

HOUSE OF REPRESENTATIVES*Friday, July 09, 2021*

The House met at 1.30 p.m.

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

Madam Speaker: Hon. Members, I have received communication from Mr. David Lee, MP, Member for Pointe-a-Pierre; Dr. Roodal Moonilal, MP, Member for Oropouche East; and Mr. Dinesh Rambally, MP, Member for Chaguanas West who have requested leave of absence from today's sitting. The leave which the Members seek is granted.

ASSASSINATION OF JOVENEL MOÏSE

Madam Speaker: Hon. Members, as you are all aware of the assassination of the President of Haiti, President Moïse, earlier this week and, therefore, I would ask and invite us all to stand and observe a moment's silence.

The House stood.

Madam Speaker: May his soul rest in peace. Amen. Thank you. And before we proceed any further, I would ask all Members to kindly put their devices on silent. Thank you.

QUARANTINE (AMDT.) BILL, 2021

Bill to amend the Quarantine Act, Chap. 28:05, brought from the Senate [*The Attorney General*]; read the first time.

Motion made: That the next stage be taken later in the proceedings. [*Hon. F. Al-Rawi*]

Question put and agreed to.

PAPERS LAID

1. Notification of Her Excellency, the President in respect of the nomination of Dr. Susan Craig-James, for appointment as a Member of the Police Service Commission. [*The Deputy Speaker (Mr. Esmond Forde)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Office of Procurement Regulations for the year ended September 30th, 2020. [*The Minister of Finance (Hon. Colm Imbert)*]

To be referred to the Public Accounts Committee.

JOINT SELECT COMMITTEE REPORTS

(Presentation)

Public Accounts (Enterprises) Committee Urban Development Corporation of Trinidad and Tobago

Mr. Rushton Paray (*Mayaro*): Thank you very much, Madam Speaker. Madam Speaker, I have the honour to present the following reports:

Report of the Public Accounts (Enterprises) Committee on the examination of the Audited Financial Statements of the Urban Development Corporation of Trinidad and Tobago Limited (UDECOTT) for the financial years 2014 and 2015, First Session (2020/2021), Twelfth Parliament.

Vehicle Management Corporation of Trinidad and Tobago

Report of the Public Accounts (Enterprises) Committee on the examination of the Audited Financial Statements of the Vehicle Management Corporation of Trinidad and Tobago Limited (VMCOTT) for the financial years 2013 and 2014, First Session (2020/2021), Twelfth Parliament.

National Gas Company of Trinidad and Tobago

Report of the Public Accounts (Enterprises) Committee on the examination of the PA(E)C's Eighth Report during the Eleventh Parliament and the

UNREVISED

Audited Financial Statements of the National Gas Company of Trinidad and Tobago Limited for the years 2016 to 2018, First Session (2020/2021), Twelfth Parliament.

Export–Import Bank Of Trinidad and Tobago

Report of the Public Accounts (Enterprises) Committee on the examination of the Twenty Fourth Report of the PA(E)C in the Fifth Session (2019/2020), Eleventh Parliament on the Audited Financial Statements of the Export–Import Bank of Trinidad and Tobago Limited (EXIMBANK) for the years 2012 to 2017.

**National Information and Communication
Technology Company Limited**

Report of the Public Accounts (Enterprises) Committee on the examination of the Audited Financial Statements of the National Information and Communication Technology Company Limited, (iGovTT) for the financial years 2015 to 2019, First Session (2020/2021), Twelfth Parliament.

**Foreign Affairs
Foreign Policy of Trinidad and Tobago**

The Minister of Health (Hon. Terrance Deyalsingh): Thank you very much, Madam President. Madam Speaker, I have the honour to present the following report:

First Report of the Joint Select Committee on Foreign Affairs on an Examination of the Foreign Policy of Trinidad and Tobago First Session (2020/2021), Twelfth Parliament.

**State Enterprises
National Schools Dietary Services Limited**

The Minister of Youth Development and National Service (Hon. FosterCummings): Madam Speaker, I have the honour to present the following reports:

First Report of the Joint Select Committee on State Enterprises on an inquiry to understand the impact of the COVID-19 pandemic on the operations of National Schools Dietary Services Limited (NSDSL), and the measures implemented to ensure the delivery of meals in the context of the COVID-19 safety requirements, First Session (2020/2021), Twelfth Parliament.

National Infrastructure Development Company Limited

Second Report of the Joint Select Committee on State Enterprises on an inquiry into the operations of the National Infrastructure Development Company Limited (NIDCO) including its compulsory land acquisition in relation to major projects, First Session (2020/2021), Twelfth Parliament.

PRIME MINISTER'S QUESTIONS

**Salary Relief and Income Support Grants
(Status of)**

Ms. Vandana Mohit (*Chaguanas East*): Thank you, Madam Speaker. Madam Speaker, could the Prime Minister advise the House of the present status of Salary Relief and Income Support Grants since the initiation of the lockdown of May 2021 to present?

The Prime Minister (Hon. Dr. Keith Rowley): Thank you very much, Madam Speaker. [*Desk thumping*] Madam Speaker, since this situation has developed and arrangements have been made, the Ministry of Social Development and Family Services along with the Ministry of Finance, have made a lot of provisions and have put out invitations to qualified persons to indicate their circumstance and to establish their qualification for receiving these grants, and that matter has gone on full speed ahead. And the Ministry of Finance has indicated the actual number of persons, at any particular time that have applied and persons who have been treated with and the process continues, Madam Speaker, for persons who would have qualified between the months of May and June. The process continues, and the

details of actual figures and numbers can be had from the relevant Minister with the appropriate notice, Madam Speaker.

Ms. Mohit: Madam Speaker, given the Prime Minister's response, can the Prime Minister indicate when can citizens anticipate receipt of these payments in their hands?

Hon. Dr. K. Rowley: Well, Madam Speaker, different people will get them in their hands at different times, because it is a process and you are dealing with tens of thousands of persons. Those who qualify early, as early applicants, will receive it in their hands before those who have applied most recently. [*Crosstalk*]

Ms. Mohit: Madam Speaker, can the Prime Minister indicate whether payments of Income Support and Salary Relief Grants have started?

Hon. Dr. K. Rowley: Madam Speaker, to the best of my knowledge, persons who applied in May have started receiving those grants, but those who have applied in June—because you may recall that the persons in the contracting fraternity were added, as persons to benefit, those persons will be receiving it after those persons who applied in May. So that is under way, Madam Speaker.

Ms. Mohit: Madam Speaker, can the Prime Minister indicate whether all illegible applicants would be in receipt of their relief payments during this fiscal year?

Hon. Dr. K. Rowley: Well, Madam Speaker, given the arrangements we have in place, all qualified applicants are expected to be paid well before the end of year, Madam Speaker.

**AV Drilling Arbitration
(Filing of Application in Court)**

Mr. Saddam Hosein (*Barataria/San Juan*): Thank you very much, Madam Speaker. Madam Speaker, having regard to the large quantum of taxpayers' money and the State's Senior Counsel advice to Petrotrin to immediately set aside the AV Drilling arbitration, could the Prime Minister state if any such application has been

filed in Court?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, this matter of AV Drilling, Petrotrin and the advice, is a matter that is entirely within the ambit of the Board of Petrotrin. And I am aware that the Board of Petrotrin has received advice from a number of legal luminaries on this matter, and the board will take the appropriate action in the public interest. I am not aware that an application has been filed in the court, but that may or may not be so, Madam Speaker.

Mr. Hosein: Thank you. Madam Speaker, can the Prime Minister indicate whether or not he is aware that one of the Senior Counsel's advice was that there would be a deadline for the filing of such an application—and I believe that the deadline would have passed—in order to set aside this arbitration on the ground of misconduct of the arbitrators?

Hon. Dr. K. Rowley: Well, Madam Speaker, with respect to deadlines and keeping of deadlines and advice and one Senior Counsel, that is a matter for the Board of Petrotrin. And, Madam Speaker, if the Board of Petrotrin is seeking advice, I am sure that the advice of one Senior Counsel is an advice, but there may be other advice and there may be deadlines to be met, but the entire matter is a matter for the board to meet its deadline and to take on board the advice it gets from its legal service as obtained on the matter, Madam Speaker.

Mr. Hosein: Thank you. Madam Speaker, can the Prime Minister indicate whether or not he is satisfied with the fact that the Board of Petrotrin is moving with alacrity in terms of this matter to protect the taxpayers from a judgment of almost one billion dollars? [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, the protection of a billion dollars is not the issue. The issue is that Petrotrin has lost the matter and an appeal is being considered and the Board of Petrotrin will determine, based on the legal advice,

whether or not the appeal should be pursued or whether it should seek to do otherwise, and that is not a matter for the Prime Minister. And my satisfaction is not an issue in this matter. And if you are so concerned, you should be concerned that your colleague from Siparia has put us all in this situation.

Mr. Hosein: Can the Prime Minister indicate, Madam Speaker, whether or not a report was, in fact, requested from the Board of Petrotrin with respect to this particular matter?

Hon. Dr. K. Rowley: I did not hear the question. Could you be clearer with the question please?

Mr. Hosein: Prime Minister, is it that Cabinet or your good office would have requested a request—a report sorry, from the Board of Petrotrin relating to this particular matter and setting aside that arbitration?

Hon. Dr. K. Rowley: No, Madam Speaker. This is not a matter for the Cabinet and the Cabinet has requested no such report. What the Cabinet is aware of is that there is a matter to be addressed by Petrotrin and Petrotrin, through its Board—and there is a Minister for Petrotrin—will always in this Government protect the public interest. [*Desk thumping*]

**Police Officers and COVID-19 Deaths
(Monetary Compensation for)**

Mr. Rudranath Indarsingh (*Couva South*): Thank you very much, Madam Speaker. Question No. 3 to the Prime Minister: In light of the recent deaths of 12 police officers within the Trinidad and Tobago Police Service (TTPS) who have succumbed to the COVID-19 virus, could the Prime Minister inform this House if the Cabinet has given due consideration and approval for the payment of monetary compensation similar to which are paid to the families of officers who were killed in the line of duty?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, the monetary

compensation for police officers are for those killed in the line of duty. For example, Madam Speaker, police officers who were shot and killed or attacked by criminals or in hot pursuit whilst on duty. Officers who have died due to COVID would not fall in this category. However, the Ministry of National Security is considering liaising with the Commissioner of Police towards a strong insurance policy for police officers that would include such other situations, Madam Speaker.

Mr. Indarsingh: Prime Minister, could you inform this House if the Government has taken the positive step to engage the Trinidad and Tobago Police Social and Welfare Association to discuss an entitlement along the lines of what we may call a risk allowance in the context of what has happened to these 12 police officers?

Hon. Dr. K. Rowley: Madam Speaker, I am aware that this is a matter attracting the attention of the Commissioner of Police and I can say no more at this time.

Mr. Indarsingh: Prime Minister, given the number of cases, in terms of police officers who have tested positive and the deaths that have occurred, could you give this House the commitment that until the end of this financial year, there will no slashing of any financial resources to ensure that there is proper and effective sanitization of all police stations within Trinidad and Tobago?

Hon. Dr. K. Rowley: Madam Speaker, I am sure that with respect to the management of the police service, the question of sanitization of police areas of work and equipment of work would be dealt with in the manner as requested by the Member. And I would expect that all managers worthy of the title in this pandemic following the health protocols, will do that without the intervention of the Cabinet.

Reopening of Laundromats

Dr. Rodney Charles (*Naparima*): Thank you, Madam Speaker. Question No. 4 to the Prime Minister: Could the Prime Minister inform the House what data, if any, informed the decision of the Government to reopen laundromats?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, the data is pretty straightforward. The Government has taken the position that in managing the pandemic, we reduce the exposure of elements of the national community. With respect to laundromats, Madam Speaker, it was determined that a large number of people could be serviced by a few people acting in a situation which does not expose the public. And, therefore, with health protocols being observed inside of a laundry, serving in the way that they serve, that it could be opened without increasing the risk to the public.

Mr. Charles: Thank you, Madam Speaker. Prime Minister, given that data tell us that open air activities are safe, provided COVID protocols are maintained, then why outdoor sales in restaurants are not permitted as of today?

Hon. Dr. K. Rowley: Because, Madam Speaker, it involves—with respect to restaurants and the use of restaurants, it involves a large number of people in one quarters for a significant period of time. That is not the case in a laundromat.

Mr. Charles: How does the Prime Minister respond to the same data allowing restaurants in Toronto, in London/England and many cities in the US to permit outdoor sales?

Hon. Dr. K. Rowley: Madam Speaker, the decisions made in Toronto and made in London are decisions made by the leadership of those countries on data that I do not have. I make data in Trinidad and Tobago [*Desk thumping*] based on what is in front of us. And, Madam Speaker, I say again, the situation at a laundromat—dropping off your clothes psychically distanced and masked for a few officers working in a laundry—is quite different to a restaurant where large numbers of people are involved and exposed to one another for a significant period of time. It is a different arrangement.

And that is why, Madam Speaker, in our effort to open as many facets of the

country as we can, while we also be cognizant of the health situation that we will do so, not just with the laundromats, but with other areas, including food service, as we determine the level of risks. And it has nothing to do with Toronto or France or Germany. It has all to do with decisions made in Trinidad and Tobago by the Government of Trinidad and Tobago. [*Desk thumping*]

Mr. Charles: It is clear that the Prime Minister does not accept best practice. [*Desk thumping*] The question is, why in the manufacturing of doubles, which is a family business and large numbers of people do not congregate and the sales are in the open air with COVID protocols, why not allow that given the data? [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, repeating it over and over is not going to change it. We are talking about the numbers of people congregating and congregated in the exercise. And of all the meals in this country, there is nothing different and special about doubles. We shut down “restauranting”, Madam Speaker, because it involves a large number of people. [*Desk thumping*] We closed restaurants of all descriptions. And I do not know what is his doubles problem. And, Madam Speaker, at the first opportunity that it appears to us that these things can be done without significantly increasing the risk to people, the Government of Trinidad and Tobago will act as we are acting now.

Mr. Hosein: Thank you very much, Madam Speaker. Prime Minister, based on the answer given, would you not admit that the bakeries that are allowed to be open operate in a similar environment where there is a kitchen operating and persons gather in the kitchen, where you could also open restaurants and it will be the exact same thing that is happening right now with the bakeries and they are open?

Hon. Dr. K. Rowley: Madam Speaker, the Government looks at all opportunities to open the economy. So, I am not in a position to differentiate between this bakery

and that bakery, this fried and that “unfried”, Madam Speaker. And the advice that we use on these matters, is the whole body of data, looking at the whole population and as we use section by section, we expect, Madam Speaker, that some sections would be in and some would be coming in. And, Madam Speaker, all I ask my colleagues is to stop trying to differentiate, in such a way, as to give the impression that certain people are deemed disadvantaged, inappropriately, while others are being favoured. That is not true, Madam Speaker.

I would love tomorrow to open the entire country, as your irresponsible leader is asking me to do, as though we are not in a pandemic. But it is because we are in a pandemic, and I have the responsibility of making the call, Madam Speaker, that I will make the call to protect every citizen of Trinidad and Tobago according to the advice that I get. [*Desk thumping*]

**Al-Rawi, Haynes-Soo Hon and Company
(Quantum of Money Paid)**

Mr. Rodney Charles (*Naparima*): Thank you, Madam Speaker. Question No. 5 to the Prime Minister: Could the Prime Minister inform the House what is the quantum of money paid to the law firm Al-Rawi, Haynes-Soo Hon and Company thus far by the Office of the Prime Minister in respect of a pre-action protocol letter from the Maha Sabha questioning the change in criteria for scholarships?
[*Desk thumping*]

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, the quantum of money paid is zero, zilch, nada, nothing, none at this point. The matter is in the court and, at the appropriate time, a bill would be issued and a payment would be made. [*Desk thumping*]

Mr. Charles: Could the Prime Minister tell us, if he is aware, of the procurement process used to select the firm of Al-Rawi, Haynes-Soo Hon and Company?

Hon. Dr. K. Rowley: Madam Speaker, the Office of the Prime Minister, from time

to time, would be required to seek legal help, and they would seek that legal help through the Office of the Permanent Secretary or through the Attorney General. The Prime Minister is not involved, personally, in selecting any law. And if it has been done, Madam Speaker, it has been done within the realms of the appropriate public service department.

Mr. Charles: Could the Prime Minister inform us then, what procedures exist in his office for tenders such as these?

Hon. Dr. K. Rowley: Madam Speaker, there is no procedure in my office which specifically identifies any citizen to be discriminated against or to be favoured. Madam Speaker, this is a business that has involved the hiring of probably hundreds of lawyers, and I fail to see other than a certain kind of unmentionable that has my Member for Naparima, my colleague from Naparima, obsessed with what happens to a law firm in which the Member's wife is a partner. And I would just suggest to my colleague, it is very unbecoming to be targeting a Member's wife in that way, because no law has been broken, and no breach has been met, and I am unaware of any wrongdoing in this matter. And if you do find any wrongdoing, please let me know and I will pass it to the appropriate authorities.
[Desk thumping]

Mr. Charles: I want to assure the Prime Minister, there is no personal thing. This is taxpayers' money and could you state—[Desk thumping]

Madam Speaker: Member?

Mr. Charles: I am giving the—[Crosstalk]

Madam Speaker: Attorney General. Member for Naparima, remember this is question time. You are allowed to ask a question. All right? So, you can ask a question, no preambles, no statements. I guess you will have another opportunity for that.

Mr. Charles: Could the Prime Minister accept that this is taxpayers' money and, therefore, it is of interest to the citizens of Trinidad and Tobago about the process in which taxpayers' money is spent? [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, it is taxpayers' money. I know that. But it does not mean that you have to behave like that. Madam Speaker, only recently, the Attorney General read out in this House, I think almost 200 law firms and individuals involved in providing legal advice to the State and service. What is the obsession with the AG's wife? And you have been told from this podium that it has not been what you have been saying. I have just told you she has received no fee from it and the matter is in the court. What is your obsession with the man's wife?

2.00 p.m.

**Prestige Holdings and NAMDEVCO
(Details of Contract)**

Mr. Rodney Charles (*Naparima*): Question 6 to the Prime Minister: Could the Prime Minister inform this House as to the details of the contract with Prestige Holdings and NAMDEVCO regarding the distribution of hampers?

Madam Speaker: Prime Minister.

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, Prestige offered eight refrigerated trucks. NAMDEVCO pays for fuel and labour. Mario's has now offered two trucks. These represent a significant reduction in the contracted cost of 14 trucks used in May and June.

Madam Speaker: *Naparima*.

Mr. Charles: Thanks. Mr. Prime Minister, could you tell this honourable House how that came about? Was there a tendering process, a procurement process, a friend process, whatever? We need to know.

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, I have no knowledge other than the

question being put to me, and if the Member puts it elsewhere with appropriate notice, the appropriate Minister will answer.

Madam Speaker: Naparima—Member for Barataria/San Juan.

Mr. Hosein: Thank you very much, Madam Speaker. Prime Minister, is this same company that is contracted by NAMDEVCO, the chairman of the person who was in charge of the recovery committee?

Hon. Dr. K. Rowley: Member, you are muffled. I cannot hear what you are saying.

Mr. Hosein: Sorry. Prime Minister, the person who owns this company, Prestige Holdings, is this the same person who was the chairman of the COVID-19 recovery committee of the Cabinet?

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, I know Prestige Holdings has shareholdings, I cannot answer your question as if this is the same person or not because I do not carry—I do not know. I am not involved in the ownership of Prestige Holdings. But if you file a question giving notice, we can investigate it and give you a detailed accurate answer.

Statements by NIB Chairman (Reduction in Pension)

Mr. Rodney Charles (*Naparima*): Question 7: Given the recent statements issued by the Chairman of the National Insurance Board that pensions are to be reduced before persons turn 65, could the Prime Minister inform the House whether this policy position has been adopted by his Government?

Madam Speaker: Prime Minister.

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, to best of my knowledge the Minister of Finance has answered this question very clearly here. I am not aware that the question reflects what the Minister of Finance has said

because what was indicated is that the matter is under consideration and the consideration was explained, Madam Speaker. So I expect after consideration, these developments might have a decision, but at the moment the matter of NIB retirement age, 60 or 65, is a matter which is under consideration and certain consultations are underway.

Madam Speaker: Member for Naparima.

Mr. Charles: You have said, Prime Minister, that the matter is under consideration but does the Government have a policy position with respect to the elderly persons and payments such as given by the NIS?

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: I am not exactly sure what you are asking me.

Madam Speaker: Should I—Naparima.

Mr. Charles: Yes. Has the Prime Minister engaged in any discussions with the Minister of Finance as regard to Government's policy with respect to this matter or you are waiting on something to come to Cabinet?

Hon. Dr. K. Rowley: Madam Speaker, the matter lies with the Minister of Finance where it is being considered in consultation with all interested parties and therefore it is not a matter that is in front of me as Prime Minister at the moment. It may eventually get there and it probably will get to the Cabinet, but I simply would ask the Member to respect the procedures that are structural and that policies do not exist for existence sake. Policies are there for a purpose and if they are to be adjusted, there is a procedure for adjusting them.

Madam Speaker: Barataria/San Juan.

Mr. Hosein: Thank you very much. Prime Minister, can you indicate to this House who has been consulted so far with respect to this matter?

Hon. Dr. K. Rowley: I could not, but if you put that question to the Ministry of

Finance, the Minister of Finance could tell you what is being done in detail and who and where they live and what their phone number might be.

URGENT QUESTIONS

Nationwide Power Outages (Action Taken)

Ms. Anita Haynes (*Tabaquite*): Thank you, Madam Speaker. To the Minister of Public Utilities: In light of nationwide power outages owing to heavy rains, could the Minister advise what urgent action has been taken to assist those residents and essential services affected?

Madam Speaker: Minister of Public Utilities. [*Desk thumping*]

The Minister of Public Utilities (Hon. Marvin Gonzales): Thank you very much, Madam Speaker. Madam Speaker, emergency crews from T&TEC were dispatched to all of the various areas affected by yesterday's inclement weather. I am advised, Madam Speaker, and rather I am satisfied that the utility company responded with dispatch and with alacrity and that most of the areas affected, power has been restored. Madam Speaker, for example in east Trinidad, I am advised that 114 area outages between yesterday and this morning, 12 crews were deployed to assist with the outages. In north Trinidad, Madam Speaker, 25 reports between yesterday and this morning, at present all were attended. In Tobago, four area outages overnight into this morning, all were attended. In central, 20 area outages of which all were attended overnight. And in south Trinidad, 15 area outages, all of which were attended.

Emergency Relief Grants (Details of)

Ms. Anita Haynes (*Tabaquite*): To the Minister of Social Development and Family Services: Could the Minister advise as to how many persons have applied

and have been awarded emergency relief grants owing to the damage caused by the recent adverse weather?

Madam Speaker: Minister of Social Development and Family Services.

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

Thank you very much, Madam Speaker. Madam Speaker, on behalf of the Minister of Social Development and Family Services, thus far we have received no applications.

Madam Speaker: Member for Tabaquite.

Ms. Haynes: Thank you. To the Minister, I know you are answering on behalf of the Minister but I know that my office has put forward for constituents, at least two applications for emergency funding so I do not know how they have received no applications. Yeah. So could you clarify that, if they have received no applications?

Hon. C. Robinson-Regis: Madam Speaker, I repeat, thus far we have received no emergency relief applications.

Old Age Homes in Naparima (Vaccination of the Elderly)

Mr. Rodney Charles (Naparima): Thank you. To the Minister of Health: Given Dr. Hinds' recent statement that "a large number of the cases seen in this elderly category of people was because of clusters occurring within elder care facilities", could the Minister indicate why the elderly at several old age homes in Naparima have not yet been vaccinated?

Madam Speaker: Minister of Health.

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Madam Speaker. Madam Speaker, the issue of vaccinating persons in elderly care homes is one near and dear to me that I personally have been speaking to for months. One of the main constraints is that of receiving informed consent from

either the child or guardian of these elderlies who cannot give consent on their own. To date, Madam Speaker—not “to date”, as of last week Saturday—I will get figures tomorrow—1,143 persons in homes have been vaccinated. In the South-West RHA, where my colleague is interested in, 208 residents have been vaccinated and 81 caregivers have been vaccinated. In Naparima several have been done who have given consent. At the start of the vaccination period five homes in Naparima were under quarantine so we could not vaccinate them. They are now being cleared and once they are cleared, they will be vaccinated.

Three are now under quarantine so they cannot be vaccinated. Our intention is to finish these homes in the next two to three weeks depending on two things; one, the COVID status of the homes and, two, most importantly, the receipt of informed consent by either the children and/or legal guardian which continues to be the main hindrance in vaccinating these precious individuals at these homes. If my colleague could assist by talking to the homes in his constituency, we will be more than happy to work with him once consent is given. Thank you very much, Madam Speaker.

Madam Speaker: Member for Naparima.

Mr. Charles: Madam Speaker, I am informed that a number of the homes in my constituency have given consent. Their families have given consent. They have been swabbed and why are they not treated, not vaccinated even though they have been given consent?

Madam Speaker: Minister of Health.

Hon. T. Deyalsingh: Madam Speaker, if the hon. Member has that information, let us work hand in hand, provide it to us. Work hand in hand across this aisle. We do not need to be combative. But if you have the information do not sit on it, give it to us and I will be more than happy to send in [*Desk thumping*] a mobile vaccination

team to vaccinate these precious individuals. Do not sit on the information. Do not withhold it, make it known to us.

Madam Speaker: Member for Naparima. [*Crosstalk*] Member for Naparima.

Mr. Charles: Yes. Madam Speaker, I will give him the names in my constituency after.

Madam Speaker: Hon. Member—

Mr. Charles: Then the St. Vincent de Paul in San Fernando West and the JC McDonald Home, they are waiting. All they require is for you to come so I have given you the information.

Madam Speaker: Member, again, I have told you, this is not the opportunity for statements. You have any further supplemental questions?

Mr. Charles: Yes, Madam Speaker. Would the Minister therefore give a date when the St. Vincent de Paul and the JC McDonald Home will be vaccinated given that the information has already been provided?

Hon. T. Deyalsingh: Madam Speaker, my colleague is sitting next to a medical doctor. A medical doctor will tell you, if a home has positive COVID patients, those patients cannot be vaccinated for three months after. I mean, seek advice before embarrassing yourself in the public domain. [*Desk thumping*] We will follow all protocols. And another thing homes can do is reach out to the RHA—

Mr. Charles: They have.

Hon. T. Deyalsingh:—and once they are cleared for vaccination—

Mr. Charles: They are cleared.

Hon. T. Deyalsingh:—once they have given informed consent, the vaccinations will be done and we could work across the aisle in a very amicable setting to do this without the usual UNC tantrums. Thank you very much, Madam Speaker. [*Desk thumping*]

**Water and Sewerage Authority
(Resignation of Dr. Lennox Sealy)**

Mr. Rudranath Indarsingh (*Couva South*): Thank you very much, Madam Speaker. Question No. 4 to the Minister of Public Utilities: Could the Minister inform this House as to the reasons for the sudden and inexplicable departure of the Executive Director/Chairman of the Water and Sewerage Authority, Dr. Lennox Sealy, which took immediate effect?

Madam Speaker: Minister of Public Utilities. [*Desk thumping*]

The Minister of Public Utilities (Hon. Marvin Gonzales): Thank you very much, Madam Speaker. Madam Speaker, I propose to respond in this particular way by reading into the records of this Parliament, a letter of resignation I received from the former Executive Director. Madam Speaker, I received a letter dated July 08, 2021, addressed to Marvin Gonzales, Minister of Public Utilities, No. 1 Alexandra Place, Port of Spain, Trinidad and Tobago.

Dear Sir,

Subject: Resignation as Executive Director and Chairman of the
Water and Sewerage Authority.

I wish to inform you of my resignation of the positions of Executive Director and Chairman of the board of the Water and Sewerage Authority due to personal circumstances. My resignation is effective today, July the 8th, 2021. I am appreciative of the experience and I thank you for the opportunity to serve in these positions.

I wish you all the best in the transformation of the Water and Sewerage Authority.

Sincerely,

Dr. Lennox Sealy

Madam Speaker: Member for Couva South.

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Mr. Indarsingh: Could the Minister inform this House, Madam Speaker, if Dr. Sealy was constructively dismissed and there is a cover up under the guise of a resignation letter?

Madam Speaker: Minister.

Hon. M. Gonzales: Madam Speaker, apparently the Member was not paying attention to what I have just said. [*Desk thumping*] I have just read the letter again, Madam Speaker, and if the Member wishes for me to read it again, I am more than prepared to do that, but I am satisfied that I have responded to the question that he posed to me.

Madam Speaker: Member for Couva South.

Mr. Indarsingh: Madam Speaker, I am fully aware how this Government operates that is why I needed to put it—

Madam Speaker: Member, please ask the question. Ask the question.

Mr. Indarsingh: Madam Speaker, could the Minister inform this House who now has taken charge of the management of the Water and Sewerage Authority given the organizational structure of the entity?

Madam Speaker: Member, could you repeat that question?

Mr. Indarsingh: I said to the Minister, could the Minister inform this House who is in charge of the management of the Water and Sewerage Authority given the resignation of its Executive Director?

Madam Speaker: Minister.

Hon. M. Gonzales: Madam Speaker, it appears as though the Member does not have basic understanding of the running and the management of state enterprises in Trinidad and Tobago. There is a legitimate board in place in charge of the Water and Sewerage Authority. There is a management team in place in charge of the Water and Sewerage Authority. So, I wish to allay the concerns or the fears of the

Member that the Water and Sewerage Authority continues to be managed by a board and by executive management.

Mr. Indarsingh: Could the—

Madam Speaker: Member, you asked two supplemental questions already.

ANSWERS TO QUESTIONS

Madam Speaker: Leader of the House.

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

Thank you very much, Madam Speaker. Madam Speaker, there are five questions for oral answer, we will be answering all five. Madam Speaker, with regard to the questions for written answer, you may recall that I had indicated that we were seeking legal advice. Our advice is that given the confidential nature of the information to be disclosed, we are advised that we cannot give this information, Madam Speaker. Thank you very much.

Madam Speaker: And this pertains to all five?

Hon. C. Robinson-Regis: Yes, Ma'am.

ORAL ANSWERS TO QUESTIONS

Gang Members Under 18 (Details to March 2021)

175. Mr. Rodney Charles (Naparima) asked the hon. Minister of National Security:

Could the Minister indicate how many persons under the age of 18 have been identified by intelligence agencies as being gang members as of March 2021?

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you very much, Madam Speaker. Madam Speaker, there is no confirmed data available in the Ministry of National Security regarding persons under the age of 18 aligned to gangs. I am further advised that the Trinidad and Tobago Police Service has not

confirmed any persons under the age of 18 years as gang members. However, the Trinidad and Tobago Police Service comes into contact with persons in that age group in circumstances where they are suspects or victims in criminal investigations and in some limited circumstances, through, a social intervention approach via community, police and youth groups and other means of veering young people away from that kind of life, Madam Speaker.

The Ministry of National Security has acknowledged the likelihood of at-risk youths being aligned to gangs, however, the primary objective is to deter them from criminal association, as such there are enquiries into the extent of their involvement. Gangs have been known to use persons in this category in various capacities as statures and lookouts to facilitate their criminal gang activities, therefore any attempt to quantify the number of persons in that age group who are members of gangs would not provide a true reflection of the situation as might possibly exist.

Accordingly, the labelling in official statistics of such persons as gang members has not been the practice of the TTPS and would not be done unless and until the Trinidad and Tobago Police Service is totally satisfied that there is sufficient evidence to support such a position. Thank you, Madam Speaker.

Madam Speaker: Member for Naparima.

Mr. Charles: Could the Minister indicate when his Government will finally proclaim the Anti-Gang Act and make it illegal to be a gang member and to recruit gang members? [*Crosstalk*]

Madam Speaker: That question is out of order based on the answer to that question. [*Crosstalk*]

Mr. Charles: Given the high rate of school dropouts recently, could the Minister indicate is there any special action targeted at those individuals to help them not

become prey to gang leaders?

Madam Speaker: Minister.

Hon. F. Hinds: While the answer to the question is, yes, I consider it to be a separate issue, Madam Speaker, which I am prepared to elucidate upon if it is properly posed to me at any time. Thank you.

**NAMDEVCO Food Box Programme
(Details of)**

182. Mr. Rodney Charles (*Naparima*) asked the hon. Minister of Agriculture, Land and Fisheries:

With respect to farmers/suppliers from which NAMDEVCO is purchasing produce to supply the GORTT Food Box programme, could the Minister state:

- a. The geographical locations of these farmers/suppliers?
- b. Whether or not NAMDEVCO sent notice to farmer associations throughout the country indicating that suppliers were needed?

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

Madam Speaker, on behalf of the Minister of Agriculture, Land and Fisheries, I wish to advise this House that on May 03, 2021, the hon. Prime Minister announced, among other COVID-19 relief measures, the continuation of the programme initiated in May 2020, via NAMDEVCO for the distribution of vegetable, fruit, chicken packages to 25,000 families per month across the country. Purchase of produce, packaging and deliveries started within four days on May 07, 2021, to 2,000 families in eight constituencies and continued thereafter. At a press conference held on May 10, 2021, the hon. Minister of Finance announced an extension of the programme from May to September. In pursuit of that undertaking, the hon. Minister of Finance provided funding to the Ministry of Agriculture, Land and Fisheries of \$57 million for the five-month run of the

programme.

With respect specifically to part a. of the question: For the purpose of dealing with farmers, NAMDEVCO has zoned Trinidad into 10 zones as follows: zone one, Caroni; zone two, Caroni South; zone three, St. George East; zone four, Nariva/Mayaro; zone five, St. Andrew; zone six, St. Andrew/St. David; zone seven, Victoria East; zone eight, St. Patrick West; zone nine, Caroni North; and zone 10, St. George Central.

With respect to part b. of the question: As has been done in the past, from May03, 2021, NAMDEVCO's field officers contacted farmers in their relevant zones who are participants in NAMDEVCO's Farm Certification and Monitoring Programme to mitigate the potential of food safety and quality issues initially for the food box programme. Farmers registered with NAMDEVCO under the Farm Certification and Monitoring Programme were given preference for the purpose of maintaining quality, verification and ongoing monitoring. As the programme expanded, Madam Speaker, these field officers and participating farmers were encouraged to share information to potential suppliers who are not in the Farm Certification and Monitoring Programme but were farmers on NAMDEVCO's crop production database. This therefore attracted more farmers.

Finally, Madam Speaker, the publicity of the successful launch and execution of the programme in its first two weeks generated quite a lot of national interest, particularly amongst farmers. Madam Speaker, I am pleased to report that at the end of the first four weeks of the programme NAMDEVCO purchased produce from 209 farmers from across the 10 zones which is an increase from the 76 farmers who benefited in 2020. NAMDEVCO purchased in that period an amount of \$7.1million in produce particularly to the value of \$1.88million from 72 farmers in the Plum Mitan to Rio Claro area and \$2.7million from the 82 farmers

in the three Caroni zones in central Trinidad. Thank you, Madam Speaker.

Madam Speaker: Member for Naparima.

Mr. Charles: Could the Minister indicate the terms, the contractual terms with these farmers, particularly with regard to payment, when payments are due?

Madam Speaker: Minister.

Hon. C. Robinson-Regis: I am afraid I cannot, Madam Speaker.

Caratal Community Road Repairs (Commencement Date)

183. Dr. Rai Ragbir (*Cumuto/Manzanilla*) asked the hon. Minister of Works and Transport:

Could the Minister state the expected commencement date for road repairs in the Caratal community which falls within the Constituency of Cumuto/Manzanilla?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam Speaker. Madam Speaker, the Caratal Village is located along the Caratal Road which falls under the purview of the Sangre Grande Regional Corporation and as such the Ministry of Works and Transport does not have any work scheduled for that road. However, the road which provides the main access to the Caratal Village is the Cumuto Main Road which falls under the Ministry of Works and Transport. There are three projects for landslip repair along the Cumuto Road at the following locations: LP 01, Cumuto Main Road, 12 kilometre mark; Cumuto Main Road, opposite the Unipet Gas Station and the Cumuto Main Road, LP 300 to 301.

Geotechnical investigation and conceptual designs are at various stages of progress. In addition, the St. George East district and the Highways Division have conducted routine maintenance work along the Cumuto Road such as in-house patching during the fiscal year. The routine maintenance work will continue to

ensure that the road is kept passable. Thank you.

**St. Marie Emmanuel Road Bridge
(Expected Date of Completion)**

184. Dr. Rai Ragbir (*Cumuto/Manzanilla*) asked the hon. Minister of Works and Transport:

Could the Minister indicate the expected completion date for the repairs to St. Marie Emmanuel Road Bridge, which is located at LP#332 St. Marie Emmanuel Road?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan):
Madam Speaker, again, the St. Marie Emmanuel Road falls under the purview of the Sangre Grande Regional Corporation and as such the Ministry of Works and Transport does not have any project listed for repair work to any bridge on that road. Thank you.

**Cerebral Palsy Registered Cases
(Details of)**

185. Ms. Vandana Mohit (*Chaguanas East*) asked the hon. Minister of Social Development and Family Services:

Could the Minister:

- a. Provide a detailed breakdown of the number of registered cases of Cerebral Palsy currently existing in Trinidad and Tobago; and
- b. Indicate whether the Ministry has engaged the Cerebral Palsy Society of Trinidad and Tobago to address their numerous concerns?

The Minister of Planning and Development (Hon. Camille Robinson-Regis):
Madam Speaker, on behalf of the Minister of Social Development and Family Services, at present the capture of data by disability is not undertaken by the Ministry of Social Development and Family Services. There are four main non-governmental organizations that serve persons with cerebral palsy. These are the

Care Helpers Organization of Trinidad and Tobago, Cerebral Palsy Society of Trinidad and Tobago, the Cerebral Palsy Association of Trinidad and Tobago, and the Caribbean Kids and Families Therapy Organization. According to data submitted by these non-governmental bodies, the number of registered adult members is 78; and for children under the age of 18, it is 104. It should be further noted that registration is voluntary and not all persons with cerebral palsy are registered or are members of these organizations. The Ministry has a longstanding relationship with the Cerebral Palsy Society of Trinidad and Tobago and has engaged them through several platforms to address their concerns. Just this week, Madam Speaker, Ministry officials met with the President of the Society to understand some of the current issues being experienced by the organization and its members.

Following the recommissioning of the National Enrichment Centre for Persons with Disabilities located in Carlsen Field, on December 12th, 2018, and the renaming of this centre to National Therapeutic and Resource Centre for Persons with Disabilities, the Cerebral Palsy Society of Trinidad and Tobago has been using the centre for the following activities; one, as a storage site for the distribution of medical supplies and hampers; two, hosting of monthly meetings and other miscellaneous activities; three, fairs and the commemoration of World Cerebral Palsy Day activities; four, as a short-term arrangement for use of the centre on weekends to host events; and five, as a facility to engage in motor skills therapy workshops with its members.

Madam Speaker, it is to be noted that several faults were detected throughout the building which necessitated remedial work to ensure that the building is safe for occupation, especially for persons with disabilities. Given the refurbishment works to be undertaken at the centre, the Ministry gave notice to the

Cerebral Palsy Society of Trinidad and Tobago and the other organizations which were using the facility, that it would be temporarily closed. Unfortunately, due to the revised public health restrictions which took effect in April 2021, efforts to complete the refurbishment work were temporarily halted. Work is expected to continue with the relaxation of restrictions on the construction sector and barring unforeseen circumstances it is expected that the centre will be fully operational by the end of September 2021. Thank you, Madam Speaker.

Madam Speaker: Member for Chaguanas East.

Ms. Mohit: Madam Speaker, given all that the Minister responding has just said, can the Minister indicate whether there has been any alternative plan to assist the Cerebral Palsy Society to provide the therapy required as you mentioned?

Madam Speaker: Minister.

Hon. C. Robinson-Regis: Madam Speaker, next week or in the coming weeks, the Permanent Secretary will be meeting with the Society and those issues will be discussed.

Madam Speaker: Member for Chaguanas East.

Ms. Mohit: Madam Speaker, can the Minister indicate whether the Minister of Social Development and Family Services was a part of this meeting this week that took place with the Cerebral Palsy Society?

Madam Speaker: Member for Arouca/Maloney.

Hon. C. Robinson-Regis: I am not able to say.

2.30 p.m.

WRITTEN ANSWERS TO QUESTIONS (Inability to Provide Information)

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Madam Speaker, just to set the record straight with regard to the written questions that we received, I would like to read into the record the advice, and it is as

follows:

I wish to advise—and this is from the Attorney General’s Office—that the Government is ever mindful of the need for transparency and accountability in public matters. It is equally mindful of the need to ensure compliance with the law and proper observation of the processes of law in providing information, after having addressed all issues that must be traversed.

Some of the information requested is confidential, financial and personal, relating to a large number of past and present contract employees spread out in five Ministries. The respective Ministries have engaged in the required consultations with all the contract employees for the period 2015—2021, as contemplated in the Data Protection Act, so that proper consideration is given as to their respective positions before information is to be released.

The gathering of all of the information requested is an arduous, time-consuming task, which has taken, and is taking, a significant period of time to collate, given the difficulties presented by the pandemic and the resultant state of emergency, inclusive of disruptions to the normal work flow of the relevant state offices and the reduced complement.

Madam Speaker, in those circumstances, we are unable to provide this information at this time. Thank you very kindly.

STANDING ORDER 79(3)

Constitution (Amdt.) (Tobago Self-Government) Bill, 2020

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, in accordance with Standing Order 79(3), I beg to move:

That the proceedings on the Constitution (Amdt.) (Tobago Self-Government) Bill, 2020, be resumed in the second session of the Twelfth Parliament at the committee of the whole stage.

UNREVISED

Question put and agreed to.

Tobago Island Government Bill, 2021

The Prime Minister (Hon. Dr. Keith Rowley): Thank you very much, Madam Speaker, thank you very much colleagues. Madam Speaker, in accordance with a Standing Order 79(3), I beg to move:

That the proceedings on the Tobago Island Government Bill, 2021, be resumed in the second session of the Twelfth Parliament at the committee of the whole stage.

Question put and agreed to.

Hon. Dr. K. Rowley: Thank you colleagues.

**DR. SUSAN CRAIG-JAMES
(NOMINATION TO THE POLICE SERVICE COMMISSION)**

Madam Speaker: Prime Minister, are you doing this? Are you going back into the booth?

The Prime Minister (Hon. Dr. Keith Rowley): Thank you, Madam Speaker. The matter before us at this stage is a very simple and straightforward matter, and I ask for the cooperation of my colleagues. May I begin by just reading the Notification?

Madam Speaker: Prime Minister, if you will just be assisted with the procedure?

[Pause]

Hon. Dr. K. Rowley: Yes, Madam Speaker. I beg to move the following Motion:

Whereas section 122(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 ('the Act') provides that the President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission;

And whereas section 122(4) of the Act provides that the President shall issue

a Notification in respect of each person nominated for appointment under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives;

And whereas the President has nominated Dr. Susan Craig-James to be appointed as a member of the Police Service Commission;

And whereas the President has on the 14th day of June, 2021 made a Notification in respect of the nomination;

And whereas it is expedient to approve the Notification:

Be it resolved that the Notification of the nomination of Dr. Susan Craig-James as a member of the Police Service Commission be approved.

Madam Speaker, this is a reappointment of a very highly qualified member of the Commission who fits the description as laid out in the text that I have just read, coming from the relevant section of law.

At an earlier time, in 2018 I think it was, Dr. Craig was presented to this House as a highly qualified person, and was appointed a member of the Police Service Commission with tenure from the 8th of June—[*Interruption*] 8th of June, 2018, and she served until the 7th of June, 2021.

By Notification coming from Her Excellency the President, which, Madam Speaker, says:

“IT IS HEREBY NOTIFIED that I, Paula-Mae Weekes, President, after consultation with the Prime Minister and the Leader of the Opposition, in accordance with section 122(3) of Constitution of the Republic of Trinidad and Tobago, do hereby nominate DR. SUSAN CRAIG-JAMES, a person who is qualified and experienced in the discipline of sociology, to be appointed as a member of the Police Service Commission, with immediate effect.”

So, Madam Speaker, what we are being asked to do here today, is to take note of that and to signal our approval, because it requires affirmative approval, to a member who has served her term from June 2018 to June 2021. It is a continuation of service, a renomination.

I just would like to remind Members of the House that Dr. Craig is highly qualified. She has been the recipient of a series of awards, local and international, for her work as a sociologist, an author, a writer and she has served at very many levels throughout Trinidad and Tobago, serving once as a research officer with the Ministry of Planning and Development way back in the '70s, and she also served as a consultant to the Tobago House of Assembly, in the period 1997 to 1999.

She was a consultant to the Government of Jamaica in 1998. She spent a significant portion of her productive life at UWI in the Department of Sociology, where she worked from 1971 as an assistant lecturer, as a lecturer in 1974. She was head of department in 1977/1978 and, of course, she was promoted to senior lecturer in 1981.

So Dr. Craig is not only a highly qualified academic, but one who has put her academic standing to the benefit of governments of the region, including our own national Government and the Tobago House of Assembly and Caricom areas.

Having served for her term, Her Excellency is satisfied with her service, and I dare say, Madam Speaker, we here in this House should also be satisfied and be happy to renominate her, and accept her appointment for continuation of public service on the Commission which is the Police Service Commission.

So having said that, Madam Speaker, I beg to move.

Question proposed.

Mr. Rudranath Indarsingh (*Couva South*): Thank you very much, Madam Speaker, as I join this debate on this particular Motion, that has been termed by the

Prime Minister to be a simple and straightforward exercise here this afternoon. Madam Speaker, while the Notification may be a very simple and straightforward exercise that has come from Her Excellency to the Parliament of Trinidad and Tobago, the population or the composition of the Police Service Commission is, indeed, a very important entity, given its importance and given its role, or what is outlined in the Constitution of Trinidad and Tobago, Madam Speaker.

Madam Speaker, from the point of view of where we sit, the very fact that the Notification has come to the Parliament after consultation between the Prime Minister and the Leader of the Opposition, we take into consideration that, as I said, the Police Service Commission is an independent body which has been established in accordance with section 122 of the Constitution of the Republic of Trinidad and Tobago. In addition to that, it has a very important role and mandate to select and appoint the Commissioner of Police and the Deputy Commissioners of Police, and more importantly, to regularly and consistently monitor the efficiency and effectiveness of the functions of the Commissioner and the Deputy Commissioner of Police.

It clearly states that the members of this Commission must be, in terms of— in the disciplines of law, finance, sociology or management, and Dr. Susan Craig-James, based on her CV, is a person who is qualified and experienced in the discipline of sociology.

Madam Speaker, and we have noted that Dr. Susan Elizabeth Craig-James was appointed previously to serve on the Police Service Commission on the 8th of June, 2018. When we look at her CV, it is a long and illustrious one in terms of what she has been able to achieve over time.

In fact, Madam Speaker, I note with a great sense of admiration, when I look at her CV that, indeed, she started from what we may term very humble

beginnings, because it is indicated that in July of 1968, she did farm work in the south of France picking apricots, and also that she was engaged in picking apples between July to August of 1967, after the Six Day War of June in 1967, in upper Galilee in Israel. Also, she was able to work for two weeks in a factory making Kia-ora Orange Squash in Edinburgh in Scotland.

So having started in that humble manner, she has been able to work her way academically to the point where she is the holder of a Master's degree in sociology and politics from the University of Edinburgh in Scotland, and a Doctor of Philosophy degree from the Department of Sociology of the London School of Economics and Political Science, amongst a number of other accolades.

It is important to note, I think, given the fact that she has written extensively on Caribbean history and sociology, she was able to write in terms of—when I examine papers and publications, under No. 7, *Smiles and Blood: The Ruling Class Response to the Workers' Rebellion of 1937 in Trinidad and Tobago*, and also *The Evolution of Society in Tobago: 1838 to 1900*, a Ph.D. dissertation at the University of London, 1955. These two works I have been able to read myself, based on when I was involved as a student at the University of the West Indies.

But more importantly, as we note and we appreciate what has been passed on or has been transmitted from the Parliament—from the office of Her Excellency to the Parliament of Trinidad and Tobago, Madam Speaker, it is important that as we give this support to Dr. Susan Craig-James continuing her role and work on the Police Service Commission, we hope that given what has transpired in the public domain in recent times, and I think that it has been indicated that the current tenure of the Commissioner of Police will expire on the 17th of August, 2021, we hope that Ms. Susan Craig-James, or Dr. Susan Craig-James, will play her role, and the Government will ensure that the Police Service Commission is properly

constituted, as the Commission goes about its responsibilities, as it relates to the appointment of persons to act in the offices of the Commissioner of Police and, where applicable too, with the passage of time, the Deputy Commissioners of Police.

It is my fervent hope and wish too, that Dr. Susan Craig-James will also play an active role on the Police Service Commission during her tenure, to ensure that there is what we would term timely performance appraisals of the Commissioner of Police and the Deputy Commissioner of Police and, in addition to that, to ensure that there is the monitoring of the performance of the Trinidad and Tobago Police Service, in the context of monitoring of the TTPS processing systems and initiatives, and also in terms of keeping an eye on the commitment of police officers in furtherance of the wellbeing of the Police Service of Trinidad and Tobago.

Madam Speaker, we take the opportunity on this side to once again recognize the worth and contribution of Dr. Susan Craig-James in her different portfolios, whether it is as an individual in the context of being a citizen of Trinidad and Tobago, and the work that she has done in the service of Tobago and Trinidad at the University of the West Indies. What she has given in terms of serving on committees in pursuit of the Government's work of Trinidad and Tobago, and what her expertise has also been able to give to the global community.

So, from this angle, we wish her a very successful tenure of office during this particular term, and we congratulate her for answering the call to serve, from the point of view of national service.

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

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, I beg to move.

Question put and agreed to.

Nomination to PSC
Hon. Dr. K Rowley (cont'd)

2021.07.09

Resolved:

That the Notification of the nomination of Dr. Susan Craig-James as a member of the Police Service Commission be approved.

Madam Speaker: Minister of Finance.

Mr. Imbert: Thank you, Madam Speaker.

Madam Speaker: If you are going to speak for more than five minutes, I invite you to go into the speaking booth.

FINANCE BILL, 2021
Senate Amendments

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam Speaker. I beg to move the following Motion standing in my name:

Be it resolved that the Senate amendments to the Finance Bill 2021, listed in Appendix 1, be now considered.

Question proposed.

Question put and agreed to.

Clause 4.

Senate amendment read as follows:

In the proposed section 9B(3), delete the word “tax” wherever it occurs and substitute the words “tax or return”.

Mr. Imbert: Thank you, Madam Speaker. This is just to make it crystal clear that the amnesty would apply to both returns that are to be filed and the taxes themselves. Penalties and interest associated with the taxes.

I beg to move.

Question proposed.

Mr. Paray: Thank you, Madam Speaker. Madam Speaker, just for some clarity. Are we doing all the clauses at the same time or one by one?

UNREVISED

Madam Speaker: For now we are going one by one, so we are dealing with clause 4. I do not know if there has been a discussion amongst the sides, but what we have before us, the question is on clause 4.

Mr. Paray: Madam Speaker, I have no objections on clause 4.

Madam Speaker: I now call on the Minister of Finance.

Mr. Imbert: Madam Speaker, I beg to move that this House agree with the Senate in the amendments to clause 4 of the Finance Bill, 2021.

Question put and agreed to.

Clause 13.

Senate amendment read as follows:

In the proposed section 103A, delete subsections (1), (2) and (3) and substitute the following subsections:

“(1) Notwithstanding any written law to the contrary, there shall be a waiver of the following liabilities:

- (a) interest on an outstanding income tax, further tax, additional tax, withholding tax or business levy due and payable for the years of income up to 31st December, 2020 and during the period 1st January, 2021 to 31st May, 2021, where the tax is paid prior to or during the prescribed period;
- (b) outstanding interest charged on any income tax, further tax additional tax, withholding tax or business levy due and payable for the years of income up to 31st December, 2020 and during the period 1st January, 2021 to 31st May, 2021, where the tax is paid prior to or during the prescribed period;
- (c) a penalty due and payable on an outstanding tax or a withholding tax for the years of income up to 31st December,

- 2020 and during the period 1st January, 2021 to 31st May, 2021, where the tax is paid prior to or during the prescribed period;
- (d) a penalty in respect of income tax or withholding tax due and payable for the years of income up to 31st December, 2020 and during the period 1st January, 2021 to 31st May, 2021, where the return is filed prior to or during the prescribed period; and
 - (e) a penalty on an outstanding income tax return for the years of income up to 31st December, 2020 and during the period 1st January, 2021 to 31st May, 2021, filed prior to 5th July, 2021 where the penalty has not been paid.
- (2) For the avoidance of doubt, the waiver granted under subsection (1) shall not—
 - (a) affect a liability to income tax, further tax, additional tax withholding tax or business levy which is due and payable under this Act; and
 - (b) apply to any interest or penalty paid prior to 5th July, 2021.
 - (3) Where any income tax return, income tax, withholding tax or business levy remains outstanding after the end of the prescribed period, the interest and penalty which would have been payable on the return, tax or levy shall be revived and become payable as if the waiver in subsection (1) had not been granted.”.

Madam Speaker: Minister of Finance.

Mr. Imbert: Thank you, Madam Speaker. At the outset I want to make the point that the substantive elements of the Finance Bill 2021, remain unchanged. All we are doing here is making it crystal clear that all of the taxes that we intend to waive—

Madam Speaker: Minister, one minute please. The Leader of the House will help you with the procedure. [*Pause*]

Mr. Imbert: Madam Speaker, I beg to move that this House agree with the Senate in the amendments to clause 13 of the Finance Bill, 2021.

Now, I would like to reiterate what I just said. That the substantive form and intent and effect of the Finance Bill 2021, remains the same. What we are simply doing is making it crystal clear that all of the taxes that we have identified, that would be subject to a waiver, with respect to penalties, interest and outstanding interest, are clearly articulated. So that based on advice from the draftspersons who assisted us, it was felt it was better to spell out all of the taxes and, therefore, this is the purpose of these amendments.

3.00 p.m.

The latter part of the amendments is simply a reintroduction of matters that are already in the Finance Act, for example, that if the outstanding taxes are not paid by the end of the amnesty period, then the taxes are revived and are due and payable. So, the purpose of this amendment is simply to spell out all of the taxes.

If one looks at the Income Tax Act, well, one will see section 103A refers to waivers of penalties and interest. And if you look at a series of other bits of legislation such as the Corporation Tax Act, for example, section 19 of the Corporation Tax Act ties back to section 103A of the Income Tax Act. So in a series of bits of legislation, once you amend 103A of the Income Tax Act, you automatically amend the Corporation Tax Act, the Petroleum Taxes Act and so on. But out of an abundance of caution we are simply spelling out a whole series of taxes so that there will be no argument when taxpayers are approach the Board of Inland Revenue for the amnesty, the waiver of penalties and interest. I beg to move.

Question proposed.

Madam Speaker: Member for Mayaro.

Mr. Paray: Thank you very much, Madam Speaker. Madam Speaker, having listened to the Minister of Finance, you know, the amendment really brings the clarity which I thought that was missing in the original piece of legislation, and what the Minister has attempted to do was to identify some clear boundaries and the classifications of the particular taxes where waivers would be entertained. So, Madam Speaker, waivers are good things for the citizens especially more so for the business community that has been under a fair amount of pressure for the past couple of years and I think this procedure, it would bring some grace and relief to those in that sector.

Madam Speaker, just to add to what the Minister has said. In reading the amendments, just to bring some clarity is that, these amendments would impact not only old taxes that have not been paid, it is going to take in any taxes that are owed, any interest that is owed on those taxes and more specifically up until December 31, 2020, all of the interest on those taxes owed will be waived. And I think that is important that the citizens hear and understand, as the Minister said, so that it does not bring arguments at the office of the Board of Inland Revenue.

Also, this waiver, it will take effect for any moneys owed from the 1st of January, 2021, until May 2021. So there is an extension for this year as well, so I think that is important that the citizens understand that it is taken up for five months of this year as well. Not only is interest being dealt with in terms of the waiver, Madam Speaker, 13(1)(c), (d) and (e) speak to the issue of penalties. So, penalties are another charge that you pay when you owe outstanding taxes as well. So clearly the waivers are going to remove all the interest and penalties as well; just for clarity.

And, Minister, under No. (2) which I thought was a very good piece to bring in in terms of the avoidance of doubt, that if you do not, from my understanding of the amendments, if you do not step forward to pay your outstanding principle amount by December 20—sorry, by September 2021, then all the interest and penalties that you would have owned prior, it will become effectively due in October 2021, you would have loss that ability to have it waived. So just to be clear to the citizenry and the businesses outside there, that we encourage you to take the opportunity to pay up your taxes and enjoy the waiver that has been afforded at this point in time. So, Madam Speaker, that is it. We cannot object to any type of waivers to the citizens at this time. Thank you.

Madam Speaker: Minister of Finance.

Mr. Imbert: Well, I thank the Member for that contribution and I beg to move.

Question put and agreed to.

Clause 17.

Senate amendment read as follows:

17 A. In the proposed section 54A, delete subsection (1) and substitute the following subsection:

(1) Notwithstanding any written law to the contrary, there shall be a waiver of the following liabilities:

- (a) interest and penalty on an outstanding tax due and payable for the years up to 31st December, 2020 and during the period 1st January, 2021 to 31st May, 2021, where the tax is paid prior to or during the prescribed period;
- (b) outstanding interest charged on a tax due and payable for the years up to 31st December, 2020 and during the period 1st January, 2021 to 31st May, 2021, where the tax is paid prior to

or during the prescribed period;

- (c) a penalty in respect of a tax due and payable up to 31st December, 2020 and during the period 1st January, 2021 to 31st May, 2021, where the tax is paid prior to or during the prescribed period;
- (d) a penalty on an outstanding return for the years up to 31st December, 2020 and during the period 1st January, 2021 to 31st May, 2021, where the return is filed prior to or during the prescribed period; and
- (e) a penalty with respect to a return for the years up to 31st December, 2020 and during the period 1st January, 2021 to 31st May, 2021 filed prior to 5th July, 2021, where the penalty has not been paid.”.

B. In the proposed section 54A(3), delete the word “tax” wherever it occurs and substitute the words “tax or return”.

Madam Speaker: Minister of Finance.

Mr. Imbert: Thank you, Madam Speaker, I beg to move that this House agree with the Senate in the amendments to clause 17 of the Finance Bill, 2021. And, Madam Speaker, this again is a tidying-up provision to clear up any possible ambiguities that may exist. And again, at the end of this amendment we are including the word “return” so it will make it crystal clear that the waiver of penalties for non-submission or non-filing of a return, tax return that is, will be waived during the period 05 July to September 17, 2021. But again, this is simply to make it clear that there will be a waiver of the following liabilities. I beg to move.

Question proposed.

Madam Speaker: Member for Mayaro.

Mr. Paray: Thank you, Madam Speaker. Madam Speaker, clause 17 as the Minister advised, it is procedural amendments for clarity in the legislation and we have no objections.

Madam Speaker: Minister of Finance.

Mr. Imbert: Thank you. I beg to move.

Question put and agreed to.

Clause 18.

Senate amendment read as follows:

18. In the proposed section 3A(1) –

- (i) at the end of paragraph (b), insert the word “and”;
- (ii) at the end of paragraph (c), delete the word “;” and substitute the word “.”; and
- (iii) delete paragraphs (d) and (e).

Madam Speaker: Minister of Finance.

Mr. Imbert: Thank you, Madam Speaker. I beg to move that this House agree with the Senate in the amendments to clause 18 of the Finance Bill, 2021. This deals with stamp duty and in the original Bill there was a waiver proposed for the failure to file a return with respect to stamp duty, but there is no penalty associated with that and there is no requirement to file a return with respect to stamp duty. So that was just an oversight on the part of the drafters. So, we are just removing the section that deals with a waiver of a penalty on a stamp duty return because that does not exist, it is a bit of logic. So we are just taking it out and that is why if you look at 18 at the end, the amendment, it says delete paragraphs (d) and (e). So (d) and (e) come out which are the ones that were waiving a penalty that really does not apply with respect to stamp duty returns. I beg to move.

Question proposed.

Madam Speaker: Member for Mayaro.

Mr. Paray: Thank you very much, Madam Speaker. As the Minister advised, clause 18, it is purely for procedural amendments for clarity and I have no objections.

Madam Speaker: Minister of Finance.

Mr. Imbert: I beg to move. Thank you. I beg to move.

Question put and agreed to.

Clause 19.

Senate amendment read as follows:

19. In the proposed section 54(4), delete the word “tax” wherever it occurs and substitute the words “tax or return”.

Madam Speaker: Minister of Finance.

Mr. Imbert: Thank you. I beg to move that this House agree with Senate in the amendments to clause 19 of the Finance Bill, 2021. And this is simply another cleaning-up provision where we are making it crystal clear that the penalties with respect to late payment of taxes and late filing of tax returns, the waiver will apply to the penalties for both of those things. So instead of the word “tax”, we now have “tax or return”. I beg to move.

Question proposed.

Madam Speaker: Member for Mayaro.

Mr. Paray: Thank you, Madam Speaker. No objections to clause 19 at this time.

Madam Speaker: Minister of Finance.

Mr. Imbert: Thank you. I beg to move.

Question put and agreed to.

Clause 21.

Senate amendment read as follows:

21. Delete the clause and substitute the following:

“21. (1) Section 4 and sections 13 to 20 are deemed to have come into operation on 5th July, 2021.

(2) Sections 9 and 10 shall come into operation on such date as is fixed by the President by Proclamation.”

Madam Speaker: Minister of Finance.

Mr. Imbert: Thank you, Madam Speaker. I beg to move that this House agree with Senate in the amendments to clause 21 of the Finance Bill, 2021. Now, Madam Speaker, the second part of this amended clause was already there, and that is that sections 9 and 10 of the Finance Bill—or sections 9 and 10 of the Finance Act shall come into operation on such date as is fixed by the President for proclamation. So that is not a change per se, those were already there and those are the clauses that deal with the fuel subsidy.

21, it is settled law that if you are applying a benefit or you are conferring a benefit on citizens, then you can do so retrospectively without having to have a clause of this nature. That is settled law. If you are imposing a penalty on someone, then that is a completely different matter. But in this legislation a benefit is being conferred on citizens retrospectively.

However, the Chief Parliamentary Counsel advised that again for the avoidance of doubt we should make it crystal so there will not be any argument at the Inland Revenue Division that the amnesty commenced on the 5th of July, 2021. I beg to move.

Question proposed.

Madam Speaker: Member for Mayaro.

Mr. Paray: Thank you very much, Madam Speaker. Again, the clarity is very

important. This particular clause, Madam Speaker, 21, and we have no objections.

Madam Speaker: Minister of Finance.

Mr. Imbert: Thank you, I beg to move.

Question put and agreed to.

New clause 20.

Senate amendment read as follows:

New A. Insert after clause 19 the following new clause:

Clause	Chap. 77:01	20. The Miscellaneous Taxes Act is amended in
20	amended	section 62A, by inserting after the word “taxes”, in every place where it occurs, the words “, penalties”.

B. Renumber the clauses accordingly.

Madam Speaker: Minister of Finance.

Mr. Imbert: Thank you, Madam Speaker, I beg to move that this House agree with the Senate in the amendments to new clause 20 of the Finance Bill, 2021. And, Madam Speaker, the Miscellaneous Taxes Act is exactly what its title implies. It covers taxes such as the Green Fund, for example. So, we wanted to make it clear again that we were waiving any penalties with respect to payment of Green Fund Levy and other similar taxes that are covered by the Miscellaneous Taxes Act. I beg to move.

Question proposed.

Madam Speaker: Member for Mayaro.

Mr. Paray: Thank you, Madam Speaker. Madam Speaker, in closing, we on the Opposition can find no objection in any action by this Government that will bring—will ease the pain and suffering of both the business community and working population especially in these times, Madam Speaker, and we do hope that the citizenry take the opportunity to use this facility as brought on by the

Finance Minister. Thank you.

Question put and agreed to.

**MISCELLANEOUS PROVISIONS (SPECIAL RESERVE
POLICE AND POLICE COMPLAINTS AUTHORITY) BILL, 2020**

Senate Amendment

Madam Speaker: Attorney General, five minutes.

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

Madam Speaker, thank you. Madam Speaker, I beg to move the following Motion standing in my name:

Be it resolved that the Senate amendments to the Miscellaneous Provisions (Special Reserve Police and Police Complaints Authority) Bill, 2021 listed in Appendix II be now considered.

Question proposed.

Question put and agreed to.

Clause 3.

Senate amendment read as follows:

3 A. In subparagraph (a)(iii) –

- (a) insert the word “ “ ” before the words “ “serious police misconduct” means –”;
- (b) delete the words “136 and” and replace with the words “136 or”;
and
- (c) insert the words “”; ” after the words “disrepute; and”;

B. Delete subparagraphs (d)(i) and (ii), and replace with the following new subparagraphs:

- “(i) paragraph (d), by inserting after the words “Police Service” the words “, the Special Reserve Police, the Municipal Police Service”;

(ii) paragraph (e), by inserting after the words “Police Service” the words “, the Special Reserve Police or the Municipal Police Service”;

C. Delete subparagraph (e)(ii), and replace with the following new subparagraph:

“(ii) inserting after the words “Police Service”, the words “, the Special Reserve Police or the Municipal Police Service”;

D. In paragraph (g), delete the proposed new section 44A and replace with the following new section:

“Authority to be provided with written statement or update 44A.(1) The Commissioner, Assistant Commissioner, Director of Public Prosecutions or the Commission shall, within three months from the date the Authority makes a recommendation under section 44(2), provide the Authority with a written -

(a) statement, with reasons, on any action which has been taken or is proposed to be taken or not taken, in respect of a recommendation; or

(b) update on the progress of a matter which is the subject of a recommendation.

(2) Where the Authority has not received a written statement or written update in accordance with subsection (1) –

(a) the Authority may make such further requests for the information as may be necessary; and

- (b) the Commissioner, Assistant Commissioner, Director of Public Prosecutions or the Commission shall, without delay, provide the required information.
- (3) Where the Authority has received a written statement or written update in accordance with subsection (1) and requires further information in respect of a matter –
 - (a) the Authority may make such further requests for information as may be necessary; and
 - (b) the Commissioner, Assistant Commissioner, Director of Public Prosecutions or the Commission shall, without delay, provide the required information.”;

E. Delete paragraph (h), and replace with the following new paragraph:

“(h) in section 48, in –

- (i) subsection (1), by deleting the words “and the Commissioner” and substituting the words “, the Commissioner or the Assistant Commissioner”; and
- (ii) subsection (2), by deleting the words “or the Commissioner” wherever they occur and substituting in each place, the words “, the Commissioner or the Assistant Commissioner”.

Madam Speaker: Attorney General.

Mr. Al-Rawi: Madam Speaker, I beg to move that this House agree with the Senate in the amendments to clause 3 of the Miscellaneous Provisions (Special Reserve Police and Police Complaints Authority) Bill, 2021.

Madam Speaker, the amendments before us are straightforward. We wish to bring clarity to the definition of “serious police misconduct”. In those circumstances we wish to put the Regulations at the Trinidad and Tobago Police

Service Chap. 15:01 in the alternative, section 136 or section 150 subsection (2).

Secondly, insofar as we now have three categories of officers being as supervised, that is the regular Trinidad and Tobago Police Service supplemental—sorry—Special Reserved Police officers and now the Municipal Police Service, we wish to specifically spell that out and therefore the amendments circulated in paragraph B become germane.

We also find that same rationale for the amendments at paragraph C as circulated, again specifying the differences between police service, Municipal Police and Special Reserve Police.

It is similarly for that same reason that we make the recommendations in paragraph C. At paragraph D we received a submission coming from hon. Members on the Independent Bench as to the need for including the Director of Public Prosecutions to tell what is happening to the public via the Police Complaints Authority. And also this was a recommendation coming from the Law Association. We found merit in that and therefore we have provided an obligation on behalf of not only the Commissioner of Police to say to the PCA what is the status of matters but also from the Director of Public Prosecutions.

The last amendment at paragraph E is again consistent with those at paragraphs B, C of the amendments as circulated merely bringing the clarity to the respective roles of the Commissioner, Assistant Commissioners across police, Special Reserve Police and Municipal Police. I beg to move.

Question proposed.

Madam Speaker: Member for Naparima.

Mr. Charles: Thank you, Madam Speaker. We return today to comment on the changes being made to the Special Reserve Police and the Police Complaints Authority Act. Madam Speaker, the PCA is the body responsible for investigating

complaints made against police officers, SRPs and Municipal Police and making recommendations to the Commissioner of Police or DPP for appropriate action.

Madam Speaker, I am glad to see that the Attorney General took my comments into consideration during my contribution to this debate on March 05, 2021. You see, Madam Speaker, the original Bill only provided for the Commissioner or the Assistant Commissioner of Police to provide the PCA with an update on the progress or the outcome of the PCA's recommendations. And I asked the question in March: Where is the equivalent requirement for the DPP?

Today, the arrangements before us now state that the DPP shall provide an update on the progress or outcomes of recommendations made by the PCA and this is an improvement, Madam Speaker. We can all agree that the Attorney General's legislation is always improved when he listens to us on this side [*Desk thumping*] the records will show that. Updates from the DPP's Office are a necessary provision. We recall when the PCA Director Mr. West, Director West said and I quote:

After we go through the investigations and we have the evidence, many times when we give our file to the DPP he is busy and there is some delay. He has staff constraints. He has financial constraints.

When a matter is referred to the DPP from the PCA it would usually be in regard to allegations of serious misconduct by police officers. It is important that these matters be not forgotten, delayed or pushed aside indefinitely. Our law enforcement must be above reproach therefore, there ought to be swift resolutions of complaints made against them.

Further, the amendment will now grant the PCA the power to request a written update from the Commissioner of Police, the Assistant Commissioner of Police or DPP if none is received after three months or if they require further

updates.

While these changes are welcome, in our view it is still not yet enough to improve transparency and efficiency with respect to resolving complaints against our police. Government must also consider policies which would reduce the number of complaints made against police officers.

Madam Speaker: So, Member for Naparima, remember this is a very limited debate. It is limited to what is before us and it is not an open general debate on total policy as originally obtained. Okay? So that I realize that you are going on to something else that is not contained here, and you are confined to what is here before us. All right?

Mr. Charles: And I am commenting on what exists here. And we are saying that it could be improved a little even though we support it as it stands. I am sure that is within the remit of a discussion of what the amendments that are before us.

Madam Speaker: I have tried to guide you and I hope you will comply with the guidance.

Mr. Charles: Madam Speaker, the only thing I would like to say before closing is that we feel that there should be something that exists in the Ontario Special Investigations Unit that where citizens can review the status of complaints that they have made against the police. But this is an improvement and we support it. We are just of the view that more needs to be done. Thank you. [*Desk thumping*]

Madam Speaker: Attorney General.

Mr. Al-Rawi: Thank you, Madam Speaker. Madam Speaker, I wish to thank the Law Association of the Republic of Trinidad and Tobago for the recommendation that it gave with respect to the inclusion of the Director of Public Prosecutions and for the Director of Public Prosecutions constantly ensuring that we get to a better place. I therefore do not give any of the paternity of these amendments to the hon.

Member for Naparima. What I can say, Madam Speaker, is that we are definitely in a better place. I find it quite conspicuous that these amendments coming before us now with recommendations coming from a very agitated Opposition, did not come at all in the five years and three months that they had supervision of the Police Complaints Authority to even make a scintilla of effort to cause the laws to be amended.

So, Madam Speaker, there is nothing else to say other than we will continue to press on and undertake the work of the people of the Republic of Trinidad and Tobago and I beg to move.

Question put and agreed to.

3.30 p.m.

QUARANTINE (AMDT.) BILL, 2021

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

Thank you, Madam Speaker. Madam Speaker, I beg to move:

That a Bill entitled an Act to amend the Quarantine Act, Chap. 28:05, be now read a second time.

Madam Speaker, before us is a very, very short Bill with a very specific purpose. This Bill is two clauses in length. The first clause is to cite the Quarantine Act as being amended by the Quarantine (Amdt.) Act, 2021. The second clause is to cause an amendment to two sections of the Quarantine Act.

Madam Speaker, the relevance of this debate is squarely tied into the reopening of the economy and very importantly, it is tied into the reopening of the system of admissions via airports and seaports in this country because the Quarantine Act is what prevails there. Madam Speaker, the Quarantine Act is an Act No. 19 of 1944. It is a robust piece of law that has served us well. It was amended by Act No. 29 of 1945 and Act. No. 31 of 1978. We amended—sorry,

we operationalized certain aspects of the Quarantine Act very recently when we issued the Quarantine Act, Chap. 28:05 Order. And that was done under the hand of the Chief Medical Officer on the 31st of January, 2020, where we effectively located the coronavirus/COVID-19 as subject to supervision by the Quarantine Act.

Today, Madam Speaker, this country, having in its operation the State of Emergency Regulations made pursuant to the Constitution; secondly, the Public Health Regulations made under the Public Health Ordinance; and thirdly, the Quarantine Act, we must today ensure that in the reopening of the borders, that regulations that are offered under the Quarantine Act and that the information which you provide, very importantly, at border entry, that you are bound to be aware that you must tell the truth, you cooperate, you must ensure that the officers acting under the Quarantine Act are given full information that is accurate and full cooperation.

Therefore, we do two things today. Firstly, we ask for an amendment of the Quarantine Act in clause 4 of the Quarantine Act. We are asking—sorry, in clause 2 of the amendment Bill, we are seeking to amend section 4 of the parent law. And we are saying, even though there is a power to make regulations, we need to include that the regulations are subject to a consequence. Breach of the regulations, we ask, be met with exactly the same breach of regulations for public health. And that is, if you breach the regulations, you are subjected to a fine of maximum \$250,000 and maximum imprisonment for six months.

I should add, Madam Speaker, that the law was amended—the Interpretation Act was amended last year, such that breaches of the interpretation of—regulations under the Interpretation Act also now stand at \$250,000 and six months. Therefore, we are harmonizing the breach of subsidiary legislation under

this particular Act with what we have done in the Interpretation Act. At clause 2, the second part, we are amending section 7 of the Act. And we propose instead of a fine of \$6,000 and six months, we are asking for the breach of the Act to be at—higher than the regulations—at \$350,000 and imprisonment for one year.

Why do we do that, Madam Speaker? Because section 7 of the Quarantine Act is where:

“Any person who—

- (a) refuses to answer or knowingly gives an untrue answer to any inquiry made under the authority of this Act, or intentionally withholds any information reasonably required of him by an officer or other person acting under the authority of this Act, or knowingly furnishes to any such officer or other person any information which is false;
- (b) refuses or wilfully omits to do any act...required...”—of him, et cetera—“to carry out any lawful order, instruction or...
- (c) assaults, resists, wilfully obstructs or intimidates any officer...”—et cetera—

“is guilty of...”—an— “offence...”— effectively.

So what we are doing, we are ensuring that with the IT operationalization, where you log on, you give information to the Government of the Republic Trinidad and Tobago in your repatriation process, in your coming into this country, whether by seaport or airport, that the penalty of law for telling an untruth, or not cooperating, or not obeying lawful instruction is met with by more than \$6,000, which is what the law currently says, and instead it goes up to a maximum of \$350,000 and one year, Madam Speaker. That is at clause 2 of the Bill.

This is proportionate law. It is necessary. It is something that we wish to do

with immediacy so that we can ensure that we are in time for the reopening of borders, as announced by the hon. Prime Minister, and I beg to move.

Question proposed.

Dr. Lackram Bodoë (Fyzabad): Thank you very much, Madam Speaker, for an opportunity to contribute to this Bill, which is the Quarantine (Amdt.) Bill, 2021, seeking to amend the Quarantine Act, Chap. 28:05. Madam Speaker, whilst I agree it is a very short Bill—but it is a very critical Bill as well in the battle versus COVID-19. And my remarks really will be confined to just a few concerns regarding the fines, hon. Attorney General, as well as to seek clarification.

My understanding is that, of course, we are speaking to the protection of the SARS coronavirus too, and its variants from coming into Trinidad and Tobago by way of the opening of the borders, and of course this is a very important protection that we have to put in place, keeping in mind, of course, that our current numbers are still high and therefore, it is even more critical. So, if we look at the explanation, the Explanatory Note where:

“Clause 2(a)...”—is amending—“section 4...”—with the insertion of—“a new subsection (3) to impose a penalty of a fine of two hundred and fifty thousand dollars (\$250,000) and to imprisonment for six months (6) for any contravention of the Regulations.”

And those regulations have been well spelt out.

And of course, section 7 is the one that may cause a little bit of concern, in terms of the fees which some may consider exorbitant. They are certainly prohibitive and the Attorney General mentioned that he believes it is proportionate. One can understand—and I certainly would want to, you know—of course, the fines are such that you want to prevent anyone—any offences committed.

So, Madam Speaker, if I may just to look at section 7 in a little more detail, some of these offences could be construed as purely subjective and therefore, one has to depend sometimes on the interpretation of the immigration and possibly the customs officers at the airport. I also want to make the point that some sort of training will be required, if that has not already been done, in terms of dealing with these regulations. And of course, most importantly, to ask the question and to have the assurance that those who will be dealing with returning passengers at the airport when we open on the 17th of July, in terms of that they will be fully vaccinated, both immigration officers and the port health officer who are so important in this whole process.

Madam Speaker, the Attorney General mentioned the issue of the IT operationalization. Again, very important for this process to run smoothly, you want to ensure that you have limited contact and a lot can be done through IT. And I would want to ask—because in other jurisdictions in the Caribbean you have software applications. For example, Barbados has an app called the BIMSafe app, where you can upload your information before you travel into the country and that makes the entry process much simpler; again, with minimal interaction and saving contact time. Jamaica also has one called the JamCOVID19 and therefore, the question is whether in Trinidad and Tobago we can expect to see a similar app before the 17th of July or whether something has already been developed, and maybe we can get some clarification with regard to that. And also interesting—and I hope that we can get to this point, Madam Speaker—is the fact that sometimes these apps are linked to a tracking device which make the surveillance of persons returning much easier too, and safer to follow.

Madam Speaker, this is linked—and if you may permit me, I just want to raise one issue because I know this is linked to the Ministry of Health's quarantine

protocols, which has been issued, and I trust that this has already been uploaded on the websites and is available to citizens who are intending to travel abroad. And I just want to go to the Category Three with regard to fully vaccinated individuals, because section 7 speaks to giving information and the accuracy of information and so on, Madam Speaker. And I think it is very important that those who are traveling are very clear as to what sort of information they have to provide and the bona fide of this information. So, we speak of the PCR test being 72 hours prior to arrival, so that is important. I also wanted—if I may quote from the Ministry of Health document, Madam Speaker. With regard to Category Three, it says:

“A fully vaccinated individual is defined as a person who has received the required number of doses of a WHO approved vaccine and has been two weeks post the final recommended vaccine dose...”

And, Madam Speaker, I just raised that point because although we understand that the two doses can be two doses of the same vaccine, there is a situation that can arise in terms of those returning, and with regard to what is called a “mix-and-match vaccine”. And this is a practical situation, Madam Speaker, because—and if I may just quote briefly from a *BBC News* online report, June 28, 2021, entitled, “Mixing Covid jabs has good immune response...” I do not want to intend to go into the immune response. It is not about this, Madam Speaker. But essentially, what has happened in the UK, there has been a study of close to 1,000 persons where they have been given one vaccine followed—

Mr. Al-Rawi: Madam Speaker, I respectfully rise on Standing Order 48(1), most respectfully.

Madam Speaker: Okay. So, Member for Fyzabad, while I understand what you are trying to do, it is really going outside the scope of what is there before us.

Dr. L. Bodoë: Madam Speaker, and if—

Madam Speaker: So I will just ask you to wrap that up and go on to a point that really is directly related to this.

Dr. L. Bodoë: Thank you, Madam Speaker. I am just stating this because it relates to the accuracy. AG, if you would permit me, it relates to a practical application where I just wanted clarification as to whether if someone comes in with a mix of vaccines, whether that person will be considered fully vaccinated. So, by example, there are situations where they have AstraZeneca and Pfizer.

Madam Speaker: And as I said before, Member for Fyzabad, while I am somewhat sympathetic, what you are trying to find out does not form the subject of this debate. Okay? So please go on.

Dr. L. Bodoë: Thank you, Madam Speaker. So, Madam Speaker, as I conclude, I would just want to say that whilst we understand the need for these amendments, we would just want to, you know, express the concern about the fines and perhaps ask the AG if he could maybe look at revising those fines, and also to ensure that the other steps in the battle needed to be stepped up in terms of the vaccinations. And with those few words, Madam Speaker, I thank you. [*Desk thumping*]

The Minister of Energy and Energy Industries and Minister in the Office of the Prime Minister (Hon. Stuart Young): I have to go in there?

Madam Speaker: Once your contribution exceeds five minutes, I am inviting you to go into the speaking booth.

Hon. S. Young: Five and a half minutes. Thank you very much, Madam Speaker. Madam Speaker, I have joined the debate just to add some necessary clarity to what is going on, on the Government side, with respect to some of the things—some of the matters raised by the previous speaker, the Member for Fyzabad, and more would be spoken about just in the coming days. But just to give the

population, through you, Madam Speaker, an insight and to assure the population that the Government continues to be a responsible Government; continues to be ahead of all that was just said by the Member for Fyzabad, and to outline very briefly, without getting into any level of detail, what actually is happening with respect to the border reopening.

The efforts being made for the reopening of the border, which the hon. Prime Minister has announced, which will take place next week Saturday, are being driven under the chairmanship of the Office of the Prime Minister, and that is the reason why I am able to speak to it. We have all of the necessary Ministries in play. This ties in to what the Member for Fyzabad was saying, and to assure the population, we are building out and we got—I actually got a demonstration this morning, that app and that IT platform that is going to capture all of the data. So, persons prior to coming into Trinidad and Tobago will be required to upload the essential information to get a travel certification, which is really a green light, that they can then board the plane within that 72-hour period. It is very similar to the jurisdictions you referred to. We are using the same people who built it out in Jamaica, St. Lucia, Grenada, Turks and Caicos and the British Virgin Islands. So it is the identical platform, but of course, with our necessary requirements because we are going with a vaccinated versus an unvaccinated line of entry into Trinidad and Tobago.

This Bill that the Attorney General has piloted and what he is leading here today is to fit into that platform. Because people who are required now to upload their vaccination documents, proof that you have been fully vaccinated, if you provide false information, these are the fines that are going to be applied to you. You are also required to have a 72-hour negative PCR test. You have to upload that as well into this platform to get the green light that you can take to the airline

counter to enter Trinidad and Tobago. That is also going to be here, that if you provide false information, you are going to be now subject to this increase in fines. This increase in fines, apart from the conformity that the Attorney General referred to, Madam Speaker, is all actually being implemented because we have been working on this IT platform, which is going to be called “TT travel pass” to enter Trinidad and Tobago.

So, have no fear, the Government is very aware of it. We have been working on it. We have all of the IT professionals, we have had the Ministry of National Security, immigration, we have had input from—it is being driven as well by the Ministry of Public Administration and Digital Transformation, and this will be launched very shortly in time for next weekend, and we will have a full conference to be able to explain to the population and the world at large how this is going to apply. This is one of the necessary pillars of that because we want persons to know, Madam Speaker, do not falsify documents. Do not provide us with false information with respect to something as serious as whether you are fully vaccinated or not before you enter Trinidad and Tobago; something as serious as, do you have your negative PCR test 72 hours before entering Trinidad and Tobago. So this increase in fines is very welcomed, and it is to send the signal and to implement exactly what the hon. Prime Minister spoke about two or three weekends ago when indicated that we are going to be opening the borders. He indicated that persons must provide proper information and if anyone provides false information, they will be hit the requisite fines and penalties.

Also, what I can point out at this stage, Madam Speaker, is the unvaccinated nationals who come into Trinidad and Tobago, as you know, they are going to be required to go into quarantine, paid for quarantine, state-supervised quarantine, these fines will also go towards that, that understand

you are being allowed in, you are a national, but you are unvaccinated, you have to go into quarantine. This platform that we are going to launch will require all of the information. You have to upload that you have already paid for transportation, you have paid for your hotel accommodation—paid, not booked—and then you go into a certain tunnel that will take you all the way, from the time you land in Piarco, to the requisite hotel.

So these fines, Madam Speaker, tie into that, that anyone who attempts, God forbid, to try and break the quarantine or beat the system, they are going to be hit with these heavy fines and the increase in the penalties which include imprisonment. So to assure the population—and that is why I intervened and I thank the Member for Arouca/Maloney to allow me to intervene in this debate to just address these issues. The system has been built out and is about to be launched. So, Madam Speaker, this ties into that whole system. Thank you very much. [*Desk thumping*]

Mr. Rudranath Indarsingh (*Couva South*): Thank you very much, Madam Speaker. As I join this debate on the Quarantine (Amdt.) Bill, 2021, to make a very short intervention—because I have noted the comments of the Minister of Energy and Energy Industries, the Member for Port of Spain North/St. Ann's West, and also the Attorney General, and probably the most appropriate person to make the intervention on the Government side probably would have been the Minister of National Security. And this piece of legislation that is before this particular House—in addition to the amendment Bill, it is important to note that there is also the Quarantine (Maritime) (Amdt.) Regulations, 2021, that was dated the 4th of February, 2021, under Legal Notice No. 111 of 2021; and the Public Health (No. 17) Regulations, dated the 29th of June, 2021, through Legal Notice 186 of 2021, and the Ministry of Health's Quarantine Protocols for Passengers

Entering Trinidad and Tobago, effective the 17th of July, 2021.

And, Madam Speaker, the Minister of Energy and Energy Industries commented on the whole question of the online platform to upload PCR test and vaccination information, and indicated that it will be launched very shortly, and it will provide you with the opportunity to upload your transportation information, your hotel information and so on. And the question that should be asked—because we live in the digital age and platforms crash from time to time. I could remember when the move was made to assist our primary school and secondary school children and so on, in this very said pandemic environment. Within minutes of the online platform being launched, it crashed. And I hope that—the Minister indicated that they were using an app that was similar to Jamaica and the British Virgin Islands and so on, but I hope that somebody on the Government side can provide some sense of comfort that it will not crash within minutes of launching this particular online platform.

And probably in his winding up, the Attorney General could guide us in terms of whether this particular arrangement, an online platform, is it being done wholly and solely by the Ministry of—is it the Public Administration and Digital Transformation or is it public—a private entity is involved also? I do not know. We are seeking the information in relation to the provision of this particular service. And if indeed a private entity is involved, will the Attorney General or someone on the Government side provide the necessary details as it relates to the cost, the terms and conditions and so on, Madam Speaker? And also, if the online platform—when it is launched and so on— what is the response time or the turnaround time for persons who upload their information unto the platform in terms of getting that the desired feedback from the online platform and so on? Because we have been told of horror stories where persons were seeking

exemptions to come into Trinidad and Tobago—

Mr. Al-Rawi: Madam Speaker, I respectfully rise—my learned colleague, I am sorry to interrupt—on 48(1), respectfully.

Madam Speaker: Okay. So, Member for Couva South, I guess you would say you are responding to something that the Minister of Energy and Energy Industries raised. But not everything that is said—it may be very peripheral—is allowed to be responded to in the depth and become relevant. So I would agree with the Attorney General, that the realm that you are going into, for the purposes of what is the substance of this debate, is offending Standing Order 48(1).

Mr. R. Indarsingh: Thank you very much, Madam Speaker, and I am guided. And, Madam Speaker, in relation to the proposed amendments and more so with respect to section 4 and section 7—because there is an insertion of a new section 4 to provide that the breach of the regulations under the Quarantine Act shall attract a penalty of \$250,000 plus six months and in addition to that, the fines of 350,000 plus one-year imprisonment. We on this side, we are of the opinion that these penalties which are being imposed or which is being proposed by the Government are really grossly disproportionate to the offences. Because we believe that assaulting, resisting, wilfully obstructing or intimidating an officer can be punishable—well, we are asking the question and taking into consideration that it will be punishable up to \$350,000 plus one year.

And we recognize that judicial discretion will apply in terms of the range of the penalty, but at the end of the day, the fact that this penalty is prescribed in a primary piece of law will indicate to the court that the Parliament intended a higher punishment under the Quarantine Act, for example, the same offence under the Summary Offences Act, Madam Speaker. And as my colleague in the other place pointed out, Sen Jayanti Lutchmedial, she pointed out that these fines are an

increase of almost 5,000 per cent and the punishment is supposed to be proportionate to the crime. And, Madam Speaker, while we agree that stricter penalties are indeed required as a deterrent and also to ensure that the country is protected against the further spread of this virus by incoming passengers, some degree of balance needs to be employed as it relates to the application of these fines.

And one final point, Madam Speaker. I know my colleague, the Member for Fyzabad touched on this particular issue but I think that it is important for us to underscore the need for the health and safety protocols to be enforced at the ports of entry to ensure that there is proper social distancing, there is proper sanitization stations and so on, and also for the necessary personnel protective equipment. We cannot continue to underscore these points—and to ensure that there is separation of cubicles and so on, the appropriate safeguards are taken into place so that the immigration officers, the customs officers, and all personnel from the point of view public health and airport authority staff and so on, can play their particular role as it relates to when the borders are fully opened for the citizens of Trinidad and Tobago and all incoming passengers. Madam Speaker, I thank you with these few words. [*Desk thumping*]

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Madam Speaker, for allowing me the opportunity to make a short intervention, much shorter than I originally envisaged, but in the spirit of the way the debates have been going.

Madam Speaker, the matter before us today concerns amendments to the Quarantine Act, Chap. 28:05, purpose of which is to prevent and contain the spread of infectious diseases. Madam Speaker, quarantine normally means restrictions placed on the entrance to and the exit from the place or premises

where a case of communicable disease exists.

4.00 p.m.

Madam Speaker, the Opposition—I need to respond to a couple of points raised by the Opposition. One has to deal with the, what they are claiming to be the disproportionate measures. May I indicate, Madam Speaker, that these measures are in fact proportionate and I will go on to give a couple of examples.

Madam Speaker, one could look at what is happening right now in the United Kingdom. This is just to respond to the position being put forward that these measures are disproportionate. In the United Kingdom if a traveller breaks the COVID-19 regulations according to their new rules, they face a £1,000 fine and a £2,000 fine for those who fail to take a mandatory test. Also, a further 5,000 fixed penalty notice if you do not comply with their COVID-19 restrictions. The Secretary, Matt Hancock also announced that:

“Travellers having to stay in quarantine hotels in England”—which is similar to what we are asking for to do—“will be charged, 1,750-pound for their stay...”

And, Madam Speaker, what could be more disproportionate according to the UNC:

“Those who fail to quarantine in a government-sanctioned hotel”—which is the same thing we are asking for face—“10 days”—in jail. Oh no—“in a government-sanctioned hotel for 10 days face fines of...£10,000.”

This is how serious governments around the world are taking this. But it is only here we do not recognize this.

Madam Speaker, I want to respond to two issues raised by the Member for Fyzabad. One, he was asking about the vaccinations for persons at ports of entry. I can say that we have allocated almost 800 to 1,000 doses already to that and that

vaccination process has begun and will conclude next week. The Member also asked about the mixing of vaccines, and I am glad you raised it because it was mentioned last week.

Madam Speaker: Minister, I think at that point I had stopped the Member for Fyzabad and ruled on Standing Order 48(1).

Hon. T. Deyalsingh: So, if it is irrelevant, but there is a policy in place of it. Madam Speaker, coming back to the quarantine, coming back to the amendments being looked at today, why are these amendments so important? The WHO lists 10 threats to global health. One, the:

“threat of a global influenza pandemic...”

While this is not influenza it is similar, and two:

“Vaccine hesitancy...”

Madam Speaker, these amendments are crucial if we do not learn throughout the course of history what has happened if we do not manage and put fines in place to deal with these things. The plague of Justinian, Black Death, Smallpox, Cholera, TB, HIV/AIDS, Dengue, SARS, MERS, H1N1, Spanish Flu and now COVID, demand that we take serious action and I want to rise in support of the amendments so put forward by the Attorney General to amend section 4 and to amend section 7. These amendments are crucial, very crucial as we approach the opening of the borders on July the 17th.

So, from the Ministry of Health and from my position, I am in total support of these amendments. Thank you very much, Madam Speaker.

Dr. Rishad Seecheran (*Caroni East*): Thank you, Madam Speaker, for allowing me to join this debate. So, Madam Speaker, today we are debating the Quarantine (Amdt.) Bill, 2021. The major issue with regard to this Bill is we want to prevent the spread of new variants in Trinidad and Tobago from persons that may be

entering our country when the borders are opened. And the major variant that we have currently in the international arena, is the Delta variant, which is a clear and present danger to Trinidad and Tobago because currently we are mostly with the Brazilian variant which is the dominant variant in Trinidad and Tobago of the coronavirus.

Now, that being said with regard to the Quarantine (Amdt.) Bill, I would like to say that our quarantine processes in Trinidad and Tobago seems to be very safe. I did not know of one case where coronavirus was spread in our general population because of someone that was in our quarantine system. The Brazilian variant obviously entered Trinidad and Tobago through our porous borders.
[Interruption]

Mrs. Robinson-Regis: Standing Order 48(1), please.

Madam Speaker: So, Member for Caroni East, you have just begun. I would give you some guidance. Remember this is not really a Bill about corona, COVID-19; it is not a Bill about quarantine facilities in general. And while some of these things may be sort of secondary, what we are dealing with is fines. So, I am giving you some guidance and a little leeway in the hope that you would zero-in on the provisions of this very short Bill.

Dr. R. Seecharan: Okay. So I will go to section 4 of the Act. And under section 4(1)(b), it says that:

“the spread of infection...”—with regard to—“any person...”—that may—“leave...”—a—“place”—or a—“ship or aircraft.”

And that was in the closing of the Attorney General, I would just like to ask if this would pertain to persons under the age of 18 as well as persons that are much younger than that, let us say, under seven or eight years of age.

With regard to the major issue here of the increase in fines due to “de

falsification” of documents, it was my opinion documents can be easily falsified. So if we have a PCR test, which is a paper document, someone can easily scan that document, perhaps falsify it and insert their name and then upload that to the online system. I was thinking why we do not have the certified labs that are certified by the FDA in the United States to submit that information to a government portal. Would that not be a more secure system of having a PCR test for validation in Trinidad and Tobago? If we have to increase the fines to such an amount that we are afraid of variants coming into our system here in Trinidad and Tobago, would that not be a better system?

Under subsection (2) of section 4 as well, the CMO is allowed to detain persons that may leave an aircraft. You know, I was just wondering in regard to this detention how long would a person have to be detained and where would they have to be detained. With regard to section 7—[*Interruption*]

Madam Speaker: I take it you are moving on from subsection—because remember the only clauses we have here are 4 and 7, and not 4 in its entirety, an addition of a subsection (4), all right. So I was rising because I realize you were dealing with (2) and (3) which are not the purpose of this Bill.

Dr. R. Seecharan: That was under section 4 as well, Madam Speaker, that was subsection (2).

Madam Speaker: And just as guidance for going on, subsection (2) dealt with not 4 in its entirety, but the insertion of a new subsection (4), okay. So I am giving you some guidance going on to 7; it is not 7 in the entirety, all right, but certain parts of 7. Okay.

Dr. R. Seecharan: With regard to section 7, we have:

“Any person who—

- (a) refuses to answer or knowingly gives an untrue answer to any

inquiry...or intentionally withholds any information reasonably required”—by them—“...or knowingly furnishes to any such officer...information which is false;”

So as the MP for Couva South was saying, this is very subjective and perhaps we could have more training for our police officers that may have to interact with these individuals. With regard to subsection (b), we have persons that:

“...wilfully omits...”—an—“act...wilfully omits to carry out...”—an—“instruction or condition made...”—then we have:

- (c) assaults, resists...”—in section (c) an—“officer or...person acting under the authority of this Act...”

So it will be important, Madam Speaker, with regard to section (c) as well that officers are trained in dealing with situations such as this while they may have to respond to a person under the Quarantine Act. And in terms of situations where somebody may become aggressive as well as officers should be trained in dealing with biohazards. If a person—*[Interruption]*

Mr. Deyalsingh: Madam Speaker, Standing Order 48(1), please. “Oh gosh”!

Madam Speaker: Yes. All right, let us be a little patient. In terms of, though, Member for Caroni East, while you are reading out what the offence is, what this Bill is about is about the fine, okay. So, as I said before, while people may have been given leeway to say certain tangential things, they do not become the substance of the debate, all right. So I do agree that those matters are irrelevant under Standing Order 48(1).

Dr. R. Seecheran: Okay. As well, Madam Speaker, with regard to the fines under section 8, what it says is that:

“The Minister may direct that any part of any fine recovered in

respect of any offence”—of—“this Act”—to—“be paid to any person who has given information leading to the conviction of the offender.”

Madam Speaker: Again, if we look at it, we are not dealing with subsection (8). All we have before us is subsections (1) and (2) of section 7. So basically, that is what is the grabmen of this debate.

Dr. R. Seecharan: So just in closing, Madam Speaker, I just wanted to say that with the increase in fines, you know, persons may be victimized because of the amount of moneys involved and, you know, it is a situation that we should consider. In my opinion the fines are excessive, it is a little too excessive. Our quarantine system is very secure; it has worked well for over one year and the fines are too excessive. Not many persons can pay that fine in a situation where someone offends these clauses, it will basically be to go to jail. So, they are not proportionate, Madam Speaker, in any way and more consultation perhaps may be necessary to have more proportionate and more appropriate fines. And with that, Madam Speaker, I thank you. [*Desk thumping*]

The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi): Thank you, Madam Speaker. Madam Speaker, I thank hon. colleagues for their contributions. Very quick reply. My learned friend for Caroni East, I will have a chat with him on the side as to how the law works. The law does not work such that the expression of \$250,000 and six months means \$250,000 and six months. The Summary Courts Act governs this. The sections as they are proposed to be amended say that you must knowingly and wilfully, et cetera, it relates to your mental intention. The mental intention is part of the element of the crime. The court has a discretion to offer no monetary sum whatsoever, zero dollars and zero cents. No custodial sentence. So this is what you call the range of law, it is due process, you make your submissions to the court and there is a very material

provision in the Summary Courts Act, section 71 of the Summary Courts Act which is where you can even ask for a reprimand and discharge.

So, we must be careful not to frighten people into thinking that the law is automatically you have tripped it and you are exposed to \$350,000 or \$250,000. I mean, no disrespect when I say that I am willing to give some guidance on that aspect because I am sure some of your colleagues who are attorneys-at-law can do that as well.

I would like to say, Madam Speaker, that in relation to the information technology that will work alongside this system, they are mutually exclusive. So all of the protocols and connection aspects can happen. This law is just simply intended to have a consequence. At present, the consequence is \$6,000 for breach of section 7 and no breach consequence for breach of regulations.

Last point, with respect to proportionality, it is why I said that we have in the Interpretation Act the amendment, a breach of a regulation under section 63 of the Interpretation Act. Any regulation made under law is called subsidiary legislation. It used to be that you are exposed to the whopping sum of TT \$500. That law was amended so you now have your maximum fine of \$250,000.

The Public Health Regulations which have been upheld by the courts right up to the Court of Appeal, the breach of those regulations maximum of \$250,000. And I will end by giving a simple example. If a ship captain comes in with a cruise liner and submits documents that are false, what would you suggest is an appropriate offence, a dollar, five dollars, \$6,000? That is where the proportionality of applying it to the circumstances becomes relevant.

So, I am confident that my colleague meant no disrespect to the Parliament in terms of its structure and the advice that I give as an Attorney General on this. I understand my colleague's point of view. I hope he is a little bit more satisfied

that there is proportionality in this law and I beg to move. [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

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

House resumed.

Bill reported, without amendment, read the third time and passed.

SEXUAL OFFENCES (AMDT.) BILL, 2021

Order for second reading read.

The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi): Thank you, Madam Speaker. Madam Speaker, I beg to move:

That a Bill to amend the Sexual Offences Act, Chap. 11:28, be now read a second time.

Madam Speaker, I confess that I have been anxious all day long as today is the last day that we sit as a Parliament before we go on the mandatory recess that our Standing Orders say subject to events arising otherwise, I have been anxious all day long to get to this particular Bill and that perhaps was evident in the quick fashion in which we dealt with other business before this honourable House. So I wish to tell hon.Members that no insult or disrespect was intended, but this law before us, this Bill before us is in my mind one of the most important events for us to finish before we get to the conclusion of the work that we are obliged to do by the end of today's business.

Madam Speaker, I think there can be no gainsaying that Trinidad and Tobago has had its eyes fixed on a deep desire for solution, that we have said to ourselves that we need to protect our vulnerable. And as a government, Madam

Speaker, in bringing this Bill before us the Government is saying that we need to operationalize our laws. Madam Speaker, the Sexual Offences Act as the parent law is an Act of Parliament, No. 27 of 1986. That is when we had a codification of a number of our laws, common laws, et cetera, and we put forward a statement of laws. Back then, Madam Speaker, marital rape was not even something within our mental reflection. But the Sexual Offences Act, be it in the protection of children, be it in the protection of the vulnerable, be it in the protection of the married even, is something that has progressed over time.

Now, Madam Speaker, in the period 1999/2000 the hon. Attorney General then, Mr. Ramesh Lawrence Maharaj made amendments to the Sexual Offences Act and brought forward the concept of a sex offenders registry. That law unfortunately, notwithstanding the fact that we had thousands and thousands of convictions for sexual offences, not a single person went on to the register, because the law was, with the greatest of respect to Senior Counsel Ramesh Lawrence Maharaj, it was just badly drafted. Because in that Part III you were required to find yourself registered as a sex offender, turning up in the police station to be registered whilst you were on your way to jail to serve your sentence. So it just did not work.

We had the pleasure as a government in birthing the Family and Children Division, in bringing to life specialist courts, in creating Criminal Procedure Rules, in bringing children's rules. Why?—because we are dealing with crime not only amongst adults but also children in anonymizing records, et cetera.

We have had the pleasure of also as a Parliament sitting under my hand, with the privilege that I have had to draft this law, to come up with the amendments to the Sexual Offences Act, importantly to change the manner in which we have the concept of a sex offender, a registered sex offender. We passed

that law via the good utilization of a Special Select Committee in the Senate and we operationalized that law. And in operationalizing that law, Madam Speaker, very importantly, we took advantage of judicial scrutiny, we immediately had a look at a particular judgment coming from the court which is no longer a live matter before the court, so I can speak to it now.

We dealt with the matter of *The State v Everton Joseph*, it is criminal CR No. 090 of 2015 and the date of delivery of the judgment is December 09, 2020 coming from the hon. Mr. Justice Hayden A. St. Clair-Douglas. And this case demonstrates how for the first time someone was ordered to be put as a registered sex offender.

Now, a lot of Trinidad and Tobago's concern, we have had marches, we have had people crying out for justice, a lot of their concerns has been, well, how am I going to have a degree of awareness as to who amongst us fits the category of monster, of a monster without rehabilitation? How are we going to protect our young, our vulnerable and even not so vulnerable from sexual predators? One of the tools obviously is the utilization of a sex offenders register. Because no one was put on to the register, we cannot now go back into time for the 20 years that were lost and put people onto a public register. But what we can do is to ensure that law enforcement has a full register, which is not available to the public and that society has available to it another form of register which is what this Bill proposes to do.

This Bill proposes to create two registers, not only the registered sex offenders register, but also the public website register, both of which are maintained by the Commissioner of Police. But permit me in supporting the rationale for this law to read the following from the judgment that I have just referred of Mr. Justice St. Clair-Douglas, and I quote from paragraph one of the

judgment which starts off in quotations. It is under the heading: “Sentencing Note”, quotations:

“I never completed school as a result of having my kids at a young age. I had my daughter at the age of 13 years old; I was then a Form 1 student at the Barataria South Secondary School. After giving birth to my daughter I went back to school and continued my schooling. I had advanced to Form 2 but became pregnant again with my son. I was 14 years old. I never returned to school after having my son.”

And then the judge says this after the quotations end:

“These are not the words of a young female in some isolated plantation or far away from rural community in 1940s Trinidad. These are the words of a young female who resides in an urban community in Trinidad in the 21st century. In the view of this court this is unacceptable.”

Now, the circumstances of this case were such that the allegations that the court considered did not involve rape in the forced version, it involved statutory rape, there was a relationship, et cetera. The offender, in fact fathered children, successive children with this young lady, but the court in saying that this was not a case that involved those positions, the court took a very important point of view. It took into consideration the characteristics of the accused.

In looking at the Sentencing Guidelines, the court physically went through the matters and it says that it is a clear impact to be considered the age of the offender, the circumstances of the offender, whether the offender is looking after the progeny produced by the relationship, et cetera, and the court reflected upon this amendment that we as a Parliament did, that this Government did, when all other Governments lay silent on the issue, the court reflected and made the award putting this person as a registered sex offender. But the court went on to say that

we are obliged to protect the vulnerable and that young girls in this case are simply morally and physically off limits.

And therefore, Madam Speaker, as we look to the amendments to the Sexual Offences Act by this law, let me flag right now that we have another set of amendments to come to the Parliament. We intend to amend the law to make voyeurism an offence, under the Sexual Offences Act. We intend to amend the law to ensure that revenge pornography is criminalized. We intend to amend the law so that the aspects of bail in relation to sexual offences are treated with because, Madam Speaker, whilst many people have had the sound and fury and dance and say let us do more, let us do more, very few have come forward with concrete proposals, certainly, with the rapidity and certainty and operationalized effect that this Government has.

And today we come in this Bill to ask for the Sexual Offences Act to be amended. We are asking, Madam Speaker, in clause 4 of the Bill to have in the definition of “Register” the cross reference to the correct sections as we propose them to be amended now and that we insert the definition of “website”. You would see that in clause 4 in the definition section, section 2 of the Act we are asking for the “website” to mean:

“...the Public Sex Offenders Website established under 46A(b).”

[MR. DEPUTY SPEAKER *in the Chair*]

We of course then amend in clause 5 the heading, instead of having one heading which refers to one sex offenders registry, we are asking for a new Part IV heading in saying that it shall be the sex offender registers, as I welcome you, Mr. Deputy Speaker.

Mr. Deputy Speaker, in clause 6 we ask for the extra territoriality to apply that sex offenders falling within the registrable categories in Schedule 1 to the

Bill, into the parent Act as it was amended, that we treat with sex offenders from aboard. Why? Because we know that there is a repatriation, a deportation of persons who commit sexual offences in other jurisdictions and therefore we wish to make it beyond doubt that extraterritoriality also applies.

4.30 p.m.

Mr. Deputy Speaker, we propose in clause 7 how we set up these two registers, one called the National Sex Offender Register and the other one called the Public Sex Offender Website.

In clause 8 we deal with the National Sex Offender Register. And in this point, we say that:

“The National Sex Offender Register shall in relation to each registered sex offender, contain information...”—set out—“in Schedule 3 and pursuant to section 54.”

So let us deal with the process. You go to court, you are on a charge, a court convicts you, you are a sex offender. You do not become a registered sex offender until you are put into the system after having served time, or if the sentence is suspended and you are told by the court that you must register as a sex offender, you go to the police and there you register and at that point you become a registered sex offender.

So that is what goes on in section 47 as it is proposed to be amended in clause 8, and there we say that we need to do a few things. In looking at the information that is available to the public because the court says so, we want to make sure that that information not only is available to all of law enforcement as we look at bringing information, technology, and we revolutionized the taxi system and what is referred to as the PH taxi system—which is coming to this Parliament—so that law enforcement when it sees a driver on the road and scans a

QR code will know whether that person who is driving the car is a sex offender or not. What we also provide is that if anybody misuses this information, the registered sex offender information, that that constitutes an offence.

Clause 9 treats with the website “Access to information on a sex offender Public Sex Offender Website”, and you will note, Mr. Deputy Speaker, what we are saying here is that a website shall be created. That website will have the sex offender’s name. That will happen automatically upon the conviction unless the person who is the sex offender makes an application to the court and says, “Look, I want to show cause why I should not be put on the sex offender website.” And then you have the due process of the applying to the court, having the court say yes or no; appealing the decision of the court as to whether you should go on; and then taking that to the Court of Appeal. Obviously, you still have the right to the Privy Council, but we provide for due process. We respect the provisions of the Constitution in particular that there is no jeopardy in reversing a burden. In any event, it fits within the appellate structures of our court system and our constitutional arrangements.

Mr. Deputy Speaker, again we put the offence for basically “fake newsing”. This is a country—and my friends opposite will know this well—where fake news becomes news. Any story that you tell becomes news. This country is at a dangerous point where it is not a matter of what is the truth. It appears to be what is the version of the truth that you offer, and therefore, we need to protect the vulnerable. We need to recognize that the right to have somebody not on the sex offenders website also includes the victims, because you may have circumstances where a victim may approach the court. The parent law, of course, already treats with the fact that you cannot go onto the website if you are a child or if we are dealing with cases of incest, because those are important safeguards to this law.

Mr. Deputy Speaker, clause 10 treats with the amendment to section 49 of the Act, and here it is that we treat with how the court is going to manage your attendance for registration. We tidied up the law, we tidied up cross section references, et cetera, but, Mr. Deputy Speaker, I want to point out even though you see the word “shall” in relation to the directions to the court, I want to remind that this “shall” is not offensive to the separation of powers principle, it is not so offensive because you have the right of appeal and you have the right of due process, and you have the right of application.

Mr. Deputy Speaker, clause 11, treats with repeal and replacement of section 50 of the Act. Section 50 is where we set out the information on the sex offender to be published on the Public Sex Offender Website, and here it is you will see, Mr. Deputy Speaker, where we have the due process, that the sex offender:

“(a) ...may within fourteen days of...”—such—“conviction or...other period of time that the court may prescribed, apply to the Court to be exempt...”—from going on that website; and

“(b) show cause why he should be...”—exempted.

We then in subsection (4) provide the circumstance of where the court has not granted the exemption, that:

“...the—

(a) sex offender...”—has the right of appeal—“within twenty-one days of the date of refusal...”—of—“the grant”—or such further—“time as the Court...”—may give.

“(b)” The—“Court...pending the determination of the appeal...”—shall—“withhold”—the—“making of an order...”

So, you have the protection of not going on to the website unless the court facilitates your right of objection, you are showing cause why.

There is a mandatory statutory that you must press pause and not publish. But when the due process is over, when we look at the structures of the court also having the opportunity to ask for mental assessment reports built into this new section 50, when we look at the factors set out in the new proposed section 50(7) where we are asking the court to consider:

- “(a) the findings of mental health assessment...;
- (b) the nature and gravity of the offence;
- (c) whether the sex offender has been charged or convicted of any other registrable offence”—note that, including charges;
- “(d) risk of reoffending;
- (e) the risk of harm to the victim or any other person”—and that is where victim impact becomes material as well;
- “(f) whether the victim was a child or a person with mental disorder;
- (g) whether the sex offender was in a position of care...”—or abused his supervisory authority;
- “(h) whether the employment and residence status of the sex offender are stable; and
- (i) any other compelling reason...”

Those are factors that the court must consider in saying, that you ought to go onto the website.

Clauses 12, 13, 14, 15 treat with the amendments by way of cross sections which we need to tidy up with these amendments if accepted by this honourable House. Clause 16 treats with the amendment of “shall” to “may”. I would just like to remind, Mr. Deputy Speaker, that by way of this Parliament’s work, we amended the Sexual Offences Act last year and in amending that Act we changed “shall” to “may” and we allowed the court to have the discretion as to how it

would treat with receiving mental assessment reports, et cetera. That was by Act No. 29 of 2020, clause 6 of that Act. So what we are doing, we are harmonizing the law, now changing these provisions from “shall” to “may” in accordance with Act No. 29 of 2020, clause 6 which is now section 6 of that Act.

Mr. Deputy Speaker, clause 17 treats with section 62, and again we are looking at because of the move from “shall” to “may”, we are looking at where the mental assessment report may be requested because we are leaving it up to the judge to trigger the request for a mental assessment report, et cetera. Clause 18 again is in keeping with the amendments of “shall” to “may” as I have indicated we did in Act No. 29 of 2020. Clause 19 again we are now distinguishing between the positions of registered sex offender or a sex offender because it is now a material clarification that the Bill offers. Clause 20 treats with the adjustment of the fines and we are moving from \$50,000 to \$250,000 for breach of regulations, and we are deleting six months and we are substituting five years. Why are we doing that? Because we amended section 63 of the Interpretation Act and we are therefore bringing this material in line with the amendments that we made last year, Mr. Deputy Speaker.

Mr. Deputy Speaker, we are adding in the power of the Rules Committee of the Supreme Court of Judicature to make rules. And why are we doing this? We wish to not rely only upon regulations. We think it appropriate because as a government we have created a Children Division and a Criminal Division because we have allowed for criminal divisions to operate via Criminal Procedure Rules and Children Proceedings Rules in addition, of course, to Family Proceedings Rules, et cetera. What we want here now is to leave the liberty of the Judiciary under the Supreme Court of Judicature Act to make rules which will govern these processes.

Mr. Deputy Speaker, of course we do the consequential amendments to the Administration of Justice (Deoxyribonucleic Acid)—or DNA—Act, and the Police Service Act where we put in what the amendment to the offences by way of regulations will look like, and also distinguishing between a registered sex offender and a sex offender, and then in correcting Schedule 3 we have to now fix the cross references as is required.

Mr. Deputy Speaker, this is the law which we are anxious to see completed today so that the citizens of this country will feel a sense of acknowledgment, a sense of protection that the Government not only hears what they say, but acts and operationalizes laws for the benefit of our society well within the keeping of section 53 of the Constitution where we make laws for the peace, order and good government of our society. In those circumstances, Mr. Deputy Speaker, I beg to move. [*Desk thumping*]

Question proposed.

Mr. Deputy Speaker: I recognize the Member for St. Augustine, and as the first responder you have 30 minutes. [*Desk thumping*]

Ms. Khadijah Ameen (*St. Augustine*): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, I, like the Attorney General, am anxious and happy to see this piece of legislation finally come to the Parliament. The United National Congress is on record as calling for the establishment of the sex offenders registry to be established in Trinidad and Tobago. We have consistently been making that call since November of 2015. There are several instances recorded on the *Hansard*. And while there has been promises and positive words from the Government, and I am sure as well that the voice of the people, that the current social climate, that the speaking out of our citizens to add their voices to this call, has pushed the Government to finally bring this legislation forward and I am very happy.

Mr. Deputy Speaker, just for the record I just want to mention some instances from the *Hansard* where the United National Congress, the Members of the Opposition, even in the previous Parliament, would have made this call. In April 2016, Dr. Fuad Khan asked about public access to the sex offenders registry. In March of 2017, MP Barry Padarath asked of the establishment of the child of—for the protection of children, the establishment of a sex offenders registry. In March of 2018, Mrs. Vidya Gayadeen-Gopeesingh, Oropouche West, again, and a follow-up by MP Padarath. And even then, Mr. Deputy Speaker, the Parliament, the Opposition, the population, has been told it is in the works, it is in the making. On record here you also have Minister in the Office of the Prime Minister, hon. Webster-Roy, indicating and I quote:

The necessary legislative framework has to be put in place and the Office of the Attorney General is working on it.

So I know the Attorney General must be very happy to be here today because he has spent quite some time working on it since 2016, and we are happy to see it being brought to light. But I can tell you, Mr. Deputy Speaker, that the UNC has been consistent on calling for the establishment of the sex offenders registry, and we have also been consistent of ensuring or asking that the views of the stakeholders be taken in consideration. The Attorney General in his opening indicated that consultations did take place. I am happy to hear him mention some of the recommendations that came from different quarters in terms of national security, surveillance, cameras—how many cameras are working and not working—the public transport and so on, and we will continue to be the advocate and the voice of the people to ensure that these things do come to fruition.

Mr. Deputy Speaker, the Bill before us, the Sexual Offences (Amdt.) Bill, 2021, creates two registers, a non-public national sex offender register which is

also being referred to as the police register, and a publicly accessible public sex offender website which is being referred to as the public register or the website. The concerns of the possibility of vigilante justice, the concerns of protection from that, those things have been aired in the public domain for quite some time. I will go into a few of the clauses, Mr. Deputy Speaker, where I want to put on record, but I want to put on record the Opposition's support and raise these concerns with the hope that it could be addressed in this seat of Parliament, this seat of democracy called Parliament.

Mr. Deputy Speaker, one of the clauses calls for sex offenders convicted outside of Trinidad and Tobago including non-residents and non-citizens to be placed on a register or a website. With regard to this, a person who is entering the country for two days or 48 hours they have that amount of time before they are required to report. We have a concern—I have a concern I want to share with that, Mr. Deputy Speaker. I will come to that later. But one of the major features of this Bill is that whereas previously under section 49(1) of the 2019 Act, the previous Act, a person convicted of an offence against sections 4, 4A, 9 or 12 of the Act, or section 18 of the Children Act was subject to a mandatory order to be registered under section 54(1). A person convicted of a registrable offence other than those mentioned was only required to be registered under 54(1) in the discretion of the court.

In both cases a person could apply under section 61(1) to be exempted from registration, or under section 62(1) from the cessation of the reporting requirement. In this Bill that discretion of the court is largely removed. Under this current Bill all registered sex offenders must be included in the register, since under the new section 49(1) the court must now order the registration of all persons convicted of a registrable offence and it is subject only to an application for exemption under

section 61. So, I know the Attorney General has indicated about the discretion of the court, the discretion of the court, but the discretion to not order registration for the majority of offences is now being taken away from the court.

The accused, the convicted person you have issues of their rights, knowledge of their rights, access to legal representation. In the case where a situation may have been publicized a lot, the identity of the victim is tied to the identity and the information about the accused or the convicted person as well. But you know what this does? This provides more work and more money for lawyers because a person must have their attorney apply for the exemption. It is not left to the discretion of the court, and that is something that I feel that the court should have been left with the discretion that was provided in the 2019 Act.

Mr. Deputy Speaker, concerning the website, the court's discretion has been removed all sex offenders. Name and information under the 2019 Act were only included in the website when court at its discretion made an order. So, after a conviction the court would then have to make an order based on the circumstances, based on the case, to have that go on the public website. That discretion again is something that I feel the court could have remained with. The Attorney General briefly mentioned the issue of mental health assessment and, Mr. Deputy Speaker, that is something that an attorney seems to prefer—the court seems to prefer the assessment because in many instances a mental assessment report it is no longer mandatory here, but that is how the court would consider applications for the sexual offenders to be exempted from registering or reporting for terminating their reporting period, or from expunging the information from the registrar.

More than—in fact, many times sexual abuse cases, sexual offence cases especially those involving children, Mr. Deputy Speaker, mentally ill persons are characterized by some degree of mental or emotional dysfunction of the abuser.

Without that mental assessment, how does the court determine if this person should be exempted? The courts have long relied on reports from psychiatrists to help in their proper determination of sexual offences matters. So this, Mr. Deputy Speaker, because we are talking about the protection of the citizens, the reason for the establishment of the register is to protect citizens from being potential victims, and the assessment of their mental health is a critical part of determining whether they are fit or not to be amongst certain people who might become potential victims.

Mr. Deputy Speaker, I also want to touch briefly on the issue of the special majority. I do not know why, Mr. Deputy Speaker, the Attorney General felt that it was not necessary to put the special majority in here. I feel that—I just want to quote Sen. Wade Mark in the Senate briefly and I think that really captures it. He said:

“The question has to be asked: Why would the Attorney General want to encourage litigation against the State by passing a Bill that requires a special constitutional majority with a simple majority? It is as if the Attorney General likes to spend taxpayers’ money to defend challenges and then claims confidentiality, so that we the taxpayers do not know who got what by failure of disclosing who the Attorney General has paid, how much he has paid you to those lawyers...”—

Mr. Al-Rawi: Mr. Deputy Speaker, I rise on—

Ms. K. Ameen:—“including his own law firm...”

This is from the *Hansard*.

Mr. Deputy Speaker: One second.

Mr. Al-Rawi: Mr. Deputy Speaker, I rise on Standing Order 48(1), and 48(4), and 48(6). Having been in that House I know that that was equally unfortunate in that House as it is here. So you cannot just read it, Mr. Deputy Speaker.

Mr. Deputy Speaker: Again Member, with regard to your statement, even though you are quoting, again based on the Standing Order identified I will suggest that you move on from your point please.

Ms. K. Ameen: Thank you. Mr. Deputy Speaker, for the record I was quoting from *Hansard*, but the issue is why risk the legislation being struck down as unconstitutional when you have been engaging the Opposition for support and—

Mrs. Robinson-Regis: Mr. Deputy Speaker, you made a ruling and the Member is continuing.

Mr. Deputy Speaker: Again Member, as I suggested, kindly move on please to your point. No—

Mrs. Robinson-Regis: Mr. Deputy Speaker—

Mr. Deputy Speaker: One second. No explanation is needed, Member.

Mrs. Robinson-Regis:—Standing Order 48(4), Standing Order 48(6), Standing Order 48(1), and Mr. Deputy Speaker, I am asking for it to be withdrawn.
[*Crosstalk*]

Mr. Deputy Speaker: Okay. All right, Members, thank you. Right! So Member for St. Augustine as I ruled, I told you to move on to your other point—Right?—and again let us not go down that road you are presently on please

Ms. K. Ameen: Mr. Deputy Speaker, I will want some injury time. Thank you very much for your protection, Mr. Deputy Speaker.

The main purpose of the sex offenders register is to help the police service prevent and investigate sex crimes by giving police agency the access to databank, information on convicted sex offenders particularly their residents where are located, the ability to track and inhibit or prevent them from continuing with deviant behaviour. Of course, the resources of the police, police management and monitoring for every sex offender, not only whether they have committed a very

heinous crime or not, but every offender that is registered has to remain on the police radar. We must recognize the additional work now being handed to the Trinidad and Tobago Police Service and, Mr. Deputy Speaker, I call on the Government to ensure that adequate police resourcing, financial and human is given to the TTPS to ensure that this goes. This also goes for the forensic as well as the police resources.

I come back now, Mr. Deputy Speaker, to a point concerning sex offenders who are convicted overseas and they come to Trinidad to visit. There is a requirement in the legislation for the sex offender to report to his nearest police station within 24 hours of entry into Trinidad and Tobago where he is convicted by a court outside of Trinidad and Tobago, and he is in Trinidad for more than two calendar days. Why? Why more than two calendar days? What if a sex offender is only in the country for one day or two days? He can still commit an offence; he can still be a risk or a potential danger during that time. So I am asking, why report within 48 hours? You can also have and should also have that it should be mandatory for the offender to report to the police immediately upon entry to Trinidad and Tobago, whether the person is on our shores for two hours, two days, two months or two years.

The requirement here for that, Mr. Deputy Speaker, in my view, leaves a space, a loophole for potential victims to not be protected because we are not informed. So I want to ask for a mechanism to be set up for reporting either at the airport or a port of entry, or for the sex offender to be required to report immediately on entry to the nearest the police station or the airport.

5.00 p.m.

Mr. Deputy Speaker, I think it is also important for me to mention assessing how this is impacting on our society, assessing how the establishment of

a sex offender's registration and notification system or policy, how it reduces sexual violence against women, against girls and against boys as well. In some states in the US, and in some other jurisdictions, when they implemented online sex offender's registration policies in the 1990s, they subsequently conducted studies—follow-ups—and this is where our own TTPS and criminologists will have a role to play and that research must inform Government's policy, follow-up, in terms of the number of new sex offenders being registered, the percentage of recidivism.

In a research report that was submitted to the United States Department of Justice—dealt with the State of South Carolina, they started their system in 1995 but it shown some surprising results. So there were some positive impacts on the general deterrence associated with adverting what they determined was approximately three new first-time sex offences per month. So there was a reduction in first-time sex offences. However, it still had no effect on deterring the risk of sexual recidivism. People who offended tended to offend again. It did not exert the intended effect on the judicial system in terms of non-sex crimes.

And in those cases, the number of defendants who were permitted to be placed on non-sex charges following the onset of the South Carolina policy for online notification, what they realized was that there was actually a reduction in the community safety by increasing the likelihood that these defendants who were guilty of sex crimes pleaded guilty to non-sex crimes or were acquitted altogether. So we have to look at the net effect in terms of the change, how it affects our society.

Now, the culture there in those countries, in the US, may not be the same as in Trinidad. We are a smaller country, we tend to know each other personally. The issue of vigilantism and a sex offender functioning in a community without being

well known by members of the community is less likely to happen here because of how small our society is. However, we have to look at the effect this will have on our culture of treating with sexual offenders.

Mr. Deputy Speaker, registered sex offenders who fail to register were seen as more sexually dangerous than compliant registrants because you have the element of remorse in there as well, you also have those who comply with counselling and this is where the psychiatric treatment and psychiatric evaluation, the mental health evaluation, comes in.

So, we have, Mr. Deputy Speaker—another key element I think when I speak of our culture in Trinidad and Tobago has to do with how we as a society treat with persons who are involved in sexual offences, whether it is sexual harassment or the very heinous and devious crime, whether we have crime against children, sexual offences against children, and the message we send. It is important for our teachers to understand the role they play in protecting our children who may see them as the only refuge. They may be the first to know of an instance where a child is being sexually abused and they do have a responsibility under law at present to report if they know that a child is a victim of any kind of sexual abuse.

The fact that an adult who is aware of an offence against a child has a responsibility in law to report that says something about how our adults should treat with sexual offences. We have to continue to be examples as leaders.

So in this Bill, we are treating with publicity. We are proposing to publicize the names of convicted sex offenders. We are arguing in the public place, in the Senate, in other places, about privacy, the privacy of the victims, protecting the victims and the accused person's right to privacy, the convicted persons. We are speaking, Mr. Deputy Speaker, about protection, protection in law for those who have been offended. We are speaking of protection of those who are convicted. We

are also speaking in a large part about the protection of potential victims , ensuring that those persons who may be at risk in the future are protected because they have knowledge, upfront knowledge.

I just want to briefly mention, I had a conversation with the mother of Ashanti Riley and one of the things that came out in the public domain is that there were people who were aware that her attacker had issues—what they call issues surrounding interfering with children. That is basically how it could be termed. But in other words, it was known to some persons that he had deviant ways. But, because they had recently moved into that community, they were not aware of it. So the talk on the grapevine is a way of a community being informed. There was no official public register for her or her parents to know that that person had a record.

However, the question in terms of whether a person is convicted, accused or whether it is just common knowledge, “village talk”, this protection, the publication of a sex offender only comes when a person is convicted. There have been instances where people have numerous cases before the court, they are not convicted, and therefore they will not be on the register and so you will not have the protection of their names being publicized.

Here is a concern. The length of time that some of these cases take to be tried in court leaves potential victims vulnerable. [*Desk thumping*] When a case could take 15, 20, 10 years where a person has numerous sex offences that he is accused and arrested and being tried for and continues with his deviant ways, this person will not appear on the sex offenders registry. A big part of this registry doing its work is for the courts to be more efficient to ensure the protection.

Another part of this, Mr. Deputy Speaker, the part about the example of our leaders has to do how we in the public spaces treat with even with persons of

prominence who are either victims or perpetrators. How do we treat with the stigma where holders of public office, either in terms of representation or in the clergy or anywhere else, but holders of public office who are accused of sexual offences or even sexual harassment, do we continue with the culture of sweeping it under the carpet? Do we sign non-disclosure agreements with the victims? Do we protect the perpetrators while we are saying all other ordinary folk go and be named on the public registry while you have non-disclosure agreements for persons high in society? We have to be careful about what message we are sending.

In conclusion, Mr. Deputy Speaker, the United National Congress strongly supports the protection of women. We, in the Opposition, we strongly support the reduction of crime against women, protection of our women, men and children against sexual offences. The United National Congress also supports good law. There are opportunities here, Mr. Deputy Speaker, to strengthen the legislation and just as the Attorney General said, he was so happy to see this piece of legislation finally coming after he has been working on it for years and years and years, I also look forward to another piece of important legislation, the sexual harassment in the workplace policy [*Desk thumping*] that has been promised by this Government to come before this Parliament.

Mr. Deputy Speaker, I thank you for this opportunity to contribute to this debate. [*Desk thumping*]

The Minister in the Office of the Prime Minister (Hon. Ayanna Webster-Roy):

Thank you, Mr. Deputy Speaker, for—

Mr. Deputy Speaker: Member, 20 minutes.

Hon. A. Webster-Roy: Yes Sir. Thank you, Mr. Deputy Speaker, for the opportunity to make a brief contribution towards this very important debate. I

would first like to start off by addressing some of the issues raised by the hon. Member for St. Augustine. Mr. Deputy Speaker, we live in a democratic society and one of the things that I would have learnt being in the position now of a policymaker is how you balance rights because we live in a society where everybody wants their rights to be recognized and we have to learn to balance that. And I am saying this, Mr. Deputy Speaker, because I remember when we had initial discussions around this particular piece of legislation, there were some persons who were very adamant that all the information should be public, you know, you must be able to see everything and there were some persons who were very adamant, those who strongly advocate for human rights and those who are of that nature were saying well, you know, what about the rights of the perpetrators? Mr. Deputy Speaker, it is a very difficult task in a society that is democratic to balance rights. However, I must say, the measures proposed by the Attorney General in the Bill, it balances the weight not just in terms of rights but it also, Mr. Deputy Speaker, leans heavily on the victim and I am happy for that.

Mr. Deputy Speaker, whereas I may not have been a victim of any sexual violence, I know persons who would have endured that. I know how uncomfortable it is to be peeped on; whereas being peeped on may not be as huge as being raped, I knew how I felt. I felt violated, much less for somebody who would had to endure either rape or incest or something like that.

One of the things I learnt, Mr. Deputy Speaker, is that growing up in a very close society, you often hear the whispers about what is happening here, what is happening there. I am from Tobago East, I grew up in Tobago East, deep countryside Tobago East and I remember hearing the stories about “doh go in that car because Johnny boy known for touching people”, “doh walk through that track because the man that live at the end of the track is ah pervert”. I know the stories.

So when the Attorney General and his team and when the entire Cabinet, when we were discussing this piece of policy, I was very excited because I knew we were bringing another measure of safety to the vulnerable in our society.

But again, Mr. Deputy Speaker, it brings to the fore the fact that the legislation alone cannot bring about the required change in Trinidad and Tobago and the hon. Member for St. Augustine would have alluded to that. Even though we may have a register, one that is for use by the public, one that is for use by the law enforcement personnel, that would not necessarily safeguard someone from becoming a victim. However, what would safeguard someone from becoming a victim would be all the other measures we put in place to start bringing about the change in mindset required in Trinidad and Tobago.

I was on social media recently and a young lady put up a post about her experience and she was saying that—her story is basically how I escaped and she named the individual who would have been one of the persons identified in the—I am assuming—the rape and murder of someone in Trinidad and Tobago recently and she would have detailed her experience and how she would have survived. And someone asked me to comment but I did not comment because I recognized that even though we may try to create laws, even though we may try to bring about programmes, what we have to do as policymakers, as legislators, what we have to do, we have to become the champions of the change that is required in Trinidad and Tobago. And I want to say that again. We have to become the champions of the change by the way we speak, by the way we communicate.

The hon. Member for St. Augustine said for years they would have been clamouring for this particular Bill to come before the House and while they were clamouring, Mr. Deputy Speaker, we would have been doing the side work to ensure that once we brought this Bill here today, there would be the necessary

supporting framework to help those persons who may be potential victims but also to help to safeguard the vulnerable in our society.

And before I go into more details on the Bill, I want to share with you, Mr. Deputy Speaker, and the public, some of the work done by the Government thus far to help to protect the vulnerable in our society.

The hon. Member for St. Augustine spoke about, you know, duty bearers understanding their roles in terms of reporting sexual offences and reporting crimes. At the Office of the Prime Minister, Gender and Child Affairs, over the years, we would have trained hundreds of duty bearers so they will understand their rights, their roles, their responsibilities in terms of reporting violent crimes, in particular crimes against children. We would have trained coaches, we would have worked with teachers in our nursery schools, we would have worked with even media personnel for them to understand their duty in terms of reporting such types of crime. Mr. Deputy Speaker, we have been working with our schoolchildren, helping them to understand how important it is for us to eradicate gender-based violence in our society.

We have our UN foundation programme that is operating where you are working with those young people so that we could bring about the change in mindset that is required. We have would have been working with persons down in the southern region of Trinidad in terms of project SARAH so you would understand how participating in human trafficking, encouraging it by maybe soliciting prostitutes, how that impacts on our wider society. We have would been working with our communities helping to bring about the knowledge around gender-based violence and how we should treat with it through our Shades of I-She plays which is a play that goes into communities bringing to the fore information around gender-based violence and how we could work as a community, as a

society, to curb such forms of violence.

Mr. Deputy Speaker, we would have been working in terms of our legislation and the agenda set out to bring about the change but at the end of the day, it comes back again, and I want to say it again, it comes back to personal responsibility. And I want to call on my colleagues today in this honourable House for us to make a commitment at the personal level to start talking differently when it comes to violence against women and children and violence on the whole. I was excited when the hon. Member for St. Augustine got up and said “Well, we are supporting this” and then she went on to find all the different ways to say “Well, this cannot work because of this” and “I am not happy with that” and that is well within her right. But what we need to do is we need to start talking in one common voice so that people recognize that in this House, we are walking and talking the same thing when it comes to violence and when it comes to protecting the vulnerable. [*Desk thumping*]

Again, I say I did not personally experience sexual violence in the form of rape but I know how it feels to be “peeped on” and I know how violated I felt. So imagine for those persons out there who would have endured maybe incest or who would have been raped, for them wanting us to come together as a House, as representatives, to shape a society that would ensure that they feel protected later on and “they see us in here playing the fool”. I think we are doing a disservice.

Mr. Deputy Speaker, I want to commend the Attorney General because what this Bill does, it provides measures for us to be able identify those persons who have the potential to perpetrate in terms of sexual offences but it also gives the public an opportunity to be able to be more alert and to know what is happening; what is happening around me, who is going to come into my community, who has the potential to hurt someone in my community. The point raised by the Member

for St. Augustine about the persons coming into the country having to report within a certain time frame, that is something I could understand because as a mother, I have two young daughters, I would want to know if somebody is coming into my country and they have a history of being a sexual—

Mr. Deputy Speaker: Leader of the House, some mutters on your side please.

Hon. A. Webster-Roy: I would want to know somebody who is coming into my country and they have a history of being a perpetrator and they are registered in their jurisdiction, I would want to know if the person ends up in my community. I would want to know as quickly as possible so I could put measures in place to safeguard my children, to safeguard my young constituents who are vulnerable. So I understand that point and maybe that is something that we may need to look at as we further develop this piece of legislation, maybe something we may need to consider further. As I started off by saying, Mr. Deputy Speaker, we live in a democratic society so balancing rights is something that we all have to contend with, but at the end of the day we want to ensure that we do what is best for those who are vulnerable in our society and those who are vulnerable in our community. So I understand that point raised by the hon. Member.

Mr. Deputy Speaker, in preparing for the debate, I would have reviewed some the statistics brought to the Office of the Prime Minister, Gender and Child Affairs by the Children's Authority and while we would have noticed that we still have relatively high incidents of violence against our children, what was particularly disturbing to me was the fact that the second highest form of violence and abuse reported was sexual violence against our children. And it means, Mr. Deputy Speaker, that something very serious is happening in our communities today that we must address and that is, how do we educate our adults that they recognize that they have a duty and a role to play in terms of protecting vulnerable

children instead of hurting them?

Mr. Deputy Speaker, the Office of the Prime Minister, Gender and Child Affairs, we would have been rolling out a number of programmes in our communities educating adults as well as children about the rights of our children and as well as the responsibilities that goes along with those rights and what we have developed is what we call a Child Rights Ambassador Programme where we are training our young people, our children, to understand their rights and their responsibilities and then they then go out and become advocates and I want to demonstrate how that is working.

Mr. Deputy Speaker, recently, one of my daughters brought her cellphone to me and she said “Mummy, I just found a video of one of my classmates”. Apparently, the young girl might have done a nude video for, I guess, you know, a little boyfriend-girlfriend situation, I do not know. But for some reason, it ended up on the Internet and my daughter reached out to the young lady, she said to her “You know what that person did to you was wrong”. So I said to my daughter “How you knew that was wrong?”. She said “Mummy, you are always talking about the rights of the child and you know responsibility”. She says “I am listening”. She said she went on to counsel that young girl to tell her you know what, you need to contact your parents or somebody else and let them that you were violated because that person was wrong to put that video out. Even though you did it, you might have done it because “yuh young and yuh naive”—this is my teenage daughter talking to another teenage girl. She said, “But that person had no right to share,” and she also said to her “You know that is a form of pornography” and I was so impressed because I did not realize that children out there are actually listening to us.

So while we try to do these little things at our level in terms of policy and

programme, we also need the law to help to support it but more than the law helping to support it, again, we need those persons to be the champions and to speak out on behalf of the vulnerable just as my little daughter spoke out on behalf of that young girl and said we have to find help for her.

Mr. Deputy Speaker, I remember last year, a young lady contacted me and we spent about two hours on the phone and then she subsequently called me again sharing her experience about being violated from the age of five and she said to me, she said “You know what is the hurtful thing? That person walking around normal, normal, normal in society.” And I was thinking, you know, what other measures could be put in place to help protect this young lady and to help protect other persons who might have come into contact with that perpetrator? This public website would give persons in the community an idea, here what, even though that person “walking around normal, normal and looking as though they decent, decent”, they have something to hide, be careful, be on the alert. So that is how we are trying to marry the legislation with our programmes as well as advocacy, Mr. Deputy Speaker.

Mr. Deputy Speaker, I want to encourage the people of Trinidad and Tobago to recognize that legislation alone would not solve the problems that we are facing. Programming from Government alone will not solve the problems we are facing as a society. What it calls for is individual responsibility, individual responsibility, for us as individuals to decide to do better and be better. I remember when I was peeped on, Mr. Deputy Speaker. My husband was very annoyed and if he did not have self-control, he might have been in jail for murder and that is what we are talking about individual responsibility. He had to take that individual responsibility to know I would not act violently, let us report it to the police and see what will happen. And even though I went to the police and the police thought was “ah joke”

and they were asking me “He see yuh birthday suit, what happen?”, we still acted responsibly by not going to retaliate in a violent manner. So it comes down to persons deciding to do what is right and what is good and what is just in Trinidad and Tobago for us to bring about the change that we all require in our country.

I commend the Attorney General for this piece of legislation, I commend him for this Bill, I commend him for the work, but I also caution all of us in this honourable House for us to lend our voices to another cause which is calling on our constituents to start doing better and being better because that is the only way we could change our society. [*Desk thumping*] This is good work. This is commendable work. However, this would not solve the problem on its own. Coupled with the programmes coming out of the Office of the Prime Minister, Gender and Child Affairs, the programmes coming out from supporting Ministries such as the Ministry of Social Development and Family Services where persons who may have to leave their home situation could get the support from the State, different Ministries, different agencies working together in tandem with individuals deciding to make a change, deciding to be different, deciding to be better, good citizens, that is how we are going to see the Trinidad and Tobago we all yearn for.

I know the hon. Members opposite would say well every sitting, she will come and say the same thing but, Mr. Deputy Speaker, sometimes you have to keep repeating the message, repeating the message, until you get the buy-in. [*Desk thumping*] That is important because I honestly do not think that it is just my duty to come here and speak to the clauses for a Bill because that will not make the change but to remind persons that we are all part of this and we are all in this together. Whether or not you sit on the Opposition Bench or a Government Bench, we are all in this together because persons selected us to be their voices and to lead

this society and we have to be responsible. Sometimes we have to put aside the politics and do what is good and what is right.

So I said before, I may not have agreed with everything that the hon. Member for St. Augustine said but I commend her stance in terms of supporting this piece of work and that is where we need to go. At times, forgetting everything and really coming and standing on a united front for the good of the people of Trinidad and Tobago.

Mr. Deputy Speaker, I know my friend from Princes Town will get up in a short while and say “ah crying crocodile tears” but, Mr. Deputy Speaker—
[*Interruption and laughter*] Mr. Deputy Speaker, I am just having a little fun with my honourable friend from Princes Town here, but Mr. Deputy Speaker—
[*Interruption and laughter*]

Mr. Deputy Speaker: Just do it through the Chair, please. Do it through the Chair.

Hon. A. Webster-Roy: Mr. Deputy Speaker, with all the jesting, what I am trying to say is that we could do so much better as a country, as a people, if at times, we really just focus on what joins us together than what separates us. If we focus on what unites us instead of what divides us, we could do so much better as a people in Trinidad and Tobago. And if today, we make that start by us really supporting the work here and getting the full support of the Opposition Bench and everyone saying the same thing, I genuinely believe that we could see the transformation happening in Trinidad and Tobago.

And with those few words, I also want to thank you for the opportunity, I want to thank the hon. Attorney General for his work and my colleagues for all that they would have done in terms of supporting the work of the Office of the Prime Minister, Gender and Child Affairs as we go out in our communities and try to bring about the change in mindset required in Trinidad and Tobago to end gender-

based violence and to ensure that our vulnerable citizens, in particular, our women and our girls, that they are protected so that they become valuable contributors to our national development. I thank you, Mr. Deputy Speaker. [*Desk thumping*]

Mr. Deputy Speaker: I recognize the Member for Princes Town. You have 20 minutes.

5.30 p.m.

Mr. Barry Padarath (*Princes Town*): Thank you, Mr. Deputy Speaker, for the opportunity to contribute and participate in the debate before the House today. Mr. Deputy Speaker, it is often said that the role of the Opposition is to oppose or to criticize.

When I first became a Member of Parliament in 2015, I encountered a situation in my own constituency and I would not refer to the children's names or identify the perpetrator, but suffice it to say one of the most heinous incidents that occurred in my constituency on me becoming a Member of Parliament, was the brutal rape of two young girls by their schoolteacher. The teacher subsequently hanged himself in a public cemetery and it was later discovered that he was a repeat offender. Mr. Deputy Speaker, that prompted me to look for solutions, to make advancements in terms of recommendations in ways in which we can further protect women, girls, and the most vulnerable in our society with respect to sexual violence.

Mr. Deputy Speaker, it was in November of 2015, when I brought to the Parliament the issue of establishing a sex offenders registry in 2015. At that time, it met lukewarm response by colleagues opposite. But with repeated questions and Motions, it was then seen as something that could provide tremendous value, in terms of addressing the issue of sexual violence, especially as it relates to repeat offenders.

[MADAM SPEAKER *in the Chair*]

Madam Speaker, from 2015, when I first started raising this issue in the House, to listening to hon. Member for Tobago West and the Member for San Fernando West today, I am very happy to join with both Members in terms of supporting this particular amendment to the Sexual Offences (Amdt.) Bill, 2021.

Madam Speaker, there are a few issues that I would like to identify on the onset. But repeatedly, the Member for Tobago West and the Member for San Fernando—Tobago East, sorry, I am looking at the nameplate, my apologies. The Member for Tobago East and the Member for San Fernando West often say to us in this House that sometimes we may not get the legislation perfect. It may not be right at the very start, but it is a step in the right direction. And while I may not always agree with that stance and that sentiment, today I believe that we have taken a step in the right direction. It may have been for some, six years too late, as we look at the backdrop of several persons who have been the victims of sexual offences in this country. But what this would mean is that it would give others who may be potential victims, Madam Speaker, the opportunity to not have repeat offenders, especially, prey upon them and to further empower them, because it is often said that knowledge is power.

Madam Speaker, one of very first things—and I know the Member for Tobago East spoke about her work in the Gender and Child Affairs Unit at the Office of the Prime Minister, and one of the things I am hoping that we see a roll out of, I know it was only short of 20 minutes today that the hon. Member had to speak, but what I am hoping that we will see in the coming weeks and months ahead, would be a public awareness programme and a public awareness campaign.

Madam Speaker, I will tell you why this is so important, especially for a constituency like mine that is considered to be a rural constituency. I have had so

many instances of having, especially the Child Protection Unit, get involved in circumstances as it relates to sexual offences, particularly against children in my own constituency. But what I found, Madam Speaker, is that many parents and grandparents who are the custodians and guardians of these children often do not know where to turn. Yes, I understand that there is the support of the Children's Authority, the Child Protection Unit, et cetera, the sheer ignorance sometimes, Madam Speaker, of not knowing is usually a stumbling block, in terms of getting the help that is required.

And in preparation for today's debate, I looked at some of the other jurisdictions to see where they have established a sex offenders registry, that they have embarked on a public awareness campaign that actually worked, as it relates to, especially rural areas. And one of the suggestions, one of the recommendations, especially coming out of rural parts of Texas, I found, Madam Speaker, was that they utilized the schools. They empowered the schools by having the computers and the website available to parents in the schools.

So if you do not have a device at home, you do not have Internet connectivity where you can go on to the website, Madam Speaker, when you go to pick up your children from school, you are able, through the systems that are put in place there by having someone to assist parents who may not be technically savvy in terms of utilizing computers, and so on, to be able to assist them. And this is something I am hoping that we can utilize through our schools, yes, Member for Tobago East, but also through our representatives, MP's offices, the office of the councillors, the regional corporations. I think, Madam Speaker, especially where we have seen so many instances.

The hon. Attorney General, in the other place, Madam Speaker, in piloting this particular Bill, spoke about the thousands of cases before the Children's

Authority that deals with sexual offences against children. And Madam Speaker, I believe that this will be a step in the right direction, that we can work across the aisle with Members opposite, that we can empower our constituents who will be able to benefit from today's work in terms of this amendment for the establishment of a public sex offenders registry.

Madam Speaker, today's Bill requires offenders coming from abroad to register themselves with law enforcement within two days of arrival in Trinidad and Tobago. And, Madam Speaker, one of the shortcomings that I found with the Bill—and I looked at other jurisdictions, particularly the UK, the US and Canada—was that there is an explicit provision in their legislation that governs the sex offenders registry that compels and makes it mandatory for offenders who are registered on the national sex offenders registry in their particular country, to notify law enforcement through a specific criteria outlined in the law of these countries, particularly the UK, Canada and the US.

And in the US, this is what happens. Even you are not on probation or parole, the Sex Offender Registration and Notification Act (SORNA) is a federal law that requires registered sex offenders to inform his or her residence jurisdiction of any travel outside of the United States at least 21 days prior to that travel.

You must provide information related to your travel itinerary, your contact information in the country to which you will be travelling and the crime for which you are registered.

So, while we do identify a specific procedure in our legislation today, with the Sexual Offences (Amdt.) Bill that is before the House, of persons coming in, non-nationals coming into Trinidad and Tobago, the Bill has a limitation. I am hoping the hon. Attorney General will speak when he is wrapping up, of whether or not there is a specific omission. I know the hon. Attorney General did indicate

that there are more amendments to come as we proceed. But one would have thought that if we were dealing with persons coming into Trinidad and Tobago, we would also be dealing with nationals going out, especially if we were looking at other jurisdictions, especially jurisdictions that we share our jurisprudence with, Madam Speaker.

Madam Speaker, if we look at the UK, if you are living in England, Wales or Northern Ireland, the perpetrator who is convicted and on the sex offenders registry, must notify the police of any intention to leave the UK for any period of time. Previously, you had to notify the police of any intention to leave the UK for three days or more. But this has now changed under the Sexual Offences Act of 2003.

Madam Speaker, this is the information that one must provide:

- the date of departure from the UK;
- the destination country or if there is more than one, the first and the point of arrival in that country;
- the points of arrival in any country that will be visited in addition to the initial destination country;
- the carriers the offender intends to use to leave and to return to the UK or to any other points of arrival where they are outside the UK but not internal flights;
- details of accommodation arrangements for the first flight outside of the UK;
- the date of reentry to the UK and point of arrival.

Madam Speaker, essentially, by providing this information to law enforcement before you travel, it also allows the opportunity of the sharing of that information

subsequently, Madam Speaker, to other jurisdictions.

Madam Speaker, where you do not hold the required information at least seven days before your departure date from the UK example, because you need to travel at short notice, you must notify the police 24 hours before departure. You must also provide the other information detailed above or as much of it as you know. Madam Speaker, that is what applies in the UK.

In Canada, the marginal note compliance before leaving Canada, in section 4 of your legislation:

“A sex offender shall not leave Canada before they report under this section.”

And again, a criterion is established. I know the hon. Attorney General may indicate when he is wrapping up that the judge or a magistrate may have discretion, Madam Speaker, when granting bail in terms of these conditions set out. But this particularly, Madam Speaker, is listed in the legislation of the UK, Canada and the US as a specific provision that deals with the criteria set out for persons who are convicted, who are on the register, Madam Speaker, to be able to leave the country of their nationality.

Madam Speaker, there are just two other issues that I would like to raise, and I know that my colleague dealt with the constitutional requirements, except to say, Madam Speaker, under this 2021 amendment Bill, some have advanced that there are new breaches to fundamental rights that have occurred. For example, the sex offender's personal information will be placed on the register and the website as an automatic consequence of conviction. This is a clear breach to some, Madam Speaker, of privacy; information such as address, children's name, et cetera.

Now, Madam Speaker, while we do understand the rationale for this sort of information being placed on the sex offenders registry, Madam Speaker, it is my

hope that the hon. Attorney General will address that matter raised by the Member for St. Augustine, in particular with respect to the constitutionality and those provisions, Madam Speaker.

Madam Speaker, the final point that I would like to raise is a point that has found its way into the public domain, and I know there is a proposal before the Office of the Attorney General now, Madam Speaker, and hopefully the hon. Attorney General would be able to give us some clarification with respect to whether Government is looking into this. I know the Member for St. Augustine told us it did take us a very long time from 2015 to 2021, but we are here. We are here. It is a way forward, but it is my only hope—and I remember the Member for Arima and the Member for Tobago East in particular. When they speak they often ask: What is the way forward? Where do we go from here? And having taken a giant leap today, Madam Speaker, with this particular amendment to the Sexual Offences Act, I believe that one of the proposals, and I am not saying that this is the panacea to this entire issue, but I would like the hon. Attorney General's thoughts on this matter because it has been making its way, especially as it relates to regional news and international news.

Madam Speaker, if you would allow me to quote from a publication done by Fox News. It says:

“The advocacy partnership, entitled ‘Operation Global Sex Offender’s Registry,’ is driven by a leading sex offender registry management solution for law enforcement, OffenderWatch, along with the Caribbean Committee Against Sex Crimes (CCASC), an initiative of nonprofit Zandoli USA.

The endeavor is focused on propelling the other nations in the Caribbean Community - officially dubbed Caricom - to implement similar Bills over the course of the next year so they can create the unified registry

between the Caribbean automatically coordinated with the U.S. and stop international sex crimes and child trafficking before they occur.”

Madam Speaker, I would really like to put on the public record and congratulate the work of the Chairman of this organization, Jonathan Bhagan, as well as this group. Because what it not only intends to do is:

“...to make the database publicly accessible but to implement a Safe Virtual Neighborhood app, in which parents will always know if their child’s smartphone goes near a sex offender’s address even if the offender is not on a public registry on the US - which will require the cooperation of the Caribbean and beyond.

‘Once we get the OffenderWatch software implemented in the Caribbean, there will be less need for a public registry since automation at the software level is more efficient,’ Bhagan added.”

So, Madam Speaker, as I said, I know that this is a proposal they have shared with Members of the Opposition. I know they have indicated that this has been shared with the Office of the Attorney General.

And, Madam Speaker, in raising that issue, I would like to turn to my last and final point and that has to do with, Madam Speaker, that the 2021 amendment Bill that we have before us, it seeks to amend section 63 to increase fines for breach of regulations made under the Act. Yet to date, over one year and six months after proclamation of the 2019 Act, no such regulations have been laid.

Madam Speaker, some will say to add insult to injury, section 67A of the 2019 Act mandates that:

“The Minister shall cause to be laid in both Houses of Parliament, annually, a report on the administration of this Act.”

The 2019 Act was proclaimed on the 31st of January, 2021, and Madam

Speaker, at least one annual report is due.

Madam Speaker, on that note, it is my sincere hope as the Member for Tobago East said earlier, that for us to work together on matters like this that can be both beneficial to both constituents that are represented on either side of the House. But Madam Speaker, one must not speak from both sides of their mouth. And, therefore, if the Member for Tobago East is asking for us to sing in harmony, it is my hope that the hon. Member will encourage her colleagues to have this report laid and therefore, we will have a better idea in terms of whether or not this legislation is working and we will have a better idea of where do we go from here. I thank you, Madam Speaker, for the opportunity to be able to contribute to today's debate.

Mr. Keith Scotland (*Port of Spain South*): [*Desk thumping*] Madam Speaker, when there seems to be unison and agreement on both sides of the House, I am very encouraged, and this piece of legislation, Madam Speaker, I think, engenders that cooperation. And I would like, at this point in time to commend the work of the hon. Attorney General and the stance taken by the hon. Members on the other side with respect to this Bill.

In my contribution, Madam Speaker, I will attempt to allay some of the concerns of the hon. Member for Princes Town, especially that of the constitutional rights and say that this Bill and this amendment is not intended to be used as a tool of punishment, post the serving of a sentence. The rationale and the thinking balances the duty of the State to keep tabs on sexual predators and the requirement to alert law-abiding citizens of proven potential risk, proven potential risk, Madam Speaker. Proven potential risk simply means it is only post-conviction that this Bill becomes applicable. And even in those circumstances, Madam Speaker, this Bill contains safeguards for sexual offenders, post-conviction.

Section 48(1), clause 6 of the Bill, provides that convicted sex offenders, once he or she appeals the conviction the court will withhold the making of any order. So even when the presumption of innocence has been dislodged, there is still is a second tier of protection, “I am appealing this”. “Hold your hand. Do not put my name on the register.” Therefore, it fortifies my respectful submission to you, Madam Speaker, that the purpose of this Bill provides, although it provides a measure of deterrence for convicted predators, it also provides some sort of alerting of the public of danger and lurking danger. It attempts to corral persons into controlling criminal urges and into modifying their behaviours. And I will demonstrate the sections which do so.

Clause 6 of the Bill, which is one of the main areas, it amends section 45 of the Sexual Offences Act and it widens the reach of the Act to include sex offenders who are convicted of a registrable offence, be it within or outwith the jurisdiction of Trinidad and Tobago. That is an important ingredient that has been added to augment the reach and breadth of this legislation.

And, Madam Speaker, the jurisprudence behind this Bill—I know that this court in another incarnation would be aware of the principles of sentencing, but the jurisprudence of this Bill—is in keeping and mirrors the principles of sentencing as outlined in *Benjamin v R 1964* of 7, West Indian Reports at page 549.

Madam Speaker, the five principles of sentencing are the punitive, the deterrent, with respect to a potential offender, the deterrent with respect to an actual offender, the preventative and the rehabilitative. The purpose of this Bill is not to focus on the punitive but it is to focus on the deterrent, and in a way, help the rehabilitative and the preventative.

Clause 7 of this Bill seeks to establish two registers: The “National Sex Offender Register” and the “Public Sex Offender Website”. The purpose of these

registers, and by extension of the Bill, Madam Speaker, in my respectful—

Madam Speaker: Member for Diego Martin North/East, I am being distracted. Please continue.

Mr. K. Scotland: Thank you, Madam Speaker. The purpose of the Bill then is to deter potential and proven sexual predators and then to inform the public of the danger that may exist from such individuals. And via these two registers, the public will not only be informed but they will be able to have access to published information via the Public Sex Offender Website, and it caters also for safeguards and accountability with respect to the material that is being published.

In other words, this piece of legislation seeks to strike that balance, that delicate balance between protecting the rights of individual and yet trying to protect the public. And I say, Madam Speaker, that the Bill has, in most measures, accomplished that.

And the Bill, as it seeks to strike that balance, it respects the rights of the offender and takes into account societal norms and issues, particularly clause 8 of the Bill, which amends section 47 of the Sexual Offences Act and maintains, or it mandates now that the National Sex Offender Register will not be accessible to the public at large. I say that for this reason, Madam Speaker, when, unfortunate as it may be, persons find themselves listed on this register there are consequences; consequences for obtaining a job. There are social consequences of becoming a pariah, getting proper housing, having stigmatization.

What this Bill does is before this becomes something that is imprinted, because once it is out there, Madam Speaker, I am told when you are on your phone, be careful when you press “send”, because you may never be able to delete it. And that is why these safeguards have been put in place, particularly clause 8 of the Bill, in order to protect sexual offenders even after a conviction.

Clause 9 of the Bill which amends section 48(4), requires the name, date of birth and photograph of the offender. But what it does not do, it prohibits the printing of the specific address of the offender.

Madam Speaker, this goes again, a long way in this balancing act of still protecting the public but recognizing the rights that still exist, the inalienable rights of a person who has been convicted of a registrable sexual offence.

Clause 11 of the Bill, which includes new section 50(2), subsections (2), (3) and (4), are very significant safeguards. Section 50(2) allows a convicted sex offender to apply to the court to be exempted from having his information published on the website.

To answer the query and the concern of the hon. Member for Princes Town, this section allays all fears of breach of constitutional rights and here is why it does so, in my respectful view. The new section 50(4), when you make an application under section 50(2) and (3), it now provides that you can make an application before a court and the court, Madam Speaker, in considering whether to exempt you, here are the considerations that the court must take and bear in its judicial consciousness:

“(a) the findings of the mental health assessment...”

It means that the court will have an in-depth expert advice as to the psychiatric state of the applicant.

“(b) the nature and gravity of the offence;”

Madam Speaker, you know that that is a very salient consideration in order for a court to take into account before either granting or refusing such an application.

“(c) whether the sex offender has been charged or convicted of any other registrable offence;”

Madam Speaker, that is a real consideration. In other words, if the applicant is a

recidivist, the court would be entitled to take that into account to say, “Well, look, you have offended in like manner before”. “Why should I not now put your name on this register?”

“(d) the risk of reoffending;

(e) the risk of harm to the victim or”—harm to—“any other person;”

Madam Speaker, that goes directly to the jurisprudence concept of victimology. In other words, the court will consider, in putting the name on the register, whether the harm in putting it outweighs the harm in leaving it out with respect to the victim or any other person. That becomes very important in terms of households where, Madam Speaker, some of these acts sadly are committed.

“(f) whether the victim was a child or a person with a mental disorder;”

This goes to the vulnerable. In other words, if the convicted person has a penchant and a proclivity to harm children or persons with a mental disorder.

“(g) whether the sex offender was in a position of care, authority, or supervision of the victim;”

That goes, again, to a situation where there is a breach of trust and it goes into the mix, into whether or not the court will consider putting the name on the register.

“(h) whether the employment and residence status of the sex offender are stable; and

(i) any other compelling reasons in the circumstances of the case.”

So, to answer directly the question of any constitutional breach, there can be none when one, the offender has a right to apply to the court for exemption; and two, the court has a plethora of considerations including any other compelling reasons not to or to include. In other words, Madam Speaker, there is due process. And in my respectful view, there is no breach of any constitutional right.

So, Madam Speaker, having addressed that issue of due process, we want to

say that the provisions of the register provide a database for the public. To the public of Trinidad and Tobago, Madam Speaker, danger lurks both within and without. It lurks both for male and for female equally. Therefore, this register provides an opportunity for the public and the citizenry of Trinidad and Tobago to have care, to pay heed, to be cautious in their day-to-day activities.

When we reopen, Madam Speaker, persons will be travelling late in the night. They may need to know what taxi and whose taxi they are going into. Persons in the home may need to know who they are bringing in to take care of their children. And this Bill and the provisions and some of the provisions in this Bill provide for that.

6.00 p.m.

Madam Speaker, there is one aspect of this Bill which I have not heard Members speak to and that is, there is a clause in this Bill which provides for potential atonement. Clause 18 of the Bill amends section 63 of the Sexual Offences Act and it allows an offender, at some point in time, to make an application to the court for the information that is on the register to be expunged from the records of the registry. Madam Speaker, that is a very important aspect of the Bill. In other words, unlike other jurisdictions such as New Zealand where once your name is on the register, it stays for life, in this context of Trinidad and Tobago, there is still an opportunity if the offender walks the straight and narrow, to have the register—the information expunged from the record.

It means then, in my respectful view, that the Bill tries again, in my view, successfully to balance that concept of deterrence. Because, Madam Speaker, who would want to know that their name is up on a register as a sexual offender and predator? And it will encourage proper behaviour and the controlling of dastardly urges that will guide and that will lead persons to commit acts and serious acts of

indecenty.

In saying that, I close by commending, on this side, the bringing of this Bill; commending of, on the other side, the support that has been brought for this Bill and to say, Madam Speaker, that this is good legislation and I support it. I thank you, Madam Speaker. [*Desk thumping*]

Madam Speaker: Member for Tabaquite. [*Desk thumping*]

Ms. Anita Haynes (*Tabaquite*): Thank you, Madam Speaker. It is indeed my honour to participate in this debate today. I intend to make a very brief but pointed contribution. I think a lot of ground has been covered. I listened very carefully to the Member for Tobago East and listening to the contribution from the Member from Tobago East, I looked over my contribution and I can tell for a lot of it there would be—we were on the same page. And that is always a good thing in an adversarial system when you have persons on the same page.

And that is because, as the Attorney General started and as the Members—the Member for St. Augustine, the Member for Princes Town, everybody who contributed here today said, what we are looking for are solutions for the people of Trinidad and Tobago, to provide solutions. And we have had quite a year and it is only July. This year we have, in the midst of a pandemic, faced untold horrors as a nation. We looked on at protests. We wept together. We agreed, as not just politicians but as citizens, that more ought to be done and that those of us who have certain responsibilities ought to do whatever we can, in whatever space we have.

And as we sat as a caucus, we all discussed the areas we would contribute. But I had—I wanted today come and present in this debate based on a letter I received in February of this year, in the midst of, I guess, our national trauma and what we witnessed at that point in time. And at that time, we had a number of

persons agreeing to lobby their Members of Parliament. And I sat in youth government, and I was always very active in debate as a secondary school student, and then also as part of any university student body council. And I am always heartened when persons, young person in a society or anybody really take the opportunity to advocate for themselves and lobby their Members of Parliament, because I believe that is how we most effectively utilize our offices and that is the only way we will see the type of change Trinidad and Tobago truly needs and absolutely deserves.

And so, I received a number of letters—a number of emails, WhatsApp messages and I noticed that it was draft—and it was part of a lobbying that was taking place earlier on in the year that asked persons to write to their Members of Parliament. And they were asking for some things that those of us who sit here, and this is part of our daily lives, would understand that they are not really possible in some instances. But the mere act of writing to your Member of Parliament and saying, “Please, I am afraid to drive alone.” “I am afraid to walk on the streets alone.” “Running errands, recreational activities have become things that I am gripped with paralyzing fear to do in our country, and these are serious issues.” And then asking me, as their Member of Parliament, “to do something”. And I wanted to just put on the record my response to a number of these persons because it is directly related to this Bill here today. And it is directly related because what we were talking about was, “What type of legislation would protect us sexual offences?” And at that time the discussion was heavily, heavily, centred around legislation: What can Parliament do? What can the Parliament do?

And that is why I said, the Member for Tobago East and I came here on the same page because we are very well aware that while we are discussing legislation here today and the Attorney General promised more to come, and we were happy

to hear that, our solutions are not grounded in legislation. And as much as we would benefit from the sexual offenders register, as much as we will benefit from increased knowledge, we do need to go some other things policy wise, and I will briefly itemize them as part of what I understood the call from the Member for Tobago East as well as the Attorney General to say, “Let us do that we can to work together.”

And first up on the list, I want urge Members in discussing issues relating to gender-based violence, issues relating to sexual violence in a society, please do your best to not minimize it into, “If we had more stringent laws, we would not face this problem.” That is simply not true. We know that. It is not true. Do not promise that to a population. We could pass all the laws here today and we could still have the problem tomorrow. So let us be honest when we are talking about these issues because they are serious issues and they have a real potential for disrupting our society.

So I want to start—just say very quickly, education is key in this. We need to initiate a cultural shift in our education system. [*Desk thumping*] We need to introduce—look at our curriculum and introduce conflict resolution, gender studies at a young age so that these problems are solved before you reach to the question of whether or not you need a register to deter you. Because if you understand at a young age what kind of citizen we hope to create, then we will start to build that kind of Trinidad and Tobago that we see. So there is a great need for social awareness, raised via our education sector at an early age, we will start to see the results we hope to see.

There is an issue—and this goes into the education sector as well, but of resource allocation. Let us stop putting our resources at the end of the problem and start targeted approaches at the beginning, and that we will see again the kind of

results we hope to see.

And I listened to the Attorney General talk about the PH system and I addressed that specifically now and again very quickly because I understand what we are doing here today. But I just want to say before—and this is again targeted approaches—before you get to talking about PH, there is something that an Executive can do which is looking at your public transportation and using that to ensure that persons can get safely to and from their destination.

And I raise that in the context of whether you have a register or not, whether you know who the offenders are—because again, as a representative of a rural community, listening to persons—the person who wrote me this letter is in fact from Brothers Road, which is on the more rural end of my constituency and there is no real choice in terms of how you get home. After a certain time, whatever car is going that way, “yuh have to jump in it or else yuh walking”. And so, if we can look at the bus system, the PTSC system, you will again present the type of solution.

And so I stand here today, fully in support of any legislation that would become part of the solution that we hope to present to the population. And I hope that my contribution is taken not as saying, “That you not doing enough”—might be saying, but let us also look at how can we get into a productive conversation. Because even the Attorney General raised today this revenge porn being criminalized and those things are—I mean, for somebody who has grown up in my generation—critical issues, critical issues because we face it on a daily basis. We just ran a political campaign where candidates in the campaign faced problems of this nature. And so, we are happy to hear that. I can tell you, without a doubt, a number of people I know are waiting very patiently.

So, this legislation has benefited from the consultation that we often time

speak about. I sat in the other place on a special select committee. We listened to a number of persons. This legislation as presented may not make everybody happy, but we are balancing and we are trying to present solutions. And so my contribution here today says, while we look at legislation, look at everything else because there are simple fixes. There are smaller, lower hanging fruit that will bear big results and people are waiting on big results because they absolutely need it. And I thank you, Madam Speaker.

Madam Speaker: Member for Toco/Sangre Grande. [*Desk thumping*]

Mr. Roger Monroe (*Toco/Sangre Grande*): Thank you, Madam Speaker, for the opportunity to join in this debate, the Sexual Offences (Amdt.) Bill, 2021. Madam Speaker, let me take this opportunity to congratulate the hon. Faris Al-Rawi, Attorney General, for always bringing before this House sustainable Bills, Motions, and amendments—[*Interruption*]

Madam Speaker: [*Inaudible*]—give the Member for Toco/Sangre Grande the opportunity to make his contribution. We are all happy it is the last day, let him be happy too. Please continue. [*Desk thumping*]

Mr. R. Munroe: Thank you, Madam Speaker. Madam Speaker, these Bills, Motions and amendments continue to positively impact the lives of citizens throughout this country, while assisting Trinidad and Tobago to develop as a country. Madam Speaker, I stand proud as the representative for the people of Toco/Sangre Grande who happens to be some of the most accepting and warm people of this country, Madam Speaker. [*Desk thumping*]

Madam Speaker, in saying that, I have noticed that this act of kindness of the people of Toco/Sangre Grande and other parts of Trinidad and Tobago has put us at risk for being vulnerable to sexual offences and acts of indecency being perpetrated against us. Madam Speaker, I am indeed grateful for this Bill as it

allows the people I represent, and Trinidad and Tobago by extension, a fair opportunity to protect themselves and their loved ones, by having access to critical information on persons of suspicious behaviour and activity before becoming victims of heinous crimes.

Madam Speaker, just recently, Trinidad and Tobago went into shockwaves as we received information about persons or perpetrators of serious multiple sexual offences. These individuals, Madam Speaker, lived, shopped, communicated and operated amongst us, the people of Trinidad and Tobago, on a daily basis. Madam Speaker, these amendments will provide for the establishment of two registers: the National Sex Offender Register which will not be readily accessible to the public. The court determines, by way of Order, what information is posted about persons in this register and protects persons from time to time until they are proven guilty. The Public Sex Offenders Website, Madam Speaker, which allows specific noteworthy information to be easily accessible to anyone, at any place and any time. Only personal information such as name, date of birth, and identification picture, convictions, and address based on locality will be allowed, Madam Speaker.

Madam Speaker, this Bill will allow protection for the vulnerable in society. These amendments will give people a better sense of awareness and security as it relates to knowing the whereabouts of registered sexual offenders via the newly implemented Public Sex Offenders Website.

Madam Speaker, I believe that every citizen deserves the right to know if there is a sex offender or offenders in their midst, whether it be in their neighbourhood, workplace, or the wider community. Madam Speaker, I am particularly happy to know that the Commissioner of Prisons or psychiatric hospitals would inform the Commissioner of Police at least four months in advance

of the release dates of such persons. This will allow concerned family members to seek help and put measures in place to attempt the chances of their family members of reoffending, Madam Speaker.

Madam Speaker, it would also heighten awareness of employers and concerned residents in the communities as to who these offenders are. Madam Speaker, when it comes to the powers of the Commissioner of Police, the accuracy of this information would be in the Commissioner's hands and not available to any and every person who may use this information for mischievous intents, Madam Speaker. This will ensure that only convicted sexual offenders and not those accused or have appeals before the court, Madam Speaker, are posted before they are officially convicted. Madam Speaker, you know we operate in a land that a man is innocent until proven guilty. Madam Speaker, it will also reduce the risk of innocent persons being uploaded and sensitive information being shared.

Protection of the accused, Madam Speaker. Madam Speaker, this Bill not only protects the victim of sexual offences, it also protects those who are wrongfully accused, Madam Speaker. Madam Speaker, I mean to explain that we all know of situations where persons engage in different types of relationships and sometimes when they become exposed unwantedly, they make false accusations and tarnishes the character of innocent people, Madam Speaker.

Madam Speaker, I am also happy about the harsher penalties that is this Bill will provide, an increase by almost 400 per cent from 50,000 to \$250,000 in fines. And an increase of four and a half years more jail time, Madam Speaker, for perpetrators of any such crime, Madam Speaker.

Madam Speaker, I wish to inform this House that I fully endorse these proposed amendments and I am of the firm belief that no woman, man, or child should ever face such cruelty at the hands of these predators. I am happy that their

information and their faces would be placed in the public domain, allowing an opportunity for us to protect ourselves and loved ones, as well as giving an opportunity to choose who we associate with, Madam Speaker.

Madam Speaker, in this short contribution, before I close, I want to publicly let it be known that as a right-thinking man, I never possessed such thoughts and tendencies, and I stand firm before this honourable House giving my full support to these amendments, and I thank you. [*Desk thumping*]

Madam Speaker: Attorney General.

The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi): Madam Speaker, thank you. Madam Speaker, I do not propose to be more than five minutes.

Madam Speaker: Thank you.

Hon. F. Al-Rawi: Madam Speaker, I wish to thank all hon. Members for their contributions. I wish to say that whilst many governments have been asleep at the wheel, this Government is not. I was very pleased to hear the Member for Princes Town adopt something, which I thought quite astounding, in recommending the work of Mr. Jonathan Bhaggan, the hon. Member committing the UNC for that support. I would just like to say, the work that is being offered for discussion by Mr. Bhaggan is a sexual charges register, where charges against someone can be put forward.

Now, I would like to say that on behalf of the Ministry, we are having that discussion right now. But that is a very avant-garde position. There are certain safeguards to put in. If we are prepared to break the mould, I think we will be in a position to manage monsters. We have to balance it against due process rights of the golden thread of innocence in a society where you are innocent until proven guilty. That is a very serious conversation but we are having those hard discussions

now. And therefore, today represents an excellent opportunity for us to continue work. I can think of no better way to end the work that we are doing on this session, this side right now, than to thank my colleagues opposite for their support for the legislation that we have brought.

I would like to thank my colleagues, in particular, the Member for Tobago West—

Mr. Young: East.

Hon. F. Al-Rawi:—East forgive me, sitting in Tobago West seat. The Member for Tobago East, the Member with responsibility for looking after our children and vulnerable, a very understated honourable Member, at times a fearsome warrior at all other times but who I wish to compliment in leading the charge in protecting our vulnerable. Adding to that, the successive portfolios managed by Edmund Dillon, the hon. Member Stuart Young, now Minister Fitzgerald Hinds, in looking at the national security side. And I wish to give an open compliment to the Commissioner of Police, Commissioner Griffith who has kept the technology and pace step by step in ensuring.

Lastly, as I end, Madam Speaker, I would like to sincerely thank the Judiciary of the Republic of Trinidad and Tobago for ensuring that we get to where we go. Final words, in gratitude to the members in the legislative departments and specifically at the AG Secretariat. We have a team led by some very amazing, passionate young people, the Head of our Criminal Justice Unit, Mrs. Farzana Nazir-Mohammed, her entire team of young professionals and the drafters. If I could just single them out, Ms. Tamara Dookran, Ms. Shireen Hyder, they have given yeoman service in breaking all the boundaries. So with those few words, Madam Speaker, I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 22 ordered to stand part of the Bill.

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

House resumed.

Bill reported, without amendment, read the third time and passed.

ADJOURNMENT

Madam Speaker: Leader of the House.

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

Thank you very kindly, Madam Speaker. Madam Speaker, I beg to move that this House do now adjourn sine die.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.29 p.m.