCTV cameras of a special order as the Minister may well know, infrared special camera lenses, night vision and so on, to monitor the shores, any CCTV cameras regime in place for that specifically. Are you aware of that?

Mr. Hinds: I mentioned we have a radar system that detects vessels and aircraft coming into the space. I am aware that at the moment we have 1,796 or so cameras located at different parts of Trinidad and Tobago. And that is as far as I can go.

Dr. Moonilal: So you cannot state to the Committee whether or not there are specific CCTV cameras that are used for border monitoring a radius along a border. You are not aware of that?

Mr. Hinds: That is as far as I can go.

Dr. Moonilal: Okay, there is no need to go further on that issue. Minister, you also told us earlier and I just need, this is a clarification issue you said there were 108 firearms, legal firearms used but the TTPS would have in their possession only 18 of that. Something—

Mr. Hinds: Recovered, recovered.

Dr. Moonilal: Recovered. So you are aware of 108 which are registered through a legal process and clearly you know the owner of that licence, the person in possession of a licence and 18 have been recovered, so the rest have not been recovered. Could you tell us how many persons these owners, because it is clear they are legal firearm have been arrested by the police—

Mr. Hinds: I am unable to say now.

Dr. Moonilal:—in related charge.

Mr. Hinds: I am unable to say now.

Dr. Moonilal: Would you give a commitment that you can get that information to this Committee?

Mr. Hinds: Yes, I can. I can obtain that in writing, yes, from the Police Commissioner.

Dr. Moonilal: Thank you. Mr. Com—not Mr. Commissioner, Mr. Minister.

Mr. Hinds: I wish—

Dr. Moonilal: In this country they move from one to the next. You could never tell. One moved from national security to Commissioner before.

Members: [*Crosstalk*]

Mr. Hinds: No, no, not only that, Mr. Chairman, I really wish I was, I wish I was an inspector of some kind.

Mr. Chairman: Now, hold on.

Dr. Moonilal: Could the Minister give me his attention?

Mr. Chairman: Member, member, member, your excitement is evident so if you just pause a while, deliver your question, all will be well. Continue.

Dr. Moonilal: Chairman, I really hope you are not intruding on my nine minutes as well, thank you.

Mr. Chairman: No, I am not, I am not.

Dr. Moonilal: Anyway, we are about nine minutes, not nine millimetres. The response you gave to a couple of issues about this Coastal and Riverine Unit and the importance and so on, of this and you suggested earlier that it was making some progress. We are in possession of a document dated October 25, 2022, relatively recent, from the Trinidad and Tobago Police Service in which on this matter they report to this Committee that although inaugurated on July 01, 2021 the vessels were dry docked, inspected to meet standards and so on, licence insured, relevant training and certification and a decision was made to merge several units, including, air

support unit, coastal and riverine and so on. Could you confirm whether this is operational or not at this time?

Mr. Hinds: [*Inaudible*]

Dr. Moonilal: It is operational. Because it is a point that they made. Yes. Could I also point you to another issue here? The patrol unit, we are told by the TTPS that in this period that they have been operational, since inception of the coastal support unit, one firearm has been intercepted and they said what it is and so on. Are you satisfied that that really is a matter of some significant progress? And what would be the challenges facing this unit?

Mr. Hinds: I put it this way. You know, very unfortunately we have not found any system, any method to measure the preventative aspect of policing. So we might talk about how many arrests they make, how many patrols they make, how many firearms they seized, but the mere presence of the police in the rivers, as a riverine patrol unit and on our coastlines, where a lot of activity has taken place; perhaps is taking place. The presence of the riverine patrol unit is of great significance because they deal with our borders from the coastline to two miles out. That is their operation, their sphere of operation. And then they, up until recently, were given a specialized kind of training, survival training and greater in-depth police techniques. So that they are now in a position to carry on with their interceptions to perhaps detect more firearms.

Let me explain what I mean by that. The police service recently converted the ERP or the traffic branch, as you will know it, from being mere traffic police to traffic and crime fighting unit. So that they got special training, so now when they stop you on the road they have different kinds of capacity. And recently they stopped a man who had an illegal firearm in the car and I suspect traditionally they would have called in other police to deal with the firearm issue. On this occasion based on the upskilling of these officers as the coastal and riverine patrol unit have been

upskilled, they could now go the distance. So what did they do? They went, they got a warrant, they went and searched several places associated with the man based on the intelligence they had and they found other weapons.

4.00 p.m.

So I think what you will see is an improvement in detection, but their presence alone is of great significance, to answer your question.

Dr. Moonilal: Thank you. I appreciate two parts of that answer. First, would you give us some assurance that you can give us some data to support your contention that there has been an increase in detection?

Mr. Hinds: No, I did not say. I said you can expect.

Dr. Moonilal: Oh, we can expect that in the future?

Mr. Hinds: Yes, yes, in light of what I have said.

Dr. Moonilal: And in the last part of the answer, it hooks to another issue I want to raise. The issue of police patrols and the importance of that in dealing as well with gun violence and persons who roam to commit offences—because they generally use motor vehicles and so on, some stolen, some may not, and the patrols become very important—are you aware, and could you undertake if you become so aware, to introduce some type of mechanism at the Ministry of National Security to work in collaboration with the police?

And I appreciate, Minister, you have a lot of anecdotal examples of things with stories that come to you and so on. So I also have that type of impression so to speak from stories and so on, and there are issues relating to patrols in the sense that there are police divisions where we pick up information that officers sign their book registry, or whatever, to go out on patrols but they remain in some cases sleeping at the police station and that is a very, very serious matter. Because in doing that, you jeopardize and impair everything that we are trying to do in a good way to prevent gun violence and the movement of guns as well, illegal firearms on the streets and

so on. Would you reflect on that and suggest whether there is something that the Ministry of National Security and the TTPS can do by way of some management system to ensure that this is eliminated really?

Mr. Hinds: Well, I have absolutely no doubt that there are too many cases of that which you have described, sloth, laziness, “smartmanism”, slackness, low productivity, inefficiency in the system, not only with the police. I would venture to say as a Member of Parliament and Minister of Government, across the country, in all departments I think, perhaps with two exceptions. I have found this Parliament to be one of the most efficient of state institutions.

Dr. Moonilal: Minister, tell us about the police.

Mr. Hinds: But to answer your question, yes, I am aware of cases of that kind of sloth and inefficiency, and we are in constant contact with the Police Commissioner, who is using the disciplinary system, training up the supervisors, the middle managers, the corporals, the constables, and the public also has a role to play in this.

A member of the public recently complained about a regular police patrol in a hotspot area that spends a lot of time in a bar. A member of the public complained about that and it was made available to the senior elements of the police service, and I am aware that action was taken to deal with that. So you are quite right, part of the issue we have is that kind of inefficiency and, thereafter, we need to see more professionalism and I think the platform will be a little better.

Mr. Chairman: Member Moonilal, you are—

Dr. Moonilal: I will come back at the second round of the questions.

Mr. Chairman: Second round?

Dr. Moonilal: I do not want to deny Minister Mitchell who is long awaiting for an opportunity.

Mr. Chairman: Well, if you are about to wrap up, you can, you know.

Dr. Moonilal: Chairman, I was aware in our planning we will have a second round.

Mr. Chairman: Yes, we will. But the second rounds will not be as long as the first.

Dr. Moonilal: No. I will leave my next question to the second round.

Mr. Chairman: Member Mitchell.

Mr. Mitchell: Thank you very much, and may I first, Mr. Chairman, place on the record my gratitude for your openness, and transparency, and commitment to good governance, by appearing before this Committee to answer our questions in light of the very grave concerns of national security. I want to piggyback on one of the questions that member Moonilal, as well as member Richards asked. Now, I am suggesting to you that there are loopholes where the question of legal firearms is concerned. Not so much the legal firearm, but the question of the ammunition. You are allowed a maximum number of ammunition, but when you go to the range you can purchase more ammunition and you can use the ammunition on the range.

And you know that with respect to the licence there is a certain amount integrity and honesty that is implied within the whole licensing arrangement, but there are not any checks and balances with respect to if I purchase 50 rounds or 100 rounds on the range, whether I actually use those rounds at the range.

Dr. Moonilal: Mr. Chairman, please, earlier member Mitchell asked me about information. Is this in a newspaper report, is it personal experience?

Mr. Chairman: I would want to give the member a chance to complete the question.

Mr. Mitchell: And I would be grateful for that.

Mr. Moonilal: He was asking me.

Mr. Chairman: Member Moonilal, let him continue. Continue, Sir.

Mr. Mitchell: There are no checks and balances because—and the owners of the range they are not doing nothing wrong because there is not any obligation upon them to ensure that you use all your ammunition and that you leave with what is written in your book.

So I am asking you, as Minister of National Security, whether there are any plans, any mechanisms, legislative amendments that can perhaps be used to ensure that these loopholes are tightened. Because to use a gun we accept that you have the gun and you must have ammunition, and the gun can be illegally possessed, illegally come into their possession, but, of course, then you have ammunition. You must have a steady flow of ammunition. And on the social media, et cetera, when you see the amount of ammunition, when you hear the amount of “corn” as they say being let loose into the atmosphere, there must be a steady flow, and this was one anecdotally that perhaps there could be a loophole. Are there any plans by the Ministry to tighten it?

Mr. Hinds: Yes, in the context of the audit and the situation that is now in front of us, an audit of the ranges in Trinidad and Tobago has begun and initial reports have been issued; and yes, I have had reports of the kind of looseness and opportunity that you have properly described; and yes, in the context of the policy we expect that it will cover improvements in that regard. In the meantime, the Police Commissioner and his officers have already begun under the firearm law, as it now written, to tighten up as best as they could. So that matter is getting attention.

Mr. Mitchell: The other question and this is with respect to the legal firearm itself. Now, it is not inconceivable, it is not inconceivable that persons with two, three, four and five firearms could enter into some rental scheme. It is not inconceivable. However, when you acquire your firearm you have to then make a trip to the forensic centre and you do your ballistic testing, and they say that it is like fingerprints, the striations, it is unique to each weapon, each barrel. How has the forensic centre, the ballistics function, how are they operating? Are they operating efficiently to test, to see whether or not legal firearms are being used in murders and in crime?

Mr. Hinds: When I came to this Ministry one of the complaints I received early o’clock from the police is the slowness of the process at the forensic science centre.

They play a very important role. They test the weapon to see whether it is a firearm for the purposes of evidence in the court, and that it could discharge a projectile. The police were having all kinds of problems with that. They had to wait two and three years to get this certificate. So the matters were backlogging in the courthouse and creating its own problems. In addition to that, the homicide bureau not getting ballistic feedback as promptly as they could, would go to investigate a murder but they are unable to make the kind of links that police should be able to make with a firearm they may have found in Diego Martin, or another shooting incident in Belmont, and that kind of thing that ballistic analysis can generate. And we have here the very expensive IBIS system which does that kind of identification.

So once the police complained to me, and seeing my job as including a significant element of my job as a Minister, particularly as a Minister of National Security solving problems, so I then went promptly to the Forensic Science Centre to engage with its leadership to see what was happening and, of course, to try to rectify the problems raised by the police, and I spent a considerable amount of my early months doing that. Just to jump forward, today the Police Commissioner will tell you, if you bring him here, that there has been a significant improvement in the process you have described. Because we have now begun uploading far more quickly the ballistic information gathered from a crime scene or from a weapon detected and seized by the police into the IBIS system, giving the homicide bureau the opportunity to do the kinds of links that they do and they are now reporting.

The homicide bureau is reporting to me, as Minister, that they have begun to see patterns, and make links, and charge some people for offences as a result of that. So what we have done is really to quicken the pace. And what we have also done to strengthen the ballistic capacity is that—because they had only a limited number of persons that they could only do a certain number of cases, and then you had the usual Trinidadian thing of low productivity, perhaps come to work 10 o'clock in the

morning and leave two o'clock with an hour lunch, and the usual thing, the molasses off the wall syndrome. We started to focus on that in that regard too, and we have put systems in place in there to demand a certain amount of output on a daily and therefore weekly basis.

In addition to that, the police established the Special Evidence Recovery Unit, what they call SERU, and they also have inside of the police service now, apart from the Forensic Science Centre, the capacity to do some analysis, and they are now analysing the thing and able to issue a certificate that it is a firearm or ammunition in 48 hours. So it is helping the police to get the case ready for the court in seven days. Because what the police are now doing too, all over the police service, is implementing a case management system where you get that certificate, in seven days, your file is ready, you are ready for court. So we have tried to quicken the process in that regard.

In addition to that, and finally, the police took 21 of its officers and they sent them into SERU. They got the basic training in ballistic analysis, and then they sent them and posted them at the Forensic Science Centre where they got further training, and upskilling, and certification, and gazetting. So now we have many more people in the Forensic Science Centre able to do the work I have just described and, therefore, I am not surprised that the Homicide Unit, and the Police Commissioner as their leader, is reporting that we have seen an improvement in this aspect of things.

Mr. Chairman: Member.

Mr. Mitchell: Yeah, last question. So we spoke a lot about the, I would not call it the value chain, the supply chain, where you have the firearms, they are manufactured, there is some sort of arms dealers in the middle and it is transported here, crosses the borders and it comes in. We cannot talk about the illegal firearms—because they are just objects—without speaking about the people behind the firearms, the shooters, the killers, the criminals. In terms of the information that is

available to you, talking about these criminals, has the recent failure to pass the Bail (Amdt.) Bill, had any effect on the upsurge in criminal activity, murders and firearms that we are seeing today?

Mr. Hinds: The Police Commissioner has indicated to me, as Minister, and has stated publicly, that the reversal of the stringent provisions of the Bail amendment law and the Bail Act has weakened the police's capacity to manage gangland and other criminal activity. I verily believe that to be so, but as a democrat, as a parliamentarian, as a law-abiding citizen, we have to live with whatever the law is, and the bail circumstance is a lot less restrictive now than it was. That is the hand that the police have been dealt with and they will have to work with it. I think they can still by improved policing, an improved targeted policing on the known gang players and their members, I think they can bring this situation to heel.

Mr. Chairman: Thank you, Minister. We want to start a second round, but members the protocol, we have one question. Everybody gets a question to ask the Minister. Member Lutchmedial had gotten my—member Richards, but let us go in—I think your question—It is a piggyback question that you will take your one question in the second rounds?

Ms. Lutchmedial: It is. Yes, Chairman, yes.

Mr. Chairman: You ceded. It is ceded by member Richards. Go ahead.

Ms. Lutchmedial: Thank you. Thank you, member Richards. Can the Minister indicate, piggybacking off the question that Minister Mitchell tried to, you know, attribute to some extent or ask or acquire about—

Mr. Mitchell: I asked a question.

Ms. Lutchmedial:—the [*Inaudible*] of bail. Could the Minister say how many persons charged with firearm offences since the lapse of the Bail Bill, have been granted bail?

Mr. Hinds: I am unable to say.

Mr. Chairman: Hon. Minister, would you provide that in writing for us, because I want to say a chart with a comparator as opposed to when it was enforced and what we have now could be very effective—

Mr. Hinds: Yeah.

Mr. Chairman:—maybe convincing others that they may need to support this Bill. So we will get it in writing.

Dr. Moonilal: Very good point, Chairman.

Ms. Lutchmedial: [*Inaudible*]*—is the Privy Council.*

Mr. Chairman: Member Richards, let us go.

Mr. P. Richards: You are lobbying for votes now.

Mr. Chairman: In Parliament to pass the Bill, yes.

Ms. Lutchmedial: That is a good suggestion, you should be the Minister

Mr. P. Richards: Thank you, Chairman. Minister, whilst you were Chairman of this Committee in a different incarnation, you commendably championed visits to three ports: the Port of Port of Spain, Airports Authority and PLIPDECO. The Committee created an extensive report including a plethora of recommendations—which I have before me because time would not permit me going through them—which identified major gaps in security process and mechanisms at the legal ports. You are on record, as is the Acting Commissioner of Police, as identifying the legal ports as a major gap in this country's porosity, and according to the submission from the Port Authority dated October 25th, there was one identified interdiction on March 22nd—one—even after this Committee in 2017 created this extensive report about the gaps. Question—

Mr. Hinds: There was one what?

Mr. P. Richards: One identified interdiction on the report.

Mr. Hinds: Yes.

Mr. P. Richards: In the context that both yourself, and the Commissioner of Police,

identified the legal ports as a major point of entry of illegal weapons, suggesting that there are still significant gaps at the legal ports in spite of the extensive report of this Committee and the work championed by yourself. Is there really a will to deal with the issues at the legal ports in Trinidad and Tobago, given the clear utterances by yourself and the Acting Commissioner of Police, and others, about the ports being so porous that illegal weapons continue to flow through those unabated if we identify one in this report submitted by the Port Authority; and is there a legal prohibition for the TT Police Service playing a more active role in addition to port security, Customs and Excise, in trying to stymie this unfortunate flow?

Mr. Chairman: Minister, we do not have the amount of time that we had. So give him a short answer because we have time constraints.

Mr. Hinds: Let me say there is the absolute will. Let me say that when you hear the word “legal port” it does not necessarily mean the Port of Port of Spain, or the port at Point Lisas, or the airport in Piarco, or in Tobago. It also involves some off station authorized ports of entry, transit sheds and such like, where some time ago these were established allowing or largely on the basis of the fact with the ease of doing business and quickening the pace of trade in the country, they established some private institutions around the place acting as ports, and when we went to the port, you and I and this Committee, found out that there are many containers that leave the Port of Port of Spain and otherwise and go elsewhere without the scrutiny that is required. You remember that? And therefore, a lot of it goes to these transit sheds which have now revealed itself to be one of the major items of the porosity. The will is there and action is being taken as I speak to you to deal with that.

Mr. P. Richards: And the intervention to that information is?

Mr. Hinds: Ah?

Mr. P. Richards: The official response to that information by the State is?

Mr. Hinds: The matter is under immediate and active consideration. And I might

just say in closing on that matter since I do not wish to say more, that a recent find of barrels of guns in a legal port was not at Port of Spain, it was not at Point Lisas, it was in one of those.

Mr. Chairman: Thank you. Minister. Member Webster-Roy in your second rounds, you have any matter you would want to interrogate the hon. Minister?

Ms. Webster-Roy: Not really a question, but hon. Minister, if you can say something now to the public to reassure them, what would you say?

Mr. Hinds: I would say that the Government of Trinidad and Tobago, expressing the will of the people of Trinidad and Tobago, and carrying out its mandate which it owes to the people of Trinidad and Tobago, is fully cognizant of the pain, and the trauma, and the loss, and the mayhem, and the internationally soiled repetition that this crime scenario is generating; and that this Government has demonstrated through its policy and shared with the police and the defence force and law enforcement that we want swift and resolute action, technical, professional, institutional, to bring this situation to bear.

I would say to them that we have the will to do it and it is being done. We need the support of the Parliament because some of the fight requires legislative support. Some of the fight requires judicial support. This morning a police officer complained to me, a firearm charge that spent years tackling a case, solved the case, get the firearm, the matter finished yesterday, a fine of \$8,000. Heartbreaking and demoralizing to the police. So they are asking this Minister to use his ministerial office to communicate to the Judiciary that it needs to be more sensitive to the problem and send stronger messages because we have—a magistrate could give ten years jail. We have life time sentences for arms and ammunition and, therefore—yes.

Mr. Chairman: Hon. Minister—

Mr. Hinds: Just a second. Just a second. I am saying what they are telling me to

do. So that whether we can achieve it or not, but I am just saying to the people of Trinidad and Tobago, we need support of the Parliament, we need the support of the Judiciary, and most of all we need the support of every member of this society to join in, gang up and as it were against the criminal gangs, but we ganging up to do right and to make this place better and safer. That is what I would say and I am confident that together we can do it.

Mr. Chairman: Thank you, hon. Minister, and I know you would know that the State is entitled to appeal if they feel that a sentence is too lenient. Member de Freitas.

Mr. Hinds: I most certainly do.

Mr. de Freitas: Thank you. Thank you, Mr. Chair. Just very quickly, Minister, so how do you propose that we treat with the issue of individuals within the system that may be assisting these other individuals to allow these illegal firearms to get through the legal ports? You did indicate that they would move from the legal ports that we know, Port of Spain, Point Lisas, to a transshipment point and you will find barrels there, but they still have to land in one of the legal ports at first, and you know as well as I know, and Sen. Richards would have known when we went, that it starts with the choice of which container gets searched and other things such as the port scanners which we found to be down at that point in time, went through the process this Committee, of trying to get it up and running because it was one little issue to solve it. Now to hear several years later that scanners are not working.

Mr. Hinds: No, no, the fixed scanners are working.

Mr. de Freitas: So they are fixed. Good. So they are working now. So how do we treat with the issue of those within the system that are assisting these individuals to get these guns through?

Mr. Hinds: Member Richards asked as part of his question and it is relevant to what you are asking, whether the police—I think I understood his question to be whether

the police have any impediments to getting inside of the Customs areas and so on. This Government has made it very clear to the Trinidad and Tobago Police Service that while it must follow scrupulously the laws and the Constitution of Trinidad and Tobago, subject to that, no place is out of bounds for the police in Trinidad and Tobago with or without a warrant as the law demands, and that the police will have access to things to make sure that this country's borders are protected. That is one. And two, intelligence driven, once we—and it has happened, is happening—identify any individual as being involved in any conspiracy or criminal activity, they are seen as, treated as a criminal, evidence is to be found and they are to be prosecuted in accordance with the criminal law of Trinidad and Tobago.

Mr. Chairman: Minister, there is a question from the public. I will put it to you. I will assist in one part of it. Given the prevalence of the gun crime in Trinidad and Tobago, does the Minister support an increase in the penalty for firearm offences as well as the introduction of a dedicated firearms court? Answer the first part of the question, Minister. I will be able to assist—

Mr. Hinds: There is a case that bears in in our jurisdiction call *R vs Hinds* of Jamaica, where the gun court was challenged for its constitutionality and found to be unconstitutional. There are legal issues with setting up a gun court. Notwithstanding that, we have a criminal divisions Act or law in this country which allows the Judiciary administratively to have Family Court and different types of—

Mr. Chairman: Fourth Gun Court A in Port of Spain, that is—

Mr. Hinds: Yes, yes. And it can administratively identify a court or courts that can deal specifically with those, I would like to see them meeting 24 hours a day and dealing more swiftly with these matters. We used to have evening court in Arima, I would like to see that. So to answer the question—

Mr. Chairman: The second part—

Mr. Hinds:—the second part is, at this stage I believe that the sentences that are

available to the courts of Trinidad and Tobago for convictions, for possession of firearms and ammunition, are sufficiently severe to deal with the issue.

Mr. Chairman: Thank you.

Mr. Hinds: But the question of actual sentencing is a matter for the Judiciary.

Mr. Chairman: Thank you, hon. Minister for that. Member Moonilal, you have your second round of your one question?

Dr. Moonilal: My one question, Minister. Minister, earlier in the proceedings I had asked you a particular question on the policy issue of whether Ministers ought to be recommending persons for FUL. You indicated then you had no recollection that you recommended persons. Minister, I am inviting you to reflect on that and to correct yourself.

Mr. Hinds: Mr. Chairman—

Mr. Chairman: Yes.

Mr. Hinds:—before the member continues, let me say this.

Dr. Moonilal: Mr. Chairman, I want to finish the question. I have not asked a question.

Mr. Hinds: I have been invited to your house, may I?

Mr. Chairman: Yes, Sir.

Dr. Moonilal: I have not completed my question.

Mr. Chairman: Let us see what our guest has to say. Yes?

Mr. Hinds: Thank you very warmly, Mr. Chairman.

Mr. Chairman: Yes, Sir.

Mr. Hinds: The member is now rehashing something that went earlier when I was not able to complete my statement.

Mr. Chairman: Yes.

Mr. Hinds: The member is now saying conclusively that I said I did not recommend anyone for a firearm. And then the other part of the question is, should Government

Ministers be allowed—

Mr. Chairman: Are we back there now?

Mr. Hinds: Yes, he is raising it. So I just want to make it very clear because the member is now—

Dr. Moonilal: I am inviting him to correct himself.

Mr. Hinds: Yeah. I “doh” have to correct myself.

Dr. Moonilal: He said that he never did.

Mr. Hinds: I am saying—

Mr. Chairman: Member Moonilal, there is a process.

Mr. Hinds: I am saying I have no recall of recommending anybody for any firearm. So I would like to hear what he has to say.

Mr. Chairman: Question.

Dr. Moonilal: My question to the hon. Minister is: Minister, on a more relaxed reflection you recommended 10 persons for firearm—

Mr. Hinds: Me?

Dr. Moonilal:—to the then Commissioner of Police—

Mr. Chairman: Member Moonilal—

Dr. Moonilal:—and I leave it there.

Mr. Hinds: “Ay, ay, ay, ay, ay.”

Mr. Chairman: Member Moonilal, his question is answered.

Mr. Hinds: Mr. Chairman—

Mr. Chairman: Yes, Sir.

Mr. Hinds:—I want the record to read—

Mr. Chairman: Yes. Go ahead, Sir.

Mr. Hinds:—I made no recommendation to any commissioner for anybody for any firearm. I can explain in greater detail, but it will be risky, and foolish—

Mr. Chairman: And that is not part of our remit.

Mr. Hinds:—and stupid, and I will not go into greater detail.

Mr. Moonilal: So there is greater detail?

4.30 p.m.

Dr. Moonilal: Oh, there is greater detail.

Mr. Hinds: However, suffice it to say, I recommended no one for “no” firearm.

Dr. Moonilal: I will leave it right there.

Mr. Chairman: Member Mitchell, do you have a question that you want to put to the Minister?

Mr. Hinds: Nasty.

Dr. Moonilal: Not my question, please.

Mr. Hinds: Nasty people.

Mr. Mitchell: Mr. Chairman, I have no further questions for this—[*Inaudible*]

Mr. Hinds: Excuse me.

Mr. Chairman: You have no further questions. Member, we have been going—

Dr. Moonilal: The media will get the screenshot.

Mr. Chairman: We have been going civilly so far and I would ask us to continue to—

Mr. Hinds: Mr Chairman?

Mr. Chairman: Yes.

Mr. Hinds: If it is that Member Moonilal’s friend is sending him WhatsApp—[*Inaudible*—confidential information—

Dr. Moonilal: Mr. Chairman, please.

Mr. Hinds: Mr. Chairman, I am speaking.

Dr. Moonilal: I had no difficulty when the Minister was receiving WhatsApp—

Mr. Chairman: We will arrest—

Mr. Hinds: I am speaking.

Mr. Chairman: Hon. Member and Minister, let us arrest this situation now.

Mr. Hinds: “We know all who is who friend, you know.”

Mr. Chairman: And let us not comment any further.

Dr. Moonilal: Mr. Jacob could send the information.

Mr. Chairman: Member Mitchell, do you have something that you want to add, not to this but something different?

Mr. Mitchell: Mr. Chairman, I was just examining the Firearms Act and there is no place for a recommender in the Firearms Act in the application process for a licence.

Ms. Lutchmedial: That is the question?

Dr. Moonilal: “Dais yuh question?”

Mr. Chairman: So the Member has made an observation but, Minister, I do have a question for you.

Mr. Mitchell: Well, the question was does he agree with me?

Mr. Chairman: Ask the question, Member.

Mr. Mitchell: Do you agree with me that there is no place within the application form for a firearms licence for a recommender?

Mr. Hinds: I am. I do not have the form in front of me but I know that an application for a firearm is made and it is considered by the Police Commissioner and the Police Commissioner in his own fulsome and wholesome discretion issues a firearm.

Mr. Chairman: Thank you very much.

Mr. Mitchell: In his full discretion?

Mr. Hinds: Of course. Nobody else can do that.

Mr. Mitchell: And it is an independent authority?

Mr. Hinds: Of course.

Mr. Mitchell: There is no place for scandal, you know, Mr Chairman, these things have been to be clarified.

Mr. Chairman: There is no place for anything other than the business of the people

of Trinidad and Tobago at this meeting. So going back to the business of the people of Trinidad and Tobago, what do you say, Minister, to those in this country who feel that they are under siege by crime and particularly crime perpetrated by illegal firearms? What do you say to them?

Mr. Hinds: I am rather saddened at that fact. And this is not new. This has been going on for many years in our beautiful island and it is the law enforcement platform that is charged with the responsibility to confront that situation head on. And this Government and this Minister is driving, encouraging, supporting, providing all the resources that law enforcement needs in order to be professional, efficient, strong, possessed of the integrity and the honesty that is required, and the compassion for the suffering citizens, go out there, do the job in defence of the people of Trinidad and Tobago.

Mr. Chairman: Hon. Minister, I was about to ask you to make a closing comment but I think your response to my question aptly represents that. I would want to thank you, on behalf all of members, for attending today.

Members, you all have shown your diversity in the posing of your questions and this was a very fruitful, very fruitful exercise. I want to tell you that you have marked the reopening by your presence here today of in-person sessions from the Joint Select Committee on National Security, and I want to thank you and I want to thank all of us for attending.

Members: [*Desk thumping*]

Dr. Moonilal: Thank you very much.

Mr. Chairman: I want to thank all of us for attending. Hon. Minister, you are excused and we are very grateful for your attendance today.

Mr. Hinds: Thank you very warmly, Mr Chairman, and members of this Committee. And I look forward to every opportunity to account to the people of Trinidad and Tobago from the Parliament floor, as has been set as an example by

my Prime Minister and by other Members of this Government. We are always willing and able to give account to the people of Trinidad and Tobago through this Parliament. Thank you very warmly.

Dr. Moonilal: Thank you.

Mr. Chairman: What we will do, we will follow up on the questions but I want to tell you that your presence here today has generated the recreation and the revitalization of some sub-committees of the Joint Select Committee and we have gotten unanimous approval for two sub-committees to be established: border control and inter-agency collaboration. So thank you very much.

Mr. Hinds: Great news, great news, great news.

Mr. Chairman: Thank you.

Mr. Hinds: And I would like to compliment you, Chair, you are doing a remarkably good job from my observations. I thank you very much.

Dr. Moonilal: [*Inaudible*]

Mr. Chairman: Member Moonilal, have a good—[*Inaudible*—thank you very much, hon. Minister.

Mr. Hinds: Thank you very warmly.

4.35 p.m.: *Meeting suspended.*

**VERBATIM NOTES OF THE SEVENTEENTH MEETING OF THE JOINT
SELECT COMMITTEE (IN CAMERA AND IN PUBLIC) ON NATIONAL
SECURITY HELD ON WEDNESDAY, NOVEMBER 30, 2022, AT 12.35 P.M.**

PRESENT

Mr. Keith Scotland

Chairman

Mr. Paul Richards

Vice-Chairman

Dr. Roodal Moonilal	Member
Mr. Nigel de Freitas	Member
Mrs. Ayanna Webster-Roy	Member
Ms. Jayanti Lutchmedial	Member
Mr. Randall Mitchell	Member
Mrs. Jacqui Sampson-Meiguel	Secretary
Mr. Brian Caesar	Assistant Secretary
Mr. Roger Hector	Legal Officer Intern
Mrs. Krystle Gittens	Graduate Research Assistant

ABSENT

Mr. Kennedy Richards	Member [<i>Excused</i>]
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ALSO PRESENT

Commissioner of Police

Mr. McDonald Jacob	Commissioner of Police (Ag.)
Mr. Kerwin Francis	Senior Superintendent (Ag.)

Customs and Excise Division

Ms. Vidyah Marcial	Comptroller
Ms. Yasmin Harris	Deputy Comptroller (Ag.)
Mr. Leslie Hewitt	Assistant Comptroller (Ag.)
Mr. Riad Juman	Asst. Comptroller (Ag.)

Port Authority of Trinidad and Tobago

Colonel (Ret'd) Lyle Alexander	Chairman
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Ms. Marcia Charles-Elbourne
Azeem Ali

General Mgr./CEO (Ag.)
Estate Security Superintendent

Mr. Chairman: Good afternoon everyone.

We would like to reconvene the meeting of the Joint Select Committee on National Security and, in this regard, I would like to introduce myself as the Chairman of this Committee, and the support team which includes the Secretary, Mrs. Jacqui Sampson Meiguel; the Assistant Secretary, Mr. Brian Caesar; the Graduate Research Assistant, Ms. Krystle Gittens, and Mr. Roger Hector. I would ask the members of this Committee to introduce themselves, starting of course with the Vice-Chair.

[Introductions made]

Mr. Chairman: Let me say that this meeting is being broadcast live on the Parliament Channel 11, Radio 105.5 FM and the Parliament's YouTube Channel, *Parlview*.

The objectives and background of this enquiry of the Joint Select Committee are to pursue an enquiry into security, safety and protection of citizens, with specific reference to the factors that contribute to the prevalence of illegal firearms and gun violence in Trinidad and Tobago. This enquiry seeks:

- to understand matters related to national security policy in Trinidad and Tobago;
- to consider the security, safety and protection of citizens, with specific reference to the factors that contribute to the prevalence of illegal firearms and gun violence in Trinidad and Tobago;
- to understand the primary factors that contribute to the prevalence of illegal firearms and gun violence;
- to identify prevailing trends concerning illegal firearms and gun

violence;

- to measure the effectiveness of strategies currently being utilized by stakeholders, particularly yourselves;
- to identify additional strategies to address the primary contributing factors, and to develop the proposed recommendations to Parliament where applicable.

The guidelines are simple. Questions are posed through the Chair, the answers are received through the Chair. We have with us three very important entities, and what we will do is we would call on you to introduce yourselves. Because of time constraints, we normally have a brief opening remark, it would not exceed and ought not to exceed two minutes, but that is something that is within your purview, you do not have to give an opening address. So should we introduce ourselves, starting with the Commissioner.

Mr. Jacob: Good afternoon to you Chair and all present here. I am just looking forward to interact with you in a positive way this afternoon.

[Introductions made]

Mr. Chairman: Now that we have been introduced, if there are no opening remarks from any one of the entities, we would want to go directly into the interrogation, the posing of questions. Is there any objection that we go directly into it, from the entities?

Members: No objections.

Mr. Chairman: Member Lutchmedial, you can begin your interrogation.

Ms. Lutchmedial: Thank you, Chair. Through you, Chair, I would like to hear from perhaps all or each agency what would be—if you had to choose one specific weakness that you think exists right now in the law enforcement structure in Trinidad and Tobago, that is contributing to the prevalence of gun violence, what would you identify as the most significant weakness that needs to be addressed? It might be

hard to choose one, but in the interest of time.

Mr. Chairman: Starting with the Commissioner.

Mr. Jacob: Thank you very much for the question. Thank you very much, Chair. What we are dealing with as it relates to the aspect of firearms, is we have this situation dealing with transnational organized crime. This transnational organized crime, and with globalization, has caused a significant impact on Trinidad and Tobago. In fact, there is in fact an agreement between—the Merida Agreement Initiative between United States, Mexico and Colombia, that was actually introduced in 2007, and came to some measure of operationalization in 2013. It is now having a significant effect on the landscape with their cooperation between each other. Trinidad and Tobago now is one of the countries that is targeted by persons involved in organized crime from Colombia, from Mexico, to be utilizing it as a transshipment point for drugs. Drugs is the main issue that comes through in relation to our port to be transhipped into the European market.

In fact, the CARICOM IMPACS in their 2013 report identified this particular initiative and how it is affecting us. About three weeks ago, when I went to the UK, dealing with the National Crime Agency in the UK, that was one of our main discussions and concern with it.

So I am looking at all our various ports of entry and, in some instances, we have the situation dealing with FedEx and all the courier services. I actually have before me some data to demonstrate that over a period of two years there is something like 798 million worth in drugs that have passed through, that we have intercepted through our combination work between the port and the police, the Customs and the police, that we have intercepted during the period, but with that, guns will also come as payment when this whole transaction is taking place.

So I identify our various ports of entry and also the courier services that exist within Trinidad and Tobago. As I said, I have solid data to identify this weakness

and how globalization is affecting us.

2.50 p.m.

Ms. Lutchmedial: Right. So if I could summarize one of your points there. Basically you are saying that with this 2013 implementation of the Merida agreement, criminals shift gears and we are now being utilized more because they—the countries that are part of this agreement are now a bit more robust in terms of their supervision of their ports and so on. Well, I guess—and this will be a follow up question to everybody. Having identified the weakness and the main weakness, what steps are being taken—since you have data and you have this knowledge of this agreement and the impact of the agreement, what steps are being taken to address the situation that is now evolving and that you have identified?

Mr. Jacob: Well, you recognize that it is affecting the entire Caribbean, right, from Trinidad to Barbados to Grenada to—[*Inaudible*]*—*and even Jamaica. So therefore, Caricom IMPACS, which is the law enforcement coordinating body in Caricom, recently launched a unit called the CGIU, you know, the crime, firearm and intelligence unit that was launched about three weeks ago with a combination of intelligence officers from all over the Caribbean in order to handle the situation, and that is directly linked with the ATF, the FIB, the CIA and Homeland Security.

In addition to that, we have established something called AIRCOP and SEACOP. That is supported by the European Union. That has been step up to deal with both aspects of maritime issues and then issues at the various airports.

Ms. Lutchmedial: We heard about AIRCOP and SEACOP recently when we had the Minister here. Can you tell us how long it has been operational? And what have been the results achieved so far from the implementation of those programmes?

Mr. Jacob: No. Well, in relation to the AIRCOP, which is more recent, the AIRCOP, just recently we had sent persons to Jamaica to be trained. Because what is happening, Jamaica is ahead of us in setting up the AIRCOP. And just about two

months ago, officers involved were sent to Jamaica to work with the Jamaicans for a period and then return. Right? Very soon, I think, within the next month or so the office will actually be set up and instituted at the airport.

However, sea port—SEACOP has been doing work within the last two years or so. SEACOP has been functioning and they have done several interdictions and have done several searches on different maritime assets within our sea coasts. And in some instances, some of the results that I have here with particular interceptions on the sea, you know, was the work being done by the SEACOP and that is directly linked with the police service's transnational organized crime unit.

Ms. Lutchmedial: Right. We can let the other agencies now—for the same question about you identify weaknesses and mitigation strategies to deal with the—what you would consider to be the major identified weakness?

Ms. Marcial: Thank you, Chair. The Customs and Excise Division has identified human—we have a human resource challenge, together with tools and equipment, in order to fight this growing illegal firearm prevalence importation. To expand on that, the staff, the trained staff is now becoming depleted, and the units established for the crime fighting and interdiction are very small in numbers. Most of those units operate on a 24/7 basis. So that on a shift, if it is the Marine Interdiction Unit, you need, at least, six to eight persons. Presently, we only have two to three persons. I cannot send out two to three members of staff out at sea. That is a risk. So those are some of the challenges we face.

Also, we have asked for scanners to be placed at all our transit sheds throughout the country. I have voice issue.

Mr. Chairman: Madam Deputy, would you want to, or acting Comptroller, would you want to finish the answer? Or, Madam Comptroller, are you able to finish? If you are not, we will not press you.

Ms. Marcial: I can ask the Deputy, I am sorry. I had surgery.

Mr. Chairman: We will not press you.

Ms. Lutchmedial: It is fine. I could perhaps just interject one moment there, because the Comptroller has raised a very significant issue that we have been debating a lot about and that is the issue of scanners. So in your answer, Madam Deputy Comptroller, could you tell us, how many scanners you all have in terms of actually being acquired? And how many are functional at this time?—as part of your response.

Ms. Harris: Thank you. If I may just step back a little before, with respect to the staffing, I think we have to understand the situation we are in. The establishment calls for approximately 700 members of staff, that includes officers and guards. An important factor to take into consideration is that this establishment predates the explosion in containerized cargo. It predates staffing required for MIU, canine, intelligence, post audit, investigation. So we are looking at an establishment of approximately 700 that dates back to the early '90s in 2022.

Add to that, we now have 272 experienced officers and 82 recently employed acting officers. So you understand when the Comptroller indicates human resources is a problem, it is a major problem. If we look at the police force, we have approximately over 6,000 police officers. So, I need us to take that into consideration.

With respect to the scanners, unfortunately, the only scanners we have operational are the ones in the baggage room at Piarco. The scanners that were donated to us by the US are no longer functional. And if we could recall, they were 2003, so they have outlived their lifespan—their useful lifespan.

Mr. Chairman: Madam, can I ask you—and it is a direct question, eh—before I move to member de Freitas. The scanners are down. Have you all replaced them? How long have been down?

Ms. Harris: The mobile scanners have been down since 20—last year. They were

inoperable from 2021.

Mr. Chairman: Have you replaced them?

Ms. Harris: We have made proposals. We have to understand that the Customs and Excise is a division, it is not a department. So—

Mr. Chairman: No. Hold on, Madam. Hear my question.

Ms. Harris: Yes.

Mr. Chairman: Have you made arrangements to—and requested that they be replaced?

Ms. Harris: Yes, we have.

Mr. Chairman: Through whom? Which office?

Ms. Marcial: Sir, Chair, we have done proposals. Money was allotted to the division to purchase scanners and we have done the proposals. It was approved. We have also sent out an RFP to the Central Tenders Board because the scanners are not available locally. These scanners have to be sourced to specifications that we require. You have to look also at the frequency that is emanating from these scanners. It must be OSH compliant and all of that. So it took some time in coming up with the specifications.

Mr. Chairman: Member Lutchmedial, it is a short question you are permitted. And I want, as you are finished, member de Freitas, you go right into it. Madam, I will take your answer and I would say nothing more at this instance.

Ms. Lutchmedial: I just want to clarify, you said the only scanners working are at the baggage terminal at Piarco. Clarify for me, how many. And then clarify for me, how many we have, whether it is donated or purchased, that are not working presently. That is—I just want the numbers exactly.

Ms. Harris: We have scanners in the transit shed of Swissport. We have two. So that is, two there. We one in ABL. That is also a transit shed. We have one in shed 10 and, unfortunately, that is sum total of scanners we have at transit sheds.

Ms. Lutchmedial: Four, okay. And how many are—

Mr. Chairman: Member de Freitas.

Mr. de Freitas: Well, thank you very much, Mr. Chair. Again, coming off of the line of questioning that has started thus far, I have sat on this Joint Select Committee of National Security for about six years, since 2015. We both, member Richards and myself, have been here for that long. We have been to the Customs and Excise location in Port of Spain, as well as in the airport. We have treated with this narrative as it relates to the scanners. What I am hearing now is not what we heard in 2018. What we heard in 2018 was that the scanners, stationary and mobile, were donated. They were not being used. All OSH compliance was received. All that was required was the sign-off by the union.

A particular individual who was heading the union at that point in time refused to sign-off to allow the workers, who were already trained and identified to sit in that room, which Sen. Richards and myself saw, to be able to operationalize these scanners. It was said at that point in time that the system used right now to check these containers when they came in were manual. They would go in and literally check and it was supposed to be random. The scanners were supposed to beef up that system to allow you to check containers, because you are scanning it, you are going around the container. The driver did not even need to come out of the vehicle. Oh no, he did. Sorry. He had to exit the vehicle but it would take approximately eight to 10 minutes to scan a container, allowing you to scan more containers in a shorter period of time. All that was required at that time was the sign-off by the union which he eventually did. I am surprised, in 2022, to hear that the scanners are down.

I am telling you now that whoever donated those scanners would look at us and say, “I am not giving you anymore,” because as far as I understand the use of those scanners was not effective. The fact is, it is being said right now, and the TTPS

is taking is licks for it, that illegal firearms are coming in through the legal ports of entry and the major responsibility for that is customs. What do you guys have to say for that?

Ms. Harris: With respect to the maintenance of the scanners, the scanners were maintained by the manufacturer, not by customs. So the fact that they are not operational in 2022 links back to the entity that has the contract with the manufacturer. And as with all things, scanners have a lifespan and in 2022, the mobile scanners that we had in operation have outlived their lifespan. The need was to replace those existing scanners.

Mr. de Freitas: But you do understand what I am saying, right?

Ms. Harris: I understand.

Mr. de Freitas: So let us walk the timeline again. Scanners are donated. They are not used because the union did not sign off on it. The union when we, Sen. Richards and myself and the last Joint Select Committee on National Security came and took a look and indicated and asked for an explanation as to why and “kicked up a fuss”, to use a colloquial phrase, the union then signed off on it. This was 2018/2019. Sen. Richards, correct me if I am wrong. We are in 2022, and I am now hearing from you all, nationally and live on TV, that two years later after we kicked up that fuss, they need to be replaced because they are obsolete.

So we got the scanners, did not use them, fought to get them used by the union and now you are telling me, they are obsolete and need to be replaced. You understand why we are having a problem with this? Same time, illegal firearms are coming through the legal ports of entry in increasing numbers. So, we ask, again—I am not asking the TTPS. They are after the fact. They deal with the firearms when they are already in the country. I am talking to customs. Telling me that the scanners are obsolete and need to be replaced is not helping me. It is not helping the citizens of this country. What I want to know, and what every citizen of this country wants

to know, that statement that is out there, it is coming through the legal ports of entry, you guys are customs, what is your answer for that?

Ms. Harris: The Customs and Excise Division, the Comptroller, is attempting to have the scanners replaced as quickly as possible so that they can be operational. An RFP was designed and submitted, shall be submitted to the Central Tenders Board for approval so that we can have the scanners operational.

Mr. Richards: Chairman, can I just—

Mr. Chairman: Yes. Yes.

Mr. Richards: A quick interjection.

Mr. Chairman: Yes.

Mr. Richards: Good afternoon, again, and thank you for being here. Was it, in terms of the operation of the Customs and Excise Division, would you have had information related to the lifespan of these scanners before they became obsolete? And if so, why wait until they become obsolete to restart to do proposals and RPFs to replace them so that there is a gap in coverage? That is confusing to me as a professional organization.

Ms. Harris: Unfortunately, the procurement procedure is one that requires you to go through particular steps, as we would all be aware. I agree the timeliness is something that we should have ensured, that the replacement of the scanners should have been done in a timely manner, and we recognize that it would have affect the safety of the citizens of this country. It is something that customs recognize but we are attempting, as we speak, to have the scanners replaced. The lifespan of the scanners was affected due to poor maintenance. Again, the maintenance—

Mr. Richards: But you would have been aware of the poor maintenance issue while the scanners were in place. So all this information that you are bringing is not new. You are in charge. Scanners are brought in, issues having them operationalized, lifespan being expired—

Ms. Harris: “Um-hmm”.

Mr. Richards: There should be a timeline in project management so that there is coverage because of the critical nature of your operations. So the public hearing this is asking, “Well, why are we surprised that illegal guns are coming in. An agency is dropping the ball.” Is that an accurate assessment or is it an over exaggeration?

Ms. Harris: It is not an accurate assessment. The fact of the matter is the Customs and Excise Division made every attempt to utilize the scanners that were available to us.

Mr. Chairman: Mr. de Freitas, continue, because at an appropriate time I will ask member Lutchmedial to, you know—

Mr. de Freitas: Thank you.

Mr. Chairman: —she has a question.

Mr. de Freitas: Thank you, Mr. Chair.

Mr. Chairman: But, member Lutchmedial, we will come to you.

Mr. de Freitas: So just for our edification, how are these container being checked now?

Ms. Harris: The containers are being checked through physical exanimation. We are conducting risk management—a risk assessment and containers that require examination are forwarded for physical examination at our CES. Unfortunately, that is the best available avenue at this point in time.

Mr. Chairman: Do you have the staffing and the—

Ms. Harris: Thank you.

Mr. Chairman:—and the power—

Ms. Harris: Thank you. I was now going to add that.

Mr. Chairman: Well, hold on, hold on—

Ms. Harris: Sorry, Sir.

Mr. Chairman:—to do this effectively?

Ms. Harris: We do not have sufficient staff. I will tell you, our container examination station has 14 bays. But unfortunately, with the staff that we have, we can only assign three examination officers to assess at Port of Spain that has 14 bays. So our level, our efficiency is compromised by the fact that we have limited staff.

Mr. de Freitas: Okay. So how many containers on average are you scanning right now? Let us do that per month. How many come in? And then, how many you are able to scan?

Ms. Harris: We have that data here. At the—we now have operational the fixed scanner only at the port of Port of Spain. And for January to August, we scanned 3,998.

Mr. Chairman: Out of how many?

Ms. Harris: Out of 23,000.

Mr. Chairman: Madam, I—

Ms. Harris: Yes, Sir.

Mr. Chairman: Okay. Here is what we are going to do. We would ask you, and we would want this within a two-week period, to provide us in writing, relative to the purchase of the scanners, relative to manpower, at least, some temporary relief so that through this Committee, the Committee will decide if we can pen an urgent letter to be delivered by hand, by email and by fax to whichever agency is responsible. Because, you see, what happens here is that when firearms take people's lives, there is no coming back. I say no more and I go to member Lutchmedial to ask—to pose a question.

Ms. Lutchmedial: Just one quick question I wanted—I think it is important for us to understand. This RFP that you spoke about, how many scanners do you propose to buy through this process that is taking, well, going in a year now?

Member: [*Inaudible*]

Ms. Lutchmedial: Sorry?

Ms. Marcial: So we would—a scanner is over US \$1 million. So we are looking, with the money allocated to us of \$90 million, we could safely purchase four scanners.

Ms. Lutchmedial: [*Inaudible*—the RFP that you have put out for the purchase of four scanners?

Ms. Marcial: Well, we did not put a number. We just put out the RFP.

Ms. Lutchmedial: Okay.

Mr. Chairman: Thank you. Member Mitchell.

Mr. Mitchell: Thank you very much. I have just about two questions. This is to the Comptroller or the Deputy Comptroller of Customs. You keep using the word it is “unfortunate”. You said it is unfortunate that the scanners are now obsolete and you have to purchase scanners. You said it is unfortunate that you are understaffed. But understanding how things work in the public service, it is the division’s responsibility to ensure that the positions are provided, created, proposed, Ministry, PMCD, it is the division’s responsibility to do that. With respect to the RFP, it is the division’s responsibility to look at the life cycle of the scanner, use fore sighting to ensure that scanners are operational. It is division’s responsibility to do those things.

In fact, it is also the division’s responsibility—you spoke about the Central Tenders Board and I am sure everybody around this table immediately felt that that is an eight to 12-month process and there are other procurement avenues where this procurement can be done much faster through a state enterprise or through other mechanisms. Do you not accept that the word is not “unfortunate” but the word is “gross negligence” on the part of the Customs Division?

Ms. Harris: No, Sir. I do not accept that it is gross negligence on the part of the Customs and Excise Division.

Mr. Mitchell: Okay.

Ms. Harris: We would recall that in 2008, there was a recommendation for a transition to the TTRA. What has happened in the last 15 years, the Customs and Excise Division has been in a sort of limbo where we have suffered multiple loss staff attrition where the staff was not replaced.

So you have to understand—if I may, Sir, for the past—from 2008 to 2022, our staff—we have suffered tremendously staff attrition. So it is not the division. The division can only make—as a division in the public service, we can only make recommendations for the filling of vacancies and the appointment of officers. And I can assure you, recommendations have been made by multiple comptrollers for the filling of such posts. But unfortunate—and I have to use the word again, the Comptroller of Customs and Excise, when it comes to staffing, can only make recommendations, which have been made throughout the years for the filling of the posts.

Mr. Mitchell: Okay. Respectfully, I do not accept that. I think that that is a cop-out. But I will ask Mr. McDonald Jacob. We have had evidence before this Committee that the majority of illegal firearms are coming into the country through the legal ports. We also have information before this Committee that 85 or 87 per cent of the murders are being conducted with illegal firearms, some of which may very well be some of your officers. I want to ask you, Sir, sitting next to you, you have the representatives of the Customs and Excise Division who is responsible for tracking, detecting illegal firearms in this country. You are the Commissioner of Police. You are burdened with illegal firearms and crime in this country. How do you feel about that?

Mr. Jacob: Well, this is something that we have discussed when the heads meet and identified how challenging and difficult it is for me and the Trinidad and Tobago Police Service in this situation. We have made several recommendations and that is the reason why we support all the initiatives that are being put in place with the

AIRCOP and all the other areas. We have a transnational organized crime unit and they are doing tremendous work. And remembered I mentioned FedEx and all the others, and some of the same sheds and bonds that they talk about, you know. And we have spoken to break some the traditional approaches where in some instances the police will have to wait to have access to certain places.

And we are saying, and we have agreed, that once we have information that is afforded to us, we must be able to go in and do our searches and execute our warrants when necessary, whether it is on a bond, whether it is in an area that the Customs may control, and we develop a relationship with Customs in order to do that. But it takes a lot of time and energy from us in order to mop up all these firearms that are, in fact, coming into the country. And I had mentioned that we have now made a record of 115, what we call, submachine guns and rifles that we have seized off the streets, and the average was 67 in the past few years. But for this year we have already reached 116. So it is a lot of work that is required.

We have a firearm initiative being carried out right now with all the law enforcement officers. And, you know, the whole issue is that it takes a tremendous amount of effort because, as you said, 87 per cent of our murders are in fact, being used—the tool that is being used is the firearm. So, you know, again, I do not feel good about it at all but, as I said, the heads next me—we do have heads meetings and we have discussions on the way forward in how to deal with the situation.

Mr. Mitchell: Yes. So we have to move beyond discussions and we go to actions. But, Commissioner, could you refresh my memory—with the initiatives that you have in detecting illegal firearms and taking them off the street, refresh my memory, when last was anyone in Customs, a member of that agency or even a member of the ports of Port of Spain, when last were any of them arrested? Was anyone arrested or successfully prosecuted for complicity or for negligence, charged?

Mr. Chairman: *[Inaudible]*

Mr. Mitchell: Well, that is the thing.

3.20 p.m.

Mr. Jacob: Well I cannot say of the internal aspect concerning suspension, but I can say that within the last two years or so I cannot remember any situation where the persons, necessary from Customs were in fact charged. I could remember doing some work with someone who had in fact been dismissed from Customs and lived somewhere down in south, in Penal, and we did some work in relation to that individual who was pretending to be a customs officer and had Customs stamps and all of that.

But remember just within the last three years we have reached the point to come to the full understanding and agreement that most of the firearms are in fact coming through our legal ports of entry. Right. When we had set up the one stop shop in relation to what we call it and start to link with the ATF and do the intense tracing of the firearms that is when we came to the conclusion with hard evidence that most of the firearms are coming from our legal ports and we get whether it is from Baltimore, Georgia, Texas. Before, there was a belief that the majority of firearms were coming through our illegal ports dealing with, and focus was in relation to Venezuela.

Yes, we have firearms coming from there, but not at the level of the firearms coming from North America, and it is just probably about 5 per cent of the firearms coming through Venezuela. And that is the hard facts, and it was identified within the last two years or three years, and that is when the focus started to be on the whole aspect of the Customs and what is happening. And you know with that you have to build the intelligence, so that probably is the reason why we have not reached the point to actually prosecute some of the facilitators in relation to what is happening within our legal ports of entry.

Mr. Chairman: Member Mitchell.

Mr. Mitchell: Just one quick question. I just have to ask it because I always wondered about it. It is a bit of irony, and this is to members for Customs. Are you aware of any member of Customs having their families affected by gun crime using illegal firearms? Illegal firearms? It is just ironic. I am just asking, because there are consequences to allowing guns to pass, or the ineffective use of Customs, the ineffective deployment of your resources in detecting illegal firearms? I was just wondering, anybody in Customs—are you all affected by crime and illegal firearms?

Ms. Harris: Every member of staff of the Customs and Excise Division is affected by the level of crime in this country, either directly or indirectly. We have had working officers whose lives are threatened. So yes, we are affected and concerned about the condition of Trinidad and Tobago with respect to the illegal trade in firearms. It is not a lack of interest or a lack of desire to address the issue. It is an absence of the available tools and mechanisms to address the situation.

Mr. Chairman: Madam.

Ms. Harris: Customs and Excise is willing to work—

Mr. Chairman: Madam, tell us. Tell us, hold on before you give us a speech. Tell this Committee what are the tools.

Ms. Harris: That are needed?

Mr. Chairman: Hold on. I will say to you, and the Committee have seen the reports. We will try to be as gentle as we can, but we wrote since the 10th of October asking for a response from Customs. We asked that it be submitted to us by the 20th of October. We got it yesterday. We do not want to vilify anyone but we want to say, get robust, because this—the Secretariat and I we are prepared to work whenever and whatever it takes to have this delivered. But if it is delivered like this. Member Richards when did you receive it? Everybody received it last night.

Mr. Richards: Last night.

Mr. Chairman: So, get robust. I want before member Moonilal begins his

interrogation to ask the Port Authority. Port Authority, I have read your submissions and you agree with me that the port, including the Port of Port of Spain and other ports, is a point of entry for illegal firearms. Yes?

Mr. Ali: That is correct, Sir.

Mr. Chairman: Then how is it in your report then that we are told at page 3 that the last serious interdiction for firearms and ammunition, Port of Spain, was on the 22nd of March, 2021? I am asking the Port Authority that. 2021, what happened to 2022? What happened to 2023? And the fact that the number of illegal firearms entering Trinidad and Tobago through various posts have increased. Tell me Port Authority.

Mr. Ali: The detection that you speak about, I am on the 23rd March, 2021, that was the Customs and Excise Division who made that bust.

Mr. Chairman: What about the Port Authority then? When last has the Port Authority had—and the security in the Port Authority, be it the port to Trinidad, the port to Tobago, when last have we made a find? When last have you had a find?

Mr. Ali: On November 6th, 2022 at the port of Scarborough in conjunction with the TTPS, where a vehicle was searched, two firearms were recovered and a quantity of narcotics.

Mr. Chairman: Do you think that the Port Authority is adequately engaged in the process of trying to eliminate the entry of illegal firearms? I would want to ask this to your chairman.

Mr. Alexander: Chairman, the Port Authority is not tasked to deal with importation of goods and services from the inspection perspective. That is in the remit of the Customs. We provide every opportunity, every facility that is required of us to enable them to do their job. So that is the reason, the simple reason why you do not see the Port Authority having busts and fines of illegal weapons coming into the country. You would have noticed that the comment that was made about the find,

the activity in Tobago, which was on the domestic link. There is activity at that level. But importation of goods and services we simply transport stuff in. We do not inspect.

Mr. Chairman: So, it leads me to my last question on this, that is on page IV, Roman numeral IV, under the rubric, what are the primary challenges being experienced by the Port Authority that you can say in 2022 with specific reference to the remit of this enquiry, the primary challenges currently experienced by the Port Authority are investigative and prosecutorial collaboration and actions from the TTPS and the Customs and Excise Division? We are one team, why is that still a primary challenge? Look to your left you have the TTPS, look further to your left you have the Customs, look outside you have people who are suffering. Why is this still a primary challenge?

Mr. Alexander: Chairman, the day-to-day—at the day-to-day routine level I am satisfied that the collaboration that takes place between the units is extremely good. Extremely good from that perspective where, I mean, if something happens we are able to share experiences, to share information across all the agencies. The legal authority, however, rests with, to prosecute criminal activities, that really rests with the police and the Customs Division.

So we have to follow the guidelines of the law, and from that perspective it pushes the Port Authority a little way back from the determination of the activity. But we are involved in everything, whatever goes on. I am aware of that. That collaboration takes place.

Mr. Chairman: So then what you have here is conflicting. So we could challenge what you have said orally and what was submitted in writing.

Mr. Ali: Conflicting—[*Inaudible*]

Mr. Chairman: As soon as he is finished you will go.

Mr. Richards: Just a follow up question to the chairman. Good afternoon Mr.

retired Col. Lyle Alexander. What is the function of the port police?

Mr. Alexander: Port police?

Mr. Richards: What is the function?

Mr. Alexander: Port police, the superintendent can answer that better than I would.

Mr. Richards: Because you spoke about a lot of what they cannot do. What can they do? What is their remit?

Mr. Ali: The core function at the Port Authority police department is to protect the assets of the Port Authority, its employees and its port users. In addition, to protect the cargo that comes in, that we receive, when it is—receive it in one condition, stored and to ensure that it is delivered to its correct consignee.

Mr. Richards: So it is to secure the port facility?

Mr. Ali: To secure the port facility. We do have a law enforcement function because we are precepted officers.

Mr. Richards: But you cannot search, and that is what your statement says?

Mr. Ali: We cannot search imported cargo.

Mr. Richards: Oh.

Mr. Chairman: So, cargo on the port. Member Moonilal before we go on please have your interrogation, I say we have kept you waiting.

Dr. Moonilal: Thank you very much, Chairman. I did benefit, of course, from the responses and the questions of colleagues, so it was a good wait. I have a series of questions to ask, of course, that would in a way piggy back on some of the issues raised by my colleagues, but let me begin by saying that as far as I am concerned—I am sure my colleagues as well—this interrogation, these issues are very very serious issues, and of course we mean no personal—I mean no personal attack on anyone of you, because many of our problems are systemic, they are organizational, so it is not that these questions I ask are against anyone with any personal, you know, personality issue or anything like that. So maybe I begin with the lightest question.

Madam Comptroller, given all that we have heard this afternoon and the questions that are being asked, particularly to the Comptroller, may I ask you if you had to grade yourself what grade would you give yourself? We got a B+ from another officer yesterday.

Ms. Marcial: Yeah, well I was—Sir I was going to say a B+ or an A-. I have really tried to put things in place. It has—this putting these things in place has resulted in personal attacks by the staff and others, members of the community. We are really trying. I know that is not sufficient. We have to get the job done.

Dr. Moonilal: But you are restraining yourself from giving yourself a grade.

Mr. Chairman: But we are hearing her. We are hearing her. Madam have some water and [*Inaudible*] you and your team carry a lot of that tasks, because what the Comptroller, what you are saying is important for the country to hear.

Ms. Marcial: So I will give myself a B+.

Dr. Moonilal: As well.

Ms. Marcial: Because the efforts have been immense. My staff and myself, my management team, we have tried to put things in place together with the other agencies of the Ministry of National Security. We work hand in hand with them. Most of our interdictions were based on intelligence received from the various agencies. We are collaborating. Results are coming forward. Not everything is put in the media, but we have results.

Dr. Moonilal: Thank you. Members, our guests, I have a series of questions to ask including one or two new areas, so if the response could be as crisp as possible, and you can commit to giving information, if I ask and is not readily available. So let me go.

The first issue is that, Madam Comptroller, in the police service given all that has happened over the years, the public is now aware that there are specialized units in the police service, particularly Professional Standards Bureau, Police Complaints

Authority and so on, that deals with, you know, rogue officers or allegations of wrongdoing, and, yes, corruption in law enforcement. So the police over the years because of maybe a major spotlight on the TTPS, most people are aware that the police now have agencies that are working, they are functional, you look in the newspaper you will hear an arrest by the Professional Standards Bureau, so and so and so on. In terms of the Customs, is there operating institutions in the Customs that deals with allegations of corruption involving customs officers? And it is a straightforward question.

Ms. Marcial: Thank you. Chair, we do have a preventive branch which is the Interdiction Unit of the Customs who will investigate all matters pertaining to staff as well as stakeholders. But we are guided by the public service regulations on how to deal with corrupt officers or any other crime being committed. As a public servant we are still under the public service.

Dr. Moonilal: Just to take you further on that, but with allegations of customs officers, for example, involved in criminal wrongdoing, that to me are criminal matters for the police. Do you collaborate with the police now in terms of your unit in the Customs collaborating with the relevant unit in the TTPS where persons are, it is alleged they are involved in what would amount to criminal action?

Ms. Marcial: So again, Chair, yes, we do collaborate with the police on some of these matters. Within recent times you would have heard of the illegal pharmaceuticals that have been passed on to the police service, the arms and ammunition that we get that was also passed on to the police. So yes, we do. We are also liaising with the US advisor attached to the Comptroller of Customs and Excise, in forming an Internal Affairs Unit that will look after the welfare of the Customs and seek to go after the officers who are suspected corrupt or in corrupt activities.

Dr. Moonilal: And when would this Internal Affairs Unit be up and functional, you

estimate?

Ms. Marcial: Well, we are trying for early 2023.

Dr. Moonilal: Before or after the scanners?

Ms. Marcial: Well, hopefully before the scanners.

Dr. Moonilal: All right. Now, and I make this point as well because I am a representative of people, so people talk to me. That is my job, to listen to constituents and so on. And it seems that one of the most proficient and efficient units in Customs would be those officers who stick around at the Immigration areas to check to see if a citizen or businessman coming in with a \$100 or \$200 US extra and then search every bag in sight. Now, could you give some commitment that there would be equal efficiency, proficiency, maybe even deployment of some of these extremely efficient gentlemen and ladies into looking at, you know, containers, the issues with the lack of scanning and so on, and other areas that may be relative to the illegal firearm, of which we are saying, which is so upsetting that when we were growing up you know we always envisioned that illegal firearms would be coming in a wooden box on the beach and police would be there in the night in a shootout with people, and then we learn that this is coming through the normal approved legal ports, and that, you know, it has shaken some of us in law making.

So that there is efficiency in Customs. There is efficiency as it relates to checking on the \$100 and \$200 extra, but we may not have the same efficiency as it relates to the real matter of illegal firearms. And on that now I want to ask, we are hearing tools and equipment, I heard before, you have really a twin pillar you are standing on here, you are saying, look, there is a problem, we acknowledge that, the information is not wrong. We do not have scanners and we do not have staff. Scanner is one tool and equipment. What other tools, what other equipment, what other technology you require that you do not have?

Mr. Chairman: Do you want to put that in writing just in case—do you want to put

it in writing or do you want to, because remember this is being done live, and we do not want to—

Ms. Harris: Thank you. I was going to suggest that.

Mr. Chairman:—let the cat out of the bag, so to speak.

Ms. Harris: Yes, we were going to suggest that we submit that in writing a thorough list of all the—

Dr. Moonilal: Sure, that would be fine. That would be fine.

Mr. Chairman: I gathered that much.

Dr. Moonilal: I would go to another issue on Customs and then one issue for the TTPS. And the Customs now, we are hearing a story developing all afternoon on staffing, I took a small note here. You are saying that an archaic establishment figure from the '90s, 700. You have—you do not have 700 even as an archaic figure, you do not have that. You have 272 plus 80-something, 350 more or less.

Now, could you provide the Committee, myself, I am very curious, with some records, some memo, some reports or some requests where you have been making requests over the years for increase in staffing at Customs and that request for whatever reason has never been dealt with in a way to lead you to recruit more and more and keep up-to-date, even with the archaic establishment figure. You understand the point I am making. If you can make available to us the dossier with the letters from Comptrollers and so on over the years requesting staff and even the responses as well? Because that is a very very serious matter, because it suggests that even if we have a TTRA, if the TTRA comes we would be in no better position because we have failed over the years, collectively, to increase the staffing of such an important unit. So could you give me an undertaking to provide that?

Ms. Marcial: Yes, Sir.

Dr. Moonilal: Thank you as much. My final area of questioning Mr. Commissioner, again, the issue I am raising now is that I believe that the time has

come for another look, fundamental look, at the organization, the reorganization of the Trinidad and Tobago Police Service, which was done, as you know, 15/16 years ago or so, by way of law, but now by way of organization. In this matter of the illegal firearms and 85 per cent of what is now a record murder rate in our history, 85 per cent more or less committed by illegal firearms.

How is the TTPS structured to deal with this? Meaning, which unit deals with this specifically? What is the staffing of that unit? What is the resource there? What more resource does the TTPS need to tackle this critical, this grave matter? Because we are working together here, one is at the point of coming in, importation, your job then starts when somebody job fails. Essentially, the TTPS' job is really taken off because somebody else failed. How are you structured to deal specifically with this matter, and what more would you suggest that the TTPS would need?

Mr. Jacob: Thank you. Thank you very much. Through you, Chair, the Trinidad and Tobago Police Service into 2020, in fact, has established a Central Intelligence Bureau within the TTPS. Right. And I was fortunate to be, when I came off leave, to be given that responsibility by the former Commissioner of Police, and that is where we combined a lot of our technological and intelligence unit under one bureau and under one head, basically. So that we can get that synergy and coordination that is required. And even our TOCU, we talk about TOCU, our Transnational Organized Crime Unit falls under and falls in that bureau.

Mr. Francis here, Senior Superintendent Francis, was originally in charge of that particular unit. It is now developing and we have to get the necessary coordination, but questions are being asked when we look at it, whether or not we should in fact continue with that combination or should we now pull it back out and have the OCNU, Organized Crime and Narcotics Unit, that was existing separately to be placed as a separate unit and have a Firearm Interdiction Unit. The reason for it is that even though we are talking about firearms here, what is generating our

issues in Trinidad and Tobago is really drugs, and here being a transshipment point for drugs, as I mentioned, and coming along with the drugs is payment with firearms and all of that.

Yes, we have firearms when we just come in because now we have some gangs, one particular gang that is directly dealing with the firearm, the whole aspect of firearm trade, but the facilitator and the issues that we are having are drugs coming from the Central America and South America to be transhipped to the European market, and with it comes with guns and things for payment. So, we are looking at it to reconsider whether or not we should in fact pull back out and have the Organized Crime and Narcotics Unit dealing with narcotics, operating as a separate entity. Because we are now trying, as I said, to get that synergy and we are looking at it.

So, one of our whole strategic approaches when looking at 2023 is to sit down and look at what is happening and see whether or not that is really working, and we may have to now take back out and have this specialized section operating and have a separate Firearm Interdiction Unit. But it will still fall under the same head in relation to the Central Intelligence Bureau. So that is what we are looking at right now.

As it relates to staffing, because of that relationship with coming together that was actually done and organized to save that aspect of manpower, where persons we are—we are cross-trained, our intelligence officers, so we will not have to have a section with 400 persons here, 300 there, but some of the things that they do actually interlock with each other. So, it may not necessarily require any significant additional manpower.

So where we are is just restructuring and looking at it, and probably when we look at it within the next few weeks we will be able to provide something in writing to you all how we see the way forward in order to really handle this organized crime situation that we are seeing, and within there, remember we have facilitators on our

shores here, and a high level of complicity also within—across the border, whether it is Customs, whether is in the police, or whether is on the port, we have facilitators and we normally share the intelligence information, and the police service is in fact doing some work in an aggressive manner in relation to that. Because if we can deal with these facilitators and get them out and get them before the court it will do well to deal with our situation in Trinidad and Tobago.

3.50 p.m.

Dr. Moonilal: Thank you. I have my final—

Mr. Chairman: Go ahead, go ahead.

Dr. Moonilal: I just want to—thank you very much, Mr. Commissioner, to slip back to the Comptroller on one matter, I do not think we clarified this issue. We also heard that in procuring the scanners you are going through the Central Tenders Board. Is it a competitive bid for scanners? Because to my knowledge through the National Security Council you can do a sole selective for such an item of national security that would be time constrained. You can do it very quickly in an alternative route using the National Security Council. So I just wanted to enquire.

Ms. Marcial: Thank you. We did ask permission from PS to nominate a sole select. The last scanners that were donated were from Leidos from the US. So, but we were advised for transparency to go through the Central Tenders Board and that is the reason why we went that way.

Dr. Moonilal: And the advice came from?

Ms. Marcial: From our PS.

Dr. Moonilal: Permanent Secretary?

Ms. Marcial: Yes.

Dr. Moonilal: Thank you.

Mr. Chairman: Mr. Commissioner and I am particularly—and I want to say this to you because we said it to another agency. No charge is a perfect charge. There

would be loop holes, there would be certain gaps, but you know that there are two standards that apply when you charge at various times. There is a prima facie standard and then there is a standard of proof beyond reasonable doubt, which is a jury question. We say now as it relates to firearms and firearms related crime that sometimes, just an interference may stop a stream of action, a trend. It may or may not result in a conviction but once you have prima facie evidence you know that you are now, you are inoculated from any allegations of malicious prosecution. We need to get that on the way in terms of getting things together. In other jurisdictions sometimes the case is going on and evidence is being gathered. Why do we have to wait until we have the perfect case because there will never be the perfect case and we will wait on Godot. Member Webster-Roy.

Mrs. Webster-Roy: Thank you, Mr. Chairman. I am a bit disturbed, right? You would have heard earlier today that the vast—and it is being said, the vast majority of illegal firearms are coming through our legal ports. And we further heard that the vast majority are high-powered rifles. Recently I would have seen in the newspaper little children became collateral damage and that particularly affected me as a mother and as the Minister with responsibility for children in Trinidad and Tobago.

Mr. Commissioner you would have noted that sometimes it may be difficult for the police to access certain bonds to do the necessary investigation. What would you recommend to improve that process? What can be done? Is the Customs placed under the right Ministry? I am asking because I am really, really concerned. I am concerned not for me but for the children of Trinidad and Tobago.

Mr. Jacob: Thanks very much, through you again, Chair. The Customs and Excise is placed under the Ministry of Finance and their traditional remit as was mentioned earlier is to really and truly deal with the taxes and, yes, they have a law enforcement side, right. I believe that we definitely need to look at it, because even though there is law enforcement issues in the Act, you know, traditionally is what they focus on

and with this the new development that we are having in relation to the whole aspect of firearms and realizing that the law enforcement side now must take precedence, I think that there needs to really and truly look at that aspect of it. And we are working out, like from the heads, with discussions, with the Minister of National Security and we have some agreement in relation to the police coming in. And when we have information to get at these various bonds and sheds and where it was traditionally, that this is a particular person's space and we cannot enter and we have to go and get a warrant before and deal with it, all of that, but the point is that we will use what is afforded before us on the law and if we have hot information in relation to something, we will do what is required to be done. But the relationship is very, very, important, but the laws binding it are very important too because I may not have a very good relationship with the present Comptroller, but then the other person now—so let us look at it, amend the law to create the glue that is required for us to go forward to deal with this issue. And even though you did not deal with this aspect, the Chair made a statement and I just wanted an opportunity for the Senior Superintendent Francis to mention a suggestion that we have made to the Attorney General in relation to the amendment of the law so that we can, in fact, be more effective in charging beyond possession of firearms and ammunition when we actually interdict persons with firearms, we will meet certain—we wish to make certain recommendations. So I do not know if you will permit Mr. Francis. Yeah, Mr. Francis, thank you.

Mr. Francis: Thank you, Chair. So with respect to the whole issue of prosecuting persons we have in 2019, an amendment was made to the Firearms Act which created the offence of possession of firearms for the purpose of trafficking. We have charged persons for that offence, however that offence binds us in the context of the person must be either in actual or constructive possession of two or more firearms for us to charge them for the offence of possession for the purpose of trafficking.

Notwithstanding the side note in the legislation says trafficking in firearms, that offence is not in the legislation as we have it in the Dangerous Drugs Act. Notwithstanding, the law defines, gives us a definition of what trafficking is, the offence itself is not in the legislation. So, for example, under the definition of trafficking importation is defined as trafficking. The challenge we have though is when there is an importation through one of the bonds, through firearms in a barrel, that offence we investigated jointly with the Customs and Excise and they are better fit to charge in that particular instance under section 213 with respect to importation of prohibited goods, because there is no requirement on their part to establish that whole issue of possession. The police on that side though, we are not able to charge for any trafficking offence pursuant to that importation and then to take the investigation further inland at the gangs that may be involved in the importation, the current construct of the law does not facilitate that.

Mr. Chairman: Sir, sometimes we charge under the Firearms Act, charge under the normal traditional Firearms Act for illegal possession of firearms section 5.

Mr. Francis: No, what I am saying Chair, is that with respect to the port—

Mr. Chairman: Yes.

Mr. Francis: —where we have the main challenge—

Mr. Chairman: Yes.

Mr. Francis: —is that for the police we have to get evidence of knowledge to charge for possession of the firearms for the purpose of trafficking in the bond on the part of the consignee.

Mr. Chairman: I have said to you, I am saying it one more time and I will not say it anymore, there is no perfect charge. Knowledge can be inferred from the surrounding circumstances. You all have experienced police officers, a lot of your police officers now Mr. Commissioner, have gone to law school, they understand the case of Peter Coltes, the Court of Appeal has ruled in Peter Coltes as about

constructive knowledge and possession. Justice Mark Mohammed at first instance in *Marcus Brown*, I say no more.

My question and Madam Webster-Roy, would you have me do this? I am hearing a disconnect between the bringing to the fore and the bringing to account of members of the service and the length of time that it takes. I ask this of the Port Authority, I ask it of the police service, and I ask it at Customs, do you think in light of all these delays, and particularly in the context of deviant officers, that the time has come for us to review our constitutional arrangements as it relates to the service commissions. Port Authority, let me hear from you Chairman.

Mr. Alexander: I defer to the superintendent to respond to that question.

Mr. Ali: Chair, a definite yes to your question.

Mr. Chairman: Pardon?

Mr. Ali: Yes.

Mr. Chairman: Yes. Police Service. The police. You would be the Police Service Commission, so your commission, the Police Service Commission. Do you think the time has come now to review the constitutional arrangements as it relates to the Commission, Police Service Commission and the police service, particularly in the areas of discipline?

Mr. Jacob: There is always need to review it but within the Trinidad and Tobago Police Service you know, we have our complaints division that deals with matters and in most instances our police officers, once they cross the line they are charged and placed before the court and the court deals with it in a particular manner. Our Police Service Commission actually operates as an appeal in relation to decisions made with disciplinary matters, right. So they always need to review things, you know, but I do not believe that we have such a significant issue like what was mentioned here as what exists within the Customs and Excise.

Mr. Chairman: Customs, Madam Comptroller.

Ms. Marcial: Yeah, most certainly.

Mr. Chairman: “Most certainly” what, Ma’am?

Ms. Marcial: That there is room for constitutional reform with the Police Service Commission.

Mr. Chairman: There is room for constitutional reform—

Ms. Marcial: Review, review.

Mr. Chairman: Review. Madam Webster-Roy and then member Richards.

Mrs. Webster-Roy: Thank you, Mr. Chairman. Madam Comptroller, you would have indicated in a response to a previous member that you are trying to put things in place but you have encountered some challenges from, you said staff as well as stakeholders, right. Is it fair for me to say that the overriding issue is not really an issue of resources? Because I accept the fact that you say you do not have the full complement of staff, you do not have the 700 that is on the establishment. I accept the fact that you said that you have some constraints, you do not have the scanners, et cetera. But am I fair in my assessment to say maybe the pervasive issues are a lack of will, collusion and corruption. Am I fair in my assessment?

Ms. Marcial: Chair, I do not think there is a lack of will, neither collusion, maybe corruption to a certain extent, but my Division would welcome specialized training with the staff for these activities.

Ms. Harris: If I may add to the Comptroller’s contribution. There must be an understanding that there is an interdependency with border security and revenue collection and trade facilitation. One cannot exist without the other. In fact, in order for you to protect and collect revenue, it must be in an environment that is secure.

With respect to staffing, law enforcement is heavily dependent on one major asset and that major asset is human resources. The more bodies you have on the ground, the Commissioner will be able to testify to this, it increases your ability to address issues as firearms, the illegal importation of firearms. What we have to grasp

is at transit sheds Customs is the only entity legally to examine every item that is brought into the country. If you only have two officers at a station, if you have scanners you still do not have the resources to effectively examine and detect illicit items, such as, firearms and narcotics.

There is collaboration between the Port, TTPS and Customs. The sharing—this aspect is one that must be improved because if these three entities do not work together, share information, then we would not be able to move forward. I believe that is a major issue, collaboration. If indeed the majority of the firearms, there is evidence of this, then even with our limited resources information would assist us in using that—optimizing the use of the limited resources we have to detect and arrest those involved in the illegal trafficking of firearms. It is optimizing the resources you have.

Mr. Chairman: Member Richards.

Mr. Richards: Thank you, Chairman. I have to say that I am very disappointed in what I have heard so far, particularly regarding the issue of scanners at the Port in the context of what we are experiencing now in the country at the hands of illegal guns. Because the acting Commissioner of Police and the Minister of National Security are both on the record as indicating that contrary to a notion held before, that the illegal guns are coming into the country, and ammunition because that is an issue to, were our—attention should have been placed on beaches and nooks and crannies, that areas that we have full remit over as a state are serving to our detriment in the country. And when we look at the murder rate in the country, I know the knee-jerk reaction is to look at the TT Police Service because, well, they are the primary law enforcement agency, but as member de Freitas said, they cannot use the guns if they cannot get in here.

And the SSA indicated, when they were before us, because we could not broadcast a lot of it yet: 2017, illegal firearms, 8,154; 2019, illegal firearms and the

2017 value was put at TT \$100 million; 2019, it increased to 9,389, the market value was \$119 million; 2021, it increased by 1,659 to 11,043, market value raised to 144 million. So, while the police and other agencies are doubling down on their efforts to try stymie illegal guns in the country, putting a lot of resources, the public could get the impression, well, it is coming through the legal ports and it is causing havoc in the country, literal havoc. So, when I say I am disappointed I am disappointed because we have to put the connection now. The Commissioner of Police acting, indicated 116 illegal guns were taken off the streets for the year so far. Is that accurate, acting Commissioner?

Mr. Jacob: That is rifles and submachine.

Mr. Richards: Rifles or submachine.

Mr. Jacob: —526 so far but out of that 116 is submachine guns and rifles which is a record in relation to the recovery of those types of weapons.

Mr. Richards: Right. So that is about one-third of the 1,659 that the SSA identified illegally coming into the country. So, my question to the persons, the officials from the Customs and Excise Division. Is there anything in the interim, given the gravity of this situation, because I think this issue of illegal guns coming in through legal ports is a crisis because of the havoc one high-powered weapon can have on law abiding citizens including children. Is there anything that you can put in place while you await the acquisition of these new scanners to try to stymie this flow of illegal guns through illegal ports, or is there anything you have put in place?

Ms. Harris: What we may have put in place is as the Commissioner indicated, a sharing of Intel between the both agencies. The only other option in the absence of the scanners is increased physical examination.

Mr. Richards: Of containers?

Ms. Harris: Increased physical examination in the absence of scanners, that is the only alternative which will result in delays in the delivery of containers,

containerized cargo.

Mr. Richards: Madam Deputy Comptroller, I do suggest, respectfully, that the population would err on the side of safety as opposed to expediency when it comes to lives. Can I go to the chairman of the Port Authority, Mr. Alexander, and going back to the issue of port police? Would it surprise you to know that in 2017 I do believe, or it is 2018 when the Committee in a situation in the 11th Parliament, toured the port facilities. There were several gaps identified. The Caricom jetty was like an open sepulchre. One could walk off the street and walk into the Caricom jetty. People could come off of boats, unchecked from Caribbean Caricom neighbours and walk into Port of Spain unchecked. It was a major gap. Has that been rectified?

Mr. Alexander: Chairman, that has in fact improved, has been improved. At the moment our port police and the Customs actually provide security to get—governing access into the Caricom area. The very nature of the operations at Caricom, there are some inherent risks in the way their operations take place. We are struggling to—

Mr. Richards: Would it surprise you to know that I walked into that area two weeks ago, not stopped.

Mr. Alexander: No, it does not surprise me.

Mr. Richards: It does not surprise you.

Mr. Alexander: That does not surprise me.

Mr. Richards: I just walked into the area and nobody stopped me, nobody asked me any questions and I walked up by the jetty and I walked past the boats and I could have gone on to a boat and come off and nobody stopped—so that would not surprise you.

Mr. Alexander: That does not surprise me.

Mr. Richards: And that you describe as an improvement.

Mr. Alexander: Sorry?

Mr. Richards: That you described just now as an improvement.

Mr. Alexander: Based on what it was, it is an improvement.

Members: [*Laughter*]

Mr. Richards: So me being able to walk into the Caricom jetty unchecked is an improvement? Wow! So before I could have walked in, now I can still walk in, that is an improvement, Chairman?

Mr. Alexander: Member, the circumstances are—literally it is not an improvement.

Mr. Richards: Oh, so you are changing your answer now.

Mr. Alexander: No, no, no, let me—the reality is, the reality is based on the organization and the geography on the port and the way it is set up and the way things are operating, there are significant challenges that are institutional and it does affect the way that we provide the services. Right now the CCTV system on the port, for example, has been significantly improved. So there is a lot more—

Mr. Richards: So you could see me walking in—

Mr. Alexander: [*Laughter*]

Mr. Richards: —but you would not stop me.

Mr. Alexander: Sorry?

Mr. Richards: You could see me walking in now but you “doh stop meh”. Alright, let me move on because time is against us.

Ms. Harris: But if I may, may I just make one—

Mr. Richards: Thank you.

Ms. Harris: Let me just make one contribution, Sir, just one.

Mr. Richards: Please.

Ms. Harris: With respect to the— [*Inaudible*]. The Ministry of Finance has advised the Port Authority that funds will be made available from the Ministry of Finance to erect a gate to restrict vehicular traffic going into and out of the—

Mr. Richards: So funds will be made available to restrict—

Ms. Harris: To build a gate, sorry, gate, to erect a gate, to restrict the—

Mr. Richards: When we spoke to Port Authority and your good selves five years ago we heard the same thing. We heard the exact same thing. So I am not too comforted by that. Let me just move on quickly. Commissioner, you indicated earlier on that courier services are now heavily involved in importing contraband including illegal guns. Can you give us more details on that? And are there particular services involved that you have identified and persons that you have under surveillance?

Mr. Jacob: Thank you very much and through you, Chair, I just want to—

Mr. Chairman: Mr. Commissioner we want you to be a little short because we are—

Mr. Richards: Because I have one quick question after that so—

Mr. Jacob: Yes, well, I just want to correct some figures. I said 526, it is 626 in relation to the recovery of firearms. I just wanted to correct that for the record. And as I mentioned in relation to the problem with firearms and I said it directly connects with narcotics and we have the FedEx system where in some instances drugs and firearms and we have several detections here with our cooperation with the Customs. And we have, well, the bond area and we talk about the ports and all the other places. But we have a whole list of different locations in relation to the FedEx where it has been breached in relation to the courier service. There are some other minor ones, but the main one we have identified is the FedEx.

Mr. Richards: And these are citizens or companies importing these.

Mr. Jacob: Right, in some instances persons were in fact charged in relation to these particular—

Mr. Richards: And finally, because I know time is against us. The SSA gave us the market value of illegal guns, \$100 million in 2017; \$119 million in 2019; in 2021, \$144 million, with an average of TT \$17,429 per weapon, that is the average.

Would you as the Commissioner or the authorizing agent have a sense of the size of the legal gun market in the country inclusive of ammunition based on the cost of the weapons, persons who have imported weapons and ammunition including the range of weapons available for importation in the country? Would you have that? And I ask the question in the context of the statements you would have given and the Minister of National Security about the number of guns, I think 108 now, being used to commit crimes and us managing that in the country in terms of the size of that legal gun market including dealers.

Mr. Jacob: So, you are talking about the legal gun market?

Mr. Richards: Yes.

Mr. Jacob: Well, in relation to the legal guns on paper, right, we have seen that within probably the last three years or so, on paper we will be seeing about 124,000 firearms on paper that was requested to come into the country. However, from data that we have, physical data that we received from the Customs up to this point we see an average of 17,000, right. The licence that was required by the dealers is showing those numbers coming out of the particular audit report, is showing that kind of number.

Mr. Richards: 17,000 annually?

Mr. Jacob: Right. Was 124,000 on paper for over a three-year period. But then over the three-year period from the date of supply to us from Customs, we are seeing up to this point because I think they are still doing some work, that officially that we are sure that 17,000 came into the country and we are waiting for additional data from Customs.

Mr. Richards: Thank you.

Mr. Chairman: Mr. Chairman of the Port Authority and General Manager, Madam Comptroller, Deputy Comptroller, Assistant Comptroller and acting Commissioner and Senior Superintendent, this was an eye opener to us but it has opened the—it

has renewed the appetite and the will of this Committee. We can tell you that, we, the Committee, member Dr. Moonilal, member Lutchmedial, member Webster-Roy, de Freitas and Richards, we intend based on your submissions, Comptroller, Madam Comptroller to work to have a letter penned to the relevant bodies whichever they are by the close of business, to show you how serious we are as a committee. Committee members, would you allow me to do it by close of business tomorrow? Tomorrow, that is the urgency that we see this situation of illegal firearms and the havoc that it is reeking on the population.

We would want to call each entity back, but from what transpired today, member Mitchell, I think it will have to be an individual session. We need an afternoon with each of you, including the Port Authority, we need an afternoon with you. We will and it may be as soon as, because Customs we want to call you back first. It may be as soon as December depending on the schedule, but certainly we are not going beyond January 2023. If it is that December is not convenient, we are not going beyond January and we start.

So we want to thank you for your participation this afternoon. When we are finished with the Customs we want to have a session with the Port and thereafter the police. So you are forewarned and try to make no travel plans within that period, please. We wish you all the best, safe travels home and I would like to adjourn the public part of this meeting for our private session. You all are excused.

Mr. Richards: Thank you very much.

Mr. Chairman: Thank you.

4.20 p.m.: *Meeting suspended.*

**VERBATIM NOTES OF THE EIGHTEENTH MEETING OF THE JOINT
SELECT COMMITTEE (IN CAMERA AND IN PUBLIC) ON NATIONAL
SECURITY HELD ON WEDNESDAY, FEBRUARY 08, 2023, AT 1.40 P.M.**

PRESENT

Mr. Keith Scotland	Chairman
Mr. Paul Richards	Vice-Chairman
Dr. Roodal Moonilal	Member
Mrs. Ayanna Webster-Roy	Member
Ms. Jayanti Lutchmedial	Member
Mr. Randall Mitchell	Member
Mrs. Jacqui Sampson-Meiguel	Secretary
Mr. Brian Caesar	Assistant Secretary
Mr. Roger Hector	Legal Officer Intern
Mrs. Krystle Gittens	Graduate Research Assistant

Mr. Chad Salandy

Graduate Research Assistant

ABSENT

Mr. Kennedy Richards

Member [*Excused*]

OFFICIALS OF THE TRINIDAD AND TOBAGO POLICE SERVICE

Mr. Curt Simon

DCP Intelligence Investigation

Mr. Winston Maharaj

ACP Criminal Division

Mr. Kerwin Francis

Senior Superintendent Northern
Division (North)

Mr. Chairman: Good afternoon, members, good afternoon members of the listening public, good afternoon to the media, good afternoon to the representatives of the Trinidad and Tobago police force. We would want to reconvene our meeting of the Joint Select Committee on National Security, and we would want to welcome the viewing and listening audience. This meeting is being broadcast live on the Parliament's Channel 11 and Radio 105.5 FM and the Parliament's YouTube Channel.

The guidelines for this meeting, I would want to remind both the Committee members and officials, to direct your questions and concerns through the Chair. I would want to remind our members and, of course, the participants, to kindly activate your microphones when you are recognized by the Chair, and turn it off when you are finished speaking.

I now want to welcome the officials from the Trinidad and Tobago Police Service, the DCP Intelligence and Investigations, acting DCP Mr. Curt Simon; the ACP Criminal Division, Mr. Winston Maharaj, and the Senior Superintendent, Mr. Kerwin Francis. Welcome to this meeting. I will want to introduce myself. I am Keith Scotland, the Chairman of this Committee and the support team includes: Mrs. Jacqui Sampson-Meiguel, the Clerk of the House of Representatives; the Assistant Secretary, Mr. Brian Caesar, the Clerk of the Senate; our Graduate Research

Assistant, Ms. Krystle Gittens; Graduate Research Assistant, Mr. Chad Salandy; our Legal officer, Mr. Roger Hector; the *Hansard*; members from the communication teams and IT. I would now, of course, call upon my fellow members to introduce themselves, starting with the Deputy Chair.

[Introductions made]

Mr. Chairman: Thank you, very much. I would ask now the officials to introduce themselves, beginning with the Deputy Commissioner of Police, Mr. Curt Simon.

[Introductions made]

Mr. Chairman: Now, initially, we had invited the Commissioner of Police-designate, Mrs. Erla Christopher, and we received correspondence yesterday afternoon, after having received an initial confirmation that issues that are urgent and critical to national security required the Commissioner-designate's urgent attention, and she was unable to attend this afternoon. Is that so, members, officials?

Mr. Simon: Your description is correct, Sir.

Mr. Chairman: That being said, the Committee wanted to hear from the Commissioner designate. The Committee had set its work out on that pathway, having sent out the invitation, and the Committee wants to convey the critical significance of the Commissioner of Police-designate attending before us on the next occasion. We cannot underestimate or understate the crucial significance of that personal attendance, not just for the Committee, but for the country at large. I think, member Lutchmedial was so pressed that she wanted to add something, so I would just give her an opportunity so to do.

Mrs. Lutchmedial: Thank you, Chairman. Chairman, a letter written by Dr. Moonilal and myself would have prompted the invitation today to the Commissioner-designate to come before the Committee and answer some questions. So I, through you, just want to express my disappointment in coming here at 1.30 and being informed that the Commissioner had other matters to attend to, albeit

matters of national security, which I understand may, at times, take precedence. But, Mr. Chairman, you know, the Commissioner-designate has been acting as the Commissioner for some time, has been a member of the TTPS executive for some time and, therefore, must be aware of the importance of these committee meetings.

And these committees, it is the mechanism through which the people's representatives in the Parliament really get an opportunity to interrogate state functionaries. And at a time when we have a record-breaking murder rate last year, we have a record-breaking murder rate, I think, in the month of January, and what prompted our request for a meeting today is, in fact, a series of reports of TTPS paraphernalia or imitation paraphernalia as well as other arms of law enforcement marked ammunition being found on crime scenes.

The issues we propose to interrogate today are not general matters of national security, but deals directly with the internal operations of the TTPS. And so, coming on the heels of a unanimous approval in the House of Representatives, I am really a bit disappointed that the Commissioner-designate would decline our unanimous invitation to attend the meeting today.

That being said, I have all trust and confidence that the gentlemen present will endeavour to assist the best that they could, and I am certainly that they are quite competent to do so. But I would simply ask that, you know, we must bear in mind that the buck stops with the head of an organization and so that they would convey the Committee's sentiments as it relates to this matter, please. Thank you, Chair.

Mr. Chairman: Sen. Mitchell, you want to say something?

Mr. Mitchell: Yeah. Just to say that, I understand too, the importance of this particular meeting, having been prompted by Sen. Lutchmedial and member Moonilal. I, myself, Mr. Chairman, struggled to come here today and I would imagine that while we are experiencing some difficulty, we are also in a period where a lot of planning, strategic planning and execution must be done by the police,

because we expect a lot of visitors and a lot of activities during the Carnival period. And I think while, I am very confident that the officers before us, would be able to assist this Committee, I think it entirely reasonable that the head of an organization, understanding that the buck stops with that head, would be engaged in the pressing matter of planning for the execution of Carnival 2023 this year. Thank you.

Mr. Chairman: What we would want to say, and putting an end to this aspect of it, is that you are understand the critical importance of the Commissioner attending. We take the Commissioner's word at face value, and we do wish her well, and we have already set, canvassed a date, for our next meeting where we would write to her to ask her to attend.

Mr. Simon: Certainly, Mr. Chairman, and, of course, the sentiments of the people here would be conveyed directly to the Commissioner.

Mr. Chairman: Thank you. Now, we want to go directly now into the meat of our purpose here this afternoon. This evidence session with the officials of the police force is to gain an understanding of the anti-crime strategies implemented by the Trinidad and Tobago Police Service to address criminal activity in Trinidad and Tobago. You are well aware that the issue of criminal activity has gripped, not just the national attention, but international attention, and the Committee found, as part of its mandate, that it is very significant that we interrogate this issue very directly with the top brass of the police force. That being said, I would wish to invite Deputy Commissioner, Curt Simon, to give a brief remark, not exceeding two minutes, brief opening remarks, before our questioning commences.

Mr. Simon: Thank you very much, Mr. Chairman, and good evening again, to all members and persons. Again, let me express, please, the Commissioner's regret at not being able to attend but, there are, in fact, other issues pressing, and I guess in these instances, the choices would have to be made as it relates to national security issues. Nonetheless, we have been mandated by the Commissioner to be here, and

we all did prepare to be here to face you, to face this nation and, perhaps, to share somewhat the TTPS' plans, strategies, in dealing with the pressing issues that are before the country today.

Of course, our intention is really to commit, or we do commit to a secure and safe state, and a number of our strategies are in keeping with bringing that to bear some sort of fruition. We have a number of long-term goals, medium-term goals and short-term goals. And, of course, you know that the Carnival is upon us now, and that is a very pressing issue that we are dealing with right now. Even as we speak, a number of committees are meeting and so on, to ensure safety in this period of Trinidad and Tobago. And, of course, it is described as the “Mother of Carnival” and that the TTPS, as the mother of security in the country, you know, the police sees itself significant in playing a role to keep this secure and safe state that we so enjoy in this country. We are here—Mr. Maharaj, Mr. Francis—to speak and to communicate the issues that are facing us and, perhaps, share somewhat what we intend and the things that we have in store for the country in terms of safety and security. I thank you, Chair.

Mr. Chairman: I am very grateful for that introduction and maybe, as soon as I am finished, member Richards will begin the interrogation. But maybe I can start by asking, what plans has the TTPS put in place in order to ensure the safety of not just the citizens, but the participants in the coming events in the next two weeks, particularly, Carnival in Trinidad and Tobago? You want to share some of those with us?

Mr. Francis: Yes, Chair. So, with respect Carnival 2023, the Goal Commander for our preparations for this activity is under the auspices of ACP Hazel. ACP Hazel has been meeting with a number of stakeholders who form part of that security blanket that we intend to apply, not only to Port of Spain, but across all police divisions in Trinidad and Tobago.

With respect to Port of Spain, a similar approach is being adopted across the other nine police divisions where the divisional commanders, including myself, we have developed and are implementing plans that target specific events at specific times during the season. So, for example, during the J'ouvert period, as we have all seen in the public domain, that we spread a security blanket for persons entering the Port of Spain area, by way of checks at various points along the routes that bring persons into that J'ouvert session on J'ouvert morning.

At the expiration of J'ouvert, we also will be having police officers on the streets, because we know that we do have individuals post the J'ouvert events, who may, at times, being intoxicated, mingling with persons who may be coming into the Port of Spain area and other divisions to enjoy the afternoon session of mass.

Following on with that, when the afternoon session of the parade of bands ends, we also have a transitioning of that security blanket into the night, into the expiration of the first end of day of festivities for the Carnival period. We are also aware that we have Monday night mass in the St. James area, and we do have officers who will be assigned to these events, not only in Port of Spain, but across all the other nine police divisions. We have also called out police officers who are on leave. They have been served with notices and they have been mandated and instructed to report for duty at the Police Headquarters this week, and then they will be dispatched to augment the strength not only in Port of Spain Division, but across the other nine police divisions for this Carnival period.

We are also collaborating with the Trinidad and Tobago Defence Force, who will augment our activities, the municipal police as well as the traffic wardens as well as some of the other Ministries who give us logistical support during the Carnival period.

Mr. Chairman: So are you to say then, and are we to expect all hands on deck and a safe Carnival 2023?

Mr. Maharaj: Yes, Chair, without any reservation.

Mr. Chairman: Member Richards.

Mr. Richards: Thank you, Chair. Good afternoon again, gentlemen. Thank you for being here. Just following you up on that question from the Chairman, before I get into the substantive questions I have. How much emphasis is being placed in the next two weeks, because of the critical nature of this period for us as a country, in showcasing ourselves to the world, hopefully, in the most positive light, understanding the environment we are in with criminality? There are some grim milestones we have struck last year and in January, and I do not know that the criminals are going to just stop for Carnival. But in terms of the use of monitoring devices like technology, like CCTV cameras, like drones, to make sure that there is a, as much as possible, constant surveillance, not only at the venues, but on the roadways, because roads take people to parties and events, and the response time when citizens identify issues.

Mr. Simon: Yes, Sir. The entire Carnival period, what we are doing is a sort of a momentum sort of step up with the security. And that is why you heard Mr. Francis say that we are calling out the police officers, and they are being called out this week so that we can start posting. It is the first time it is being done in the service in this way, where officers are being called out this early, so that we would be able to properly estimate the strength that we are going to have to deploy. With that said and done, we have ongoing meetings with the different law enforcement agencies making proper use of their equipment. Drones, as you have mentioned, we are making proper use of that for this Carnival.

The CCTV arrangement: Right now, we are even in the act of trying to have that on board with residences and all, and we are trying to get that going even before that Carnival weekend to establish that. So, that is in the making right now. We are hoping that can actually come through, so we will get extra coverage.

We have embarked on a programme to ensure that our equipment is well-serviced and maintained and up-to-date. Even yesterday, we spoke about our OCs, which is our command centres. So we have our main command centre in Port of Spain, and then in the divisions there are different command centres, and we are making sure that there is proper connectivity with divisional OCs connecting with our main operational command centre. So that is to allow for quick and proper, not only noticing things that are happening, but response time. We are trying to actually gauge and measure the response that we are having so that we could react to our situations that we anticipate and we are anticipating things, not that we are hoping for things, but we are anticipating things, so that we will be putting things in place to deal with the things that we anticipate.

So there are certain areas that tend to be somewhat troubled at different times of the Carnival. When we look at south, we know that in the area of the—what was called the Harris Promenade, in that vicinity there, you know that on a J’ouvert morning you will have issues there. So that we know the time that we want to beef up presence there. In Port of Spain, we know about the main areas, the downtown areas. We know what times we want to beef up strength there to deal with any troubled situation that may come.

So, we are using the equipment that we have, and we are also working closely with our brothers at the SSA, who are providing that additional technological support with us and the information sharing is very—I would describe it as very tight, so that reactions and actions can take place even, perhaps, even before something is to happen. So I hope that answers your questions.

Mr. Richards: So, I am presuming that includes the much talked about body cams?

Mr. Simon: Yes Sir. The Commissioner of Police has mandated the officers with body cams to use these cameras and to have them on, and we have already started a measuring process, so to speak, looking at that and the use. So, daily, that is

monitored and daily the instructions are sent out to ensure that the body cams are, in fact, being used.

Mr. Richards: Thank you. Going to the substantive question now related to general crime. There was a recent statement attributed to—I do not know if it is specifically the Commissioner-designate or some senior person in the TTPS, stating: What we have seen in the last year with the 600-plus murders and in January as "the storm before the calm". What does that mean in the context of 61 murders in January? Can you give us a reference to that statement? And if this is the storm before the calm what, if any, is there a target reduction for the number of murders we are seeing on a monthly basis or we have seen on a monthly basis from October leading into January 2023?

Mr. Simon: Well, Sir, from my court experiences, I would hardly want to sit here and say what would have been in someone's mind when they made that statement. I think I read the statement somewhere about calm before the storm. But if I am to perceive it, I would probably say, based on the strategies that we have employed, we expect certain features to begin kicking in so that there would be reductions in the crime.

Up to yesterday, there was a meeting where the Commissioner gave certain mandates with regard to the crime figures and the reductions that we will be working towards in terms of percentages and so on. So, the divisions—and it was not given carte blanche to say, well, each division 15 per cent. Every division, while they get their percentage, they get the actually number that the Commissioner is looking for or have mandated them to be able to manage, and we are looking really to significantly impact and reduce that criminal output, the crime output that is occurring right now in this country. And back to your question about the calm before the storm.

Mr. Richards: Is the storm before the calm.

Mr. Chairman: We know it is not your comment, but the person said, it is attributable, he said it is the storm before the calm.

Mr. Richards: But this is no calm. We are in the storm now.

Mr. Simon: Yes, Sir. And I think we would all agree that in Trinidad and Tobago we are hard pressed. We are faced with a situation I guess that we have not seen before. And, yes, the crime figures are exceedingly high and the police, we recognize that we have our role to play. Our strategies, however, as I stated earlier, are long-ranged: long-term, medium-term and short-term. And it only goes well with what the Commissioner has described to me as how she sees the police service being able to respond. She sees the service as being a service that is professional, a service that is agile, agile meaning that we can anticipate and put together strategies in place for our further, but a service that is also adaptable that in the short-term we can react to our situations. And the projects that we have in place now, and a number of them have started, we would see, perhaps, in terms of measurement, the end of it in terms of, perhaps, a year or two and then coming down, a year, six months, three months, because we have given ourselves certain time lines to work with, and that is why I said we have long-term, medium-term, short-term arrangements, short-term designs to impact our situation. And we have confidence and the executive is confident that we can do it, and there is an extra put, there is an extra energy coming out of our meetings, you know, to get these things down.

Mr. Richards: You just mentioned the issue of, very articulately, the issue of clearly strategy in any management situation, medium, short, long term, but it has to, in the present context, for the population is, I have to say, paralyzed by the fear of crime. The population wants to see almost immediate results, particularly, where the trends are. Are the strategies bearing fruit in trends in February from what we have seen in October, November, December, 2022 into an increase in January? So, we have to ask yourselves, are those strategies bearing fruit? The data does not seem

to support that or can you say it does? And let me just give you some data from the SSA, which you say you are collaborating closely with.

Between 2019 and 2021, the indicators are there is 38 per cent decrease in the number of gangs, a 57 per cent decrease in the number of gang members. Did that data hold true for 2022?—because it does not seem to correlate with the increase in murders. And how is that data that you are getting from the SSA or the intelligence being used to present strategies that actually reduce the crime indicators, the murders, the assaults, the robberies? Because, I do not know, maybe you can present data that it is working in that regard.

Mr. Maharaj: Good afternoon, again, member.

Mr. Chairman: Go right ahead.

Mr. Maharaj: We readily admit that our approach in the past, as is evidenced by the results that we are seeing. We have been seeing within recent times, recent years, they are not as overwhelming or comforting as we would want. We have re-strategized and in the strategies we have captured and are now operationalizing certain key pieces of legislation, because we know with crime and criminality someone benefits. And it is so, with that in mind, we are targeting those beneficiaries. And we had a landmark ruling, quite recently, by the Court of Appeal sometime at the end of January, with respect to wealth and explaining your wealth. That is something we plan to operationalize in conjunction with the Proceeds of Crime Act.

2.40 p.m.

We plan, and we have systems in place, without wanting to say too much, the “jailhouse economy”, as we call it; we have systems in place that are geared towards addressing that. The larceny of motor vehicles, which is the mode, the method used by criminals to move and move with the firearms to perpetrate crime, again to the benefit of someone, we have a system in place that is working as we speak. And to

respond directly to your question, there will be some level of control, downward trend in the perpetration of crime February and moving forward. We are confident with the strategies that we have put in place. The old methods perhaps have outlived its usefulness and we have a new paradigm, a new direction, and that is the direction that we are going.

Mr. Chairman: Well, we look forward to that. Let me let member Lutchmedial and then member Mitchell.

Ms. Lutchmedial: Good afternoon again. So apart—you have mentioned that you all have targets for reductions in the number of crimes, but I am also concerned about the detection rate as it pertains to crime, because my view of it is that it is a sort of chicken and egg arrangement, and if you can raise your detection rates it may contribute eventually to a reduction in the number of crimes, if people feel that, you know, there is more likely that crimes are going to be detected—detection and conviction, I should say. So, could you give us, for example, with respect to murders, because I think that is what at the forefront of most citizens' minds—with respect to the murders in the last three years, do you have an average or an idea of the exact numbers in terms of detections, arrests that have been made in relation to those murders? And then you can go on to tell us a little bit about specific activities or perhaps what you may require as an organization in order to improve the detection rate, because we hear a lot about the detection rates being somewhat low and the conviction rates being even lower. And if you listen to me at all, which I hope you do, I am one person who—I have been very firm in my conviction that new methods of doing things and more reliance perhaps on new methods might help us raise detection and conviction, and I would just like to get your perspective on that and tell us a little bit more about what you plan to do to improve detection and conviction rates.

Mr. Francis: Member, just to—through you, Chair—

Mr. Chairman: Yes.

Mr. Francis:—with respect to the request for the statistics—

Mr. Chairman: Yes.

Mr. Francis:—if we may be given an opportunity to get those statistics and forward it through the Chair. With respect to the second part of the question, things that we have, in fact, been doing with respect to increasing our detection rate include, training in the context of homicide investigators, especially, training officers in different interview techniques with respect to homicide investigations. And not only interview techniques but using the technology to aid you with your interviews by way of the David Horn machines. The second limb is also where we have set up SERU as a one-stop shop where previously we would have had the armourer at one location and SERU at the other location. SERU traditionally would have done the DNA and fingerprint extractions and the armourer would be in St. James.

So where we seize a firearm, the firearm would have to first go to SERU and then go to the armourer. A decision was made by the previous commissioner to create a one-stop shop where a firearm that is retrieved from any crime scene would go to SERU; it would go through the forensics first, be it the DNA or fingerprinting, and then it would go through the hands of the armourer who would then do the test firing; deliver those ballistics to the Forensic Science Centre, and at the same time, issue the armourer's report to an investigator pursuant to his investigation.

We have also been using in a number of the homicide matters, CCTV footage where it is readily available, because we understand and appreciate that the network itself is not one that is robust enough to facilitate easy retrieval and access to CCTV footage. So we have been using CCTV footage in that regard. The other limb of it as well is ballistics where we have been able to charge persons based on ballistic findings from the Forensic Science Centre.

Another limb we have been utilizing is the Interception of Communications

Act which has been a useful tool in helping us, in collaboration with the Strategic Services Agency, in solving a number of homicides that were high profile within recent times. So—

Mr. Chairman: But, would you want to answer member Lutchmedial's specific question as to the new methodology, if you all find that it will be making an impact? I think that is the tailpiece of the question. Am I correct?

Ms. Lutchmedial: Well, yes. I mean, that is a lot of information but, yeah, what have you seen in terms of the impact specifically?

Mr. Francis: Right. So traditionally, and I am speaking in the context of homicides or other serious crimes, we know that a challenge for us at this time is getting "I see" witnesses to come forward. So we as the organization, we have determined, look, we cannot rely on "I see" witnesses because of that fear factor that arises. That is why we have gone the way of using the forensics and the other bits of technology to support our investigations. So our investigations are no longer the normal traditional linear road that we would follow of trying to get witnesses to come forward but also now, we are also relying on the forensics, the ballistics, and the other technology to assist us in gathering the evidence to bring charges against individuals.

Ms. Lutchmedial: So, Mr. Francis, I think we are singing from the same hymn book because I say it, I think, at ad nauseam, that the days of confessions and the days of eye witness testimony are long gone and we need to go the way of science. The question really is, what impact has it made in terms of your solve rate? Could you give us definitive numbers? Can you say, we have increased our solve rate by X per cent with homicides or with robberies or sexual offences, you know? And coming out of some of what you said, I must raise the question because, look, we depend, by and large—and this is why we have these committee meetings because we need to raise what we read in the newspaper because that is what affects the general public—right?—the people that we are here to represent. And when you

read in the newspaper about three-month and four-month delays in DNA analysis and those sorts of things, it leaves the impression with the public, which you are open to correct now, that the availability of resources to really utilize the technology, whilst it may be available, the amount of resources available may not be sufficient to really make an impact in the solving of crime. So if you could address that, and, as I said, firstly tell us, have you measured, because to know if something is working, as you say, you have to be able to measure it—right?—that is one of the targets. So have you been able to measure the impact of all that you have said there, all of these initiatives on your solve rate?

Mr. Francis: Right. Member, so that body of statistics will be made available, through you, Chair, in a subsequent submission. With respect to the forensics and the availability of resources, the Trinidad and Tobago Police Service recently got commissioned in excess of 15 police officers who are now ballistic examiners. So they have the ability now to generate reports that could assist with a quick turnaround of ballistic reports with the Forensic Science Centre. We know in the past there was a small challenge with respect to getting that turnaround from ballistics but with that injection of police officers, we will be seeing an increase in the number of hits that may be connected back to a number of homicides and other crimes involving firearms.

Mr. Chairman: We do intend to meet on the 27th of February, so we would want to set—because this is very—it is very significant because we want to have the information and the data out there and the empirical data out there so that we can address—so when we address the public, we go with empirical data. So you have indicated that you would provide us with the data; we are telling you on that date we do expect the—

Mr. Francis: Yes, Chair.

Mr. Chairman:—Commissioner of Police to be here on the 27th and you could bring

that data. Let me go to member Mitchell now with his questions.

Mr. Mitchell: Thank you very much, Mr. Chair. Thank you. I have a question and I am asking it on behalf of some of my stakeholders at the Ministry, so we are returning to the area of Carnival and Carnival activities. Carnival as we know is a cultural experience. There are a number of cultural activities and there is economic value to some of these activities, and the private sector, they get involved. They have their events in the form of fetes. We are world famous for the types of fetes. We enjoy and we throw different types of fetes, all inclusive, cooler; all different types of events that we have, and it is a part of our cultural experience.

The private sector, of course, they do it for profit, and profit is not a bad thing. It ensures sustainability, and, you know, people pay for this cultural experience. And there is an economic model that goes with these types of events, but there is a call that is becoming louder that the charge, the cost to hosts these events are escalating because the police complement, the decision to place police at these events is arbitrary and it is driving up the costs to these events. I have been to some of these events and I can tell you, we see a number of police there on duty, but on the way to the event you see a lot of police congregating and kind of liming in the outside, in the car parks, et cetera. And it does appear to me, the casual observer, that the complement that is decided upon to be put at these events is just way too much, driving up the costs of these events and it may very well kill the future of these events.

So what do you have to say about that and about the charge that the arbitrary decisions to place a lot of police officers more than is necessary? It is really just a contrived scheme for more and more police officers to earn extra duty, and what do you have to say about the decisions to provide this—the complements to different types of events?

Mr. Simon: Yes Sir. Only recently, I think about two weekends ago, we had a

meeting with some of the fete Promoters' Association—I think it was—and of course we have heard the sentiments echoed by the promoters. We have heard the statements; we have heard the accusations and we are not going to bury our heads in the sand here. I have heard your comment and you have mentioned that you have seen police officers appear to be congregating, and so on, in the parking areas and so on. Now, when we detail a strength for an event, previously—and when I say previously, prior to this year, it was done based on not empirical evidence but based on historical, and I would say remembrance because it is not historical data what people would have experienced; what officers would have experienced in the anecdotal data, so to speak, and we have heard the utterances made by the promoters and we have responded.

We have created a policy document to guide our officers in deploying personnel to work at fetes and all of these—and other events that may entail the need for police officers to be there and we have found that the policy document, it is based on a number of variables that would impact how many officers are sent to an event. We look at historical data, yes. We look at activities that happened at the fete. When I say “activities”, untoward activities. We look at things like the amount of exit gates, the amount of bars; does it affect where money is being collected, what about the promoter, what is the experience of the promoter, what about the ingress and egress routes in and around the area? So a number of these variables or factors, they are taken into consideration.

What we have done, we have created a matrix that works that is automated so that—and we accredit points to different—to each variable. So let us say the variable is fete/promoter experience, 15 years, 10 years, five years, one year, and so on, you would get different points coming out of that and then of course that, when you put all together you would get how much police officers that should be sent to the venue, and we have found that is working well. We have shared the policy document and

the matrix with the promoters and I realized that since that meeting, two Saturdays ago, I have not heard any comments. I am not saying that there has not been but I have not heard any, but I think it is something that we have moved into and it is—according to the expressions by the promoters, they themselves were impressed.

They saw the amount of time and effort that we placed into creating this document, and we have created the document in a way that it should stand perhaps the test of time. And we are hopeful that this perhaps would reduce the complaints and perhaps why, in the last couple of weeks or so, we have not been necessarily hearing similar utterances expressed.

Mr. Mitchell: Okay. I am happy to hear that. I am happy to hear that, you know, there is a set procedure and I look forward to the Promoters' Association, and anybody else who is involved in that industry to comment and perhaps, you know, settle on a set procedure to do it, because of course where we sit, it is our policy to increase the economic value from the cultural sectors, the tourism sectors, and we really would not want to kill the industry because of these decisions that are made. We thought about—we are speaking about the car park, perhaps it could be augmented by an undertaking by the promoter to provide private security in the car parks and you just have the core complement, the core strength of the police being involved in the more important areas, treating with the more critical things. So I am very happy to hear that and thank you for your answer.

Mr. Chairman: Member Moonilal.

Dr. Moonilal: Thank you very much, and good afternoon again to all colleagues and our visitors. I would just begin by taking up one point that member Mitchell was dwelling on and I have a series of very short questions for clarity, and then really one substantive issue to raise, if I am permitted, Chairman.

Mr. Chairman: Go on.

Dr. Moonilal: Thank you. Just to continue on that line member Mitchell raised and

I want to share that view, because as an elected person as well it comes to our attention, relationships between organizers of events, not only fetes, but organizers of other events, and the Trinidad and Tobago Police Service in relation to the requirement of the TTPS to provide a complement of officers, and so on, at functions. I can tell you, the three of you, that at a recent event—I believe it was New Year’s Day or so, a sporting event at a junction of a trace in my constituency involving children, the police had done an analysis and required a complement of officers that would have cost \$10,000 for a charitable sports organization in a trace in any constituency. It was \$10,000; it was for the police, to provide that.

I also take note, gentlemen, that when there is a protest at the Parliament the police come free. I do not think the protesters pay for the police to come, so maybe it is that we must call some of these activities a protest where the police attend free. But that is something—I share the view of the other member—that needs some type of revisiting to look at, you know, whether there is a proper policy framework in place, what are the objectives of the groups, whether it be the promoters who play a major role at a time like this for economic value, cultural presentations, and so on, or simple sporting events, village bazaar, and so on. It cannot be that we have a situation where there is an exorbitant amount of money to be paid for really non-profit activities, events, and so on. So I just want to share that experience and leave it there.

Mr. Chairman: Member Moonilal, before you go on because what you do not want—because I just shared something with member Mitchell—there was an event last year where the strength was 35 police officers in my constituency; this year it is 70. Every Saturday behind the bridge. DCP at Piccadilly, I host an event from—and it is a free event hosted by myself and the former MP, and we have strength of over 4,000, 5,000. It is free because for the constituents. We do not want the impression to be out there that the police are looking for areas to augment income.

The impression may be wrong but perception is important, and we really would want—and particularly piggybacking on both, what member Moonilal has said, what member Mitchell has said; one is part of the culture for economic activity, the other one is part of the constituency to build inter-constituency contact which would in itself reduce crime, because when people are breaking bread together they will not break bones. And let us try to see if we can work with it in a robust manner to keep that perception down and bring down the numbers.

Mr. Simon: Chair, may I respond shortly just to what you have said?

Mr. Chairman: Yes.

Mr. Simon: Perhaps it may also answer the member. Within the policy there is an area for an appeal and the appeals are made to the Assistant Commissioner for the area concerned, and a phone number—it is an appeal that does not necessarily have to be done in writing because phone numbers are shared.

Mr. Chairman: Phone numbers are shared. We have people who—that has been done but need we reach that stage? What I am saying, before we get to that, let us see if we can keep it down. Time is of the essence but let us see if we can work to keep it down to build the community, to build the culture and not have that perception of the police out there and not stymie the industry. Member Moonilal, let us move to the substantive—

Mr. Mitchell: Member Moonilal, I crave your indulgence, one question. Is it possible that you can share with this Committee, perhaps in writing, during the Carnival period—it could be 2019, 2018, 2017, or even this year, what is the amount collected—the quantum of money collected through the charging of private events, private event promoters? What is the quantum of money collected by the TTPS between January the 1st and Ash Wednesday?

Mr. Chairman: Ash Wednesday, yeah. [*Inaudible*]

Mr. Mitchell: Okay. January the 1st to the Sunday after Ash Wednesday, for that

period, what is the quantum of money collected and charged by private promoters, including the NCC and their events?

Mr. Chairman: Member Moonilal—

Dr. Moonilal: Thank you.

Mr. Chairman:—prosecute your questions, please.

Dr. Moonilal: Well, having heard member Mitchell, I now scratch off my next question.

Mr. Chairman: Good. Good. Well done.

Dr. Moonilal:—which I was going to ask only for two years, 2020 and 2022, but Carnival is upon us, if you can give a commitment to give us that type of data, and the purpose for what the funds are used for, not just the funds collected but the purpose. So we could move on easily, but might I just add that I also, gentlemen, have some interests in the Ministry of Works and Transport, and a concern as well related to this is the efficiency with which the police act in terms of providing escorts for heavy trucks and long lorries, and so on, and that also is a concern. There is a concern as well there as to costing and the efficient distribution of resources to provide that type of support, but also the cost, which is again fed into an economic cost for transport, for materials, for construction. I would just leave that there, I do not want to go further with that, but just to put it.

Now, there are a couple of small questions I promised. There was an issue earlier and I think Mr. Francis had spoken about the larceny of vehicles, or was it Mr. Maharaj, I think? Mr. Maharaj, larceny of vehicles. If you could just undertake to give us some data from 2017 to 2022—'22 is closed now—as to the figures for larceny of vehicles. I would appreciate that. Now the issue of CCTV camera was raised, I believe by—one of you, and could you indicate to us now the coverage of the CCTV cameras? Of course we are not concerned with location and so on, but what percentage—how many cameras are operated by the TTPS and what

percentage of those cameras, or absolute numbers if you have, are currently functional? We are not interested in locality and location and what it is looking at, and so on. How much are functional as of this time?—if you can give us that information. Do you want to answer me immediately?

Mr. Simon: I cannot. It is difficult to answer that immediately, but I can speak somewhat to my past experience, recent experience at Central Division, because I thought that the figure—it was alarming and we had embarked on a process really to restore the feed, the camera feeds because a lot of them—do you know, they down at the time? And I think it was up to about 20 per cent of them were not working and by the time I had left we only a few were restored. So I know that generally it is a problem because it is affecting what it is we want to do and it has actually impressed upon us to perhaps receive from the citizenry their willingness to sort of join with us. So right now with your colleague, Mr. Ratiram, we are in talks with him, and up at Tunapuna we are in talks there where residents are interested in getting their CCTV coverage at their residences into the TTPS database, and that is something that we are working on right now. And I think that perhaps, as we speak it here openly, we would be getting a lot more calls, you know, for other persons to join.

Dr. Moonilal: But, and I want to move away from that quickly, but that would require some type of institutional and legal framework to operate. If you are going to work with private CCTV cameras, residential cameras to assist you with crime fighting, what is the response for citizens to sharing critical video and would that be admissible as well in the work that do you?

Mr. Simon: Right. There are MOUs being written up in place because our legal department is involved in this process. And it is not that very technical legally as one might want to think, because I thought we may have encountered a number of legal issues but it is not that technical legally. And—

Mr. Chairman: No, it would not be because once it is consent, unless you go and tap into it outside of that. You all would work it out.

Dr. Moonilal: Yeah. I am just concerned with two things. There was over the years an issue concerning quality and there is technical language to describe it as well, admissibility based upon some type of, you know, technological bar that you have to satisfy when providing—when using it. Is that still the case or we have gone beyond that in terms of the technology?

Mr. Simon: For the purpose that we are looking to pilot now, we are advising the residents and the representatives on the specs of the cameras and devices that they are to use. So that is to void that issue that you are speaking of.

Dr. Moonilal: Okay. Sure. Fine. I want to move on now. Sir, as you know, and we have indicated earlier, a big concern of this Committee, and as I again, I say, regrettably the commissioner found out yesterday—to her regret as well that she would be unable to join us today, a big concern we have been sharing and investigating and examining is this issue of illegal guns and firearm, and indeed paraphernalia, uniform, cars, police; what appears to be police vehicles outfitted with emergency devices, and so on, that found its way into the hands of criminal elements, whether they be authentic or not, but what appears to be to citizens, police paraphernalia, vehicle, emergency devices and so on in the hands of persons who are up to no good, including firearms and so on. Could you indicate to us first, is this a big concern for you? I imagine it is. And what has been done within the recent past to come to terms and to come to grips with this very serious matter? Because, you see, we have always been preaching that we must cooperate with the police, we must be of assistance, we must open our doors to the officers, and we reach a stage where you could open your doors to somebody looking like an officer; you can stop on the highway to what appears to be a police emergency vehicle and you are then in the arms of the criminal elements. So what new has been done? What new

strategies have been undertaken to confront this really new dimension that we have seen at least with newspaper reports? I have another question, should I finish?

3.10 p.m.

Mr. Chairman: One more? Let member Moonilal pose the next question so that after they answer we can move on to another question.

Dr. Moonilal: And the next question is a simple matter of fact issue, really. Again we have been told, we have seen the images and so on. Could you confirm as of now whether the two mobile scanners in the possession of the Trinidad and Tobago Police Service are they working, yes or no, and if they are not working why are they not on the road doing what they were purchased to do, which is to identify illegal firearms and so on that will be on the roadway to and from, you know, to be part of criminal activity?

Mr. Chairman: DCP.

Mr. Simon: I will take your second question first because it is very short. They are not working. There are a number of technical issues that are, I am informed, affiliated with that equipment, so they are not working properly, and I think that efforts are being made to address that. And perhaps that is as much as I can say about that right now about those units. And perhaps, and going to your first question please now, we are concerned, and that is the TTPS, the commissioner has voiced her concerns on this issue with items of police kit and even swivel lights sirens being used by persons other than the police and perhaps alluding or causing our residents to think that the police are the ones perpetuating crimes when persons are coming dressed as police officers.

Internally, we have instructed that only our task forces throughout the nation are allowed to use certain types of kit, and that is the blue. It is only our task force, and that the charge room personnel they go and revert to the blue and grey as we know it. The balaclava, that is that mask that came out during that COVID, a number

of officers were holding on to it, we have instructed that that be removed when persons are dealing directly with the public. So whilst some officers may be using it because there is still the COVID threat, the instructions are that they are not to use it when you are interacting with the public. With regard to other persons using our kit, we have looked at our legislation which actually speaks against it, and I think perhaps other agencies, mostly security companies perhaps would have been allocated to use items that are resembling police kit and we are planning a meeting to start to address that issue because there would be some legal—other legal issues within that, and we are planning a meeting with the different security companies to address that. We are also planning meetings with the Customs and Excise because the swivel light sirens, those are things that are imported, and we are planning conversations with the Customs and Excise on those issues.

Dr. Moonilal: As you raise the issue Mr. Simon of legislation, could you indicate to us whether or not it is a concern of the Trinidad and Tobago Police Service recent moves to remove the Commissioner of Police as the sole authority on giving out firearms and extending the licence for firearms? Is that a concern?

Mr. Chairman: Dr. Moonilal we will ask—member Moonilal sometimes you—

Dr. Moonilal: You took my—some time for me.

Mr. Chairman: I have one question though this follows, and it is an important question because the country needs to know. I am told that those two mobile devices that detect firearms they cost—the State expended over \$25 million to purchase that, is that so?

Dr. Moonilal: No, it is not so.

Mr. Chairman: It is more that \$25 million. And why is it not—I just do not understand, why are they not functioning? I mean we are trying to pump resources into the police service to make you all more effective, more up-to-date as a government. What is the solution?

Mr. Simon: You asked why they are not functioning.

Mr. Chairman: Yes.

Mr. Simon: And I can only relay what I was told, that there are some technical issues with it. And that the terms of the cost, I will have to go and check to see that exact cost, because whilst there was a cost for having the equipment there is a cost for maintenance and all of that, so I will have to see if we can furnish you with that at a later date, please.

Mr. Chairman: Member Webster-Roy you go because I—we would be here for a longer time until Ash Wednesday if we do not answer it. These are serious issues. Member Webster-Roy.

Mrs. Webster-Roy: Thank you, Mr. Chairman, through you, my questions would be around capacity building and institutional strengthening. There is a provision within the Act that governs the TTPS, section 22, which gives authority to the commissioner to recruit into the various ranks of the service civilians who are specially skilled or specially trained. Right. What I would like to know is how many times would this provision have been utilised to enhance capacity within the service, and I am mostly looking at to improve detection, investigation and crime fighting? I know in the past previous commissioners might have used it to bring persons in for the sporting ability, but I want to know how many times were that specific provision would have been used to bring in highly skilled individuals to help to build capacity within the service to improve crime detection, investigation and solving crimes?

Mr. Simon: Ma'am, that provision is being used constantly.

Mrs. Webster-Roy: Okay.

Mr. Simon: Because in terms of administration we have a very large unsworn contingent within the TTPS. As far as it relates to investigations, there are a number of persons brought in to be analysts in the service. In fact, only recently there was a meeting with all of these analysts, because we are trying to unite all on one platform

to get more effectiveness and efficiency out of them.

Mrs. Webster-Roy: Before you continue could you identify the various skill areas that you would have specifically recruited for. So you said analyst, what else?

Mr. Simon: Ma'am there is analyst, there are persons who are also there for investigations. And whilst it may not harp around the criminal investigations there are the other type investigations that we do within the service, so you find that the civilian personnel are brought in for that, they are civilian personnel, unsworn personnel we call them, brought into our legal department. So we are advised on a number of different legal components through their skillsets, Ma'am.

Mrs. Webster-Roy: Over the last two years approximately how many persons would have been brought on using this specific provision and for specified skills? So, for example you said, analysts for persons maybe, did you bring on persons who are criminologists? Did you bring on forensic psychologists?

Mr. Simon: Ma'am, can I bring those figures for you on the next meeting?

Mrs. Webster-Roy: In writing?

Mr. Simon: Yes.

Mrs. Webster-Roy: On the next meeting, okay great, thank you so much.

Mr. Chairman: On the 27th.

Mr. Simon: The 27th, yes.

Mrs. Webster-Roy: I have another question, may I?

Mr. Chairman: Go ahead member Webster-Roy.

Mrs. Webster-Roy: Okay. Do you have a current strategic plan within the TTPS?

Mr. Simon: Yes Ma'am, we have a current strategic plan, 2022—2024, and that is the strategic plan that we are operating with right now, and we are actually here speaking from that plan.

Mrs. Webster-Roy: That current plan, okay. So based on your current strategic plan can you describe the approach for capacity building at all levels of the service

and the anticipated results?

Mr. Simon: And Ma'am that is why I was able to tell you that that provision that you mentioned is in use, because that is where we are employing unsworn. In terms of capacity building we are making proper use of training. We see we are taking training not just from the Police Training Academy but right up to the executive level. So there is ongoing training in the TTPS, and we are collaborating a lot with the Canadians, the UK, and the Americans in particular. There are a number of persons going for training on the outside. Countries such as El Salvador have seen the TTPS there. In fact, this week, just a few of us came back, returned from El Salvador. We have officers in the states in America, and as I said there are continuous training processes ongoing within the TTPS, the Training Academy. There is always training going on there.

Mrs. Webster-Roy: May I?

Mr. Chairman: Yes.

Mrs. Webster-Roy: So, based on the fact that you have consistent ongoing training, recently I was looking at a programme, it is a TV show, Law and Order, right, and they were trying to deal specifically with rogue police officers and they were encountering this problem called the brotherhood where there is a group of officers sworn to a code of secrecy. In Trinidad and Tobago how are you, in terms of training, how are you preparing officers to treat with rogue elements within the service? What specific type of training? Have you sent people abroad for training so that they deal with the rogue elements within the service? I am asking this question based on the fact that we are seeing recent reports where police paraphernalia is used for crime. You are hearing where ammunition is found at crime scene. So, what specific training, if any, was done to prepare officers to investigate themselves and to have to treat with the rogue elements within the service?

Mr. Simon: Thank you for the question Ma'am. Ma'am as you may be aware, just as you are seeing situations where there are allegations against police officers, you are also seeing situations where police officers are being charged and placed before the court. In the Trinidad and Tobago Police Service we have a designated unit, the Professional Standards Bureau, which actually deals with these types of investigations. And they are a trained bunch and they too experience the training that is ongoing. Now, with regard to the paraphernalia it is not always these things that end up on crime scenes would be left by a police officer. And that is why we are taking steps to have our kit better—put our kit in a better position where we are able to identify it and to actually monitor kits. So we are talking things like radio frequency identification, to use this sort of technology, you know, that is associated with our kit so that we would be able to monitor our items in a much better way. So you find that, as the commissioner is saying, it is a service that is adapting, and it is one of the features of the strategy in going forward to be an adaptable service that we can respond to the operational and tactical issues that come from within and outside of the service. And this is just one of the items again that we are looking at and trying our best to respond to.

Mrs. Webster-Roy: Chairman, may I?

Mr. Chairman: Yes.

Mrs. Webster-Roy: Okay. In terms of, again focusing on capacity building and so on, is there any sharing of expertise with international agencies? So do you partner with other police force to learn from them? How often is that done? Can you provide me with any evidence of the training or the partnership bearing fruit in Trinidad and Tobago?

Mr. Francis: Yes, member. So with respect to the fruits of the training that can be provided by way of statistics. We, the Trinidad and Tobago Police Service, has ongoing partnerships over the years with the Drug Enforcement Administration, the

Federal Bureau of Investigations where we have officers going across to their training academy to receive that three-month course of training. We have officers who also have been receiving training from the RCMP, from the German Federal Police and also from the French police. We also have police officers who received training from Red Track. So, we do have that ongoing relationship with a lot of international law enforcement agencies to also include the United Kingdom through the NCA. So we do have officers who at times go to those locations, see what are the best practices that are being adopted, and then tweak those best practices for use in Trinidad and Tobago, because we cannot wholly and solely adopt those practices in Trinidad and Tobago because of our unique culture and environment. So those relationships have been in existence for years and are ongoing at this time.

Mrs. Webster-Roy: Any recent technique on this?

Mr. Francis: I can speak to, there was a firearm seizure in April 2022 at the Swissport bond, and because of that exchange of training and expertise between officers from the Trinidad and Tobago Police Service and agents from the Homeland Security Investigations and the ATF, we were able through that joint partnership and that training to have persons charged, indicted in the US with respect to that importation of firearms that came into Trinidad and Tobago. So, that is one live example of where that training and exchange of expertise bore fruit.

Mrs. Webster-Roy: And, Mr. Chairman, this is my final, final question.

Mr. Chairman: Member Webster-Roy you go right ahead.

Mrs. Webster-Roy: Thank you, Mr. Chairman.

Mr. Chairman: You go right ahead.

Mrs. Webster-Roy: Promise, final. And it is a comment basically, and it is in reference to what member Moonilal would have said about the community activity with the police extra-duty as well as my colleague member Mitchell. I strongly believe that there is a need to build community relationship so when we have

activities that is not for profit, small sporting events, small community events, I think that is an opportunity for the police instead of charging to provide strength, use other opportunities to build relationship with the community by being present, interacting with the civilians, building that community spirit so that when there is a call for persons to report crime you already have that relationship established. So just take that into consideration, please. Thanks.

Mr. Chairman: On that note, and member Webster-Roy I am so glad that you took to opportunity to go into extra, extra time, because that is a serious consideration and a serious issue raised. What we will do, I will just ask the members for the next occasion, the 27th of February, barring any unforeseen. Member Mitchell we will just ask for—we will pose certain questions and we would like you to provide the answers in writing. Member Mitchell.

Mr. Mitchell: Yes. Well, I would like you to prepare for us an update on a number of the areas in which you spoke about Mr. Maharaj of operationalization on pepper spray, on your use of force policy and the training, et cetera, for the use of pepper spray and Tasers and those types of weapons. But generally operationalization on all the matters that you have recently received—that have recently received legislative clothing?

Mr. Chairman: Member Richards.

Mr. Richards: I will reserve my questions, Chairman, for when the commissioner comes before us.

Mr. Chairman: You would take her by surprise.

Mr. Richards: I do not want to take her by surprise I just want—

Mr. Chairman: You will be current. Member Lutchmedial for writing responses.

Ms. Lutchmedial: I just want to know if we can get a report on the procurement of the two mobile scanners, when they arrived into the country, the exact cost, the amount expended to date on maintenance of those scanners, if they have been

functional, for how long, and if they were ever functional, for how long they have been non-functioning, as DCP Simon has indicated. As well as, if you can say, in writing, whether or not there is any consideration being given to the development of a policy to deal with standardization and modernization of uniforms for police officers, because I read it ever so often from persons who comment on matters of national security, so I would like to know.

I would also like to find out what sort of, based on our last meeting, what sort of collaborative relationship exists between the TTPS and Customs, because on the last occasion we heard about non-functioning scanners on the port, and my position is that I am very concerned that TTPS is inheriting a problem when the guns arrive here and are distributed and then you have to find a way to get them. So, if we can nip it in the bud at the arrival stage, I just want to know how collaboration is there between the TTPS and Customs in treating with the issues of guns entering through the legal and illegal—well, I guess the illegal ports will be a coast guard. Let us deal with legal ports of entry for now, and what recommendation you may have or suggestions you may have for improving those relationships?

Mr. Chairman: Member Moonilal, anything you require in writing?

Dr. Moonilal: Yes. Just to reiterate the issue of the larceny of vehicles, the data 2017 to 2022. An appreciation of the CCTV coverage, at this time nationally, Trinidad and Tobago, not just one division as the case may be. The status of that. And I think that—also the, I do not know if member Mitchell had raised the issue, the funding—the moneys raised by the TTPS during the carnival period and outside of that. The quantum of money raised and the purpose for which that money is used?

Mr. Chairman: Member Richards you had not anything?

Mr. Richards: I just have a question based on one of the questions asked for in writing by Sen. Lutchmedial, and just to get some guidance on the legal advice regarding the use of portable scanners without the knowledge of the citizenry.

Mr. Chairman: We would want you to give something in writing relative to the legal advice that was received relative to the use of portable scanners on the citizenry without their knowledge.

Mr. Richards: Without their knowledge of receiving.

Mr. Chairman: If that is needed, if it is required. You tell us what the advice is.

Mr. Richards: What is required.

Mr. Chairman: Now and finally we would want to ask, I want to ask in writing for an expansion on a question relative to the synergies, the collaboration between the TTPS and other state agencies. We want that answer in writing. Now, in closing, let us thank you all sincerely for attending. Let us commit to the 27th, that is a Monday, barring anything else, if we have the House or the Senate that being. Other than that we are all here and we will be ready to have—

Mr. Mitchell: And the commissioner.

Mr. Chairman: And the commissioner, well, we, yourself and the Commissioner of Police to attend to the country, and on that occasion it may be sagacious to bring a report if you can as to the carnival, and the reports on what happened, what were the statistics. That would be something that would be current, and we would want to ask you that, so you are prepared to bring us a report. Members, the public hearing is now adjourned. I want to thank DCP Intelligence and Investigation, Mr. Curt Simon for attending today. I want to thank ACP Criminal Division, Mr. Winston Maharaj for attending today. I would want to thank Senior Superintendent Kerwin Francis for attending today, and I want to thank in advance the Commissioner of Police, designate, for attending on the 27th. I expect to see you all back on the 27th. Be safe and thank you for attending.

This meeting, the public part of this meeting is now adjourned. Not the private part.

3.33 p.m.: *Meeting suspended.*