

HOUSE OF REPRESENTATIVES

Friday, February 03, 2023

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. Rushton Paray, MP, Member for Mayaro, and Mr. Dinesh Rambally, MP, Member for Chaguanas West, who have requested leave of absence from today's sitting of the House. The leave which the Members seek is granted.

VISITORS

(National Assembly of Zambia)

Madam Speaker: Hon. Members, please join me in recognizing the members from the visiting delegation of the National Assembly of Zambia, who have been our guests from Monday, January 30, 2023, and have joined us in the Chamber at today's sitting of the House. Today marks the final leg of their working visit and it is the first time for some of us in the House of Representatives that we would have had the opportunity to engage our parliamentary peers from a foreign jurisdiction. I ask that we acknowledge their presence in the only way we know how to do it, and I ask you to please join in welcoming them.

Hon. Members: [*Desk thumping*]

Madam Speaker: Welcome, to the delegation.

CONDOLENCES

(MRS. JENNIFER URSULA JOHNSON)

Madam Speaker: Hon. Members, as you may be aware, Mrs. Jennifer Ursula Johnson, a former Member of Parliament, passed away on Wednesday, February

01, 2023. Mrs. Johnson served as the Member for Princes Town and as the Minister of Youth, Sport, Culture and the Creative Arts during the Third Republican Parliament, from January 12, 1986 to November 19, 1991. I now invite hon. Members to pay their respective tributes to Mrs. Johnson. I now call upon the Member for La Horquetta/Talparo.

Hon. Members: [*Desk thumping*]

The Minister of Youth Development and National Service (Hon. Foster Cummings): Madam Speaker, many heroes walk among us, most of them unsung; Jennifer Ursula Johnson is an unsung hero of Trinidad and Tobago. For more than half a century she steadfastly and diligently committed her time and talent toward the development of our beloved nation. Hers was an unparalleled passion which stemmed from a firm belief that to harness the power and potential of the nation's youth was to fuel the present, the fortune and fortunes of the country. As such, she made it her life's mission to immerse herself in the business of developing the country through developing its human capital. Long before she entered active politics, long before she was elected as a Member of Parliament for the constituency of Princes Town on an NAR ticket in 1986, before she was appointed Minister of Youth, Sport, Culture and the Creative Arts, she was involved in activism and advocacy through her involvement with the Girl Guides Association of Trinidad and Tobago.

In 1957 as a preteen, she enrolled as a junior guide and moved through all the age units and leadership ranks, eventually becoming the president of Girl Guides, serving from 2012 to 2021. She firmly believed in the magic of the guiding promise and did all in her power to make sure that that magic touched and shaped every single one of the thousands of young girls who enrolled in the various units of the Girl Guides Association of Trinidad and Tobago. It was those

lessons learnt as a girl guide that prepared Mrs. Johnson for the world of political representation. In the 1970s she was a senior strategist for the DAC, alongside ANR Robinson. She would later move on to the NAR with Mr. Robinson, and history would tell the story of the NAR's 1986 electoral victory.

She was passionate about her constituents and advocated and made representation for them at every opportunity during the Third Republican Parliament. Her tenure as a Minister, as a Cabinet Minister, saw her make significant transformations within the spheres of youth, culture, sport and the creative arts. She was simply a perfect fit. Her then parliamentary colleagues speak fondly of her warm and caring and genuine nature, but it was her steadfastness and her grit as one of the two female MPs held captive during the 1990 insurrection. Her courage and grit helped all affected to withstand those tumultuous times.

In the late 1990s Mrs. Johnson agreed that enough was enough at the time and made the bold step to support the People's National Movement, having been recruited by the late Prime Minister, the hon. Patrick Manning. I had the pleasure of working with her as we sought to develop the young people of the PNM and of the nation. She firmly believed that the youth had valuable contributions to make and that no circumstances were to be stifled. She stood on the side of young people, fiercely championing spaces for their voice and their energy. She endeared herself to the young people of the PNM and of the country whom she, up to recently, still mentored and supported.

In 2001 she was appointed to serve as the chairman of the board of directors of YTEPP Limited. Armed with a clear vision of where she wanted to move the organization, she set about with relentless passion to de-stigmatize YTEPP and to make it more relevant for its stakeholders, the nation's young people. That

transformation was a massive success and YTEPP expanded its programme, improved its accreditation, widened its intake to include business management elements and produced more talented, skilled young persons to contribute to the development of Trinidad and Tobago. That is Jennifer's legacy, one of nation-building and youth development.

She leaves to mourn her beloved husband and three children. We in the People's National Movement, and surely citizens of Trinidad and Tobago, are poorer with the loss of this national hero but we are so much richer for having her and her devotion to the country. On behalf of the Government of the Republic of Trinidad and Tobago, we commiserate with her family and her friends at this time and we thank her for her good and faithful service to Trinidad and Tobago. May her soul rest in peace.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for Princes Town.

Hon. Members: [*Desk thumping*]

Mr. Barry Padarath (*Princes Town*): Thank you, Madam Speaker. Madam Speaker, today we the Opposition pay tribute to a fallen hero who stood for this country at a time it was brought to its knees but Jennifer Ursula Johnson lived to tell the story. Despite only serving for one term in the Third Republican Parliament as the Member for Princes Town, the name Jennifer Ursula Johnson continues to be a household name from St. Julien to New Grant, Buen Intento to Matilda, Ridge Road to Contention Street. Her life is a lesson to all of us that despite how long or short our stay is in these august halls, that we make it matter to the things that mean the most to the people.

Her commitment and dedication in the five years that she served makes me proud today to be the youngest Member of Parliament to ever serve the

Condolences
Mr. Padarath (cont'd)

constituency of Princes Town on the foundation that she helped to build. Despite differing political ideology, today I stand as the flagbearer for the constituency of Princes Town on the shoulders of several who came before me, including Jennifer Johnson. Her work in the spheres of women empowerment, child advocacy rights and a penchant for youth development continued fervently beyond her presence as an elected Member of this House.

Her legacy and hallmark is the impression she has left on the many lives she has touched and the many young men and women who she paved the way for through her activism. Today I stand with the people of Princes Town in particular, and the people of Trinidad and Tobago, in saluting a daughter of our soil for the contribution she made towards national development. May she rest in peace in the arms of her maker.

Hon. Members: [*Desk thumping*]

Madam Speaker: Hon. Members, I also wish to pay tribute to Mrs. Jennifer Ursula Johnson. Born on February 17, 1946, Mrs. Johnson was first elected as the Member of Parliament for Princes Town under the National Alliance for Reconstruction in 1986. She held a diploma in Management Studies from the University of the West Indies, as well as a certificate in Personnel Management and Industrial Relations. Mrs. Johnson fervently encouraged higher education for women and young girls. Her aspiration for having a more educated and empowered female population in Trinidad and Tobago was evidenced by her dedication to the Girl Guides Association of Trinidad and Tobago, an organization that develops and strengthens the life of many women in our society.

Mrs. Johnson joined the Association in 1957 and went on to become its president from 2012 to 2021. Mrs. Johnson was also described as a woman of courage and compassion in the face of terror. She was one of two female Members

Condolences
Madam Speaker (cont'd)

2023.02.03

of Parliament who were held captive during the July 27, 1990 attempted coup. In addition to her brave and caring nature, Mrs. Johnson was devoted to the Pentecostal Assemblies of the West Indies. Her unshakable faith and ambition during times of uncertainty and turmoil were a source of inspiration to all who knew her.

She was a true exemplar of a strong female trailblazer who paved the way for other women to break the systemic barriers that restrict the advancement of women and girls. I take this opportunity to express my deepest condolences to the Johnson family during this time of mourning, and I pray that the Almighty grants them peace and consolation during their bereavement. I now ask that we stand and observe a minute of silence as a mark of our respect.

The House stood.

Madam Speaker: May her soul rest in peace. Hon. Members, an appropriate letter will be sent to convey our condolences to the family of the late Mrs. Jennifer Ursula Johnson.

PETITIONS

Pentecostal Assemblies of the West Indies

The Minister of Planning and Development (Hon. Penelope Beckles):

Madam Speaker, I beg to present a petition on behalf of the Pentecostal Assemblies of the West Indies seeking to amend the Pentecostal Assemblies of the West Indies Inc. Act, 1965 by a private Bill in order to change the name of the organization to Pentecostal Assemblies of the West Indies, Trinidad and Tobago.

I move that the Clerk be allowed to read the said petition.

Petition read.

Question put and agreed to: That the petitioner be granted leave to proceed.

Trinidad and Tobago National Council on Alcoholism

UNREVISED

The Minister of Health (Hon. Terrence Deyalsingh): Madam Speaker, I beg to present a petition on behalf of the Trinidad and Tobago National Council on Alcoholism seeking to amend the Trinidad and Tobago National Council on Alcoholism Inc. Act, 1977 by a Private Bill in order to change the name of the council to the Centre for Addiction Prevention and Healthy Living and to amend its aims and objectives.

I move that the Clerk be allowed to read the said petition.

Petition read.

Question put and agreed to: That the petitioner be granted leave to proceed.

PAPERS LAID

1. Notification of Her Excellency, the President, in respect of the nomination of Mrs. Erla Harewood-Christopher for appointment to the Office of Commissioner of Police. [*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 Port of Spain Corporation for the year ended September 30, 2012. [*The Minister of Finance (Hon. Colm Imbert)*]
3. Annual Report and the Audited Financial Statements of the Heritage and Stabilisation Fund of the Republic of Trinidad and Tobago for the year ended September 30, 2022. [*Hon. C. Imbert*]

Papers 2 and 3 to be referred to the Public Accounts Committee.

4. Annual Report of the National Information and Communication Technology Company Limited (iGovtTT) for the period 2020 to 2021. [*The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis)*]
5. Ministerial Response of the Ministry of Energy and Energy Industries to the Seventh Report of the Public Administration and Appropriations Committee

6. on the examination into the implementation of the Public Sector Investment Programme (PSIP) for fiscal year 2021. [*Hon. C. Robinson-Regis*]
7. Ministerial Response of the Ministry of Planning and Development to the Eighth Report of the Public Accounts Committee on an examination of the Report of the Auditor General on the Public Accounts for the Republic of Trinidad and Tobago for the financial year 2021. [*Hon. C. Robinson-Regis*]
8. Response of the Central Administrative Services, Tobago to the Eighth Report of the Public Accounts Committee on an examination of the Report of the Auditor General on the Public Accounts for the Republic of Trinidad and Tobago for the financial year 2021. [*Hon. C. Robinson-Regis*]
9. Ministerial Response of the Ministry of Trade and Industry to the Eighth Report of the Public Accounts Committee on an examination of the Report of the Auditor General on the Public Accounts for the Republic of Trinidad and Tobago for the financial year 2021. [*Hon. C. Robinson-Regis*]
10. Response of the Trinidad and Tobago Police Service to the Eighth Report of the Public Accounts Committee on an examination of the Report of the Auditor General on the Public Accounts for the Republic of Trinidad and Tobago for the financial year 2021. [*Hon. C. Robinson-Regis*]
11. Ministerial Response of the Ministry of Works and Transport to the Eighth Report of the Public Accounts Committee on an examination of the Report of the Auditor General on the Public Accounts for the Republic of Trinidad and Tobago for the financial year 2021. [*Hon. C. Robinson-Regis*]

PRIME MINISTER'S QUESTIONS

Madam Speaker: Member for Pointe-a-Pierre

Hon. Members: [*Desk thumping*]

Development of the Dragon Field

(Estimated Timeline)

Mr. David Lee (*Pointe-a-Pierre*): Thank you, Madam Speaker. To the hon. Prime Minister: Given that the United States of America has granted a two-year license for the development of the Dragon Field, will the Prime Minister give an estimated timeline of how long the project will take to achieve the first gas supply, inclusive of all necessary approvals, infrastructural development and investment requirements?

The Prime Minister (Hon. Dr. Keith Rowley): Thank you very much, Madam Speaker. Madam Speaker, on the occasion of this very important development for the people of Trinidad and Tobago, I spoke publicly at length on this matter indicating where we were. And, persons familiar with the oil industry, the gas industry, the energy business in Trinidad and Tobago, will know that when I said that we have to wait for the developments from the operator, in this case Shell, to give us these details now that we are able to proceed in some way, and even before we get here, Madam Speaker, I did indicate that there are some significant negotiations to take place. So the Member asking about first gas is really mischievous. We are not anywhere near talking about first gas, Madam Speaker, and the Member knows that. But having said that, this is a waste of time and nothing good will come out of it. This question is in that mode. I am afraid, Madam Speaker, I have no new information to add other than what I gave on the day when I made that statement.

Hon. Members: [*Desk thumping*]

2.00 p.m.

Mr. Lee: Thank you, Madam Speaker. A follow-up, Prime Minister. Could the Prime Minister state what is the Government's plan in the event the two-year licence expires and we have not completed the work needed to produce gas? Will

all the initial investments be lost?

Madam Speaker: Member, having regard to the initial question asked and the answer given, I rule that that is out of order in accordance with the Standing Orders. Member for Pointe-a-Pierre

Development of Dragon Field

(Agreement with Venezuela Government)

Mr. David Lee (*Pointe-a-Pierre*): Thank you, Madam Speaker. Question No. 2 to the Prime Minister: Given that the United States of America (US) has given approval for the development of the Dragon field, will the Prime Minister state if the Venezuelan Government has officially agreed to the terms and conditions stipulated by the US?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, this matter is one that requires state-to-state communication. The first hurdle has been crossed; the Government of Venezuela has made no public statement which is specific to Trinidad and Tobago's use of the OFAC licence. Trinidad and Tobago is in touch with Venezuela. We have meetings scheduled and negotiations ahead of us and therefore, I can say nothing further at this time.

Mr. Charles: Prime Minister, it is not correct to say that Venezuela has not spoken. Maduro—

Madam Speaker: Ask a question.

Mr. Charles: Would the Prime Minister agree that the statement he made is not correct, that President Maduro has indicated—

Madam Speaker: All right. So you have asked a question, let the Prime Minister answer it. It is not about statements. So the question I heard you ask is if the Prime Minister would agree.

Mr. Charles: Is the Prime Minister aware that President Maduro has indicated

that he will not be part of a colonial arrangement that does not allow for cash payment to Venezuela?

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, I am sure the Member is aware of what I just said and he understands English. I said that with respect to Venezuela and Trinidad and Tobago. I am not talking about the statement about the President Maduro talking about the American behaviour and colonialism. I was very clear on how I chose my words and I do not wish the Member of Naparima to speak for me or to say what I said, what I did not say.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: I was very clear with respect to Venezuela treating with Trinidad and Tobago on this issue. The Venezuelan Government has made no statement and that is very important. This eagerness for this to fail resides in the bosom of our Members on the other side and I will ask you to wait.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for Oropouche East.

Dr. Moonilal: Thank you very much, Madam Speaker. Prime Minister, in light of the fact that the Government is clueless as to when this matter will start or finish, could you indicate how the Government intends to pay the Government of Venezuela for gas supply, bearing in mind the United States' statement that you cannot pay with cash.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for Oropouche East, I rule that out of order having regard to the question asked and the answer given. Member for Oropouche, just a minute. Member for Oropouche East.

Shervon Peters & Ors v The AG

(Terms of Reference for Investigating)

Dr. Roodal Moonilal (*Oropouche East*): Madam Speaker, Question No. 3: In light of the appointment of Mr. Justice Rolston Nelson (Retired) SC and/or Mr. Justice Stanley John (Retired), will the Prime Minister outline the Terms of Reference for the investigation into the case of CV2020-01243 Shervon Peters & Ors v The AG?

Madam Speaker: Prime Minister.

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, the hon. Attorney General has issued two letters, one dated the 2nd of February, to Mr. Justice Stanley John and another issued on the 2nd of February to Mr. Justice Rolston Nelson. The answer to that question can be found in the letter written to Mr. Stanley John. And with your permission, Madam Speaker, I would quote that, it says:

In this regard, I write—

This is written to Mr. Stanley John.

In this regard, I write to retain you as lead investigator of a team of yourself and one other investigator to investigate on an urgent basis:

- A. The disappearance of the filed proceedings after the 23 June, 2020, one day after service on the 22 June, 2020, of the claim form and statement of case on the Solicitor General's Department;
- B. The failure of the Department of the Solicitor General and Chief State Solicitor of the Office of the Attorney General and Ministry of Legal Affairs after accepting service of the claim form and statement of case:
 - (a) to enter an appearance;

- (b) to give any notice of the claim to the legal secretariat of the Attorney General's Office for the purpose of the assignment of council to advise and to defend;
- (c) to defend the case resulting in:
 - (i) No appearance being entered to the claim;
 - (ii) No defence being served, thereby permitting the entry of a default judgment against the State and;
 - (iii)(b) (a) to (c) above being the fact, proceedings nevertheless to represent the State in an assessment of damages, hearing without notifying the legal secretariat of the Attorney General's—

Madam Speaker: Prime Minister—

Hon. Dr. K. Rowley:—Office.

Madam Speaker: Prime Minister, your time is now spent for answering the question. Member for Oropouche East.

Dr. Moonilal: Thank you very much, Madam Speaker. Prime Minister, given your abbreviated answer, could you then indicate what exactly is the role of Mr. Justice Rolston Nelson if Justice John (Retired) is investigating this matter? What is Nelson about?

Hon. Dr. K. Rowley: The nature of the investigation is that Mr. Nelson will provide legal, independent—legal support to the investigation. And Mr. John is the lead investigator. So these two gentlemen are engaged in carrying out the full investigation as required by the Attorney General, with the Attorney General being completely at arm's length to the investigation.

Madam Speaker: Member for Oropouche East.

Dr. Moonilal: Thank you very much, Madam Speaker. Mr. Prime Minister, are you suggesting that the candidate in 2013, nominated by the People's National Movement to be President of this country, is the independent investigator in this matter?

Hon. Members: [*Desk thumping*]

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, I do not know what the word “independent” means to the Opposition but clearly it means something different to us. What I do know is that these two gentlemen are eminent, highly qualified—

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley:—highly respected citizens who bear no aspect of any stain that will disqualify them from providing this public service.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for Oropouche East.

Dr. Moonilal: Thank you very much. Prime Minister, not wanting to go over that, do you not think that it would have been more constructive and progressive to invite a joint select committee of the Parliament to investigate this matter?

Hon. Members: [*Desk thumping*]

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, that is ridiculous and I would leave—

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley:—ridiculous to my colleagues on the other side. We have a Government to run. There is a problem in a department and I do not know how Members of this House would have gone into the Solicitor General's Office, as Members of Parliament, to investigate it. Madam Speaker, this investigation is to

determine the facts, not to play politics.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for Oropouche East.

Dr. Moonilal: Prime Minister, in this matter where \$20 million of taxpayers' money "jumping up", do you not think the Attorney General himself should be fired in this matter?

Hon. Members: [*Desk thumping*]

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: It is interesting, Madam Speaker, that Members on the other side know that Minister should be fired. How come you did not get up and ask to fire the Minister of Works for giving away \$921 million to OAS? How come, eh?

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: We had to go to court, Madam Speaker—

Ms. Ameen: That is not the question.

Hon. Members: [*Crosstalk*]

Dr. Moonilal: Answer the question.

Madam Speaker: Members, can the Prime Minister be heard in silence? Any other questions, people will have an opportunity. Let us hear. Prime Minister. Member for Barataria/San Juan.

Hon. Members: [*Crosstalk*]

Dr. Moonilal: Vincent Nelson.

Loss of Appeal in Miami Matter

(Role of Attorney General Going Forward)

Mr. Saddam Hosein (*Barataria/San Juan*): Thank you very much, Madam Speaker. In light of the State losing the appeal in relation to the disqualification of the Attorney General in the Miami matter, will the Prime Minister state what will

be the role of the Attorney General going forward in this matter?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, I do not know that the State has lost any matter.

Hon. Members: [*Crosstalk*]

Hon. Dr. K. Rowley: What I do know, Madam Speaker, is that we are actively engaged in a matter in the court in Miami where two citizens are facing a trial in Miami. That trial is alive and well, and we look forward to a successful outcome.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for Oropouche East.

Dr. Moonilal: Prime Minister, are you aware that another Member of your Cabinet has also been involved in that matter involving the defendants in the Piarco Airport enquiry and sits in your Cabinet and acts as Attorney General?

Hon. Members: [*Desk thumping*]

Madam Speaker: Which question—

Hon. Members: [*Desk thumping*]

Madam Speaker:—which—Member, you are allowed one supplemental at a time. Please advise the House which is the question.

Dr. Moonilal: Prime Minister, are you aware of any other Cabinet Member that is involved and was involved in the airport enquiry matters in Trinidad that may now be involved in that matter in Miami?

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, I had just made it very clear that the matter that is before the court in Miami is a matter that has to do with people accounting for the taxpayers' money in Miami. That matter is alive and well, and we have no other losses in Miami, Madam Speaker.

Madam Speaker: Member for Naparima.

Mr. Charles: Mr. Prime Minister, are you—would you accept that it is part of your responsibility to ensure that your Ministers act in the interest of Trinidad and Tobago and protect the taxpayers' money?

Hon. Members: [*Desk thumping*]

Madam Speaker: Okay. So I am not going to allow that question. I rule out of order based on the questions asked and the answer solicited. Member for Oropouche East.

Dr. Moonilal: Prime Minister, could you undertake to inform this House of the cost—the legal and professional fees and cost associated with the failed appeal at the Court of Appeal in the United States which upheld a disqualification of your Attorney General in this matter?

Hon. Dr. K. Rowley: I am sure that you do not expect that the Prime Minister walks around with a calculator on that. But if you file the appropriate question with the appropriate notice, you will get the appropriate answer.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for Barataria/San Juan.

Mr. Hosein: Madam Speaker, can the Prime Minister state whether or not he is comfortable that every time instructions have to be given in this particular matter Sen. Armour has to flee the jurisdiction?

Hon. Members: [*Desk thumping*]

Madam Speaker: Again, I will not allow that question based on the Standing Orders. It is out of order.

**Paria Diving Tragedy
(Commission's Report)**

Mr. Rudranath Indarsingh (*Couva South*): Thank you very much, Madam Speaker. Prime Minister, given that the hearings of the Commission of Enquiry

into the Paria diving tragedy have been completed, will the Prime Minister inform this House if the Cabinet is in possession of a copy of the Commission's full and final report?

Madam Speaker: Prime Minister.

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, all Members of this House will know that no Member is forced to ask a question and Members only ask a question when one exists. I am sure, Madam Speaker, that the Member would have heard the Commissioner saying in public that he will have his report by Easter. Madam Speaker, according to my calendar it is now early February, Easter is a long way off. And therefore, there is no report to be had and therefore, there is none before the Cabinet. And as far as I am aware, there is none anywhere. This is pure mischief.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for Couva South.

Mr. Indarsingh: Madam Speaker, I would like the Prime Minister to be very calm in his responses.

Madam Speaker: Question.

Mr. Charles: Out of control

Hon. Members: [*Crosstalk*]

Madam Speaker: Member for Naparima, are you asking a question? Yes, please.

Mr. Indarsingh: Prime Minister, given your commitment here, could you inform this House when the Cabinet is in possession of a full and final report into this said commission of enquiry, will the said report be laid in the Parliament of Trinidad and Tobago?

Madam Speaker: Member, I rule that question out of order having regard to the original question asked and the answers given. Member for Couva South.

Mr. Indarsingh: Prime Minister, are you in a position to inform this House what the said commission of enquiry has cost the taxpayers of Trinidad and Tobago?

Hon. Dr. K. Rowley: I do not have that information. It has not been determined. And, Madam Speaker, if the appropriate question is given with the appropriate notice, that may be possible if the figures are available at this time.

2.15 p.m.

TTDF and TTPS Ammunition at Crime Scenes

(Policies Developed to Minimize)

Mr. Rodney Charles (*Naparima*): Thank you. Given that the ammunition from the Trinidad and Tobago Defence Force and the Trinidad and Tobago Police Service have been found at several crime scenes, will the Prime Minister state what policies are being developed to minimize such occurrences?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, I have seen in the newspaper making reference to those instances. I am not taking them as fact on every occasion, but I am aware that the police service and the defence force are paying attention to it so as to ensure that the security of ammunition, the reporting of ammunition issues and other security aspects are part of their daily protocols.

Mr. Charles: Is the Prime Minister telling Trinidad and Tobago that such an important issue has not been addressed by the National Security Council of which you are the Chairman?

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, I did not say that to the Member. I have not discussed any business of the National Security Council with that errant Member.

Hon. Members: [*Desk thumping*]

Mr. Charles: Prime Minister, given the importance of this issue, are you not duty-

bound to have a hands-on approach to ensure that this problem does not escalate? We are talking, Prime Minister, about the army's weapon ending up at criminal scenes?

Hon. Dr. K. Rowley: Madam Speaker, I have not agreed with the Member's statement. I have said that insofar as there is confirmation that these statements in the press are facts, that they are being addressed by the two entities, the police service and the defence force, to ensure that the security of these items improve. And whether it was discussed in national security or not, I will not discuss with this Member and I have not done so. The Member is being very presumptuous.

CCTV Camera Systems (Operationalization of)

Mr. Rodney Charles (*Naparima*): Will the Prime Minister state when the National Security CCTV camera systems will be fully operational given that in 2022 no progress was made in this regard?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, the premise of the question is wrong. To say that no progress has been made is not correct; considerable progress has been made. The backbone is being built out, the installation is taking place and we are actively putting the system in place as quickly as we can.

Hon. Members: [*Desk thumping*]

Mr. Charles: Madam Speaker, could the Prime Minister—is he aware that in January 2023, Standing Finance Committee, the SSA allocation was reduced by 31.95 million due—and I am quoting here—to the failure to implement the CCTV project in 2022?

Hon. Dr. K. Rowley: Madam Speaker, I do not know what the point is there because we are now in 2023, and I just said that the work is actively going on and

what one should pay attention to is the next report that will say what work has gone on since then.

Hon. Members: [*Desk thumping*]

Mr. Indarsingh: Thank you. Prime Minister, approximately two months ago you publicly stated that the Government had purchased 1,500 cameras at a cost of \$80 million. Could you inform this House how many of these 1,500 cameras have been installed?

Hon. Dr. K. Rowley: Madam Speaker, given the specificity of the question, it would require notice but I have just said that installation work and the building out to the backbone for installing them all is underway and with the appropriate notice, an appropriate answer can be had.

Mr. Charles: Is the Prime Minister prepared to give a timeline for the completion of this project?

Hon. Dr. K. Rowley: Madam Speaker, I could not give that timeline today since I am not involved in the operation but if notice is given, we can get that from the contractor or from the department involved.

SEA Results List

(Freedom of Information Applications Filed)

Mr. Saddam Hosein (*Barataria/San Juan*): Thank you very much. In light of the public disclosures through Freedom of Information Applications that were filed by the parents of two students, will the Prime Minister state whether the SEA results list will be made public?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, the results of the SEA have always been disclosed to the parents of the students who sat the examination and in recent years, the student's individual subject grades have also been revealed. For many years, the results have been published in the daily

newspapers once the parents are in agreement. If the Member is referring to the ranking of students in the SEA examination, this information can be made available to parents of the students who request it by an application under the FOI. This has been done with regard to the SEA 2022 and, Madam Speaker, that is the situation as it exists now.

Mr. Hosein: Thank you. Prime Minister, can you indicate why the Government has changed its position to not disclose the full rank of the SEA results list?

Hon. Dr. K. Rowley: Madam Speaker, everything in Trinidad and Tobago is a problem, according to my friends. The SEA is not a certification exam, it is an exam to allocate spaces and therefore, to be making an issue of it as per ranking is taking the nation down a road that is totally and wholly unnecessary and only creates discord, Madam Speaker. That is all it does.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: The ranking in SEA is not a certification.

Mr. Hosein: Thank you very much, Madam Speaker. Does the Prime Minister not think it best that we acknowledge the hard work of our young people in this country who have placed very high on the SEA list?

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, the acknowledgment can be done in a variety of ways, not the least of which is the allocation from primary school to places in secondary school. That is what the exam is about.

Mr. Hosein: Madam Speaker, my constituent, Anushka Singh, who placed first in SEA 2022 was not acknowledged by this Government. Will the Government take any steps in order to acknowledge this child and the other high-ranking SEA students?

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, this specific acknowledgement could vary in all forms and fashion. There is no better acknowledgement of this special child, this unique child, than having the child move on to the secondary school and continue to do well in the examination. Why are these politicians and a few parents making an issue of this, Madam Speaker? I do not know, I have not seen it and I do not know what it is all about. It is just more unnecessary confusion.

Hon. Members: [*Desk thumping*]

Body Cameras for Police Officers

(Percentage equipped)

Mr. Rodney Charles (*Naparima*): Thank you. Prime Minister, in light of the nine persons already killed by police gunfire in January of this year and considerably more last year, will the Prime Minister state what percentage of police officers are equipped with the body cameras?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, 1,120 body cameras are in use in the Trinidad and Tobago Police Service and that represents 12 per cent of the police service. These cameras are currently issued to frontline officers who are in contact with the public on a daily basis. The process of procuring more is underway and this is an administrative matter of the Commissioner of Police in accordance with section 123 of the Constitution. We expect that more officers will have body cameras as more are procured but, in the meantime, Madam Speaker, it is being utilized by a special unit and not every police officer will have a body camera on. It depends on where the officers are working and as we are just saying those who are in direct contact with the public on a daily basis.

Mr. Charles: Prime Minister, given the fact that this matter has been raised since 2017 and the Government has given an indication that they will deal with it

expeditiously. Are you satisfied that only 12 per cent of police officers in 2023 have body cameras?

Hon. Dr. K. Rowley: Madam Speaker, of course we are not satisfied. That is why we are getting some more.

Hon. Members: [*Desk thumping*]

Mr. Charles: Will the Prime Minister give a timeline when this long-promised situation will be addressed—finally addressed?

Hon. Dr. K. Rowley: Madam Speaker, I will enquire of the Commissioner of Police and when I get that information, I can make it available to the Member if the appropriate question is asked at that time.

Mr. Charles: Prime Minister, as head of the National Security Council, you set policy, you set timelines and expectation. It is not fair, Prime Minister. I am asking the Prime Minister, if he is satisfied that he is waiting on the appointment of a Commissioner to address this longstanding issue?

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, the fact that I have said that we are in the process of procuring more that is on the way makes a nonsense of the question. I am not waiting on anything. And secondly, as far as we are concerned, this Government having said policy, one does not then become the operator of the policy in actioning it. The department that is actioning it is the police department and the Member seems to appear to be offended by the fact that I have said that I will ask the police about it.

Hon. Members: [*Desk thumping*]

Mr. Charles: Prime Minister, if you set policy, is it not the responsibility of the Government to ensure that the policy is carried out and take appropriate action?

Hon. Dr. K. Rowley: Well, I am telling you now that we have got 1,120 in use

and that more are being procured, it is because we know what is going on and we know it is being carried out. That is what follows policy. Action follows policy.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for Naparima. Question 10.

Mr. Charles: Question 10, I withdraw the question. Thank you.

The following question stood on the Order Paper in the name of Mr. Rodney Charles:

Investigation of Death of Venezuelan Baby

(Update on Status)

10. In light of the Prime Minister's statement last November that the investigation into the incident involving the death of a Venezuelan baby by officers of the Trinidad Tobago Coast Guard remains ongoing, will the Prime Minister provide an update on the status of this investigation?

Question, by leave, withdrawn.

DSS Investigation

(Status of)

Mr. Arnold Ram (*Caroni Central*): Thank you, Madam Speaker. Will the hon. Prime Minister state to the House in his capacity as the Head of the National Security Council a status update on a DSS investigation?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, the sum of \$656,200 in forfeiture application was signed off by the DPP on the 21st of June, 2021, and is currently before the court awaiting a trial date. Additionally, the sum of \$6.408 million in forfeiture application was signed off on the 16th of July, 2021, and is also awaiting a trial date. Eight counts of money laundering charges were proffered against an individual by a police constable, WPC Rago 20348, and the investigation is ongoing. Madam Speaker, these are active police and court

matters.

Hon. Members: [*Desk thumping*]

Mr. Ram: Prime Minister, can you indicate who is heading this investigation currently?

Hon. Dr. K. Rowley: WPC Rago of 20348, that is his number and he has proffered the charges against the offending individual.

Mr. Ram: Hon. Prime Minister, can you indicate whether members of the Bajan police service are still retained in this matter?

Hon. Dr. K. Rowley: Madam Speaker, I was not aware that any Bajan police officer was involved in the prosecution of any person in this matter.

URGENT QUESTIONS

CV2020-01243 Shervon Peters and Others v. The Attorney General

(Date of Completion of Investigation)

Dr. Roodal Moonilal (*Oropouche East*): Thank you very much, Madam Speaker. To the Attorney General: In light of a release issued this morning appointing Mr. Justice Stanley John (Retired) as the Lead Investigator in the matter of CV2020-01243 Shervon Peters and Others v. The Attorney General, will the Attorney General indicate the date in which the report into this investigation is expected to be completed?

The Attorney General and Minister of Legal Affairs (Sen. The Hon. Reginald Armour SC): Thank you very much, Madam Speaker. In response to the question, I am not yet in a position to give that information.

Hon. Members: [*Desk thumping*]

Sen. The Hon. R. Armour SC: I have asked for it to be dealt with on an extremely urgent basis. I contacted Justice John yesterday evening and I will be speaking with him later this afternoon when I emerge from the House.

Dr. Moonilal: Thank you very much. Mr. Attorney General, could you indicate what criteria was used to select and appoint Mr. Justice Stanley John as the lead investigator in this matter?

Madam Speaker: Member, I have to rule that question out of order having regard to what was your original question and the answer given. Member for Oropouche East.

Dr. Moonilal: Thank you very much. Mr. Attorney General, could you indicate the scope and the difference between what Mr. John is doing and Mr. Rolston Nelson is doing?

2.30 p.m.

Madam Speaker: Again, I have to rule that question out of order, Member for Oropouche East, based on what was asked and what has been answered. I believe there were two supplementals. There were two supplementals asked.

Dr. Moonilal: On the account of supplemental order, they are not.

Madam Speaker: Member for Couva South.

Mr. Indarsingh: Thank you Madam Speaker.

Investigative Team Appointed by SWRHA

(Death of Twin Babies)

Mr. Rudranath Indarsingh (*Couva South*): Given the treatment of Ms. Pearly Graham at the Princes Town District Health Facility which allegedly resulted in the death of her twin babies, will the Minister state the composition of the team appointed by the South West Regional Health Authority to investigate this tragic and unfortunate situation?

Madam Speaker: Minister of Health.

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much Madam Speaker. Madam Speaker, first of all, may I say that I as Minister of

Health absolutely regret the verbal interchange that took place between Ms. Graham and staff at the Princes Town District Health Facility. It clearly did not match our expectations of what a professional should be engaging with, with a patient. So, I regret that verbal interchange.

To specifically answer the question, the General Manager of Quality, Ms. Lystra Balgobin of the South West RHA led the team. The report was then reviewed by the Director of Health, the General Manager HR and the CEO. In addition, on Tuesday 31st January, which is Tuesday of this week, I as Minister, in treating with this matter seriously, appointed an independent team independent of the South West RHA to review the report and to delve into the circumstances. That team was led by Dr. Adesh Sirjusingh, Director of Women's Health, Nurse Indardaye Maharaj, retired General Manager of Nursing, and Ms. Michelle Ramnarine, GM Quality and Risk Management to the ERHA. All three persons were independent of South West RHA. Thank you very much.

Madam Speaker: Member for Couva South.

Mr. Indarsingh: Minister, the independent team, have they completed their investigation?

Madam Speaker: Minister of Health.

Hon. T. Deyalsingh: Thank you. Yes, this is the report here. It is a 13-page report and it will form the basis of any further action that may be required. Thank you very much.

Madam Speaker: Member for Couva South.

Mr. Indarsingh: At the moment Minister, could you indicate how many employees have been sent on leave?

Madam Speaker: Minister.

Hon. T. Deyalsingh: Thank you. The information from South West RHA is that

four persons have been sent on administrative leave. Thank you very much.

Madam Speaker: Member for Couva North.

Praedial Larceny Squad

(Recovery of Insecticide Sprayed Cabbages)

Mr. Ravi Ratiram (*Couva North*): Thank you most kindly, Madam Speaker. Madam Speaker, to the Minister of Agriculture, Land and Fisheries, in light of a report by a Maraval farmer two days ago concerning the theft of his crop of cabbages sprayed with insecticide, will the Minister indicate what progress has been made by the Praedial Larceny Squad to recover the cabbages, that if consumed, can create a serious public health risk?

Madam Speaker: Minister of Agriculture, Land and Fisheries.

The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis): Madam Speaker, on behalf of the Ministry of Agriculture, Land and Fisheries, the Praedial Larceny Squad, through its networks, informs vendors and farmers as it relates to stolen goods, including contaminated produce. Currently, our officers of this squad are on the ground across nearby markets conducting routine checks to verify the source of produce and inspecting vendor permits that allow the transport of designated quantities of goods. When contaminated goods are stolen and sold in the public, these matters are referred to the Ministry of Health for their investigations and forthwith action is taken.

It should also be noted that the agent for the insecticide, King's Dragon insecticide, has issued a notice to the public indicating that the insecticide used has a seven-day pre-harvest interval. Thank you, Madam Speaker.

Madam Speaker: Member for Couva North.

Mr. Ratiram: Thank you most kindly Madam Speaker. Madam Speaker, to the hon. Minister, in light of the hon. Minister's commitment in the other place on 18th

January that the Praedial Larceny Squad will be increased and the urgent need for this, can the Minister inform this House when this will happen?

Madam Speaker: Minister.

Hon. C. Robinson-Regis: Madam Speaker, I am not in possession of that information at this time.

Madam Speaker: Member for Couva North.

Mr. Ratiram: Thank you most kindly, Madam Speaker. Madam Speaker, to the hon. Minister, can the Minister state if any compensation will be given to the farmer for his loss?

Madam Speaker: Minister.

Hon. C. Robinson-Regis: Madam Speaker, there are specific reasons when compensation is normally given. I am not too sure that this is one of these occurrences.

ORAL ANSWERS TO QUESTIONS

Madam Speaker: Leader of the House.

The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis): Thank you very kindly again, Madam Speaker. Madam Speaker, there are two questions for oral response. We will be answering both. There are no questions for written response.

Madam Speaker: Member for Fyzabad.

Avocat ECCE Centre

(Update)

84. Dr. Lackram Bodoie (*Fyzabad*) asked the hon. Minister of Education:

Further to the response provided to House of Representatives Question No. 182 on May 23, 2022, will the Minister provide an update on when the Early

Childhood Care and Education Centre at Dabie Avenue, Avocat will be opened?

Madam Speaker: The Minister of Education.

The Minister of Education (Hon. Dr. Nyan Gadsby-Dolly): Thank you Madam Speaker. Madam Speaker, the Dabie Avenue, Avocat ECCE Centre is one of the 115 projects comprising 21 secondary, 32 primary and 62 ECCE centres that remained in an incomplete state as at 2015. Of these 115, active construction only commenced on 76, while the remaining 39 had reached the design stage. The Government has had to find over 500 million to pay outstanding unpaid bills incurred for school construction work before the 2015 election.

In addition to this, by way of balloon financing facilitated by the Ministry of Finance, approximately 450million has been spent on the construction and completion of the outfitting of 15 of these schools. A further loan of 267 million has been secured to complete the construction of another seven of these schools. Although the Dabie Avenue, Avocatt ECCE Centre is not among the current seven, its completion is seen as important and therefore this project will be addressed as soon as possible.

Madam Speaker: Member for Fyzabad.

Dr. Bodoë: Thank you for that response, Minister. Minister, could you by chance indicate whether it will happen within this financial year?

Madam Speaker: Minister of Education.

Hon. Dr. N. Gadsby-Dolly: Thank you, Madam Speaker. At this time, that is not among the seven that have been identified for this fiscal.

Madam Speaker: Member for Fyzabad.

Construction of Siparia East Secondary School

(Update on)

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

Further to the response provided to House of Representatives Question No. 183 on May 23, 2022, will the Minister provide an update on the status of the construction of the Siparia East Secondary School?

The Minister of Education (Hon. Nyan Gadsby-Dolly): Thank you, Madam Speaker. Madam Speaker, the Siparia East Secondary School is one of the 115 projects comprising 21 secondary, 32 primary and 62 ECCE centres that remained in an incomplete state as at 2015. Of these 115, construction had commenced on 76, while 39 had reached the design stage in 2015.

The Government has paid out over 500 million in outstanding unpaid bills for this work and in addition to this, has spent 450 million on construction, completion and outfitting of 15 of these schools, and a further 267 million has been secured to complete another seven of these schools.

Although the Siparia East Secondary School is not among the seven, its completion is seen as important and, therefore, this project will be addressed as soon as possible.

Madam Speaker: Prime Minister.

POLICE SERVICE COMMISSION NOMINATION

(MRS. ERLA HAREWOOD-CHRISTOPHER)

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, I beg to move the following Motion standing in my name:

Whereas section 123(1)(a) of the Constitution of the Republic of Trinidad and Tobago (“the Constitution”) provides that the Police Service Commission shall have the power to appoint persons to hold or act in the office of Commissioner and Deputy Commissioner of Police;

And whereas section 123(3) of the Constitution provides that the Police Service Commission shall submit to the President a list of the names of the persons nominated for appointment to the office of Commissioner or Deputy Commissioner of Police;

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

And whereas the Police Service Commission has submitted to the President the name Mrs. Erla Harewood-Christopher as the person nominated as the highest graded candidate for appointment to the office of Commissioner of Police; *And whereas* the President has on the 30th day of January, 2023 issued a Notification in respect of the nomination;

And whereas it is expedient to approve the Notification:

Be it resolved that the Notification of the President of the nomination by the Police Service Commission of Mrs. Erla Harewood-Christopher to the office of Commissioner of Police be approved.

Madam Speaker, the name Erla Harewood-Christopher, by now, is well-known to this House. Because only recently, I had the honour and privilege to pilot through this House a similar Motion for this same officer to act in the position of Commissioner of Police. However, the proceedings of the House would be served if I spend, with your leave, Madam Speaker, a couple minutes refreshing our memory on the qualification of Mrs. Erla Christopher to accept this recommendation of the Police Service Commission.

As you know, Madam Speaker, this Commission would have been at work for quite some time evaluating a number of applicants and, according to the law

and the proceedings, we now have in front of us the work, the outcome of the Commission's exercise.

Madam Speaker, Mrs. Christopher joined the police service after training as a Constable in the Central Division, where she served in 1982 to 1991. During the period 1991 to 1998, she served in Central Division having been promoted to the rank of Corporal. During the period 1998 to 2003, she served as Sergeant in Court and Process Branch and the Information Technology Department. Later on in 2003 to 2006, she served as Sergeant and Inspector in the Human Resource Branch. In 2006 to 2007, she served in the Human Resource Branch as an Adjutant to the Special Reserve Police. In 2008/2009, she served as Assistant Superintendent of Police Administration, Human Resource; 2009/2010, she served as Superintendent of Police in Administration in the Human Resource Branch; 2010 to 2012, she was promoted to Senior Superintendent of Police, Administration; 2012 to 2013, she served as an Assistant Commissioner of Police in Administration; 2013 to 2016, she served as an Assistant Commissioner of Police, Special Branch; 2016, she served as an Assistant Commissioner of Police in area south.

2.45 p.m.

Madam Speaker, in 2019—sorry, in 2014—2017, sorry—to 2019, she served as Deputy Commissioner of Police Administration, and 2021—2022, she served as Deputy Commissioner of Police Acting in Operations, and from 2022 March to present, she served as Deputy Commissioner of Police and Acting Commissioner of Police.

So Madam Speaker, this officer has had a very long and varied service in the police departments, very many police departments, coming up through the ranks from constable and earning significant promotions along the way. The officer is

very well qualified through training and academia.

In 2007, the officer benefited from training in Special Anti-Crime Unit of Trinidad and Tobago, National Policing Improvement Agency 2007, 2008 she had training at the Jamaica Constabulary Staff College in Jamaica, and in 2008 she did specialist training in drug law enforcement policy at the Regional Drug Law Enforcement Training Centre in Jamaica. In 2015, she was exposed to training in Washington DC at the Academy for Defense Intelligence, and also in 2015, she had training, she took part in a programme, which was focused on advanced national security training at Encore International in Washington DC. She also attended some training Administrative Staff College in India in 2015 where the programme delivered training in general management for senior executives.

In 2016, she was exposed to the FBI training at Quantico Virginia, under the auspices of the FBI where she underwent leadership-training programme, providing skills, knowledge, and insight, in the areas of executive leadership, and psychology of leadership, behaviour-based investigative strategies for violent crime, and critical incident leadership, and hostage negotiation.

In 2017, she entered into a programme of International Visitors Leadership Programme in Washington and in New York, and 2018 she benefited from further training with the FBI Investigators Retainers in Panama, and she specialized then in matters of corruption, and had the unique opportunity of learning investigative tactics and techniques in crime prevention.

In 2019, she entered into a programme, at International Law Enforcement Academy at Roswell. This programme delivered instruction in executive policy and development and anticorruption and model law.

So Madam Speaker, an officer that holds an Accounting Technician Diploma; a Certificate in Public Administration; an Associate Degree in

Information Technology; a Bachelor of Science Degree in Public Sector Management from the University of the West Indies; a Master's Degree in Applied Criminology and Police Management from the University of Cambridge; and a Master's Degree in Strategic Leadership and Management from the University of the West Indies; she is a candidate in that programme. Madam Speaker, we have said before, and I think we are in a position to say again, that this officer is highly qualified and very experienced. And therefore, we are not entirely surprised that she would have found favour with the Service Commission who would have listed her as the top applicant at this time.

Madam Speaker, I think the information provided to Members would indicate that Mrs. Christopher is currently aged 59, and will turn 60 on the 15th of May 2023, and this raises an issue—and I think my colleagues on the other side in one of their public utterances would have said something about her age being some kind of impediment for her consideration here. But I simply want to point out, Madam Speaker, how, if the House accepts this nomination, how the Government sees as proceeding. And we do so by application of section 74 of the Police Service Act, Chap. 15:01, where and if I quote, Madam Speaker, from that law, it says, that an officer in the category of Mrs. Christopher, which means a serving officer, who is due to retire, it says that that officer:

“Shall retire from the Police Service on...”—her—“...attaining the age of sixty...”

That is law, but then it will then raise the issue of what happens after. And it is good for Members to note that Mrs. Christopher is a person within the meaning of section 123(1)(a) of the Constitution, whom the Police Service Commission has the power to appoint to hold the office of Commissioner of Police. The notification in respect of her appointment has been mentioned momentarily a while

ago, and the resolution of the House is anticipated as we go forward. In the event that we affirm Mrs. Christopher this afternoon, the result is that the Police Service Commission will be the constitutional approved body to proceed to appoint her to the office of Commissioner of Police, consistent with section 123(5).

And what that means, Madam Speaker, is that, the imminent fact of the retirement of Mrs. Harewood-Christopher as a First Division Police Officer by the operations of section 74(2) of the Police Service Act, neither impacts not disqualifies her nomination, nor indeed the House voting to affirm that nomination for her appointment, because any further appointment can be done under section 75 of the Police Service Act. And that would be relevant, in that, if I may quote, Madam Speaker:

“Notwithstanding...”

What I just quoted there—

“... in section 74...”—or—“...any other written law—

- (a) the President may in relation to a police officer in the First Division...”

And this is the provision of section 75, where he or she as the case is now—

“...considers it in the national interest, extend the years of service of the police officer after he has reached the prescribed age of retirement,”—

And to do so—

“...for a period of one year in the first instance and thereafter, subject to an annual review, for a maximum of two further periods of one year each.”

Madam Speaker, that is the law and those are the provisions, and those provisions, one assumes are well known to the Commission as they advance this officer to us for appointment as Commissioner of Police. We have to assume that the Commission is presumed to know her age, and equally clearly is presumed to be

aware of the fact that she will reach the mandatory retirement age in May 2023, and equally clearly has done so cognizant of the provisions of sections 74 and 75 of the Police Service Act.

Accordingly, Madam Speaker, the imminent prospect of Mrs. Harewood-Christopher on her mandatory retirement as Commissioner of Police, is affirmed—if affirmed today by the House, and I am asking the House to affirm it, Madam Speaker. I am asking my colleague in the face of what the Commissioner has put to us and her suitability for the position, that once that is done, the House would have considered by the Police Service recommendation, and that there is no bar to her favourable consideration for affirmation by the House and appointment by the Commissioner.

What it means, Madam Speaker, is that at the appropriate time in the context of retirement, the Commission may then on the recommendation of the Cabinet, by the conjoint operation of section 80 of the Constitution and section 75 of the Police Service Act, proceed to make a recommendation to the President at the appropriate time, for the President to invoke section 75 in the national interest, the constitutional conventions of the practical functioning of independent organs of State, and we here regard the Police Service Commission as operating independently within the purports of the Constitution, that the Commission will do so.

And like, Madam Speaker, with there being no impediment as far as the Government is concerned, that we as the Cabinet, as the Government, will accept such a position as put forward by the Commission to the President at the appropriate time. That Madam Speaker, will take care of the issue of what is to become of the officer at retirement at age of 60, if the House affirms her today as Commissioner and that retirement is due in May.

Madam Speaker, I do not propose to detain the House too long because when we had advanced Mrs. Christopher for the position to act as Commissioner of Police recently, and that was the 9th of December, 2022, the Government was in full support of that recommendation and voted so to do. And our colleagues on the other side did in fact support the nomination and the affirmation, and if I may quote from the *Hansard* of the Member for Chaguanas West, he said, I presume, speaking on behalf of his colleagues, he said:

“...we too agree and we commend these qualifications of Ms. Erla Christopher. We have no dispute with that. So we commend her for all of her training and all of the accolades. We too support Ms. Erla Christopher, in terms of this appointment.”

And he went on to say:

“...we support this appointment, this nominee being appointed to the Acting top COP position.”

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, that support for the position of Acting Commissioner, it is my view that it will be very surprising if our colleagues between December and the first week of February are of a different view. We know of nothing that would have happened in the intervening weeks to have changed the circumstances, and therefore, as the Parliament is required to receive this recommendation of the independent body that did the work, because all interested applicants put in their applications to the Commission. The Commission, quite independently, and as required as their duty, did screen and examine those applicants, those aspirants, and under law of today caused it to be in front of this House, it falls to this House, Madam Speaker, especially under the circumstances that we have been in for quite some time. The last time we had any

settled arrangement for a Commissioner of Police was about a year ago.

Hon. Member: Yeah.

Hon. Dr. K. Rowley:—and then before that we had an interregnum of a number of a three-year period when there was an Acting Commissioner and so on, and so on. This business of a commissioner of police has been attracting and distracting for quite some time.

And it is my view today, Madam Speaker, as I put to this House, all my colleagues, all 40 of them, that if we accept this recommendation of the Commission and appoint a substantive Commissioner of Police, we would have removed one of the grains of sand in the shoe of policing in this country, and assist us in focusing on the job at hand which is to fight the criminal element—

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley:—and protect the population and engender a sense of safety and security in Trinidad and Tobago.

That being so, Madam Speaker, I will waste no further time in asking anything else except that my colleagues consider what positives will come out of this, and move post haste to accept the recommendation and affirm Mrs. Earla Christopher to the substantive position of Commissioner of Police in Trinidad and Tobago. Madam Speaker, I beg to move.

Hon. Members: [*Desk thumping*]

3.00 p.m.

Question proposed

Madam Speaker: Member for Oropouche East.

Hon. Members: [*Desk thumping*]

Dr. Roodal Moonilal (*Oropouche East*): Thank you very much, Madam Speaker, for the opportunity to speak on this Motion brought to the House and piloted by the

hon. Prime Minister pursuant to the constitutional requirements to appoint a substantive Commissioner of Police.

Madam Speaker, to my knowledge, my recollection, the last time we engaged in a debate to appoint a substantive Commissioner of Police, around 2018 or thereabout, Madam Speaker, the first nomination of the Police Service Commission was one Mr. Deodat Dulalchan, I believe, and the Government's position on that day was that they had no difficulty with the career police officer, their problem was the process; their problem was the process. Today, the Government has no problem with the process.

In 2018, KPMG, an international accounting firm, I believe, management and accounting firm, participated in the process that led to the ascendancy of Mr. Dulalchan as the first choice, head of the list for Commissioner of Police, the Government had a problem with the process. Today, that system has changed considerably and it is the members of the Police Service Commission, who themselves participate in an in-house arrangement where they determine their criteria and they will take the decision to arrive at a nominee—a first nominee for the position.

The hon. Prime Minister, today—I was waiting for the Prime Minister to speak about the process but the Government had no problem today with the process. The process problem arose when Mr. Dulalchan was the first choice of the then Police Service Commission. I leave that there and get back to Mrs. Erla Harewood-Christopher.

The Prime Minister was also correct when he indicated—when the Prime Minister indicated that Mrs. Christopher came before us before on the 9th of December, I believe, 2022, to fill the position of Acting Commissioner of Police due to the fact that the Acting Commissioner at that time, Mr. Jacob, was, I

believe, intended to leave the jurisdiction and on that occasion, the Opposition did engage in a debate for that appointment.

Madam Speaker, today, I do not want to delay the House or the Prime Minister, I trust that he has had his meals and would be properly refreshed to remain with us. I do not want to delay the House from other business, but to indicate that while in principle and in reality, we have no difficulty with the résumé and the personality of Mrs. Erla Harewood-Christopher—I have in my hand a copy of curriculum vitae. I will not repeat all the items here since the mover of this Motion already took the opportunity to do so and there is no need to labour over her curriculum vitae that is now in the public domain and the mover already discussed.

I would just like to raise one question in my preliminary remarks, that it was passing strange that in the media, in the social media, there was a letter sent apparently to other applicants indicating that they were unsuccessful in their application for the position of Commissioner of Police. And this caught me by surprise because it was our belief that this was a process and Mrs. Christopher, until I think 20 minutes ago, we were not sure—no one could be sure of what will be the Government's thinking because the Government came in 2018 and rejected, I think, three candidates in a row, Mr. Dulalchan and two others, their names slip me now, before arriving at one Mr. Gary Griffith and indicated, notwithstanding the process they had problems with, Mr. Griffith was indeed their choice at that time. I suspect he is not their favourite poster boy at this time. But there is no—until 20 minutes ago or so the House and the country did not know that Mrs. Erla Harewood-Christopher was indeed a candidate receiving the blessings of the Government. So we are in that position now where the Prime Minister indicated that the Government had no difficulty with the nomination before the House. So

presumably only now we can come to a conclusion that no other nominee and no one else on the merit list, so to speak, would come before this House, since the Government has indicated its support. So I was taken aback that the Police Service Commission would issue letters to applicants to indicate that they were not successful because the process has not ended until a vote is taken to appoint a Commissioner of Police, by the Parliament, by the House of Representatives specifically.

The matter, again, that struck me, it is not the first time I am perusing the CV of an executive member of the Trinidad and Tobago Police Service and indeed, Mrs. Christopher, I have seen this before. There is no fundamental difference between the reception of the candidate in December and the first week of February, as we are now, however, to say that Mrs. Christopher did, and continues to act in the position as Commissioner of Police as we speak.

Now, we begin by indicating, Madam Speaker, that it will be terribly unfair for anyone, whether it be politicians or members of the national community or business leaders and so on, to believe that a Commissioner of Police, and a Commissioner of Police alone, will deal with this monumental challenge, unprecedented challenge of criminal activity, involving murders, serious gun violence, home invasion and so on. It would be unfair for anyone to ascribe complete blame to one officeholder, the Commissioner of Police. And therefore, Mrs. Christopher, I believe, received a baptism of fire somewhat, in that, we are informed by the statistics that since Mrs. Christopher began acting as Commissioner of Police, indeed, we have had 100 murders. So clearly, the acting position has not made any fundamental change in that sense and we ought not to expect that either. But we ought to expect responsibility and leadership. And Mrs. Christopher, I believe, is quoted as saying that we are witnessing the storm before

the calm, if I am correct, as if to suggest that, look, there is a calm that will come, there is a reduction. One suspects that the reduction would come when there is a confirmation of a substantive Commissioner of Police, and the policies and programmes that will emanate from that office. And we will hope and pray that that happens. But at least during the period of the acting as Commissioner of Police, there has been such as no significant change in the right direction, in terms of fighting crime, in terms of dealing with some of the challenges. And we wish Mrs. Christopher well. We wish her well if it is the dictate of the Government that Mrs. Christopher be appointed as the substantive Commissioner of Police, we wish her well in this very daunting position.

It will not go unnoticed that Mrs. Christopher will become the first Commissioner of Police, first female Commissioner of Police, substantive Commissioner of Police in the history of Trinidad and Tobago. That is not something that must go unnoticed as well. It is something that I am sure will lead to some positive impact, in terms of women and girls who desire to join law enforcement, who desire to serve their country in the position of officers in the protective services, whether it be the police service, the defence force, the regiment, et cetera, et cetera, so that we herald and we welcome a candidate that should motivate and inspire young women and girls in the area of the criminal justice system, policing and law enforcement.

Madam Speaker, Mrs. Christopher from her CV has had a very, very heavy involvement in administration in the Trinidad and Tobago Police Service. Again, I can go, you know—and Deputy Commissioner of Police 2017/2019 administration, involved in the human resource department of the Trinidad and Tobago Police Service, trained in administration, trained in the area of intelligence

as well, defence intelligence, police improvement studies, and has been working in an administrative area of the Trinidad and Tobago Police Service for decades.

Regrettably—but this is not to say that Mrs. Christopher is not a good candidate or even the best candidate. Regrettably, Mrs. Christopher does not have a history in crime fighting per se, in terms of any unit in the Trinidad and Tobago Police Service that would suggest that Mrs. Christopher is involved in the frontline of crime fighting. Mrs. Christopher, I imagine would not be very much present in the High Court, in the courts of the land as a complainant because she has not been involved in crime fighting in that way where she would be involved in arresting and prosecuting, in a direct way, persons alleged to be involved in criminal activity. Now, whether that is an advantage or disadvantage, one can never tell. One believes that persons who arrive at this position should have some experience as well in crime fighting on the frontline, so that that experience could come to bear.

Madam Speaker, one of the disadvantages of this process, and there are several, is that we do not know who is the second, third, fourth candidate that arrived. We will only know the second if the first is rejected. We will not know the second, so that there is nothing to compare with. But, however, I can indicate, Madam Speaker, that also making the circuit would be information concerning the ranking of Mrs. Christopher in earlier bouts, when Mrs. Christopher did apply in the last application for Commissioner of Police, 2018 and 2021.

Madam Speaker, it is a matter of public record, because we had a joint select committee before on this exact process of the application of Police Commissioner and regrettably, Mrs. Christopher did not fare very, very well, on that occasion, I believe. I have the documents because I actually sat on that Joint Select Committee and Mrs. Christopher, I believe, in 2018 arrived at number 12. She was

12th on the list of persons on that occasion. I believe two years ago there was another process in 2021, and in that process as well, regrettably, Mrs. Christopher was not fortunate to top that position. In fact, in 2018, just for the record, it was topped by Mr. Gary Griffith with, I believe, 81.9 per cent, and Mrs. Christopher placed 12th with 52 per cent. Those documents are in the public domain.

In 2023, Mrs. Christopher topped the list and that is why her name is before us. There is a suggestion that we have received as well that Mr. Jacob was second and Mr. Anand Ramesar, third. It is unlikely that Mr. Griffith would be on that list. So the point I wish to make is that—

Madam Speaker: Member, Member, I have allowed you some leeway, but remember it is a particular notification that we debating here. Okay? Please.

Dr. R. Moonilal: Thank you very much. Madam Speaker, I just want to take up a point raised by the Prime Minister and move on to a point raised by the Prime Minister, and it was a concern that was raised in the public domain and involving the workings in hiring or in appointing Mrs. Christopher vis-à-vis her retirement age from the Trinidad and Tobago Police Service. Her record is clear, her date of birth and so on, and we all know that in May 2023, Mrs. Christopher is due to retire as a police officer in the Trinidad and Tobago Police Service.

3.15 p.m.

Now, the Prime Minister has indicated that this concern was raised by Members of the Opposition and the Government had looked at the concern and, indeed, they acted pursuant to the Police Service Act, Chap. 15:01, in which there is a provision to extend the term of a police officer in the First Division by way of the President.

Now, we all know, Madam Speaker, that a person cannot be a contract officer and a substantive permanent member of the Trinidad and Tobago Police

Service in the same way, at the same time, for the purpose of this position. So, for absolute clarity, we would like the Government to indicate what will happen in May or repeat if you did indicate? If you could just repeat, in probably a simple way, when the time comes in May 2023, at the birthday of Mrs. Christopher, it suggests, given the law, that the President will be asked pursuant to the law, the Police Service Act, the President will be asked to extend the years of service of the police officer after she has reached the prescribed age of retirement for one year in the first instance. Now, it appears that that is the process that we will follow.

So between February to May, Mr. Christopher is continuing and will be appointed Commissioner of Police in a substantive position as Commissioner, but at retirement will be invited by the President to continue for one year, and after that for a further two years subject to an annual review—and I am looking at section 75 of the Police Service Act.

Madam Speaker, this brings me to a very important point, and we have always raised the point of insulating the police service. It is in judgments of the Privy Council.

Hon. Members: [*Desk thumping*]

Dr. R. Moonilal: There is no need to read it out. But a fundamental constitutional principle enshrined, not only in the law, but in the judgments of the Privy Council, our highest court, is to insulate public servants and police officers from political interference. And given the structure of the arrangements that we are coming to with this candidate, where the candidate will depend—and in this legislation when we say “President”, Madam Speaker, I submit we mean Cabinet. Cabinet will recommend to the President—Cabinet will recommend to the new President, the extension of one year, because the law says one year, in the first instance.

So that the holder of the position of Commissioner of Police now, as

opposed to the last holder, substantive holder—I do not go back there. I am not calling whoever it was. The last time a substantive Police Commissioner was appointed, I believe was for three years, by the Police Service Commission and that could not have been disturbed by the Cabinet. This appointment can be disturbed by the Cabinet of Trinidad and Tobago—

Hon. Members: [*Desk thumping*]

Dr. R. Moonilal:—because the Cabinet needs to do a Note and ask the President to appoint for one year, in the first instance, this candidate to continue to serve as Commissioner of Police. That is a very serious matter.

Now, they are suggesting, if I read between the lines, that the Police Service Commission will make this recommendation to the President. I am not sure the Police Service Commission will make recommendation or can make recommendation in this business. Because it says, according to the law:

“(a) The President may in relation to a police officer in the First Division” — extend the life. It does not say here, unless it says somewhere else, that the Police Service Commission will make recommendation. It says the President will act. But in the law, when you say the President will act, unless we say in the discretion, in the sole discretion of the President, we are talking about the Cabinet. So is it, for clarification purposes today, is it that the Cabinet will now extend the Office of Commissioner of Police by virtue of extending the life of a Trinidad and Tobago Police Officer who is due to retire in May? And that, to me, is a very serious matter. If it is not so, the Government can indicate it is not so and some other mechanism will be found, because the appointment comes at an interesting time. Because maybe you could have gone in May, June or July and do it when Mrs. Christopher would be properly out of the Trinidad and Tobago Police Service, but she is not, and she cannot be expected to resign her position now. That carries

other implications and consequences. So that she will continue until May, at which time the Cabinet, the political directorate, will decide to write the President for a further extension of one year to allow Mrs. Christopher to continue in the position of Commissioner of Police. If that is not the case, please say so. Please say so.

Hon. Members: [*Desk thumping*]

Dr. R. Moonilal: If it is that Police Service Commission is empowered to write the President, under the law, indicate which law that gives the Police Service Commission the right—you can write the President and tell them extend. If that is the case, well, it is not a problem. And to come and say the UNC did it before and the UNC did this before and the UNC did this before, okay, okay. We can say that how much we want, but just clarify what will happen and whether or not the Cabinet will be involved in this matter. And if it is not, well fine. No problem at all, we can move on there. Because, as I said before, our colleagues have said before, there is no particular grievance, there is no critical remark we make.

The Police Service Commission has brought a nominee to us. They have changed their modus operandi. They are no longer engaging external, independent, management and auditing firms to do this business. They are doing it themselves. I do not have the process. I do not have a box of material to know how they went about doing this. None of us in this House know. We do not. We did not know when they brought somebody else, but we objected. We objected then. Today, we do not know, so it is very difficult to object. Because I would have like a position where the Police Service Commission comes before the House and tell us how they arrived at this—first, second, third and fourth place—before we can make a decision, but we have to go with what the Police Service Commission says. The Government did not do it years ago, but they will do it today, I am sure, and they have their good reason for doing that. So, Madam

Speaker, I raised that matter for clarification.

It is the pet word of the Prime Minister and others who parrot and others who speak on that side, it is their pet word to indicate the Opposition is making mischief and making bacchanal, and there is no need for this, there is no need for that. All of that is fine. Just clarify for us what happens in May, and who exactly. And I would like to know, for my own education as well, put on record that it is the Police Service Commission will write the President under law, whatever law, and request the extension of Mrs. Erla Christopher to continue as an officer in the Trinidad and Tobago First Division for the purpose of her term of office as Commissioner of Police. Just clarify that. That is all.

Madam Speaker, in the public domain, my colleague, a colleague who is very vociferous, and they equally do not like hearing his name, but Sen. Wade Mark did raise on Monday—on January 22, 2023, just a few days ago, did raise a matter concerning Mrs. Christopher. I am reading from a *Newsday* article, Monday, 23rd January, 2023

“...Is Erla Harewood Christopher the next COP?

Opposition Senator Wade Mark questioned whether acting Commissioner...Christopher has been handpicked by the Government to become the substantive CoP, after acting...Mc Donald Jacob's contract was not renewed.”

He asked this question in the context that information came to persons in the public domain that Mrs. Christopher was already on the move in terms of making arrangements at the house of the Commissioner of Police and other arrangements to suggest that Mrs. Christopher would have a longer stay in the Office of Commissioner of Police.

A few days ago, our colleague from Tabaquite also raised a flag and

indicated that Mrs. Christopher was made accounting officer of the Trinidad and Tobago Police Service, and it suggests that Mrs. Christopher had the blessings of the Government to continue.

So, Madam Speaker, it is not our business to get involved in that too much, but to indicate whether or not—to ask the Government, whether or not this was, indeed, a done deal way before coming to the Parliament on the 3rd of February, 2023 and, today, we are involved really in a rubber stamp process, because the Government has taken this decision before.

I will end with a particular note and I address, in my ending, Mrs. Erla Harewood-Christopher herself. As on previous occasions, I have addressed the candidate themselves. Unlike the United States Congressional System that summons a candidate for appointment before a committee of Congress—and you can pose questions to them—we do not summon the candidate. The candidate, generally, will listen to our debates and so on. And I want to take the opportunity to wish Mrs. Christopher very well; to wish her all the best in her endeavour as Commissioner of Police and to indicate to her that the country will be watching, the Opposition will be watching—I think there is a song, “every move you make, every step you take”—we will be watching every move, every step, and we reserve the right to be critical, to scrutinize the work of the Executive and the Commissioner of Police herself. We reserve that right. That is our role, according to the law and the Constitution to do that. And I will indicate to Mrs. Christopher as well, we wish her strength to stand up to those in authority who may want to bully her—

Hon. Members: [*Desk thumping*]

Dr. R. Moonilal:—and force her to do their bidding, whether it is sending text message for gun licence, for ammunition licence and to remind her—

Mrs. Robinson-Regis: Madam Speaker, Standing Order 48(6), please.

Mr. Indarsingh: They “doh” want to hear.

Madam Speaker: Please, continue.

Dr. R. Moonilal: Thank you so much, Madam Speaker, for waving me on. Madam Speaker, we will ask Mrs. Christopher to be tough, to be strong and to resist those temptations. And I will ask Mrs. Christopher to remind herself, not to remind the country, to remind herself, whether or not there was a conversation with her and the incoming Prime Minister in 2015, when the incoming Prime Minister spoke about a national security debate.

Madam Speaker: Okay. Please, let us do not go there. All right. Let us do not go there.

Dr. R. Moonilal: Yes.

Madam Speaker: Yes, please.

Dr. R. Moonilal: Or, sorry. So that in winding up, really, we wish the incoming Commissioner well. We acknowledged the historic appointment, assuming it will be made in a few days of this woman, this lady, as Commissioner of Police, in a sector that has been globally male oriented and male driven. Leadership in law enforcement has been dominated, not only in Trinidad and Tobago, but in the Caribbean and throughout the world by leadership of men, and this is a historic appointment as well that we acknowledge and wish her well. But having said that, that will not mean that we will scrutinize less, that we will be less critical. It just means that there will be a greater burden on her to conduct herself and to conduct the business of the Office of Commissioner of Police.

Hon. Members: [*Desk thumping*]

Dr. R. Moonilal: Madam Speaker, with those few words, I thank you.

The Prime Minister (Hon. Dr. Keith Rowley): Thank you, Madam Speaker.

Madam Speaker, in this House debates involve all of us, and I am talking about both sides, and the Member for Oropouche did join the debate and I thank him for his kind words to the nominee, and for acknowledging that the position taken by the Opposition today, with respect to the nominee, is the same as it was a few weeks ago. That makes this process so much easier and clear.

But, Madam Speaker, because the Member sought to utilize his allotted time fully, he did raise a couple of matters that I have to respond to. One, he raised the matter of and called the name of Mr. Dulalchan in the context that the process, at an earlier time, was used to disqualify Mr. Dulalchan, but now the process seems to be okay to affirm Mrs. Christopher.

3.30 p.m.

Madam Speaker, this country is going through too much for Members of Parliament to stoke those kinds of dog whistles.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: This country on a daily basis is put through hell, sometimes unnecessarily by a few politicians who purport to speak for the country when all they are doing is spoiling a good day for many people in the country.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, the reason why the current system brings the debate in public and that the law provides the authority for Members of this House to appoint the Commission to select the Commissioner is because it was deemed necessary and the law permits it, but that law also permits Members of this House to say, yay or nay, to any nominee. And since the Member chose to raise the name of Dulalchan today here in a dog whistle, I will tell you, Madam Speaker, that while we did mention the process at the time as being overly laborious and even not transparent and costly, the main reason why Dulalchan was not selected

by those on my side when his name came here, is because we were not satisfied with the national security report on him.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: So if you want to debate that, that is for another time, but do not come here with your dog whistle and say we turned down Dulalchan in the process but today we are accepting Christopher with the same process.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: And secondly, Madam Speaker, it is not the same process.

Madam Speaker, it is not the same process. It is not the same process because what we did, Madam Speaker, subsequently, is to remove the convoluted and expensive arrangement which had existed. In fact, one of the things we did saved the State a lot of money, because what was required is that we had to go and pay—I think they had named some university abroad—

Hon. Members: [*Crosstalk*]

Madam Speaker: Okay. You know, before the Prime Minister rose, I stood up; I paused to allow anybody else who wanted to join the debate to do so, no one caught my eye. I would say without contradiction, there was not a move by anyone. So I would ask all Members now, if they want to interject there is a particular procedure, if they will comply by that. If not, let us observe the Standing Orders for those not speaking and listen in silence. Thank you.

Hon. Dr. K. Rowley: Thank you, Madam Speaker. The process that existed which could not deliver a Commissioner of Police before, had all kinds of requirements to send the process through, I think it was the University of Pennsylvania, and to hire evaluators and to pay them huge sums of money, and to wait indeterminably for an outcome, and all of that, we said, was unnecessary.

It might have been deemed to have been necessary at some time earlier on

but the candle was costing so much more than the funeral. And, Madam Speaker, we then streamlined it and said, “Let the Police Service Commission do the work as they see fit, using what approach they need to use, consult who they want to consult, examine who they want to consult. Leave the process with the Commission and let the Commission do the work”. That is the process that is here today and that is why we have no criticism or comments to make on the process because we have streamlined the process, and therefore to come here and try to raise process as some issue to confuse the public, to mislead the public and to cast aspersions on the outcome of the process. Madam Speaker, the Member spent a lot of his time belabouring whether or not the Cabinet will have any say in the extension of the Commissioner of Police and described it has a serious thing; of course it is a serious thing because the Cabinet is a serious place. It is the Cabinet that runs this country and if the law—if the laws of the country permit and require the Cabinet to be involved in a process, I do not know why Members on the other side have this fear of the Cabinet, but the people of Trinidad and Tobago, they do not have the fear of a PNM Cabinet. They have a fear of your Cabinet.

Hon. Members: [*Desk thumping*]

Hon. Members: [*Crosstalk*]

Hon. Dr. K. Rowley: It is the law that says what can be done—Madam Speaker, I seek your protection from Couva South.

Madam Speaker: Member for Couva South, you know how to do it correctly. Okay? So let us proceed, Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, it is the law that says what can be done legally, what is required to be done legally and, of course, sensibly. I went into detail—as a matter of fact, Madam Speaker, in the last couple of days, I sought legal advice—senior counsel legal advice because this matter of the Commission

recommending to us, a sitting officer to become Commissioner, that officer due to retire in a few months' time, attracted the attention of the Prime Minister and the Cabinet, and we are not a joke, you know, Madam Speaker, we do the people's work seriously.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: And the Member for Oropouche East is not required to advise me as to how we should proceed here. I sought proper legal advice, and what I quoted for you, Madam Speaker, of section 74, section 75 and section 80, that is from senior counsel advice to the Cabinet.

So, Madam Speaker, I went into detail to say—

Hon. Members: [*Crosstalk*]

Hon. Dr. K. Rowley: And, Madam Speaker, I seek your protection again from Couva South. I want to speak in silence.

Madam Speaker: Member for Couva South, remember with respect to interjections, you know how to do it. Okay? And remember, I remind you all the time about volumes, you in particular.

Hon. Dr. K. Rowley: Yes, Madam Speaker, in my presentation of the recommendation and the request for support for the candidate, I indicated that this problem exists. In fact, it is not a problem at all. I indicated the pathway by which her tenure can be and could be and should be beyond May when she retires at age 60, and said it is the Commission—right?—it is the Commission, when she retires, there will be a vacancy and once a vacancy exists in that post, the procedure for filling it exists. And the procedure under law says that the Cabinet—right?—

Hon. Members: “Ahhhh.”

Hon. Dr. K. Rowley:—the Cabinet will make the recommendation, because there is no law that the Commission will use that is different to the law that the Cabinet

exists. The law is there, and the fact that an extension is to be triggered by the Cabinet holds no fear for the PNM, it seems to hold a fear for the UNC.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Well, if you are so afraid of the Cabinet, you spend all your time every day, every night calling for the Cabinet to resign; that is what you do because you are afraid of the Cabinet.

Madam Speaker, the country is run by a Cabinet and the law says how it should not be done, but to come here today and give the impression that—and worse, worse, Madam Speaker, to cast aspersion on the Commission by coming here and saying that Wade Mark said that this was a done deal, and the fact that Mrs. Christopher is now selected by the House—if she is selected—is a done deal by the Government, Madam Speaker, is pure UNC mischief.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Let me put all of your hearts to rest and your concern to rest, I know no person in the Police Service Commission and I have spoken to no person who serves in that Commission. So put that in your pipe and smoke it. And if you are not accustomed to believe in your political leader, those in the country and in this side believe this political leader.

Hon. Members: [*Continuous desk thumping*]

Mr. Charles:—48(1)—[*Inaudible*—what does the leader has to do with—

Hon. Members: [*Continuous crosstalk*]

Madam Speaker: Member for Naparima, I am so happy that you hold this book when you stand up; please be guided. Please be guided.

Hon. Members: [*Crosstalk*]

Madam Speaker: Members, I am on my legs. I am on my legs if no one is seeing.

Mr. Charles: [*Inaudible*]

Madam Speaker: Please, no. Please—the only Standing Order you could raise is either to ask your friend to give way or you refer to a Standing Order and I rule on it. Okay? All right.

Mr. Charles: Should I raise it again, 48(1)?

Madam Speaker: Please—for 48(1), overruled. Continue.

Hon. Dr. K. Rowley: Madam Speaker, I wish—

Mr. Ratiram: Madam Speaker, I stand on Standing Order 48(8), this Motion is not about the Opposition nor the Leader of the Opposition.

Hon. Members: [*Desk thumping*]

Madam Speaker: Overruled.

Hon. Dr. K. Rowley: Madam Speaker, this is serious public business and I wish that Members on the other side not “pappyshow” the process.

Mr. Ratiram: Madam Speaker, I stand on Standing Order 48(6), the last statement made by the hon. Prime Minister.

Hon. Members: [*Desk thumping*]

Madam Speaker: Overruled.

Hon. Dr. K. Rowley: Madam Speaker, I was saying that the Member for Oropouche East in his contribution quoted at length from a certain Wade Mark who has said to the public that this process—

Mr. Charles: [*Inaudible*]

Hon. Members: [*Crosstalk*]

Madam Speaker: Member for Naparima, you are disturbing the proceedings.

Hon. Dr. K. Rowley:—that this process was somehow interfered with by the Government—

Mr. Ratiram: Madam Speaker—

Hon. Dr. K. Rowley: But what—

Mr. Ratiram:—I stand on Standing—

Madam Speaker: Just now. Okay. So, for all sides, if it is one place we practice tolerance, it is here. I believe the Member for Couva North is rising on a point of order. Yes.

Mr. Ratiram: Thank you most kindly, Madam Speaker. Madam Speaker, I stand on Standing Order 48(5), Members must only be referred to by their constituency or an official portfolio when he is speaking about the Leader of the Opposition in the other place.

Madam Speaker: And we are all guided. Please continue, Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, when the Member for Oropouche East spoke about the Cabinet, he interjected that the Cabinet can disturb the process and that, Madam Speaker, was unnecessary and uncalled for because the Cabinet does not disturb. If there is Cabinet authority that is required, then the Cabinet executes. It is the Executive branch of the country.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: And then he goes on to say, Madam Speaker, the Member Oropouche East, about Wade Mark saying that what transpired here today—

Hon. Members: Senator.

Hon. Dr. K. Rowley: Madam Speaker, I would like to be guided.

Mr. Ratiram: Madam Speaker—

Hon. Dr. K. Rowley: I am simply referring—

Mr. Ratiram:—Standing Order once more, Madam Speaker, on Standing Order 48(5).

Madam Speaker: So, Prime Minister, I rule in favour of the objection and you know, Prime Minister, what is proper. Okay. Let us proceed.

Hon. Dr. K. Rowley: I refer to the Member for Oropouche East as the Member for Oropouche East and I said that the Member quoted and he—the Member mentioned, “Wade Mark said that this was a done deal”. I am simply quoting what was said in the debate.

Madam Speaker: And, Prime Minister, we all know here when we quote somebody we adopt it as ours. So I would ask you to raise the bar a little higher for those of us who do not know differently.

Hon. Dr. K. Rowley: That is difficult, Madam Speaker, but I will try. Okay. Sen. Wade Mark—I think it is the same person—

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Oh, that is the problem.

Hon. Members: Yes. [*Crosstalk*]

Hon. Dr. K. Rowley: Madam Speaker, did not realize that—my apologies, my humblest apologies, I did not realize we on this side were required to raise it to Sen. Wade Mark, but on the other side he was—

3.45 p.m.

Anyway, Madam Speaker, to talk about this process ending with this officer was some done deal involving the Cabinet is to cast aspersions on the Commission. Because as far as I am aware, and certainly the Government that I lead, has nothing to do with the Commission’s process that resulted in the selection of this officer. And I would like the population to understand that any insinuation that this process ended this way because the Government wanted this officer is to be dismissed for what it is, pure mischief.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, the mischief does not end there. The law says that the Commissioner is the accounting officer for the police service. There

is a head that carries all the allocations for the police service, and that head is controlled by an accounting officer who is assigned by the Minister of Finance in writing. It also says that an Acting Commissioner has all the powers of the Commissioner, substantive. So when Mrs. Christopher was made Acting Commissioner, she automatically became the accounting officer.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: And on that basis the Minister of Finance had to identify her, in writing, as the accounting officer. You know, a Member of Parliament comes to the House today, Madam Speaker, an experienced Member of Parliament, and raised that procedural matter under the laws of Trinidad and Tobago and ascribed it to something subtle and sinister by the Government appointing this lady as accounting officer? Madam Speaker, this is the kind of thing our colleague does in the House and in the country to create disturbance and disquiet across the country.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: So I simply want to say, Madam Speaker, the action of not selecting Dulalchan was for good reason. The action of evaluating Commissioner applicants and choosing a person in some protracted or reasonable time frame is a matter that this Parliament dealt with and created the new procedures that are in place. The action of the Cabinet disturbing an appointment of the Commissioner of Police, it is misleading because the authority of the Executive is there in law and there is no hand-picked, preconceived notion to bring an officer here. It was the independent work of the independent Commission away from the Cabinet, away from the Executive.

And as an accounting officer has been appointed, the Minister of Finance would have been derelict in his duty to have not done so. The Opposition has done

absolutely nothing here today to change the outcome because we on this side will support this nomination and we will ask them to join us so that we can appoint a Commissioner of Police and, for heaven's sake, do something one day to bring peace and security and safety to this country. Madam Speaker, I beg to move.

Hon. Members: [*Desk thumping*]

Question put.

Madam Speaker: A division.

The House voted: Ayes 36

AYES

Robinson-Regis, Hon. C.

Rowley, Hon. Dr. K.

Imbert, Hon. C.

Young, Hon. S.

Hinds, Hon. F.

Deyalsingh, Hon. T.

Al-Rawi, Hon. F.

Beckles, Hon. P.

Gadsby-Dolly, Hon. Dr. N.

Gonzales, Hon. M.

Mc Clashie, Hon. S.

Cummings, Hon. F.

de Nobriga, Hon. S.

Leonce, Hon. A.

Manning, Hon. B.

Morris-Julian, Hon. L.

Scotland, K.

Richards, K.

Monroe, R.

Lee, D.

Charles, R.

Indarsingh, R.

Moonilal, Dr. R.

Hosein, S.

Benjamin, Ms. M.

Bodoe, Dr. L.

Ram, A.

Ragbir, Dr. R.

Mohit, Ms. V.

Tancoo, D.

Haynes, Ms. A.

Ratiram, R.

Seecheran, Dr. R.

Ameen, Ms. K.

Forde, E.

Webster-Roy, Hon. A.

Question agreed to.

Resolved:

That the Notification of the President of the nomination by the Police Service Commission of Mrs. Erla Harewood-Christopher to the office of Commissioner of Police be approved.

Hon. Members: [*Desk thumping*]

FIREARMS (AMDT.) BILL, 2022

UNREVISED

Order for second reading read.

The Minister of National Security (Hon. Fitzgerald Hinds): Madam Speaker, I beg to move:

That a Bill to amend the Firearms Act, Chap. 16:01 and for other related matters, be now read a second time.

Madam Speaker, this Bill is 11 clauses long and seeks to make amendments to several sections of the Firearms Act. The Bill seeks to make the following seven critical amendments:

- To permit prison officers to carry firearms while off duty where the Commissioner of Prisons considers the life or safety of the prison officer to be under threat;
To introduce a firearm user's identification card for use by holders of a firearm user's licence.
- To allow municipal police officers to carry and possess certain non-lethal devices.
- To permit the Director of the Strategic Services Agency, or SSA, and any employee of the SSA as designated by the said director to carry government-issued firearms and/or ammunition during the course of the performance of their duties;
- To expand the list of persons who are exempt from liability for being in possession of firearm or ammunition in a public place;
- To hold liable municipal police officers, the Director of the SSA and any employers designated by the Director for offences in relation to selling or transferring or purchasing or acquiring a firearm or ammunition to any unauthorized person; and finally

- To vest in the Minister of National Security the power to amend—sorry, to extend the validity of a FUL beyond the three-year period stipulated by section 17(6) of the Firearms Act, Chap. 16:01.

The overall rationale for this Bill, Madam Speaker, comes as a result of the fact that the Government of Trinidad and Tobago and the public at large are very well aware of the fact that crime is the most pervasive threat which we face as a nation on a daily basis in Trinidad and Tobago. Criminals target law-abiding citizens of this country by committing the most heinous acts known to the society often without so much as thinking twice. We saw only a few hours ago in Cushe Village, in this country, where it is alleged for \$200 lives were lost coldly and savagely and the assailant is still on the run. Might I say very quickly that action is being taken to retrieve him as promptly as possible to protect the public's interest.

It is no secret that targets of the criminals—the targets of criminal pursuits are not limited to ordinary hardworking citizens alone, but they also target law enforcement officers, such as police, municipal police, and of recent times and in particular with the measures here today, prison officers, some of whom have been coldly and mercilessly gunned down by these criminal elements. Our law enforcement officers risk their lives to protect our citizens and the country as a whole. And therefore, this Government recognizing in this place that it is our duty to bring and to look for and gain support to make laws for the peace, order and good governance of Trinidad and Tobago, finds it incumbent upon us at this time to effect laws which can afford such officers protection against these menacing and cold criminal elements.

Notably, Madam Speaker, in Trinidad and Tobago there is no inherent or constitutional right of any person to carry a firearm. And a person is allowed to

purchase, acquire or have in his possession a firearm only if he holds the requisite licence within the context of Chap. 16:01. The Firearms Act does, however, set out specific persons who are allowed to be in possession of a firearm without such a licence, since the use of the firearm is regarded as integral to the performance of their duties and can offer protection should the need arise.

4.00 p.m.

As you are aware, Madam Speaker, and all of my colleagues in this place, situations can arise which can illustrate that the provisions of the Act may not be wide enough to protect certain persons in circumstances where lives may be at risk as a direct consequence of their jobs. Hence the need arises to make urgent amendments to our laws in an effort to control crime and more importantly, or equally importantly, at the least to save lives. One of the critical aims of this Bill therefore is to provide a mechanism to afford statutory protection to certain officers by allowing them to have in their possession government issued firearms and ammunition at specified times where there exists an imminent threat to their safety and their lives.

Allow me, Madam Speaker, firstly to elucidate on this point before I speak to other matters. Recently we had a case, the Vishal Singh case. And out of that, Madam Speaker, the need for further amendment to this legislation, the Firearms Act became apparent after the ruling of the High Court in that matter. It was *Vishal Singh v The Commissioner of Prisons*.

And just to synopsise for the benefit of those outside of this Chamber in particular, the claimant, Mr. Vishal Singh is a police officer who on the 10th of August, 2015 was shot and injured by a prison officer during the course of exercising his duty, the police officer's duty when he responded to a call pertaining to an individual being in possession of arms and ammunition in the Guaico area, in

East Trinidad. The prison officer also filed a claim against Mr. Vishal Singh and the Attorney General claiming damages for assault and battery arising out of the shooting incident.

In his affidavit the Commissioner of Prisons stated that at the material time the prison officer was issued with a Sig Sauer 9mm Pistol to keep and carry. Let me just put those words in parenthesis, to “keep and carry” in his capacity as a prison officer in 2015 because of an imminent threat that existed on his, the prison officer’s life.

The crux of the matter before the court was the validity of the Trinidad and Tobago Prison Services Firearms policy which stated that the Commissioner of Prisons had the power under section 7(1) of the Firearms Act to issue firearms and or ammunition to prison officers who were either constructively on duty by the operation of law or deemed to be on duty and acting in the capacity as a prison officer. Part of the policy outlined the establishment of a Prison Threat Assessment Committee which was set up by the Commissioner of Prisons to determine the authenticity of threats made against prison officers and to mitigate against these threats they were issued with firearms and certain gears in that regard.

Madam Speaker, the High Court disagreed with all of this and with the contention that prison officers are always on duty and held at the said policy and decision of the Commissioner of Prisons to allow “keep and carry” firearms by prison officers who were not on active duty was irrational, illegal and ultra-vires. The court actually went on to describe what actual duty meant and it excluded the circumstances as preferred by the Commissioner of Prisons. The court opined that the policy conflicted with the provisions of the Firearms Act as well as the provisions of the prison rules. The court did however give credence to the intent of

the policy, that being, to protect prison officers while off duty. The court recognized that there is clear need for that given the numerous incidents of prison officers being murdered. It was noted that this was a matter for the Parliament to treat with since the Commissioner of Prisons could not validly derive any discretion to issue firearms to prison officers under any provisions of the existing Firearms Act.

Madam Speaker, I do not wish to comment further upon this, but simply to say this is why we are here in part today. In recent times, our newspapers had been replete with many stories and examples of prison officers coming under attack and losing their lives. I mean I can list them but there is no need. The country, the public is aware, we more importantly are very, very much aware, officers of all ranks, superintendents of prisons and that sort of thing, police officers under attack too.

But in this case there are several incidents, the most prolific, not prolific, the most predominant in my mind, Madam Speaker, was that incident in Fyzabad. I hate to rehash it because it really brings back some very disturbing feelings, but a prison officer who I was told from his colleagues and his seniors all he was guilty of was standing firm and truthful to his oath and for that criminals felt he should pay with his life. He was in the presence of his child, Madam Speaker, when they took his life. And this country will never forget, I will never forget the reaction of that beautiful four year old, mixed between the confusion, the emotions of wanting to be with her dad but sensing at the same time danger was near and she went running all over that place. Madam Speaker, it is that troubled the officers of the prison service as indeed it troubled the Government and indeed it troubled the minds and the hearts of all right thinking persons in Trinidad and Tobago.

Madam Speaker, most of the inmates charged for murder are known gang

members who have certain levels of influence in their respective communities. And they call shots through their friends on the outside, a problem that we have been grappling with for decades in this country and it is a problem that prisons, from the knowledge that I share, experience all over the world. There are those who go in there for heinous acts and crimes and they feel they do not have to stay. In addition to that, they see prison officers whose duty involves searching and confiscating contraband materials, drugs, weapons, alcohol, telephones. They see them as oppressors and they decide they will fight against them. And the disadvantage that the officers face, is that they have to be confined—they have to behave within the confines of the law and the constitution whereas the outlaw does whatever he wants outside of those considerations. And he too has the element of surprise outside of the prison and they use it to give a very nasty effect.

The jailhouse economy, which is not to be taken lightly, it generates hundreds of thousands of dollars. There are reports of persons carrying on business from in there, extortion and all kinds of things through their friends and contacts on the outside. Coming outside after their release for one reason or another, sometimes even on bail, to meet cars, to meet businesses, to meet property, this is what is going on. This is what we are faced with in Trinidad and Tobago.

During the period January 21st to December 22nd, 88 prison officers reported being threatened by inmates and only recently the police had to move very swiftly from the reports that came to my attention to put an end to a plot of a very serious nature in this regard. Illegal communication from inside of the prisons is a major issue, with contraband entering the walls of the prisons. Three major contraband items are to be highlighted: cigarettes, marijuana and cellular phones. Cellular phones are the most significant contributor to the problem, especially as it relates

to illegal and improper communications, which we dealt with in a law in 2019 and a matter that I will come to shortly. So we have been taking action to protect the officers and one of the ways is the amendment that we come with here today to allow the Police Commissioner to make available firearms to the officers who have been identified as being at risk, particular risk, and to allow that to happen, hence the reason why we are here.

Madam Speaker, insofar as legislation is concerned we have passed and we have amended the Interception of Communications Act, Chap. 15:08, in an attempt to allow for the capture of information and communication between inmates and other parties which may be harmful to the public interest and in particular to prison staff. We have also done, as I alluded to a moment ago, we passed in this House, in Act 25 of 2019, the Miscellaneous Provisions Law Enforcement Officers Act which, Madam Speaker, was passed to expand the offences and to increase punishments to prison officers or persons who were found guilty of offences against prison staff and prison staff who were willfully negligent in the discharge of their duties.

Madam Speaker, clause 8—so in light of the ruling in Vishal Singh as well as the high incidence of murders against prison officers and other crimes and threats, clause 8 of this Bill will introduce a section 8A which seeks to empower the Commissioner of Prisons to grant a prison officer the permission to have in his possession a firearm and ammunition outside of the actual prison environment while off duty in circumstances where the Commissioner of Prisons considers the life and safety of the officer to be under threat.

The proposed amendment, Madam Speaker, will, in a quicker fashion and an easier way, allow the prison officer protection as compared to if he had to make— he or she—an application to the Commissioner of Police and the process that

involves or ought to involve, because there were times in the not recent past when it did not involve too much thorough background work and that will become clearer in the near future. But, it ought to be a more thorough background check or checks and therefore the measure that we implement today will allow for a quicker solution. For example, if today information comes to the Prison Commissioner and the assessment team that he has to guide him, that something is up, a prison officer will make an application but that may take weeks or months whereas the Prison Commissioner can act promptly and resolve that matter in that way.

Furthermore, not all prison officers may be able to go and pay \$7,000 and \$8,000 and \$10,000 to purchase a firearm, but that does not mean he or she does not need protection and therefore should have access to it. And the State quite properly should be the agency if I could call it that to provide that support and that help. And, Madam Speaker, the Commissioner of Prisons would also be required to issue the prison officer, who has been identified as an at risk officer, a Trinidad and Tobago prison services firearm identification card so he can demonstrate to all comers, especially police officers, that he is the legitimate holder of the said firearm and the identification card can be presented to such officers in lieu of the FUL.

Madam Speaker, another critical amendment to this Bill seeks to make or to introduce the firearm user's identification card. A firearm user's licence, Madam Speaker, in its current paper based form can become quite impractical for the holder to carry around on a daily basis and can easily, and in fact does, become damaged from the reports available to me. As such this Bill seeks to introduce the firearm users identification card which is likely to be similar in size to our national ID cards or drivers permit which would present as a practical and a convenient means of identifying and certifying that the holder of a firearm is appropriately

licensed to carry same. The use of the card would also allow for the more modern security features of the card which are not presently available in the current licensing regime with the booklet which can be tampered with, which has been tampered with, photograph changed, all kinds of stuff like that. So it is a more modern application of the proof of legitimate holding of a firearm and it is commended to this House.

4.15 p.m.

So clause 4 of this Bill seeks to amend the definition of “licence” under the Firearms Act to include firearm user identification card. Additionally, clause 11 of the Bill seeks to amend Regulation 6(1) of the Firearms Regulations to provide for the form of the firearm user’s licence, one of which is a firearm user identification card that would contain certain particulars pertaining to the holder of the firearm. These particulars would include:

- “(i) the Firearm User’s Licence number;
- (ii) the name and address of the holder of the firearm user’s licence;
- (iii) a photograph of the holder of the Firearm User’s Licence;
- (iv) such electronic security features as the Commissioner of Police may determine;
- (v) such...particulars as may be stated on the Firearm User’s Licence as the Commissioner of Police may determine; and
- (vi) any other conditions which the Commissioner of Police may determine.”

So the card would bear these out and it would be a very useful tool and I commend that to my colleagues in this place.

The municipal police are often charged, Madam Speaker, with carrying out duties that are very, very, much. In fact, they carry out police duties, elements of the police duties in relation to keeping the peace and order within the

municipalities to which they are attached. As such, certain operational capabilities which are carried out by the Trinidad and Tobago Police Service ought reasonably to extend it to municipal police officers in the furtherance of they carrying out their duty. Notably, the Trinidad and Tobago Police Service, as part of the transformation and modernization process, has revamped the use of its use of force policy to include the use of non-lethal weapons which include the use of Taser guns and pepper spray.

And just in passing on the question of pepper spray, I am happy again to report that it is in vogue, it is in the atmosphere so to speak, the licensing, the approval process is in place and citizens have been making applications to the police online to use pepper spray as well as distributors as well as importers and the situation is up and running, Madam Speaker, so we have that. And of course, this measure will allow the municipal police to be able to use these non-lethal applications in the graduating use of force policy revamped as it is as espoused by the police service and which they too would be making use of.

Therefore, clause 4 of this Bill would amended the definition of “prohibited weapon” under section 2 of the Act to include weapons which are designed or manufactured or adapted for the discharge of any noxious liquid, gas or other thing. This definition encompasses Tasers which are designed or manufactured to discharge electrical energy and I think by now we all know how this works.

Furthermore, clause 5 of the Bill would amend section 6 of the Act by introducing a new subsection 6(2B) which would allow the municipal police officer to have in his possession Taser or pepper spray as I alluded to a while ago, for the purpose of performing his functions in the municipality that is relevant.

Madam Speaker, the main roles and functions of the Strategic Services Agency, SSA hereinafter to be called, are outlined in section 6 of the SSA Act,

Chap. 15:06. A rudimentary reading of the section demonstrates that employees of the SSA are closely engaged with the law enforcement officers and agencies in providing strategic intelligence which is used in detecting, preventing and conducting operations, very often, to curtail, to prevent very serious occurrences and crimes in this country. As such, it is not surprising that SSA officers are often placed in situations where their lives may be at risk in the performance of their duties.

I have learnt not too long ago that in the course of conducting surveillance exercises, shots were fired at officers and they had to scamper for their lives but of course, the measure today is to allow them to keep and to carry weapons in the course of their duties. So if unfortunately undercover and surreptitious as they must operate, they are put in a position where they have no choice, they will be able to protect themselves.

Consequently, clause 6 of the Bill would amend section 7 of that Act by deleting and replacing paragraph 7(1)(a) with a new paragraph 7(1)(a). The new paragraph makes clear that only persons in the performance of their duties and whose firearm and ammunition have been provided by the Government are exempt from holding a firearm user's licence for the said firearm and ammunition. This amendment, Madam Speaker, would allow and enable the director of the SSA and any employee of that agency as designated by him to have in their possession Government-issued firearms and/or ammunition during the course and the execution of their duties under the Act at section 7(1)(a)(vi) and (vii).

Clause 7 seeks to repeal the current section 8 of the Act and to replace it with a new section 8 which provides for an expansion of persons who are now exempt from liability for carrying firearms in a public place. The effect of this amendment, Madam Speaker, is that more persons including the director of the

Trinidad and Tobago Forensic Science Centre and any scientific officer designated by such director, the customs officers and prison officers in each case acting in the capacity and performance of their duties will be allowed to carry firearms or ammunition in public instead of only police officers or members of the defence force as is currently allowed under the Act. So we are broadening effectively the category of those who will be able to carry firearms by virtue of their being exempt under the Act as we broaden the category of persons who are now so exempt. A lot of difficulties arise.

We now live in a society where a gun culture has unfortunately taken root. There are many more firearms around the society now than there ever was in the history of this country and a lot of strange things are beginning to happen. For example, very quickly, Madam Speaker, within recent times, we are seeing several persons appearing at the airport either—well, especially leaving with a round or two of ammunition in some bag or somewhere. The other day, a man with a whole clip, a magazine. I am sure they know they would be scanned, in some cases not even realizing it is there but it only reflects the prevalence of these items in the society now, and so much more that I am aware of but this is not the time to deal with that, that time will come shortly. But, Madam Speaker, in this measure, we expand the categories of those who will be so exempt and for good reason and I commend that measure to my friends in this wonderful place, though made unwonderful sometimes by some of my friends on the other side.

But, Madam Speaker, clause 9 of the Bill would amend section 9(4) of the Act to ensure that the following persons are captured under section 9 which prohibits the sale or transfer of firearms or ammunition. These include: a police officer, a prison officer, a customs officer, a member of the municipal police service and defence force respectively, the director and employee of the Strategic

Services Agency respectively or the director of the Trinidad and Tobago Forensic Science Centre and any scientific officer designated by him. Therefore, under this new amendment, a municipal police officer or a director of the SSA or any employee as designated by him, for an example, who sells or transfers a firearm or ammunition to any person who does not hold or who is not exempted from holding a firearm user's licence or who purchases or acquires any firearm or ammunition is also liable on conviction and indictment to imprisonment for life. On a practical note, Madam Speaker, this provision can be utilized to remedy any issues which may subsequently arise should the three-year expiry period prove inadequate or insufficient.

Madam Speaker, clause 10 of the Bill seeks to amend section 17 of the Act to insert a new subsection (6A) which would empower the Minister of National Security to extend the validity of a firearm user's licence beyond three years as specified in subsection (6). The discretionary power of the Minister to extend the validity of the firearm user's licence proposed under clause 10 of this Bill can be exercised whenever the need arises or is necessary pursuant to section 44(a) of the Interpretation Act Chap. 3:01 which states and I quote, Madam Speaker:

“Where a written law confers a power or imposes a duty, the power may be exercised and the duty shall be performed from time to time, as the occasion arises.”

Simply quoted that, Madam Speaker, to demonstrate that the amendment that is being proffered, offered here today, is consistent with the provisions of the Interpretation Act as I have just quoted.

Madam Speaker, clause 11 of the Bill also seeks to amend Regulation 20 of the Act to delete the word “President” and substitute the word “Minister” in order to be consistent with similar amendments including in Act No. 10 of 2019, the

Firearms (Amdt.) Act which was previously and inadvertently left unamended. So this measure is to put a little corrective and to put some balance into the platform as it suggests. So, Madam Speaker, those are the purports of the respective sections.

Let me, if time permits—Madam Speaker, where am I in terms of—

Madam Speaker: Your time expires at 4.39 p.m.

Hon. F. Hinds: Thank you, thank you. Madam Speaker, with the little time left available to me in short, clause 1 of the Bill provides the short title to the Act and it would be known as the Firearms (Amdt.) Act, 2022. Clause 2:

“...would provide that the Act shall come into operation on such date as is fixed by the President by Proclamation.”

Madam Speaker, clause 3:

“...would provide for the interpretation of the words ‘the Act’ to mean the Firearms Act, Chap. 16:01.

Clause 4...would amend certain definitions in section 2 of the Act. The definition of ‘licence’ would be amended to include a Firearm User Identification Card.”

—As I elucidated upon earlier.

“It would also amend the definition of ‘prohibited weapon’...to mean weapons which are designed, manufactured or adapted for...discharge...any noxious liquid, gas or thing.”

This definition would include “Tasers” as I had submitted earlier which have been designed or manufactured to discharge electrical energy.

Madam Speaker, I have demonstrated that the rationale for these measures which became—in the case of the amendment to the Firearms Act as it relates to the powers of Prisons Commissioner, has come not out of the whim and fancy of

anyone but out of our very unfortunate reality that our officers, particularly on this occasion of the prison service, have come under serious attack. And, Madam Speaker, there is no one solution to the very complex issue of crime, including those in Trinidad and Tobago. There are a whole number of things to be done and these things are being done. In this particular case, we commend these amendments for the consideration of my colleagues in this House. Madam Speaker, with those things said and listening keenly to the submissions of my friends on the other side, I beg to move. Thank you.

Hon. Members: [*Desk thumping*]

Question proposed.

4.30 p.m.

Mr. Saddam Hosein (*Barataria/San Juan*): Thank you very much, Madam Speaker, for recognizing me to join this very important debate on what is a Bill, the Firearms (Amdt.) Bill, 2022, which seeks to encourage or cause various amendments to the substantive Firearms Act, Chap. 16:01.

Madam Speaker, I had to pay particular attention to the Minister of National Security, only because I had to respond to him. And the Minister basically admitted that crime in Trinidad and Tobago is one of the most pervasive threats to our citizens. It is an admission of failure when a Minister of National Security can stand in the nation's Parliament and talk about the threat of crime, but does not tell us what he is going to do about it.

Hon. Members: [*Desk thumping*]

Mr. S. Hosein: Madam Speaker, the Minister went on to say that police officers and law enforcement officers are under attack so we must arm them. I have no argument with that, Madam Speaker. We support law enforcement. We support encouraging and giving them the necessary resources to protect themselves. But,

Madam Speaker, what about the ordinary citizens who cannot protect themselves?

Hon. Members: [*Desk thumping*]

Mr. S. Hosein: Why do we not or why does this Government not introduce systems in order for business owners and citizens who deserve firearms to be able to expedite and get their firearms in a very expeditious manner? Madam Speaker, because of the crime situation today, you have businessmen in this country, and businesswomen, you have innocent citizens like sitting ducks because the criminals are able to access illegal firearms. It is easier to access an illegal firearm in this country than a legal firearm. And they are more concerned with legal firearms rather than illegal firearms. And that matter is in another place and I would not go there.

And then, the Minister also went on to talk about a gun culture; that Trinidad and Tobago has now developed a gun culture. Who caused this, Madam Speaker? They have been at the steering wheel for the past seven years, through their failed policies, their collapsed laws and their interference with independent institutions, that we have now seen the result—

Mrs. Robinson-Regis: Madam Speaker, Standing Order 48(6), please.

Madam Speaker: Okay. So, Member, that last statement, if you could withdraw that and find another way to say it.

Mr. S. Hosein: I so oblige, Madam Speaker. I do withdraw the statement. And, Madam Speaker, seven years at the wheel they have left the borders open. We do not manufacture firearms in Trinidad and Tobago.

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

Madam Speaker: Please proceed.

Mr. S. Hosein: Thank you very much, Madam Speaker. And today we have the highest murder toll in this country under this Minister of National Security.

Madam Speaker, the record of this Minister of National Security is the highest murder toll in one particular year.

Hon. Members: [*Desk thumping*]

Mr. S. Hosein: We have seen over 600 murders in this country. And then the Minister tells us that there are over 12,000 illegal firearms on the streets, and we have just ended January of this year and we have recorded over 65 murders. Something has to be done, Madam Speaker, and I do not believe that this particular Bill in my hand will achieve that. It will not.

Madam Speaker, the clauses in this particular Bill is to clothe, to assist law enforcement somehow. But, Madam Speaker, more must be done. I will go into the particular clauses of this legislation, this proposed legislation, to show why this particular Bill will not create any dent or have any impact. There are some measures that are worthy of merit, I must admit so. But, Madam Speaker, there are other measures in this particular Bill that are in need of proper consultation, it is also in need of a comprehensive overlook.

When we see the first substantive clause in this Bill, which I would go on to say is clause 5, which amends section 6 of the current piece of law, is that clause 5 will allow the municipal police to be able to possess weapons within the meaning of prohibited weapons. What does that mean, Madam Speaker? Under the current law, we have seen that there is a definition given for what is a prohibited weapon.

“‘prohibited weapon’ means—

- (a) any artillery or automatic firearm;
- (b) any grenade, bomb or other like missile; or
- (c) any weapon of whatever description or design which is adapted for the discharge of any noxious liquid, gas or other thing;”

That definition at (c) was, in fact, amended through clause 5 of this Bill.

So they did not give the municipal police the power to possess all prohibited weapons, all of the categories. It is only those that are found in clause 3, because when you read the clause it says that the municipal police officer, basically:

“...may have in his possession for the purpose of performing his functions any weapon of whatever description or design which is designed, manufactured or adapted for the discharge of any noxious liquid, gas or thing.”

And, Madam Speaker, when you look at the Explanatory Note on the Bill, it indicates exactly what the legislation may intend to do, although it does not form part of the substantive law. And in the Explanatory Note, it talks about Tasers, so that the municipal police officers would be able to have in their possession a Taser for the purpose of performing his or her function.

We must look and examine what are the functions/duties of a municipal police officer. Well, this role or function of a municipal police officer is found in the Municipal Corporations Act, and that is really the enforcement arm of the municipal corporation. And within that particular legislation, there are various offences that are set out.

[MR. DEPUTY SPEAKER *in the Chair*]

And these are the offences in which the municipal police officer is charged with the statutory duty to ensure that there is enforcement. And when you look at section 53 of the Municipal Corporations Act, it also gives them the additional powers and immunities and liabilities as a regular police officer under common law and also under the Police Service Act. So the municipal police officer does, in fact, have a lot of responsibilities and statutory duties pursuant to the common law and also through statute. And the amendment, simply put, is creating an exemption to allow them to hold a non-lethal weapon under the definition of a

prohibited weapon. Because if an ordinary citizen would like to possess a prohibited weapon, they must go through the necessary channels in order to get the necessary licences to be the holders of these particular weapons.

Now, in the Trinidad and Tobago Police Service, police officers are, in fact, exempt from holding prohibited weapons because that exemption is created within the parent Act. Now, the legislation that we are debating is allowing municipal police officers to be the holders of those particular weapons.

I, through my research, saw that the Trinidad and Tobago Police Service has a use of force policy when it comes to Tasers. It would have been very nice if the Minister could have indicated—I know he glossed over the point and said that, I think, they are working on a use of force policy, but that policy—

Mr. Hinds: Madam Speaker, 48(1). I actually said that there is a use of force policy.

Hon. Members: [*Crosstalk*]

Mr. Deputy Speaker: Just one second. Hon. Member, I will give the Member a little leeway to let him finish the point and then if it is anything. But let us—

Hon. Members: [*Crosstalk*]

Hon. Member: [*Inaudible*]

Mr. Deputy Speaker: Hon. Member, please. The hon. Member has not mentioned anything as yet. Let us hear what he has to say and then we will proceed.

Mr. S. Hosein: Thank you very much. Thank you very—

Hon. Members: [*Crosstalk*]

Mr. S. Hosein: Thank you very much.

Hon. Members: [*Crosstalk*]

Mr. Deputy Speaker: Chief Whip, can I? Leader of the House, can I now? Can I

proceed? Right. Proceed, Member for Barataria/San Juan.

Mr. S. Hosein: Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, I am very glad that the Minister would have indicated that because now what he tells me is that yes, the TTPS has a use of force policy when it comes to non-lethal weapons, but there is none for the municipal police officers. So, Minister, you should have told us that one is being developed, one is being created, Mr. Deputy Speaker. Because you cannot have police officers not being guided with the necessary framework/guidelines in order for the use of these weapons because you could understand a Taser is a very, very dangerous weapon.

So, Mr. Deputy Speaker, you have seen recently, I think the country was stunned, where there was a video circulating on social media very recently with a particular police officer who was, in fact, and it appears, was abusing a traffic warden. So you can see that there are instances where there can be an abuse of authority and we must, within the legislation, within the guidelines or all of those necessary framework, create that particular protection for the citizenry to prevent any abuse of power.

So, again, Mr. Deputy Speaker, we must ensure that there is proper training for these officers. We must ensure that there are the proper resources and the proper framework and continuous assessment of these officers when they are being given these particular weapons. So I leave clause 5.

I now move on to clause 7, Mr. Deputy Speaker. And in clause 7, this clause, in particular, deals with—if I could pull up the parent Act. Clause 7 deals with persons who are exempt from having a firearm or ammunition in their possession. So the parent Act, at section 7, what it does, it creates that exemption for categories of persons or law enforcement officers within Trinidad and Tobago so they do not have to possess an FUL in order to have a fire or ammunition.

So the existing law has these categories of persons. Because we are repealing what the existing law says and now we are replacing it with something new. The existing law gives an exemption for police officers. It gives an exemption for municipal police officers, for special reserve police officers, members of the defence force, customs officers, so that there are 5 categories of persons who are currently exempt from having a licence to possess a firearm or ammunition. What the current Bill is attempting to do is now create some additional categories of persons who would not require a licence. So they are police officers; municipal police officers; defence force; customs; prison officers; the Director of the Strategic Services Agency, the SSA; and employees designated by the Director of the SSA.

Now, I do not know if this is an oversight on the legislation, but special reserve police officers were included in the existing legislation. When you look at the Bill, the special reserve police officers are not included in clause 6. I do not know if it is an oversight and that will have to come on into the committee stage where we include these special reserve police officers, but I have seen that that category of persons were left out of the Bill.

So, Mr. Deputy Speaker, I have some issues that I would like to raise when it comes to the SSA, because you are allowing a civilian, who is the Director of the SSA, to have the power now to basically grant firearms or grant persons the ability to be the holders and users of firearms. Because the SSA now is a statutory body created by the SSA Act. The director is appointed as a political appointee. And within that organization, there are civilians who are appointed. So basically, the Director of the SSA will be the one who would be indicating who are the employees in his agency who will be allowed to hold a firearm.

So, Mr. Deputy Speaker, the Minister of National Security on piloting the

Bill indicated that there would have been one surveillance exercise where some of the officers there, or employees of the SSA, may have been under threat. But generally, members of the SSA are not in active combat. That is not their duty. Their duty, conduct surveillance, gather intelligence and they share this intelligence and information with the law enforcement who will then go out and conduct the necessary fieldwork and also have the evidence and the other matters which relate to the criminal justice side of it from arrests, prosecution and so on.

4.45 p.m.

So the SSA really is not involved in combative work. So what is the justification really for granting the Director of the SSA to have—to be able to hold a FUL without a licence, and then allow employees under his agency to in fact acquire firearms and ammunition without a licence? Why can the Commissioner of Police not still be in charge of that particular procedure? We have no objection if you want to grant the director of SSA a firearm, let the Director go through the necessary channels and allow the Commissioner of Police that discretion in order to grant the particular firearms.

Then, what about training? When a police officer enters—before the police officer enters into the service they have to undergo necessary training, they have to go through certification. Any person who applies for an FUL has to complete a competency course in order for the use of the FUL, they will be allowed to train. Would these employees of the SSA have to undergo any rigorous training before they become the holders of firearms and ammunition? Because, Mr. Deputy Speaker, you would appreciate if a person who is not well trained is given a firearm, that can be a very dangerous thing, especially if there is not continuous assessment of these persons who are the holders of firearms. Because at the end of the day these employees of the SSA are civilians. They may be retired from law

enforcement arms but generally, they can be civilians without training. If you look at section 17 of the Firearms Act, you would see at section 17 (7), it says:

“An applicant for the renewal of a Firearm User’s Licence under this Act shall submit with his application—

- (a) a certificate of competence issued by a licensed firearms instructor; and
- (b) such other documents as may be prescribed by the Commissioner.”

Now, I do not know if it is the practice that when you are renewing your firearm that they still require this competence certificate, but what this particular provision in the law is contemplating is that for an ordinary FUL holder who is a civilian, they have to undergo this certificate of competence before they are granted renewal of their firearms licence. And that goes back to the point of the continuous assessment and training of persons who will be the holder of firearms and ammunitions. So, Mr. Deputy Speaker, these are the issues I raise when it comes to the SSA with respect to those individuals being allowed and given an exemption to hold firearm and ammunitions.

When you look at clause 8, clause 8 of the Bill deals with a particular area where it allows the prison officers to now be able to carry firearms at home or off-duty. So clause 8 introduces 8A, so it allows:

“The Commissioner of Prisons...”—to—“... grant permission to a prison officer to have in his possession any firearm or ammunition while off-duty where he considers the life or safety of the officer is under threat.”

So that is a very wide discretion that the Commissioner of Prisons is given. It is a very subjective criterion.

The Minister of National Security would have quoted the case of *Vishal*

Singh v The Commissioner of Prisons, and he would have read from that particular judgment. And in that judgement, CV202001571, it was very helpful when it comes to this particular provision, because in that provision it examined the instance in which, or the modus operandi of the Commissioner of Prisons when he granted firearms. Because in that case as the Minister rightly pointed out, is that a prison officer was allowed to take home his firearm that was issued by the Commissioner of Prisons, and then there was an accident where that firearm was discharged. And the court examined a policy, that policy is called the Trinidad and Tobago Prisons Service policy—sorry, General Order 91 of 2016, Trinidad and Tobago Prisons Service firearms policy. And really, the Commissioner of Prisons at section 7(1) where we just dealt with which creates the exemption for various categories of officers to hold firearms, that he thought that he had a wide discretion, that “within the course of...their duty” also means that while they are at home.

And we all understand that prison officers’ lives are under threat. I will give some examples in a very short while of instances where we have seen very tragic circumstances surrounding the safety of our prison officers. And you would have seen, which it is a very comprehensive policy, in fact, Mr. Deputy Speaker, as outlined in the judgment where there would have prerequisites for the prison officers to be issued prison service firearms. You would need:

- i. A performance report from...”—the—“...Supervisor,
- ii. A statement from the spouse supporting the Officer possessing...”—the—“...Firearm
- iii. A secured safe must be established...when...”—the firearm is—“...not in use,
- iv. A report from the Superintendent of Prisons ‘Training’ that...”—

the—“...Officer is capable of handling a firearm.”

And—

“v. A document of certification from a psychologist/psychiatrist that an evaluation...”—was—“...done on the Officer...”

Very similar to when a civilian is applying for a Firearm Users Licence. And then, there is a Prison Threat Assessment Committee that is set up by the Commissioner of Prisons to determine the authenticity of threats made against prison officers, and this will then give the various recommendations on whether or not the Commissioner of Prisons ought to use his discretion to grant the firearm. Very noble policy in terms of giving the prison officers an ability to take home firearms so that they can protect themselves.

However, the court found that this policy was in fact contrary to law and illegal because there was no legislative provision in the parent Act, in order to allow the Commissioner of Prisons to grant them that firearm to take home.

So what this clause is doing is closing that particular policy with the legal authority to allow them to take the firearm at home. However, when the Minister is winding up, or I do not know if the Attorney General will join the debate, this particular clause deals with “any firearm or ammunition”, “any firearm or ammunition.” When you look at section 7, which is section 7 of the Act, it talks about a government-issued firearm. In this clause, it deals with “any firearm or ammunition.”

Now, when the Minister was piloting he spoke of the Government being able to provide the firearms to the prison officers. Now, is it that we have to tighten up the licence to say that this provision only applies to those government-issued firearms? Because when you use the word “any firearm”, it could mean a government or a non-government-issued firearm and ammunition. So I do not

know if the language may have to be tightened up.

Additionally, Mr. Deputy Speaker, police officers. Police officers, there is a practice I understand, that they also are allowed to take home their firearms. I wonder whether or not this particular provision will also need to include the categories of police officers to be able to take home their firearms while off-duty. Because section 7(1) deals with that category of individuals who are exempt which includes police officers.

However, what clause 8A is now trying to do, is what it is doing is giving the legal authority for them to take that firearm home while they are not on active duty. I am asking, this is a point that could probably be cleared up, whether or not we have to include categories of police officers here, or is that covered elsewhere? So that is some of the things that I would like to raise when it comes to clause A.

Now, Mr. Deputy Speaker, I want to go on to show the reason why this policy with respect to giving the prison officers an ability to take home their weapons, should in fact—it is a noble policy. Because if I look at some the articles here from the newspaper, it says: October 17th 2022, LoopTT article: “Prison officer found dead...Brandon Singh of Aaron Drive...Grande”; December 31, 2021, “Hit list found at Golden Grove...”; December 08, 2021, “2 prison officers shot dead: \$.5 m reward for info”; Wednesday 01 December, 2021, “Prison officers claim plot by inmates: 13 must die before Xmas”; November 30, 2021, “Two in three days: Prison officer killed in front of toddler daughter”; 27 November, 2021, “Prison officer murdered”; 5th of October, 2020, “Prison officer gunned down outside church”; Saturday 19, September, “Prison officer ambushed, killed”; April 02, 2019, “Plot to kill 5 prison officers uncovered”; 17 October, 2018, “Prison officer slain at New Grant home”; October 16th “Police seeking information on suspect in murder of Prison Officer”; February 29, 2016, “Prison

Officer murdered outside his home”; November 02, 2015, prisoners gunned down, and this is David Millet, 50 years old, Cipriani Avenue, Second Caledonia.

So Mr. Deputy Speaker, you would have seen from that very extensive list that our prison officers are under threat. And while this particular measure is a drop in the bucket in order to protect them, they have been clamouring for additional resources to be given to them.

When budgeted looked at the budgeting exercise that deals with the provision for the Purchase of Minor Equipment, which will cover the purchase of these firearms, bulletproof vest, stab vests, they were only allocated \$500,000, only \$500,000. That was the moneys that were allocated for this particular item for giving the officers the minor equipment in order to protect themselves.

Additionally, Mr. Deputy Speaker, there have been various other recommendations for the protection of the lives of prison officers. When I recently became a Member of Parliament, on the 23rd of September 2020, I met with the Prison Officers Association, and I issued a press release because they indicated to me that they were in fact asking to be armed when they go home, because of their lives and their families are being under threat. And Mr. Deputy Speaker, that is just one, as I told you, one of the measures. They have been calling for several other measures with respect to how they can be protected, such as giving them the ability to have housing. Also, the bullet proof and stab vest that I also indicated, Mr. Deputy Speaker.

So I am asking and I am calling upon this Government that more must done to protect the lives of our prison officers and their families.

Hon. Members: [*Desk thumping*]

Mr. S. Hosein: More must be done, Mr. Deputy Speaker. And in fact, Mr. Deputy Speaker, they made that very, very, important recommendation. I think

this is probably one of the most important recommendations. On the 2nd of July 2022 the prisons officers called for the removal of Hinds over failed promises.

Hon. Members: [*Desk thumping*]

Mr. S. Hosein: So I think that may have been one of the most essential and critical recommendations they could have made.

Hon. Members: [*Inaudible*]

Mr. S. Hosein: Yeah. I do not think anyone wants this Minister of National Security to continue in his portfolio.

Hon. Members: [*Desk thumping*]

Mr. S. Hosein: And Mr. Deputy Speaker, in terms of clause 11, clause 11 deals with the—

Hon. Members: [*Crosstalk*]

Mr. S. Hosein:—clause 11 deals with the issue of the Firearms Users Licence, which is a little book, and now converting it into the “Firearm User Identification Card”. Mr. Deputy Speaker, if you see an FUL booklet you will see it is a very small booklet. It reminds me of a pocket catechism, I remember when I was in primary school I had a catechism. And this is what a FUL, the license looks like. So it is a little book with several pages and it could be destroyed very easily or damaged very easily.

This policy with respect to the creation or the introduction of the “Firearm User Identification Card”, I do not believe it was a creation of this Government. I think the former Commissioner of Police, Mr. Gary Griffith, would have been the one to introduce something like this. So now, it is getting the legal clothing in order to stand, Mr. Deputy Speaker. So we must commend the former Commissioner, Mr. Griffith, for this particular idea because this Government is very clueless when it comes to any matters of transformation and digitalization.

Mr. Deputy Speaker, with respect to the other issues that I would like to outline in this particular piece of legislation is section 17(3), no—17 that is being amended. And section 17 is being amended at clause 10, which says that:

“(6A) The Minister may, by Order, extend the date of expiry specified in subsection (6).”

5.00 p.m.

So what does that mean, Mr. Deputy Speaker, it is a major amendment to the Bill because section 17(6) currently provides that a FUL:

“...shall be valid for”—a period of—“three years from the date of issue and may be renewed, upon payment of the appropriate fee for each renewal, by the Commissioner.”—of Police.

Now, traditionally, an FUL was enforced for the duration of a holder’s lifetime or until suspension or revocation. When Kenny Mohammed was the Commissioner of Police, his interpretation of this section was that in accordance with section 17(7) the holders of an FUL or an FUEC, which is a Firearm User’s (Employee’s) Certificate, were required to undergo training on an approved facility every three years and that:

“...a certificate of competence issued by a licensed firearms instructor.”—be submitted to the Office of the Commissioner.

The submission of the certificate of competence was deemed to be in compliance with subsections 6 and 7 and that practice I believe, was discontinued. On a literal reading and plain interpretation of the said existence of sections of FUL or FUEC gunsmith licence will only be valid for a period of three years and may be renewed on the Commission of Police discretion.

So what the Bill proposes is that the Minister of National Security determines the duration of any licence or certificate issued under the Act. The

Commissioner of Police has the sole discretion to grant, suspend and revoke or impose conditions on the ownership of firearms, such as, how a firearm will be stored and mandatory ballistic testing at the Forensic Centre. So why would it be necessary to insert the Minister of National Security—

Mr. Deputy Speaker: Member, your speaking time has elapsed, but you have an additional 15 minutes. You care to avail yourself?

Mr. S. Hosein: I would be so grateful, please, Mr. Deputy Speaker.

Mr. Deputy Speaker: Proceed.

Hon. Members: [*Desk thumping*]

Mr. S. Hosein: So, Mr. Deputy Speaker, why would it be necessary to insert the Minister of National Security who is a Member of the Cabinet of the Government? The Commissioner of Police is supposedly an independent head, who heads the Police Service and that person should be allowed to continue to have the power in order to determine those firearm users license because if it is for three years and the Minister can then by order, just say he extends it to six years, then there is no need for the Commissioner of Police to get involved with respect to the renewal of that particular licence.

So, Mr. Deputy Speaker, I know I asked for my additional 15 minutes, I do not wish to detain this House any longer, I know we are in the Carnival season and I would like all my colleagues—I would like to see all my colleagues on both sides of the aisle after Carnival. So, I just want to encourage everyone to ensure that you have a proper meal before you party and do not take Kes advice and “fete till yuh falling down”. Thank you very much, Mr. Deputy Speaker.

Hon. Members: [*Desk thumping and laughter*]

Mr. Deputy Speaker: Hon. Member, I would only acknowledge the statement of the precedent that we stick to, you know, the time but other than that [*laughs*] we move on.

Hon. Members: [*Crosstalk*]

Mr. Deputy Speaker: Hon. AG, I recognize you.

Hon. Members: [*Crosstalk*]

Mr. Deputy Speaker: AG, hon. AG.

The Attorney General and Minister of Legal Affairs (Sen. The Hon. Reginald Armour SC): Thank you, thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, following on from my colleague, hon. Member, Minister of National Security, my remarks will be brief, I pay tribute to the fact that he produced a very comprehensive pilot of this important Bill. But before I address the few things that I intend to say, may I immediately however, just address the very last remark of the Member for Barataria/San Juan, referring to section 17 of the Firearms Act which is been amended by this Bill. And if I understood the hon. Member correctly, he seemed to suggest that by the amendment which has been introduced by subsection (6A):

“The Minister may, by Order, extend the date of expiry specified in subsection (6).”

He seemed to suggest that that was somehow or the other, a usurpation by the Minister of the powers of the Commissioner of Police. And I would immediately correct that as a matter of law, legal interpretation—

Hon. Members: [*Desk thumping*]

Sen. The Hon. R. Armour SC:—and common sense, because the legislative framework of the existing law which is not being changed by the amendment proposed by section (6A) is that the Commissioner of Police is in charge of the

granting and management of firearms licences. That is not being interfered with. The mere period during which a firearm's licence may be held valid, granted, or terminated by the Commissioner of Police for good reason, is not changed by section (6A) which is sought to be introduced by this amendment. And one only has to read the introductory section of that which is being amended to understand that. Section 17(1) says:

“Subject to this section and to section 16, the grant of any licence, certificate or permit shall be in the discretion of the Commissioner of Police.”

And those of us who understand legal interpretation will immediately appreciate that the power to grant, even implicitly, even if they were not an express power, also includes the power to revoke. So section (6A) which is sought to be introduced here to permit the Minister to extend the time of the expiry of the licence does not interfere with the powers of the Commissioner of Police.

Hon. Members: [*Desk thumping*]

Sen. The Hon. R. Armour SC: If we get that out of the way, therefore, Mr. Deputy Speaker, and returning to my original theme that the Minister of National Security has left not much for me to do, I would record first of all that the history of this legislation which began as far back as 1909, shows that there have been significant efforts under the management of this Government over the last several years to improve the quality of the legislative management of firearms use for the protection of the citizenry and for the protection of the first responders—I will use that term comprehensively, it is an American expression but it is an expression that is intended to speak to persons who respond first, before other citizens, in order to protect those of us who wish to walk our streets securely and safely. And part of the rationale behind this amendment, this Firearms (Amdt.) Bill which is before this House today, is to give certain enhanced protection to our first responders, in

particular, not specifically or limited to them, but in particular, so that they can better protect the citizenry of Trinidad and Tobago. And I would immediately speak for instance, to the clause which goes to amend the firearms users and the capacity and permission of prison officers to carry firearms as an example of that.

Clause 8 of the Bill seeks to allow prison officers to carry firearms while off duty. And both the hon. Minister of National Security before me and the Member for Barataria/San Juan, have spoken to what has been the trigger for that amendment and it was a judgment of the High Court, *Vishal Singh v Commissioner of Prisons* and I will not repeat anything that they have said except to say this, because I think it is important as we seek to understand the constitutional framework in which our country is governed, that there is a conversation, a respectful conversation, which takes place between the separate arms of the State in our separation of powers concept under our Constitution, so that when the judgment of the High Court in the Vishal Singh matter was pronounced, what was said in the formal conversation that takes place among members of the Judiciary and the members of the Executive, is that in ruling on the fact that the Prison Rules did not have the legislative clothing to permit prison officers to carry guns off duty, the judge said at paragraph 92, among other things:

“Parliament may want to look at this very serious situation in great detail urgently...”

So, here was the Judiciary, an arm of the State within our separation of powers, signaling in the conversation that takes place between the arms of the State, the Judiciary on the one hand and the Executive and Parliament on the other, that there was a need for parliamentary intervention. And that is, among other things why we are here today. The Executive has taken a Bill, approved in policy the need to protect members of the prison service, first responders protecting our citizenry, and

looking after the inmates of the prisons, and has come to this Parliament to say let us give prison officers greater protection in order that they may more safely carry out their duties in the interest of a safe and secure Trinidad and Tobago.

And there is an interesting statistic that the team who support me who I pay tribute to always, has pulled out in the notes that I have been given to help in the conversation that I am having with the citizenry today, Mr. Deputy Speaker, and that interesting statistic shows that—and I am not going to call names because it was always in invidious tone, and it will cause unnecessary pain. But the reality is that since 1990, to now, 2022, we have had in excess of 26 lives of prison officers being lost, shot while on duty, shot while off duty and we are here today in response to the conversation promoted by the Judiciary, to say to our prison officers, we are seeking to have the Parliament pass legislation to allow you to carry arms off duty so that you may be protected against yourself.

And this is not a question of the Member for Barataria/San Juan listening to him, you would think that, you know, the only echo chamber litany that one hears is not enough is being done, you know, it is tiring, quite frankly. But when you look at the statistics from 1990 to 2022, with the deaths of some 26 prison officers, every political party which holds itself out as being capable of giving some quality of service to the citizenry of this country has held office. So this is not a blame game, pointing at any one political party, that our prison officers are being killed on duty and are being killed off duty, when they are going home or out with their children, one of them was killed while holding the hand of his three-year-old daughter, and what this Government is seeking to do to come here today, among other things, is to ask the Parliament to give those prison officers protection.

Hon. Members: [*Desk thumping*]

Sen. The Hon. R. Armour SC: So, I think it is important without repeating anything that has been said by the Minister of National Security to highlight some of these features in what a responsible government is seeking to do.

5.15 p.m.

Another amendment, which we ask this House to permit, has to do with the Strategic Services Agency. Clause 6 seeks to allow:

“...the Director of the Strategic Services Agency and any employee of the Agency...”—to carry firearms—“during the course of performing their duties...”

Now, that organization is formed under the Strategic Services Agency Act and by section 6—and I would not go into the details. The law is there for everyone to read—of that Act, the Strategic Services Agency is a very significant intelligence and analytical support agency that is providing coordination and support for law enforcement in this country. And it is only appropriate that the legislation should be amended to permit the members of the Strategic Services Agency, under the command of the Director of that important law enforcement agency, to permit his men and women on duty, and otherwise, to carry arms. And it is not just about protecting the protective services. Because the purpose of the function of the protective services is to give us the comfort to sleep in our beds at night, to walk the streets, hopefully, tomorrow or the day after, without being subject to the scourge of criminality that occurs in this country too often.

So I emphasize the point that simply because this legislation comes before this House to seek to enhance the capability of the law enforcement agencies of this country, does not allow anyone to say, “Not enough is being done, not enough is being done, because there is too much crime in this country.” You cannot run a country by waving a magic wand and fixing everything in one fell swoop. You

have to do it incrementally and, by incrementally, you have to give the persons who are charged with serious responsibility the strength, the capability and the reassurance that the Government is hearing their calls, hearing their needs for support and is coming to the Parliament to ask the Parliament to pass legislation to enable them the better to do their job.

So we have the different clauses of this Bill, which we seek to pass today, to enhance and to improve the definition of “licence” to include a firearm user identification card. And I may say immediately that that card applies to some of the firearm user’s licences. It does not apply to all. And as it works, as we see it playing out, we will be coming back to the Parliament to improve the card for the use of all of the firearms user’s licences so that it is that more efficient; it is that more effective to manage and control; it can be tracked and monitored more easily and more effectively in the system of technology that is now at our disposal, so that the abuse that is taking place within the use and abuse of firearms in this country, licensed and otherwise, is brought under better control. So that is another incremental approach towards improving the livelihood, the lives and the comfort of our citizenry.

Municipal police officers are being given the power, being given the ability, by the legislation that we are bringing—the draft legislation we are bringing to this House—to be equipped with Tasers, with nonlethal devices within the category of prohibited weapons. Because these are the persons—and we know them—who walk the streets in our boroughs every day, through our streets and our markets, who are out there helping to protect the men and women in the street as they go about their lawful business. And we have to recognize that they need to be given some measure of protection for themselves and for crowd control and management as they walk the streets. So that is another attempt to bring reality and to bring

measured control to the capability of our first responders.

Another example of the amendments that are being brought into play is the fact that, as I have said, we are seeking to repeal clause—I am referring now to clause 7, which seeks to repeal and substitute section 8 of the Act. Originally, under section 8 of the Act, only police officers and members of the defence force were able to carry arms. Therefore, with the proposed amendment, the Director, Trinidad and Tobago Forensic Science Centre; any scientific officer designated by the Director, TTFSC; customs officers and prison officers in each case, acting as such in its capacity, will not be liable to penalties prescribed in section 8 of the Act. Because, previously, only the police officers and the members of the defence force were liable to penalty. Now everybody is being brought under control so that there is no abuse of power.

Mr. Deputy Speaker, I could go on and on. I could speak too much which has already been said by my colleague, the hon. Minister of National Security, but I am not going to repeat that. I am going to speak, instead, simply to say that the Office of the Attorney General is working very hard with our partners and with the United Nations Office on Drugs and Crime control, UNODC, and with the other members of law enforcement in this country, to do a very deep dive into assessing the state of our legislation in this country for purposes of ensuring that we can bring legislative amendments to this Parliament in due course, which will enable us to produce a comprehensive review of our firearms legislation.

We have been working in overarching reform, and this is part—this Firearms Bill, is part of that reform with the United Nations Office on Drugs and Crime, and we have been holding workshops. We have had those workshops. Members of the Ministry of National Security, the Office of Law Enforcement Policy, Customs and Excise Division, Trinidad and Tobago Police Service, the

Public Defenders Department, Office of the Chief Parliamentary Counsel, the Law Reform Commission, and the International Law on Human Rights Unit of the Office of the Attorney General and Legal Affairs, we are making considerable progress towards legislative reform, which will make this country safer, by the day, in order to ensure legislative, responsible use and dissemination of firearms around the country, in terms which are accountable. And it is our intention, after we conduct that very comprehensive review, to bring before this Parliament, law incorporating recommendations from reports which we are working on and receiving from all of the agencies that we are working with in order to get a remodelled legislative package to bring before this House.

The Bill that we are speaking to today, which I ask this House to pass, is one such example of the efforts of this Government to provide for greater security as we walk the streets of country, and I happily stand here today to support the Minister of National Security. Thank you very much.

Hon. Members: [*Desk thumping*]

Mr. Deputy Speaker: I recognize the Member for Caroni Central.

Hon. Members: [*Desk thumping*]

Mr. Ram: [*Inaudible*]

Mr. Deputy Speaker: Member, please.

Mr. Ram: [*Inaudible*]

Mr. Deputy Speaker: Member for Caroni Central, I have recognized you.

Mr. Ram: [*Inaudible*]

Mr. Deputy Speaker: Listen, Member. Member, Member, wait. Listen, listen, listen—

Mr. Hinds: Put him out.

Mr. Deputy Speaker: Member, I have recognized you and this is how you—no,

hold on. I have recognized you, roughly about 30 second—30 to 45 seconds ago. Member?

Mr. Hinds: And, Mr. Deputy Speaker, he used some offensive language.

Mr. Charles: What is your Standing Order?

Mr. Hinds: 48(6). We heard him using offensive language as he was approaching the podium.

Hon. Members: [*Crosstalk*]

Hon. Member: Wasting parliamentary time.

Mr. Hinds: Typical UNC—[*Inaudible*]

Mr. Deputy Speaker: Okay. Thank you, Member. Okay. Member for Caroni Central, you can proceed. You have 30 minutes.

Mr. Arnold Ram (Caroni Central): Thank you, Mr. Deputy Speaker, for the recognition. My apologies for the delay in reaching to the podium. I did not expect the Member to be so abrupt, as he was. So my apologies for that, Mr. Deputy Speaker. Let me take the opportunity—

Mr. Hinds: Mr. Deputy Speaker, is the Member prepared to apologize for the language he used—[*Inaudible*]

Mr. A. Ram: Any Standing Order, please?

Madam Speaker: Member, hold on, one second.

Mr. Hinds: 48(5), (6) and (7). Is the Member prepared to apologize for the language he used?

Mr. Deputy Speaker: All right. Okay. Member. Right. Member for Laventille West, right, again, whatever the Member would have said did not reach the ear of the Speaker's Chair. All right? I rose because of the delay in him moving around and that is where we are at. You care to expound or you know the necessary procedures as how we can go forward?

Mr. Hinds: Mr. Deputy Speaker, we should ask *Hansard* to produce the records.

Hon. Member: Standing Order?

Mr. Hinds: It may very well bare the offensive—

Hon. Members: [*Crosstalk*]

Mr. Deputy Speaker: Okay. Member for Naparima, a Standing Order was raised. So, again, as I just said, hon. Member, there are procedures, there are Standing Orders in going forward, so you can care to deal with your Leader of Government Business in order to proceed. But, as I said, the narrative did not reach the ear of the Speaker's Chair.

Mr. Hinds: I do understand, Mr. Deputy Speaker. I do understand that.

Mr. Deputy Speaker: Thank you. Right. So, again, Member, 5:26:12, proceed.

Mr. A. Ram: Thank you, thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, I wish to enter my appearance in this debate in respect of the Firearms (Amdt.) Bill, which is before this honourable House today, and I also want to endorse all the views of the Members on this side previously, Mr. Deputy Speaker.

Mr. Deputy Speaker, as was placed on the record this afternoon, crime and criminality is the order of the day. This nation is under attack, as was agreed to by the Member who moved this Motion, and criminals themselves have become emboldened in recent years, and this is why we are here today, Mr. Deputy Speaker, to attempt to curb some of the instances of crime and criminality in our nation. And whilst there are some provisions in this Act—in this Bill, sorry, Mr. Deputy Speaker, in which we fully agree with on this side, there are some instances, some provisions here, which we are not so—which we are weary about, Mr. Deputy Speaker.

We on this side recognize that, more and more, the members of our protective services, those who have been referred to as first responders by the

previous speaker, that they are our first line of defence against our criminals and we recognize that their lives and the lives of their loved ones are at risk in this fight against crime. Mr. Deputy Speaker, and I would like to concentrate some of my contribution here this afternoon in respect of clause 8 of the Bill, which speaks about prison officers.

Mr. Deputy Speaker, prison officers are no exception. According to the *Trinidad Guardian*, and this article was dated the 4th of October, 2018, there were 22 prison officers who were killed in the preceding 28 years. Since then, there have been more prison officers who have been murdered. And I think the mover of the Motion indicated the gruesome manner in which one person was killed and murdered in front of his child while standing at the side of the road. And that image—and that is something that, you know, we ought to take cognizance of in this Parliament and pass the requisite laws so that those persons, especially the prison officers, are protected when their lives are at risk.

5.30 p.m.

And therefore, as I indicated, there are some provisions which we agreed with and we on this side applaud any move to protect prison officers, especially now, Mr. Deputy Speaker, when it seems the lives of our men and women of the protective services are under more threat than before, and there are many things that would contribute towards that. We have heard about prison jammers and the use of cell phones emanating from—and basically the hit being called from behind the prison walls, and we have heard of this Government instituting prison jammers—cell phone jammers, but how and when that is instituted is yet to be told, Mr. Deputy Speaker.

What we do not want, Mr. Deputy Speaker, is that what has become a norm with this Government, a set of knee-jerk reactions that make little sense. We on

this side—

Mr. Al-Rawi: Mr. Deputy Speaker, I rise on Standing Order 48(1). At least one clause could be referenced. I do not know where prison jammers are in this Bill.

Mr. Deputy Speaker: Okay. So again, hon. Member, you need to tie in whatever you are saying with regard to one of the 11 clauses that are listed in this particular Bill. Right? So again, I would have given you some leeway but from now on in, let us try and stick as close as possible to the Bill. Right? So again—

Mr. A. Ram: Certainly, Mr. Deputy Speaker, and I am guided by your ruling. Mr. Deputy Speaker, as I indicated in my run-up to this in the last couple of minutes, I will be concentrating on clause 8 with respect of the prison officers and the right to keep and bear arms in their person after their active duty whilst they are in the presence of their family and their loved ones.

Whilst the proposed amendments to the Firearms Act in this respect, Mr. Deputy Speaker, section 7(1)(a), to include prison officers, and the new section, 8A, to empower the Commissioner of Prisons to issue firearms to off-duty police officers in certain circumstances, is a move in the right direction and it is something again that we applaud on this side; something that, you know, we think that is necessary, and we as a responsible Parliament must ensure that the proper safeguards are in place. So whilst we agree, Mr. Deputy Speaker, that, you know, prison officers should bear arms and keep arms, we on this side as a responsible Opposition want to ensure that proper procedures are followed, that there are proper checks and balances in place to ensure that when the discretion is given to the Commissioner of Prisons that that is exercised responsibly, Mr. Deputy Speaker. After all, Mr. Deputy Speaker—and I am referring to a note here—

Mr. Al-Rawi: Mr. Deputy Speaker, I rise on Standing Order 55(1)(b), that was the entire subject of the Member for Baratara/San Juan.

Mr. Deputy Speaker: Again, hon. Members, we are now into the—

Hon. Members: [*Crosstalk*]

Mr. Deputy Speaker: Hold on. Hold on. Hold on, please. Right. Members, we are now into the fourth speaker that has entered the debate, so again, the Chair will ascertain as to whether it is so. So again, Member, stay close to the particular clauses.

Mr. A. Ram: Yes, please. I am so guided, Mr. Deputy Speaker.

So, Mr. Deputy Speaker, the hon. Minister of National Security, speaking in the Senate last November, indicated—and it as reported in the *Trinidad Guardian* of 8th November, 2022, the hon. Minister said:

“We are....finding out that legal weapons have emerged as a problem to us in Trinidad and Tobago, because the Commissioner of Police informed me yesterday that 108 legally issued”—firearms—“have been featured in serious issues gaining the attention of the police,””

So whilst the hon. Minister of National Security was in that other place, he indicated that there seemed to be, you know, a change of heart because his opinion was that legal issued firearms were finding themselves in the hands of the wrong persons. And in that case—

Mr. Al-Rawi: I rise on Standing Order 48(1).

Mr. Deyalsingh: It has nothing to do with this.

Hon. Members: [*Crosstalk*]

Mr. Deputy Speaker: Hold on. Members, please—Members, please. AG, just expound. Just elaborate—

Mr. Al-Rawi: Sorry—[*Inaudible*]

Mr. Deputy Speaker: Elaborate—yes, on the Standing Order.

Mr. Al-Rawi: Yes. Mr. Deputy Speaker, on Standing Order 48(1), this Bill has

nothing to do with the issuance of legal firearms, let alone a year ago.

Hon. Members: [*Crosstalk*]

Mr. Deputy Speaker: Okay. Member, proceed, tie it in quickly. Tie it in quickly.

Mr. A. Ram: Mr. Deputy Speaker, I feel sorry for my colleague. The reason being, Mr. Deputy Speaker, is that we are here today, Mr. Deputy Speaker, to pass this Bill in respect of, Mr. Deputy Speaker, issuing legal firearms to a range of different persons; are we not?

Hon. Members: [*Desk thumping*]

Mr. A. Ram: And I am giving a narrative, Mr. Deputy Speaker, of an instance in the other place where the hon. Minister of National Security indicated that 108 legally issued firearms were used for the wrong purpose.

Hon. Members: [*Desk thumping*]

Mr. A. Ram: How is that not relevant, Mr. Deputy Speaker?

So, Mr. Deputy Speaker, the point is, at that time, on the 8th of November, 2022, as reported, the hon. Minister was indicating that these firearms were ending up in the wrong hands, and we are here to expand the provisions in this Bill of the number of persons—we are allowing prison officers to bear arms whilst they are off duty. Are they not—at that point in time if this Bill is passed, are they not, Mr. Deputy Speaker, enlarging that pool, so to speak, of those who will be issued legal firearms? I ask that question. Obviously, there is silence on the other side and there is an agreement that there would be no disturbance. Thank you.

To put that into context, Mr. Deputy Speaker, again, permit me to quote from a newspaper article, dated the 15th of February, 2022, headline, “Prison officer goes on hunting trip with gun, and loses it”. So we are allowing prison officers with this Bill to keep and to bear firearms, but in this article it says:

“The 42-year-old officer, who is attached to the Golden Grove Operations Department, told investigators that he went on a hunting trip with a group of friends in the...Forest at about 2 p.m. on Friday.

At about midday on Saturday, while proceeding down a hill in a forested area, he observed his Prison Service-issued firearm, an M&P pistol loaded with 17 rounds of .9mm ammunition, was missing from his holster. The group then made checks in the areas they visited during the trip but the weapon could not be located.”

And I am saying, Mr. Deputy Speaker, here this afternoon, we have to ensure that there are proper checks and balances in the office of the Commissioner of Prisons and when the issuing of firearms are not done arbitrarily. There must be certain requirements before any firearms are allowed in the hands of the prison officers.

Mr. Al-Rawi: I rise on Standing Order 55(1)(b), this is exactly Barataria/San Juan’s point for the third time.

Mr. Deputy Speaker: Overruled.

Hon. Members: [*Desk thumping*]

Mr. A. Ram: I thank you. I thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, and I again make the point that this discretion to the Commissioner of Prisons to issue firearms to prison officers must ensure that there are mechanisms and structures in place to prevent these kinds of things from happening. In fact, the kinds of things you are wearing, prison officers will lose their firearms. Mr. Deputy Speaker, we must equip the Commissioner of Prisons with the necessary facilities, manpower and finances to do proper investigations before he uses his discretion to issue firearms.

So let us look at some of the things that, you know, which would have—

Mr. Deyalsingh: Mr. Deputy Speaker, Standing Order 55(1)(b), also

Barataria/San Juan said this, and the Member himself is now repeating himself ad nauseam.

Hon. Members: [*Desk thumping*]

Mr. Charles: [*Inaudible*]

Mr. Deputy Speaker: Naparima—

Mr. Charles: Yes, Sir.

Mr. Deputy Speaker: Please.

Hon. Members: [*Crosstalk*]

Mr. Deputy Speaker: Again, Members—proceed.

Mr. A. Ram: Thank you, Mr. Deputy Speaker, for your ruling. And, Mr. Deputy Speaker, let me just give some of the examples of, you know, what we on this side think ought to be the checks and balances and the need for proper investigations in respect of the issuance and discretion of the Commissioner of Prisons. Because when civilians and businessmen are issued firearms, there are certain procedures which ought to be followed or which have to be followed before the issuance of that firearm. One has to be a certificate of competency of the use of that firearm. Now, what we are saying is that officers must be properly investigated and vetted, Mr. Deputy Speaker, and, Mr. Deputy Speaker, whilst I can stake my repetition that the majority of officers are dedicated to their jobs, honest and hardworking, there are a few who are not, and what we must do is to prevent the possibility of rogue officers from exploiting the system, Mr. Deputy Speaker.

So let us look at some of the things that can be done and which should be codified by the Commissioner of Prisons, and this is in keeping with what normal civilians will do when they are issued with legal firearms. One has to be a statement from their spouse supporting the officer in possessing a firearm.

Hon. Members: [*Desk thumping*]

Mr. A. Ram: That is something that civilians have to do—

Mr. Al-Rawi: Mr. Deputy Speaker, I rise on Standing Order 55(1)(b), this was read out in the notice that Barataria/San Juan read out, spousal approval, et cetera, and then the Member went on to endorse it. He is literally repeating the exact position that Barataria/San Juan put on the record.

Mr. Deputy Speaker: Member, okay. Again, hon. Member, according to the Standing Order, tedious repetition. All right. Let us just consider that for the time being. Again, tie it in, Member, to the particular point.

Mr. A. Ram: Thank you Mr. Deputy Speaker. Mr. Deputy Speaker, this has to be one of the checks and balances in respect of the issuance of firearms to prison officers which is a statement from the spouse supporting the officer in attaining the firearm. Another one has to be when a safe of some sort wherein the prison officer who is issued with a firearm by the Commissioner of Prisons has a place to store this government-issued firearm when either it is not in use or it has to be stored in the home, just in line with what civilians have to undertake before they are issued a legal firearm. I am suggesting, Mr. Deputy Speaker, that those are some of the things which ought to be in contemplation of the Commissioner of Prisons when firearms are being issued to members of the prison service.

Mr. Deputy Speaker, as was highlighted, and I would just touch on this issue very, very lightly before the Members get off their chair, in the case of CV2020-01571, *Vishal Singh v Commissioner of Prisons*, and Members previously failed to mention that there was an eminent Senior Counsel who continue to shape the jurisprudence in this region in the person of Anand Ramlogan, Senior Counsel, who had brought that case before the honourable court and which was ruled in favour of the claimant against the Commissioner of Prisons. And allow me to quote paragraph seven of the judgment; it says:

“At the time of the incident, the suspect was employed with the Trinidad and Tobago Prison Service as a Prison Officer. There were allegations”—to—
“the firearm which the suspect used was given to him and or authorised by the Commissioner of Prisons. This allegation was subsequently confirmed when the TTPS disclosed that ‘there are no records at the Firearms Sections pertaining to Mr. Ruel Accoo which means he was never issued...’—an—
“...FUL.”

5.45 p.m.

So, Mr. Deputy Speaker, we have a court which has ruled in favour of the claimant police officer, and the defendant ordered to pay damages, because at that time, Mr. Deputy Speaker, the Commissioner of Prisons thought he had the authority to issue firearms to those he thought were in imminent danger. That has since been overruled and therefore we are here today to pass this very important Bill to allow, as you say, prison officers to keep their arms.

Mr. Deputy Speaker, more and more we are seeing and hearing of reports of police and army issued uniforms and bulletproof vests and weapons ending up in the hands of criminals. Only recently—I do not know how this happened—a police vehicle was stolen from the Cunupia Police Station. Now, why is this important to this Bill, Mr. Deputy Speaker? When you look at clause 8 it says, 8(3):

“Where the Commissioner of Prisons grants permission to a prison officer to have in his possession any firearm or ammunition under subsection (2)...”

We are allowing prison officers to also have in their possession ammunition. Now, the Bill is silent in terms of the number of ammunition which will be issued to each prison officer, and that is something we need to consider, whether this Parliament, or whether by further regulation, the Commissioner of Prisons is going

to indicate the number of ammunition that is going to be allowed for each prison officer that is allowed to carry his pistol or his weapon outside of active duty. And why is that important, Mr. Deputy Speaker? That is important because of a number of things, and I am speaking about the ammunition in respect of clause 8(3). On January 03, 2023 there was a report in the *Trinidad Express* which reads:

“Regiment bullets found on 5th crime scene, as woman shot.”

And I repeat for the record of this *Hansard*:

“Regiment bullets found on 5th crime scene, as woman shot.

Seven spent shells”—it says—“with the markings of the Trinidad and Tobago Regiment were found at the scene of a shooting in Maloney on New Year’s Day.”

So there has been an investigation into, according to this report, into how the ammunition rounds bearing the markings TTR was found on active crime scenes, and according to this report too, this was the fifth occasion that there have been reports of ammunition finding itself at crime scenes. And it is important for us, Mr. Deputy Speaker, to ensure, again, that we have the proper checks and balances in place. As a responsible Opposition we must ensure that when we come to debate, even though there might be some agreement in respect of the Bill before this Parliament, that we do the honourable and responsible thing and to highlight to this Government some of the shortcomings in respect of the Bill before this honourable House.

Mr. Deputy Speaker, in line with that responsibility which we have, we must highlight, and it would be irresponsible of us to come to this Parliament and give the Commissioner of Prisons a discretion to issue firearms and give him the tools to properly conduct investigation to ensure the request is genuine, and weed out, Mr. Deputy Speaker, any exploitation of the system. Mr. Deputy Speaker, we also

wish to consider putting regulations in place to ensure officers who request firearms, undergo psychiatric assessment before they are being issued firearms. Again, Mr. Deputy Speaker, this is something that is very common when civilians are issued with FULs, they have to present to the Commissioner of Police a certificate of competence in respect of a psychiatric assessment done by a practitioner.

Mr. Deputy Speaker, keep in mind that these amendments to issue firearms to off-duty officers for personal protection, and this is where I am with this. Mr. Deputy Speaker, allow me to quote from a *Guardian* newspaper dated the 4th of January, 2010, "Prison officer charged with killing wife."

Hon. Members: [*Interruption*]

Mr. Deputy Speaker: Silence, Members.

Mr. A. Ram: "A prisons officer appeared in court yesterday charged with killing his...wife. Kendell Henry, 35, appeared before Senior Magistrate Marcia Ayers-Caeser in the Couva Magistrates' Court. Tricia James-Henry, 30, was killed at her home on Serenity Circular, Phase II, Couva North, on December 28, last year. She was found dead on a bed with stab wounds to her upper body. Henry was arrested in the bathroom of the house."

So, Mr. Deputy Speaker, it will be reasonable for us to conclude that if psychiatric assessment of officers and a certificate of some sort from the spouse of prison officers be one of those requirements that must be met in the issuance of FULs or users' licence or state firearms to prison officers, and it brings me to the next point, Mr. Deputy Speaker. While police officers and army officers undergo some specific firearm training as part of their job and prior to joining or getting enrolled into the police service or the defence force, there is some part of a routine training that forms part of their curriculum.

Hon. Members: [*Crosstalk*]

Mr. Deputy Speaker: Member, one second. There is an ongoing narrative between one Member on the Government side and another Member on the Opposition side. Right. I do not know if you all want me to identify the individuals, but please it has been going on, one Opposition, one Government Member. Please Members, let us respect the decorum of the House. Thank you.

Mr. A. Ram: So I was saying, Mr. Deputy Speaker, whilst police officers and other members of the protected services as part of the curriculum and training, they are given specific training in respect of the use of firearms. The use of firearms is not normal and it is not routine as part of the prison—as the duties of a prison officer. So therefore, we may want to consider a certification before the issuance of a firearm to that prison officer as well as to ensure since they do not have specific training that there must be some sort of certification every two or three years to ensure that those officers keep up with training requirements, because they may be issued firearms and they may not have the need to use it. But it is important for us and for them to be fully trained and to be on point when and if the need arises for the use of that firearm to protect their lives and the lives of their young ones, and that is something we may want to consider putting into this Bill.

Because, Mr. Deputy Speaker, if we have firearms enhanced upon untrained persons, you may see there may be accidental discharge, and the same weapon, the same means by which we want to protect them ends up being a demise to them and their family, and that is something we may want to consider in this Bill. Mr. Deputy Speaker, we will also want to consider, you know, officers who request firearms must be part of some qualifying criteria being trained, certified to take home their gun, and it is in this context that we speak about firearm handling, and again, is not part of a prison officer routine. So, Mr. Deputy Speaker, there was

something called the Prison Threat Assessment Committee.

Mr. Deputy Speaker: Say what?

Mr. A. Ram: Prison Threat Assessment Committee. And this was in furtherance of a policy which was stated by the Commissioner of Prisons on the 11th of July, 2016. And it is very useful in terms of checks and balances—

Mr. Deputy Speaker: Member, you just have about two more minutes of your initial speaking time.

Hon. Members: [*Desk thumping*]

Mr. Deputy Speaker: You have an additional 15 minutes, you care to avail yourself?

Mr. A. Ram: I will avail myself of a couple of those minutes please.

Hon. Members: [*Crosstalk*]

Mr. A. Ram: Mr. Deputy Speaker, I ask for your protection.

Mr. Deputy Speaker: Proceed.

Mr. A. Ram: So there is something called the Prison Threat Assessment Committee, and there was an agreement as to a minimum constitution of that committee in terms of the policy of the Commissioner of Prisons then, and it is something very useful. It says that:

“The Prison Threat Assessment Committee shall generally constitute three...persons who possess the necessary authority, pertinent skills and ability:”—and has to be—

“Holder of an office in the Prison Service Executive

A member of the Strategic Operations Unit...no lower than the rank of Prisons Supervisor and

One member from an organisation within the national security network of the Trinidad and Tobago: Police Service or the Trinidad and Tobago Defence

Force...”

And it goes on to say that they will make the recommendations to the Commissioner of Prisons within a reasonable time and submit their report to the Commissioner of Prisons, a report of their findings and recommendations. And that is very useful.

Because not all the threats are imminent, not all the threats to the lives of prison officers are an emergency, but if there is to be issuance of firearms to prison officers, there must be a process, Mr. Deputy Speaker, and that is what we speak about here. There must be a process and it must not be done arbitrarily.

So, Mr. Deputy Speaker, we must do all in our power to protect the men and women of the prison service, but we must also ensure that the “dis-cree-shun” or discretion of the commissioner—

Hon. Members: Discretion.

Mr. A. Ram:—to issue a firearm to an off-duty officer is exercised—

Mr. Deputy Speaker: Silence.

Mr. A. Ram:—in a manner that ensures responsibility in terms of that issuance, Mr. Deputy Speaker.

So, Mr. Deputy Speaker, that is the extent of my contribution to this debate, and I want to thank you for the opportunity once again to contribute.

Hon. Members: [*Desk thumping*]

The Minister of Energy and Energy Industries and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, for the members of the public who may have been viewing the previous entrance into the debate, and to assist them with some interpretation of what we just heard, there is no such clause or “dis-cree-shun” in the Bill. I believe what the Member was trying to say is the discretion of the

Commissioner of Prisons.

Hon. Members: [*Desk thumping*]

Hon. S. Young: Mr. Deputy Speaker, unfortunately the last half an hour was spent going around in circles, and I would like to bring us back to what the Bill before us is about today.

6.00p.m.

Mr. Deputy Speaker, we are here today to deal with specific necessary amendments to the firearms legislation. Of course, the Firearms Act is the Act that governs the legal possession, and even on occasion, use of legal firearms, not only by members of the public who have been granted what we refer to as FULs, firearm user's licences; some who are granted FUEC, firearm user's (employee's) certificates, but also to certain members previously of the protective services. And what you have here today is the Government extending the law, via law, those who can legally, the members of the State and certain protective services that have evolved over time, and their carrying a firearm outside of the traditional defence force, the police force, because we have accepted that due to the evolution of the national security landscape, their characters and their agencies that have outgrown the archaic limitations of the Firearms Act. And I would like to start by referring to the municipal police.

We have seen, Mr. Deputy Speaker, over the past decade plus the role of our municipal police grow in nature. The municipal police plays a very important role now, especially in the community law enforcement landscape, but also in our boroughs, our cities, as well as the municipal corporations. We have also had the evolution of law within recent times to allow Tasers as well as pepper spray. So what we are now doing via this Firearms (Amdt.) Bill, 2022, is we are now allowing our municipal police to have in their possession, in layman terms, pepper

spray. And it is accepted that this is a necessary amendment—

Mr. Ram: Mr. Deputy Speaker, I rise on Standing Order 55(1)(b), tedious repetition. We have heard this before from all the speakers, Mr. Deputy Speaker.

Mr. Deputy Speaker: All right. Thank you. Overruled.

Hon. S. Young: Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, I could understand why the previous speaker is a bit lost because all he spoke about was the prison service. So we are now talking about the wider expanse. So, of course, pepper spray is really to be utilized in certain instances and, in particular, in the urban settings that you would find our municipal police operating in so to allow our municipal police—

Mr. Ram: Mr. Deputy Speaker, I rise on 48(1), the Bill has nothing to do with pepper spray. It has Tasers. Mr. Deputy Speaker, 48(1).

Mr. Deputy Speaker: Overruled.

Hon. S. Young: So members of the public you have just seen, the Member for “Caroni West” rising on—

Hon. Members: [*Crosstalk*]

Hon. S. Young:—the Member who spoke previously saying that this Bill has nothing to do with pepper spray. So for the members of the public, clause 5(a) of this Bill is amending to insert a subsection (2B) to do with municipal police. And for the elucidation of, “Mr. Dis-cree-shun”, it says that the municipal police:

“...may have in his possession for the purpose of performing his functions any weapon of whatever description or design which is designed, manufactured or adapted for the discharge of any noxious liquid, gas or other thing.”

And for, “Mr. Dis-cree-shun”, this is a reference to pepper spray.

Mr. Hinds: “Oooh”.

Hon. Members: [*Desk thumping*]

Mr. Deputy Speaker: One second, one second. Hon. Member, I would prefer you identify the Member by his title. I would prefer.

Hon. Member: Withdraw it.

Hon. S. Young: Point taken, Mr. Deputy Speaker.

Hon. S. Young: So, Mr. Deputy Speaker, so the first part of the legislation is that we are now allowing municipal police to utilize, legally, pepper spray. Of course, we have seen in the definition section we are allowing, legally, for the use of a firearm user identification card. The previous issuance of it, unfortunately, was not in accordance with the law and that is being corrected now.

Clause 6 of the Bill, what we are saying now—and this is the expansion of the persons in the State who can legally carry firearms once given the necessary permission. So we have expanded it now to say:

“(a) a person, whose firearm and ammunition are the property of the Government and are required in the performance of his duty...”

So those are the qualifications. It must be a government-issued firearm and it is being used in the performance of the person’s duty.

And now we are allowing, as before:

“(i) police officer;”

We are now saying:

“(ii) members of...”—the—“Municipal Police Service within the meaning of Part III of Municipal Corporations Act;”

Members—“(iii)...of the Defence Force;

(iv) a Customs officer;

(v) a prison officer;”

So we are including prison officers here as well, as well as:

“(vi) the Director of the Strategic Services Agency established under the Strategic Services Agency Act; or

(vii) an employee designated...”

Mr. Deputy Speaker, the hon. Member for Barataria/San Juan spent significant time on the use of firearms now by the SSA and asking the question why could not the SSA have, for example, an FUL and FUECs issued to those members of the SSA under that FUL. So just to place on the public record, that is, in fact, what was applicable for all of these years. So you would have had the Director of the SSA issued, by the Commissioner of Police, with an FUL, a firearm user’s licences. And then he in turn would have to make applications to the Commissioner of Police for various officers who are authorized to be granted FUECs. This is a very cumbersome process and what we would like to do and place on record here as the Government, there is no intelligence agency in the world where field officers are not permitted to legally carry firearms. So we are correcting that and we are bringing the law up-to-date with that.

And we give an assurance to the members of the public, it is not every SSA officer who is going to be authorized to carry a firearm. That will be a decision at the discretion, as opposed to “dis-cree-shun”, of the Director of the SSA and the Director of the SSA will decide which of his trained officers—because as the Member for Barataria/San Juan accepted, quite a number of officers would have been law enforcement officers, Trinidad and Tobago defence officers before, so they have a level of training. But I can assure the public that the SSA has a very stringent firearms training programme that they must not only qualify before they will be issued with permission to carry firearms—and these are only the field officers who, of course, are undercover personnel. But then even after they received that initial permission from the Director, they then have periodical

continuation of training and qualification on the range which is supervised by officers of the Trinidad and Tobago Defence Force and at times members of the Trinidad and Tobago Police Service.

So there is absolutely no alarm to be had. What we are doing is we are just making it a more efficient service. We have had instances where intelligent officers who, as you would imagine, are out there gathering intelligence in certain areas where there is a prevalence of crime, and not being known to the criminals, they were shot upon. And now we are making it significantly easier for them to carry out their duty and to protect their lives and their limbs.

In the past, it has taken too much administrative time on occasions for FUECs to be issued to the officers. Also, when the FUECs are issued and the officers leave, it is another administrative burden where the Director of the SSA must now reach out to the Commissioner of Police to have a cancellation of the FUECs. So you are giving to the Director of the SSA the same type of powers that the Chief of Defence Staff, for example, has at the Trinidad and Tobago Defence Force, where they have a system in place, where they are giving keep and carry licences to officers, or allowing Trinidad and Tobago Defence Force officers to carry firearms. They issue them with cards, it is going to be a similar type of system. It is nothing new or revolutionary. What we are doing is simplifying the process in protecting our intelligence officers and allowing them that opportunity to legally carry firearms that are government-issued firearms. So it is a step in the right direction.

The next clause, clause 7, which is repealing the current section 8 of the Act and substituting it, what you have here is for the holder—let me just pull up the parent legislation. So this is now an amendment to section 8 of the Act. And what you are now saying is that there was this archaic provision, which is the current

section 8, that:

“Any person other than a Police Officer or a member of the Defence Force in both cases acting in his capacity as such or person in possession of a Firearm User’s Licence is guilty of an offence and liable on summary conviction to a fine of forty thousand dollars and to imprisonment for eight years who carries any firearm or ammunition in a public place so prescribed by the President.”

And that is now being amended to allow persons to carry firearms in public places, as prescribed by the Minister, and you are saying now that the holder of a valid firearm user’s licence will not fall into a previous category, where they too were denied under the legislation from carrying their firearms in public.

Mr. Ram: Mr. Deputy Speaker, I rise on Standing Order 55(1)(b), tedious repetition. This is the fourth occasion—

Mr. Deputy Speaker: Thank you, Member—

Mr. Ram:—as four speakers on that side—

Mr. Deputy Speaker: Okay. Thanks, Member. Proceed.

Hon. S. Young: Of course, it was not referred to before, this particular section of the Bill, but I could understand that the Member has great difficulty following the piece of legislation before us.

The next clause that is before us, which is clause 8, I would like to actually—I think I can say at this stage, after consultation with the Minister of National Security and the Attorney General, the Member for Barataria/San Juan actually made a very good observation and we will be bringing an amendment to the current provision here, the new section 8A, and where he pointed out that this is now dealing with prison officers and what we call the “keep and carry”—the legal “keep and carry” for prison officers who are off duty.

So the Member for Barataria/San Juan asked us a question and we have looked at it, where we say, you may have in your possession firearm or ammunition, we are going to qualify that by linking it to, that is the property of the Government, which is keeping with the rest of the legislation. Mr. Deputy Speaker, this particular section was—

Mr. Deputy Speaker: Member for Caroni Central and Member for Laventille West, please for the next five minutes continue your discussion on the outside of the Chamber, please. Proceed.

Hon. S. Young: Thank you very much—

Mr. Deputy Speaker: No, hold on, Member, hold on. Both Members, please, continue your discussion for five minutes and then you all can kindly return.

Hon. Members: [*Laughter and crosstalk*]

Mr. Indarsingh: [*Inaudible*]

Mr. Deputy Speaker: Couva South, please. No debate. Proceed, Member.

Hon. S. Young: Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, this section has been traversed by previous speakers but it is worth just putting the experience that I had as the former Minister of National Security on record here. This Government is committed to working along with the prison officers as we have shown. Under my tenure and has been continued by the current Minister of National Security, we have worked very closely with Prison Officers Association as well as the executive of the prison service.

The population would recall that we have purchased quite a number—hundreds of handguns for the members of the prison service—

Mr. Deputy Speaker: Members, I will prefer if you all exit the Chamber door, please. Both Members, I will prefer. Proceed, Member.

Hon. S. Young: Thank you very much, Mr. Deputy Speaker. I was saying and

putting on the record, once again, that under this Government we have purchased hundreds of handguns for the protection and safety of our prison officers. Unfortunately, what you had here was a challenge by the former UNC Attorney General which completely dismantled the ability for the Prisons Commissioner to grant “keep and carry” handguns to prison officers who were off duty to be able to protect themselves and their families.

The record is replete with the unfortunate incidents over decades where we have had prison officers targeted by the criminal element whilst off duty and in their private lives. So what this is doing it is permitting expressly the authority for the Prisons Commissioner to grant “keep and carry” permits to these prison officers. To just correct the record, this Government has purchased many bulletproof vests as well as stab proof vests for the prison officers and will continue to do so. That is by aside and that is in reply to one of the previous speakers.

This particular provision is just to correct, as we have heard previously, the decision in the case of *Vishal Singh vs The Commissioner of Prisons*, where it was found that the “keep and carry” was ultra vires in law. This is specifically to correct that and we will continue to provide as much as we can the necessary tools to assist the prison officers in preserving their own lives and we give them the assurance that we are very aware of the difficult circumstances that they work under. And that is why this provision is being provided for here to correct that lacuna in law and now prison officers, through the Prisons Commissioner, would be allowed the opportunity, at his discretion, to be able to legally “keep and carry” government-issued—we are going to correct that—firearms and ammunition in their protection and service.

6.15 p.m.

And as the legislation sets out, the Commissioner of Prisons will issue to the relevant prison officer a Trinidad and Tobago Prison Service's firearm identification card that would allow them, if they are stopped by law enforcement, to prove that they have the authorization to keep and carry these legal firearms.

Mr. Deputy Speaker, I go on that what this also does, this Bill that is before us, it allows the modernization of the firearm user's booklet to now allow cards but that will be by prescription and that will be by the decision of the Government working with the Trinidad and Tobago Police Service as to how that card should look and how it should be utilized and to carry us forward in the modern age. A useful amendment but one that is now just putting into place the law to cover what was done previously, an attempt that was done previously, which was a move in the right direction.

So, Mr. Deputy Speaker, those really are the issues that we have come here to correct today and to provide for in law and in particular to allow our intelligence officers, the ability, we have expanded it and to just give the public the assurance that that is going to be done in a responsible way. As I just completed saying and it is not running around in circle for a half hour contribution speaking about "dis-cree-shuns", et cetera, that the prison officers would be allowed the opportunity legally once provided with a prison officer identification card to carry a firearm by Commissioner of Prisons.

These are necessary amendments and I commend the Attorney General, the LRC and the Minister of National Security for bringing this legislation here today for us to modernize the law with respect to legal use of firearms. We have heard a lot about how legal firearms, unfortunately, have been utilized in the wrong areas and in the areas of crime, et cetera. But this now is going to allow some of our

most important officers in that landscape of national security to have the ability to legally carry firearms not going through the traditional system of needing an FUL or FUEC. They can, of course, apply for FULs in their right, for their own personal protection as all citizens can.

Mr. Deputy Speaker, with those few words, I thank you for the opportunity to contribute.

Hon. Members: [*Desk thumping*]

Mr. Rodney Charles (*Naparima*): Mr. Deputy Speaker, I will be brief today but I think it is important that we place some information in the public domain relating to this Government's inability to deal fundamentally with crime in Trinidad and Tobago.

Mr. Deputy Speaker, many of the general public will hear that the Government is bringing legislation to amend the Firearms Act and believe that it is intended for it to tackle the rampant presence of firearms in the country. When I first looked at it:

“An Act to amend the Firearms Act and for other related matters”

I thought we were coming here today to discuss something that will deal with the fundamental problems of the pervasiveness of firearms in our country. Instead what we have is a piecemeal approach that is lots of sound and fury signifying nothing.

Hon. Members: [*Desk thumping*]

Mr. R. Charles: But Deputy Speaker, I go through all of the clauses—I belong and we are on this side believe in laws that will conduce to effectiveness in terms of the fight in crime and if we look at clause 4 would amend certain definitions in section 2 of the Act, what is this doing to solve the problem of the pervasiveness of guns? Because clause 5 of the Bill would amend section 6 of the Act by inserting a

new subsection (2B). This new subsection would allow a municipal police officer to have in his possession a Taser for the purpose of performing his functions. I ask the question: Will this reduce the murder rate by one iota? We are heading to 700 murders this year. What will this do?

Now, we on this side fully support the fact that police officers, prison officers, et cetera, must be given the means to defend themselves, we have no problem with that at all. But what we say, the problem is not arming them, the real problem is what the SSA tells us in their annual report. The SSA tells us that and there are—yes and this was indicated to us by the Minister of National Security. The Minister of National Security said an analysis by the SSA, that is the Strategic Services Agency, has determined that there are approximately 12,000 illegal firearms in Trinidad and Tobago. The problem is to get that out of our country.

Hon. Members: [*Desk thumping*]

Mr. R. Charles: Not a piecemeal, piecemeal, “chinksing”, “we use to call that in my time yuh chinks”, right, so “yuh arm the prison officers”, all well and good but that does not solve crime in Trinidad and Tobago.

The Attorney General came and talk and you see the obfuscatory nonsense that we have go with. He said that there is no magic wand to solve crime, it is an incremental process that takes time. It takes time because we have a slothful, lazy PNM administration in Trinidad and Tobago.

Hon. Members: [*Desk thumping*]

Mr. R. Charles: Let truth be told, Mr Deputy Speaker. Plain talk, bad manners. We have an incompetent bunch of—I do not want to use Eric Williams’ word—obscurantist politicians, his words, and benighted idiots running our affairs in Trinidad and Tobago.

Mr. Deputy Speaker: Member, the last word, I would prefer that you withdraw.

Mr. Charles: I withdraw it fully. I withdraw it. And I am challenging those on the opposite side, come to us with things that make sense and when you pass a piece of legislation or you call for our support, tell us this will reduce crime by 10 per cent. So when the Attorney General tells us that it is an incremental approach, we say no. We have a 10-point plan, our political leader has a crime plan and we commit that if we have the power to implement that crime plan, within five years, the murder rate will be less than 400 instead of 1,000 that we are heading for under this administration. If we do the mathematics and the trajectory of the murder rate, we see that we are heading for nowhere. So we are asking to stop the piecemeal approach and come with a comprehensive approach to crime.

We look at clause 10 and it talks about—and you see this is what gets us worried—the capacity of this group to solve our crime problem. Clause 10 of the Bill would amend section 17 by inserting a new subsection, nice language, to provide for the Minister of National Security to extend the validity of a firearm user's licence beyond the three years specified in subsection (6). But you see we have been told in the public domain that there are issues with the issuance of FUL licence. Stanley John, we are told—but that is a problem as has been identified and we would have thought in any firearm legislation, we would deal with something like that.

So you have not solved that problem but now you extend the powers of a Minister to extend a FUL licence and that brings some concerns about the politics. In the past, it was the Commissioner of Police, that is our understanding. What we find is too much power incrementally being absorbed by a Government bent on dictatorship.

The question about the SSA and I know it has been dealt with by previous speaker but I need to ask some questions about the SSA. You are now giving the

director power. A director that is appointed by the political directorate and is under contract so every period, he has to come to the Minister of National Security to get an extension. We are now giving him powers to give to officials of the SSA the powers to carry arms in public.

I read clause 6 of the Bill would amend section 7(1)(a) of the Act to allow the director of SSA and any employee of the agency as designated by this political appointee to have in their possession a firearm or ammunition during the course of performing their duty. The SSA, we do not even know the recruitment process in the SSA. I am never seen an ad, I do not know if my colleagues have seen, I have never seen an ad for a position on the SSA. So it is a whole secret spy organization as far as we are concerned. A director appointed solely by the Minister of National Security or Cabinet. Right? Staff, he appoints, we do not know but that organization receives millions of dollars in taxpayers' funds, millions of dollars. We have a spy agency now being given powers so that the head of that agency could at his discretion provide—and the Minister of Energy came and told us they have systems in place to ensure in the SSA that these guns will not end up in the wrong places. We do not trust statements by them on that side—

Hon. Members: [*Desk thumping*]

Mr. R. Charles:—about the policies and procedures to protect. The evidence is there. My colleague talked about it. The evidence is there. The guns are ending up in the hands of criminals and we are not saying that all police officers are bad or they have problems but clearly we have a problem that this Government turns a blind eye to and instead of dealing—and my colleague who talked about the need for policies and systems and procedures to ensure the integrity of these—guns that are given to authorized persons. There is no policy based on what we see.

We have the *Express*, we hear about coast guard officers on serious charges,

we hear of police officers before the court and not all may I say, we hear about regimental markings being retrieved from murder scenes. We went through that. But it is important for us to understand, there is something, Mr. Deputy Speaker, rotten in the Ministry of National Security—

Hon. Members: [*Desk thumping*]

Mr. R. Charles:—with respect to arms and ammunition and integrity. We are paying millions of dollars to the SSA, over \$300 million, national security, only to have weapons we are not sure if somebody—it was the person who was the Massy stores, vehicle came with flashing lights and she pulled aside and the next thing you know she was kidnapped. We are not sure if somebody stops me and tells me—and this is a problem with the SSA. They have no uniforms. So if there is an altercation and an SSA officer pulls out a legal firearm and confronts a citizen and the citizen is not sure that that is a legally authorized person to have a gun and he has an FUL licence and a gun, he will return fire because he does not know that that person—if it is a police officer, he will know it is a police officer and you know that there are protocols in interacting but an unknown SSA officer legally empowered to carry a firearm approaches a citizen with a gun, the citizen is at a loss. We ask the question—

Hon. Members: [*Interruption*]

Mr. Deputy Speaker: No, listen, listen, have you all gathered anything from earlier in the sitting? Both sides, come on.

Mr. Charles: They asked us to rely on them, rely on them to have policies and procedures and systems to ensure the safekeeping and integrity of these weapons. Well I will tell you, Mr. Deputy Speaker, we have no trust, no faith in them—

Hon. Members: [*Desk thumping*]

Mr. R. Charles:—and we have it on the basis of evidence. *Express* 3rd January,

2023:

“Seven spent shells with the markings of the Trinidad and Tobago Regiment were found at the scene of a shooting in Maloney on New Year’s Day.”

6.30 p.m.

Mr. R. Charles: For heaven’s sake! Incompetence from start to finish.

Mr. Al-Rawi: Mr. Deputy Speaker, I rise on Standing Order 55(1)(b), three articles in a row repeated by two speakers.

Mr. Deputy Speaker: All right, so, Member, right, we are starting to get to that threshold. So, again, the spent shells and the bullets and the different arms found at the various sites.

Mr. R. Charles: I think the point has been made, but it has to be reinforced.

Mr. Deputy Speaker: From now on in, Member, from now on in.

Mr. R. Charles: But the point has been made. It needs to be reinforced. And you know, Mr. Deputy Speaker, the problem with the SSA and arming the SSA, a secret, in our view, spy agency, right, a secret spy agency—

[Devices goes off]

Mr. Deputy Speaker: Hon. Members, please, all phones on silent, vibrate, or switched off. Right? Again, Member, that word, the last word you used with the S. Somehow I would prefer that to be—

Mr. R. Charles: *Hansard*, I withdraw it, I withdraw it. But the SSA needs to have more transparency. We do not know how SSA persons are recruited. The agency is exempt from the FOI, Freedom of Information Act. The SSA is completely shrouded in secrecy. They are given hundreds of millions of dollars each year, over \$300 million last year. This is not a small organization. And we ask the question: Is the SSA now fully armed and equipped? Is this the new Tonton Macoute or mongoose gang of an administration? It is a question that we

could ask. I do not know.

I am a Member of Parliament. I shadow national security, and I cannot tell my constituents what really; what are the operational procedures in the SSA. Can they apply for a job? Are there psychometric tests evaluation? Do they have special uniforms or badges? These are some of the questions that we ask. So, we could go through the legislation piece by piece. As I say, the fundamental problem we have with this, the legislation, is that it is a piecemeal approach to a significant national crisis.

I challenge them, because we believe in specific, measurable, achievable, relevant and timely goals. Any MBA student, and we have thousands of them in Trinidad, will tell you off the cuff. Even the A-level students will tell you, when you have legislation, when you have goals, when you have targets, they must be specific, they must be measurable.

So, I would like those opposite to tell me each clause; this clause will reduce the murder rate by X percent in Y time frame. They cannot, because “dey vooping and dey chinksing and dey dancing and dey hoodwinking us” because they think that we, if they say it loud enough and they say it often enough, they could fool us. But the evidence is there and the statistics are there. How much per month? Fifty-two murders last month, and every day you are hearing. People are numb to it. And when they come with a Firearm (Amdt.) Bill—

Mr. Al-Rawi: Mr. Deputy Speaker, I rise on Standing Order 55(1)(b).

Mr. Deputy Speaker: Yes. Again, Member, we went to that earlier. So, again, we are at that stage of the debate now where we have to clearly deal with those particular matters. So again, you talk about the crime rate, the murder rate, and so on.

Mr. R. Charles: It is clear, Mr. Deputy Speaker, that they do not like to hear hard

truths. And therefore—

Mr. Deputy Speaker: Hold on. Member, no. Right now we are dealing with the Standing Order, not necessarily what they would like to hear. We are dealing with the Standing Order, in terms of the repetition. Right? So move on from that point.

Mr. R. Charles: I am saying that this Bill has to do—this Bill and the comments on the Bill, they deal with some truths that those opposite would wish not to hear. I understand that. I understand when they come with clause, they tell me stick to the clause, which is a mantra on that side. And when you look at the clauses, they do not—all this Bill does—

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

Mr. Deputy Speaker: Again, in terms of identification of the other side, let us use proper language, in terms of the identification of the other side.

Mr. R. Charles: The hon. Members on the other side. I did not know they would be hurt. I would be short and I would be brief and I would take my leave. But all I would do, in closing, is to employ my friends opposite to use a little of the intellect that God has given them, so that we—when they come with legislation—can walk away proud and tall knowing that they have our interest, our safety, our security at heart. This does not do it. And may I say that we support basically one line. They could have given arms to the prison officers and whatnot, to take home properly supervised. But that does not in any way assuage, to use a certain word, my concerns about my safety and my security and those of my children and my family. I thank you.

Hon. Members: [*Desk thumping*]

Mr. Deputy Speaker: I recognize the Member for Port of Spain South.

Mr. Keith Scotland (*Port of Spain South*): Mr. Deputy Speaker, the only hard untruth that I do not want to hear is the spectre of the hon. Member for Naparima

becoming a Minister of National Security.

Hon. Members: [*Desk thumping*]

Mr. K. Scotland: God help us. Mr. Deputy Speaker, I wonder if the hon. Member really took time to read the Bill and understand the purport of the Bill. Because this Firearms (Amdt.) Bill of 2022, introduced by the hon. Minister of National Security, it really seeks to amend and to operationalize the Firearms Act in a way that has built-in protections and in a way that allows security officials to carry out their duties and whilst not carrying out their duties, to feel protected. The amendments are geared to deal with a mischief, and the mischief has a juridical basis. This Government takes very seriously its responsibility for good governance and responsible conduct in public affairs, and particularly the safety of the citizenry.

Mr. Deputy Speaker, starting on first principles, if it is that security officers are responsible for the safety of the citizenry, police officers, prison officers, customs officers, municipal police, defence force personnel, SSA personnel, but if they, who are responsible for the safety of the citizens, are not themselves safe, how can we ensure good governance? That is the juridical underpinning behind this Bill. And it seems to have escaped all the hon. Members on the other side.

It is a very worrying trend, Mr. Deputy Speaker, when you analyze the gruesome public killings of security officers. And this amendment seeks to bring some relief to these officers and ensure, in some measure, that they can feel protected whilst in the execution of their duty and whilst trying to make, and this is the key, our beloved country of Trinidad and Tobago a safer place.

I have heard the hon. Members on the other side, and they seem to gather extreme enthusiasm when they want to project the murder rate to a thousand for the year. But I want to say to them, through you, Mr. Deputy Speaker, that we live

in this country, and I am sure that this Government will do all that is within its powers to ensure that their words fall on the ground and bear no fertile fruit.

Hon. Members: [*Desk thumping*]

Mr. K. Scotland: Instead of working with us and trying to send a message out there to the public that this murder rate must go down, they want to uplift it and to put it out there, as if sending a subliminal message. Mr. Deputy Speaker, we rebuke that. And the Minister of National Security will work to ensure that that does not happen in this country.

The amendment is proof, Mr. Deputy Speaker, that the Government is concerned about the life and safety of the law and security officers in this country. This amendment is proof that the Government recognizes that the crucial significance of security officers and their security is something that must be a major concern. This amendment, Mr. Deputy Speaker, is proof that the Government of Trinidad and Tobago is steadfast in its goal to improve the working conditions of security officers. And the hon. Member for Couva South ought to stand up and compliment the Government, as a former trade unionist, for ensuring safe working conditions of its members.

Hon. Members: [*Desk thumping*]

Mr. K. Scotland: He should do that. Let your conscience be your guide.

This amendment is based on high principles, because the Government recognizes that a threat to the stability of security apparatus is a threat to the stability of Trinidad and Tobago as a society. Mr. Deputy Speaker, we will have stability. Every clause in this Bill is geared towards a specific goal. The hon. Member for Naparima wants us to tell him well, what clause will affect what number. How could anyone do that?

[MADAM SPEAKER *in the Chair*]

Madam Speaker, that is not a legitimate submission. So, if this clause is implemented, the murder rate will go down by X percent? Who has that crystal ball? What numbers will play in the Lotto this evening? The Government is about trying to implement measures that will deal with the existence of an issue of a state of affairs that affects, not only the security officers, but security of the entire population of Trinidad and Tobago.

So when clause 4 amends the definition, it expands what is a firearm. When clause 5 allows municipal police to discharge noxious gas, it includes pepper spray, along with Tasers. When clause 7 provides for an expansion of persons who are exempt from liability for carrying firearms in a public place, what it tries to do is to make life safer for security officers and to make life safer for persons who are outside in the public.

6.45 p.m.

Madam Speaker, through you, I wish to inform the public that one of the most significant consequences of the passing of this Bill is that security officers, whilst off-duty in any public space, will be allowed, once the Commissioner sees that safety is an issue, to carry a firearm and in order to protect themselves and members of the population.

Madam Speaker, the issue—and I want to concentrate on the prison service to show how important this amendment is. The issue facing the prison officers not being able to carry firearms whilst off-duty when there may be a threat to their safety is one of grave concern since 2013, 10 years now. Prof. Ramesh Deosaran was appointed on a Special Prisons Committee, a committee that was appointed by the current Opposition Leader; a committee that was appointed after the killing of an off-duty police officer, Mr. Andy Rogers, on the 6th of November, 2013, at Malabar.

Why can we not get the unbridled support of the Opposition, of the hon. Members, when they themselves had commissioned such a report? The report emanating from the Special Prisons Committee described the present situation in the nation's jail back then as volatile and at a crisis point. We are here, finally, with the passage or with the passing and debate on this Bill to take steps to have this issue addressed. The issue facing our prison officers has been part of the discussion since, at least, 2013. And in the last 30 years, Madam Speaker, over 26 prison officers have been murdered. This is according to the statistics gleaned from the Commissioner of Prisons, Mr. Pulchan. Thirty years, 20 prison officers. This is serious business. This is not gallery.

The grim reality of the unfortunate demise of prison officers by murderers suggest that there is a great deal of merit in legislating for their safety while they are off-duty. Because if they are being executed for just doing their duty, then it is the responsibility of the Government of Trinidad and Tobago to implement measures to protect them. Any prison officer whose life is considered to be at risk may be granted permission to carry his government-issued firearm whilst off-duty. And, Madam Speaker, that is keeping with the ruling in Vishal. The Government must follow the law. These amendments are a direct response to the state of affairs that exist as it relates to this section of the security apparatus.

Section 7 of the Firearms Act—and let me just edify the hon. Member for Naparima. Section 7, as it currently stands, only allows on duty prison officers to carry service firearms without an FUL issued by the Commissioner of Police. However, what happens is that when these officers are not actively acting in the course of their employment, their safety remains at risk, and that is why section 7 is being amended, kind hon. Member.

More so, municipal officers. This Bill allows municipal officers to possess

Tasers to do their job. Madam Speaker, this is an international standard. We are coming up to speed and we are trying to be even-handed.

The Bill will also let municipal officers and strategic agency officers be in possession of a firearm and ammunition in a public place. Any issue of them brandishing a firearm willy-nilly is not so, because in the legislation there are built-in checks and balances. The officers who may possess a firearm and ammunition to conduct their duties will be police officers, municipal officers, member of the defence force, customs officers, prison officers and the Director of the SSA.

However, this is the key. The Bill also proposes stringent penalties for the abuse of these firearms, life imprisonment. So, to him who much is given, much is expected. It is a check and a balance.

“Clause 9 of the Bill would amend section 9 of the Act to provide that a Municipal...Officer and the Director and any employee of the...”—SSA—
“who sells or transfer a firearm or ammunition to any other person who does not hold...a...”—FUL—“or who is not exempted from holding a...”—
FUL—“or who purchases or acquires any firearm...”—upon—
“conviction...”—at a minimum to a fine of \$500,000 and imprisonment for 10 years.

So all this noise about the lack of trust. There are sanctions built in to the legislation and the sanctions certainly act as deterrents. So when the three articles, one from the *Express*, one from the *Newsday*, and one from the *Punch*—I mean, sorry, the *Bomb*, wherever it came from, when it speaks about firearms being—ammunition being found, Madam Speaker, once it is found and it is traced back to any officer who was given it, there are sanctions to be imposed. There is a sense of balance in the legislation, which is hallmark of this administration. Balance. Therefore, we say on this side, that given the strict and harsh penalties that are

there, it will act as a deterrent against the abuse of any allocation that may be given to one of these security officers.

So, Madam Speaker, where are we? We are at the point where we call upon the hon. Members on the other side to hold true, for once, to their word in 2013, when this Committee was appointed under their own leader to enquire into the safety of security officers. And I say that the country is looking on, the security officers are looking on and we on this side say that we put our legislation where our mouth is. I support the legislation.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for San Fernando West.

The Minister of Rural Development and Local Government (Hon. Faris Al-Rawi): Thank you, Madam Speaker. I propose to make a short intervention into this debate largely to answer some of the submissions made by Members opposite, and most importantly to offer my support to my colleague the Minister of National Security, on this very—[*Member coughs*]—important debate, as I inhale the fumes of the spray.

Madam Speaker, the legislation has been very, very commendably piloted by my colleague, the Minister of National Security. It is rather simple. It is intend to take care of the progression of law. The hon. Attorney General made the submission, which I support 100 per cent, that law has to be piecemeal. It was in answer coming from submissions coming from Members opposite and, in particular the Member for Naparima, after the hon. AG spoke, came up with the most remarkable submission that they wish to have one comprehensive law. And, Madam Speaker, I cannot for the life of me understand how someone who has spent so many years in Parliament, nearly eight years, that the Member for Naparima would not understand that you cannot amend every single law all at

once, particularly when we are dealing with a track record, which is indelible on the part of the Opposition, that they will not support laws which require, in most measure, special majority passage.

I say, that Madam Speaker, because in the 14 years, nearly, that I have been in Parliament and certainly nearly eight years in this House, I can vouch for having heard from the Members opposite umpteen occasion after umpteen occasion added together, their constant threat that they would set aside laws that we passed. And I would like to put on the record in support of this law, and this Bill, and similar threats coming, that that ship has sailed and come home to the safe harbour of this Government because of a few very important cases.

Number one, the case of *Suraj v The Attorney General*, a case which brought challenge to the proportionality and indeed the constitutionality of regulations, but which effectively upheld all of the simple majority laws that this Government passed; all, every last one in seven years in a row which was under threat.

Secondly, the case of Chandler, which was an attack on the savings law aspects of our Constitution as it relates to the death penalty. Again, that was upheld by the Privy Council last year and represented, therefore, the safe passage of our laws. So I open with the remark that nothing that the hon. Members say opposite causes me any concern as to whether they propose to attack or not attack any of our laws.

Madam Speaker, the Member for Barataria/San Juan made the first contribution and said, in his batting, that we were dealing with the law that needed some explanation and he put a few submissions on the record which I would just like to treat with. The hon. Member said that we were dealing with the definition of “prohibited weapon”, and it is true that in the Bill we proposing in clause 4, the amendment of the definition section, section 2, and it is there that we are treating

with a new definition of “prohibited weapon”. Permit me to just add to what my colleagues have said previously. The reason that we are inserting the words, as we do now, and we are saying, “designed manufactured or” into the definition of “prohibited weapon” is very specific. That is intended, Madam Speaker, to add to a solution that the courts have been asking for. The police did tell us, in the preparation of this law, that they were having difficulties with the law as set out. And in the definition of “prohibited weapon” where we were confined in the original law to:

“...any weapon of whatever description or design which is adapted for the discharge of any noxious liquid, gas or other thing...”

—the limitation to “adapted to”, it meant that if something was manufactured that way, a Taser was made that way, a special spray gun was made that way, not adapted, they found a prosecutorial hurdle being offered by the defence to say, “Well, hold on, the thing was made that way. It was not adapted that way.” And I just want to add to what the Minister of National Security has added, that the reason also includes—the amendment of this clause, the reason for this is to ensure that a thing maybe made that way.

That feeds in to a very important responsibility, which I now have, which is the management of the municipal police. As Minister of Rural Development and Local Government, under the Municipal Corporations Act, sections 48 through 53, in particular of that Act, the municipal police are created. And this law, Madam Speaker, this Bill, proposes that the municipal police will specifically have available to them—as my colleagues have put on the record, but I put a further line to it beyond what they said—they will have now the tool of actually made weapons, not adapted weapons. This is nonlethal weapons. Why? Because looking at the holistic approach to dealing with crime, the municipal police, I would like to

put on to the record, now stand at 771 in number, but will move to 1,500 in number this year.

Now, the Member for Barataria/San Juan raised the point as to training of the municipal police. He said quite correctly, that the municipal police ought to be considered in the same light as the Trinidad and Tobago Police Service. After all, they are trained and they fall under section 53 and section 52 of the Act, with the same powers of the police, common law powers. And under section 53, indeed, they have the statutory powers under the Police Service Act.

7.00 p.m.

But I just like to remind, because the targeting of the Municipal Police is in the communities and because of the risk of heavy powered weapons in communities, the Cabinet did not agree just yet to the addition of Municipal Police with heavy weapons, because the only aspect of prohibited weapons that they do not have would be the very heavy weapons. And that is a very proportionate measure to take to ensure that we are not going overboard in aspects. It is not to say that it cannot be treated with in the future.

Madam Speaker, the Member for Barataria/San Juan also raised the issue of the SRPs. He suggested that we had omitted to include the SRPs when we were re-setting the provisions in clause 6 of the Bill, when we are amending section 7(1) and the hon. Member, I invite to simply look at the definition of “police officer” is contained at section 2 of the Firearms Act and you will see that the inception definition that is since the law was first passed in 1970, some 52 years ago since it was proclaimed in 1971 the definition of “police officer” specifically includes a supplemental reserve police officer so, there was no need in the tidying up to include an SRP again repeated in that section.

Madam Speaker, the hon. Members opposite spent some time on the need for training. And I would like to say in respect of the Municipal Police in particular, that the academy that we have in effect for the Municipal Police is in high gear. I wish at this moment to pay credit to the ACP at the Municipal Police and the many officers there who are running a full fledged academy, let me put on the table now in respect of Local Government Reform, that the Municipal Police are being actually digitized as we speak. We have an aggressive programme within the confines of this law, which will manage firearms as we are proposing to be amended et cetera, by the broadening of definitions if you look at clause 5, et cetera, our Municipal Police are going through a revolutionary set of progressive steps, including training to address the submissions made by Barataria/San Juan.

Madam Speaker, when we deal with the submission coming from the Member for Caroni East is it, no West, sorry, Central, I would like to say that it was odd to hear the hon. Member speak because he was literally contradicting squarely the submission from Barataria/San Juan. Barataria/ San Juan correctly read into the record a very important document and that is the Trinidad and Tobago Prisons Service General Order (No. 91) of 2016. And for the record, Madam Speaker, and it is associated to the new section 8(a) that is being introduced by clause 8 of the Bill, there is included already in policy documents from the Commissioner of Prisons, the fact that prerequisites have to be met, including prison threat assessments via prison assessment committee, psychological assessment, consent of spouse, safekeeping, training.

But to address a very unusual submission coming from the hon. Member, the hon. Member sought to equate civilians with prisons officers. And I would just like to say that the Prisons Act where prison officers are involved and then manage under prisons regulations, if you look at it in the context of the Firearms Act, the

Firearms Act contemplates and since 1992, in particular, when we had an amendment to the Firearms Act by Act No. 8 of 1992, where we had sorry, the Firearms Act (Amdt.) No. 20 of 1992, it was that amendment, which saw prohibited weapons being provided to prison officers. So, prisons officers are allowed in the course of their duty to have firearms, they control ammunition, and therefore, to say that we need terms similar to section 16 of the Firearms Act, where you have provisional permits for prisons officers, Madam Speaker, I would just tell the hon. Member, please go back to the Act and understand, if you look at the Prisons Act, you look at the Firearms Act, prisons officers are trained in firearms when they become prisons officers, and therefore that submission is entirely irrelevant in terms of recommendation to the Government, because they are already trained.

Madam Speaker, I heard the hon. Member for Caroni Central also speak quite boldly about the joy which we should feel on this side of someone named Mr. Anand and Ramlogan Senior Counsel and he raised that in the context of the Vishal Singh case. And it is correct, the Vishal Singh case, which is CV 2020-01571, was a case where the claimant was represented by Anand Ramlogan Senior Counsel, Alvin Pariagsingh, Jayanti Lutchmedial, Ganesh Saroop, and Douglas Bailey. But Madam Speaker, what I find astronomical is that the hon. Members would not reflect upon the facts in the judgment. Because Madam Speaker, the judgement—

Mr. Lee: Madam Speaker, 48(1), this is not the Bill, I am trying to understand the relevance, please.

Hon. Members: [*Desk thumping*]

Madam Speaker: Please continue.

Hon. F. Al-Rawi: I am responding, thank you. I appreciate the hon. Member was outside for 90 per cent of the debate. So, Madam Speaker, in answering the submission about the Vishal Singh case, I want to point on the record that Mr. Ramlogan in acting for the claimant was effectively challenging the possession of a firearm by a prisons officer and listen to the date on which the prisons officer got into trouble. The 10th of August 2015. He had the firearm since June 2015 and that related back to policy, Madam Speaker, that came under the United National Congress, under Attorney General, Anand Ramlogan or his successor, under the hand of Mrs. Kamla Persad-Bissessar, and Madam Speaker, effectively in celebrating Mr. Ramlogan's tackle of this policy, the setting aside of this policy, what they forget to understand is that they were tackling their own United National Congress policy. Because the election in 2015, by which this Government came into power happened on the 7th of September 2015, Madam Speaker, so, Madam Speaker, when you look at the facts of the case, this Vishal Singh case is a challenge on the right to keep and carry weapons, because the court was called upon to consider what was the course of duty and the course of duty, which saw the Commissioner of Prisons under the UNC Government, gave the keep and carry to the officer in the Vishal Singh case was a policy which, after Mr. Ramlogan left as Attorney General he went and promptly challenged. And Madam Speaker contrary to what the Members of the Opposition say, no damages were awarded in this matter, in fact, a declaration was made that the policy was ultra vires the Act, costs were awarded. But Madam Speaker, it is no different from when Mr. Ramlogan as Attorney General passed the law to deal with the establishment of child rehabilitation centres, assented to the law as Attorney General—

Ms. Haynes: Madam Speaker—

Hon. F. Al-Rawi: —and then went on—

Ms. Haynes: —Madam Speaker, 48(1), I think it is clear now.

Hon. Member: Yeah, it is abuse.

Madam Speaker: Member, I know you are drawing an analogy, but I think your point has made—

Hon. F. Al-Rawi: Sure.

Madam Speaker: —so, I will ask you to move on.

Hon. F. Al-Rawi: I will cauterize and move on. Yes, Madam Speaker, suffice it to say the Opposition's contributions today forget to take account of the fact that the umpteen time that they say so and then do the exact opposite of what they have done while they supervised it in government. Madam Speaker, all I could say is that they really ought to come a little bit better prepared.

Madam Speaker, I would like to point out in answer to submissions again, coming from the hon. Member for Caroni Central that there is absolutely no difficulty in having the Minister of National Security extend the deadline for the licences as the Bill proposes. This Bill proposes that the Minister of National Security can extend the validity for licences needless to say, during COVID, we did umpteen miscellaneous provisions Bills, where we extended the parent laws for hosts of laws to extend the timeframe.

Madam Speaker, the Members of the Opposition today made a ludicrous suggestion that the Commissioner of Police should have the power to extend the licence. The only time that I have seen and I am aware of a Commissioner of Police having the power to vary a law, is under the special emergency powers when we are under a state of emergency where the Commissioner of Police can extend the hours for curfew. Why is that? Because Madam Speaker, section 36 of the Act by which the Minister has the power to make regulations, it is only a Member of the Cabinet as a Minister that can extend subsidiary legislation, by

Order or by negative resolution, and therefore leave it open to challenge. So it is ultra vires or against our Constitution, other than in a state of emergency to ask us to accept that the Commissioner of Police should have the power to extend the timeframe for the validity of the permit. In any event, it allows us to have a simple and convenient mechanism so that the parent Act does not need to be changed each time we need to amend the timeframe.

Madam Speaker, in answer to the Member for Naparima, well, what can I say? The Member for Naparima proposes that the Government should listen to the 10-point—and I am answering the direct submission—that the Government should listen to the 10-point crime plan that the UNC has. I would just simply like to say the Peoples National Movement has no crime plan, because we do not intend to commit a crime. In dealing with the anti-crime mechanisms as this Bill is one of them Madam Speaker, what I can say is that we certainly will not be taking the advice of the Member for Naparima, that the Members of the Strategic Services Agency who are covert operatives, should wear uniforms, and identify themselves by a beret and a badge in the course of their duties so that they can be picked out in a parade in the public. Madam Speaker, it is a most ludicrous suggestion, intellectually devoid of any worth to make that submission.

The Member for Naparima went even further. The Member for Naparima said that they are not sure what the recruiting mechanisms are for the Director of the SSA, and that the Director of the SSA has to have a criterion for appointment, it must be scheduled, there must be positions. What I can say is that we certainly are not guilty of hiring Reshmi Ramnarine, a telephone operator as the Director of the SSA, which is perhaps the locus classicus—

Mr. Tancoo: [*Inaudible*]

Hon. F. Al-Rawi: —for how to get it wrong—yes, it is called a response, if you were in the Chamber you would understand, Member for Oropouche West. So, Madam Speaker, it is absolute—how should I say—it is disappointing to hear the submissions from the Member for Naparima in that regard.

Madam Speaker, permit me to just make a few short observations otherwise.

Hon. Members: [*Inaudible*]

Hon. F. Al-Rawi: Madam Speaker, in treating with the reforms that we propose under the Police Service in particular, we are correcting the interpretation of whether you are on duty or off duty. I would like to say that that is tied in to the prisons regulations. The prisons regulations are yet to be fully proclaimed that is the 2014 regulations and that had to deal with some of the constitutionality issues surrounding those 2014 regulations. This provides a very useful opportunity for us to equip the prison service with the recommendations for keep on carry and to be at home. I am very grateful that the Minister of National Security championed this cause to ensure that we got to where we are today, where we can pass into the parent law, exactly what is required to ensure that prisons officers are protected. This runs alongside the Miscellaneous Provisions Law Enforcement Officers' Protection Act, which we passed in 2020 and allows us to broaden protection for law enforcement services.

7.15 p.m.

I will end by saying, Madam Speaker, that the law can only progress with a sense of reason. What we are sure is that the Members opposite do not stand by their words. In asking for us to have a holistic approach to crime, to tackling crime, where can we possibly go without witness anonymity? Where can we go without whistleblowing legislation? Where can we go without tools that oscillate and operate alongside laws such as this? I commend this law as reasonable and

proportionate. I commend the Minister of National Security for piloting this Bill and I thank you, Madam Speaker.

Hon. Members: [*Desk thumping*]

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you very much, Madam Speaker. Madam Speaker, we have heard contributions from both sides of this Parliament today on this important Bill. Obviously, Madam Speaker, and not surprisingly, those from the other side lacked focus, lacked, in my honest view, intellectual rigour and, therefore, it took this side to carry this debate to the point where I must now bring it to its close. But, before that, and very quickly, Madam Speaker, the Member for Naparima, in his usual energetic, uninspiring notwithstanding way, he spoke about clause 10 and he criticized, actually, the fact that we, in these measures, sought to give us the right to extend the licence for more than three years where we deem it to be necessary.

We learnt a lot from the COVID-19 experience and this idea came, of course, when the initial elements of this Bill were being contemplated, that we should do that. Actually, we did that with driver's licences or permits. We extended it, in light of the circumstances with COVID, to facilitate the public in the face of that challenge. We did the same with the old metals Act, liqueur licences, pharmacy licences and pharmaceuticals. It is nothing different here. It is not about any overreach. It is simply learning from the COVID experience and we learn. Law is evolutionary, and learn as we go along, and we do not step back in foxtrot—if you will permit me a metaphor—keep on going forward, otherwise you would stumble like the Member for Naparima and the Member for Siparia, if you could just imagine them in a waltz or a foxtrot some time, Madam Speaker, but that is beside the point.

Madam Speaker, so the simple point is—particularly, if you are under the

spirit—but the simple point is, Madam Speaker, is that this is a sound measure dealing with our circumstances on our timing and giving some flexibility on the part of the Minister, as we have done on diverse occasions in the past. So, I would pass on from that.

The Member spent a lot of time trying to mislead himself and his colleagues and this country about the role and function and circumstances around the SSA. He had all manners of things to say, 90 per cent of which could easily be ignored as typical Naparima UNC fluff, buff. But, Madam Speaker, he spoke about the duties of the SSA, what do they do? Disregarding the fact that there is an Act of Parliament entrenching the SSA as a legitimate law-based organization serving Trinidad and Tobago and, in that law, their duties are clearly defined. You would think that the Member for Naparima's circumstances on the inside reflect that which you might see on the outside, a kind of nothingness.

But, Madam Speaker, I just for the public record, want to say that the SSA has some very clearly defined duties in section 6 of the Strategic Services Agency Act, Chap. 15:06 and their duties include: Monitoring criminal elements for the purpose of gathering intelligence in the interest of national security. And, therefore, in those circumstances, in the pursuit of that legitimate goal to protect this society from terrorists and other kinds of people who would hurt us, they find themselves in the theatre of conflict, in the theatre of confrontation, in the hurly-burly of it, to the extent that in my opening comment on these measures, I did say there was an occasion when officers of that agency had to scamper to save their own lives. And, fortunately, they were able to come out unscathed. But it may very well be they could be backing down in a motor car. Undercover police officers already have told me, in the course of their work—and I have knowledge of this, because I pass through that estate, and I have colleagues who we will talk.

Officers were batted down in a motor car already with gunmen wanting to know, “who is you”, what you are doing here. I know a female officer did undercover work and they put a shotgun to her head asking her, what are you doing here? Who are you? And it was pure professionalism and inner strength that caused her to continue to remain calm and to deal with it. And, fortunately, she did not have any police ID on her, she did not have any weapon on her and the thing subsided. These are the facts.

So, when the Member for Naparima baldly, as I said with some consonants between the in and the out, speaks in the way he does, it is misleading and disappointing and it demonstrates his emptiness in respect of this, or rather ignorance or pretended ignorance, because there is an Act of Parliament. So let me move on from that.

He spoke about the millions of dollars that they utilized. Well, he does not know that the SSA is the repository of a lot of the technologies that are used today in the fight against crime and in the prevention of crime and criminality, and these are costly engagements, suffice it to say just that. He went as far, even as the Member for—

Madam Speaker: Member, I will just remind you of the provisions of Standing Order 48(5).

Hon. F. Hinds: I thank you very warmly, Madam Speaker. It is hard to remember that Standing Order when you get the level of provocation that comes from the Member for Naparima, but I do remember—

Madam Speaker: Member, no Member in here should be provoked by any other Member in here and, certainly, I do not expect you to be provoked. You continue.

Hon. F. Hinds: Notwithstanding, I still smile, Madam Speaker, when I see the Member popping up and down like a dashboard—

Mr. Indarsingh: Madam Speaker—

Hon. Members: “Ohhhh!”

Madam Speaker: So, remember, we are not here to reflect on personality. Please continue.

Hon. F. Hinds: I thank you. Madam Speaker, the Member went so far as to suggest that they should be in—what is the uniform of the SSA? The Member for San Fernando addressed it, but as Minister of National Security, I simply want to say to the Member for Naparima and the whole world who, unfortunately, had to bear the pain of listening to that—

Ms. Haynes: Madam Speaker, 55(1)(b). The Member is repeating himself now.

Madam Speaker: Okay. So, Member, just remember that you are in your winding up, and you yourself pointed out that a certain point was already made by a Member on your side. So, let us continue and get on with it. Okay?

Hon. F. Hinds: I may not have heard all, because at some point I was out of the Chamber for five minutes. Madam Speaker, I simply—

Hon. Members: [*Crosstalk*]

Madam Speaker: You know Member, from the other place from which we come, ignorance is no excuse. Please continue.

Hon. F. Hinds: Madam Speaker, I heard the Member for Naparima even mentioned mongoose gang. But, in a more focused manner, Madam Speaker, look, the bottom line is that the measures that we offer to this House today are compelling. They have been demonstrably necessary. They arose out of this Vishal Singh case, and there is one point that arose. The Member for Barataria/San Juan wondered whether we overlooked the business of the SRPs in this, and I had again to think to myself and say in passing that they are covered already in this. There was no oversight. They are regarded as police officers in the

definition of that Act, therefore, that is not an issue.

But clause 8 of these measures actually spoke about “any firearm”. Let me just pull it up for you, Madam Speaker, I have it here, clause 8 So, we offer an amendment to clause 8, Madam Speaker, and we would have circulated that amendment for the consideration of others. Essentially, what it does, the measures that we brought here today simply speak about “any firearm”. In other words, the Commissioner of Prisons, having issued the firearm to the prison officer who is under threat and who he deems to be sufficiently under threat to have so done, we speak about “any firearm” and for greater clarity and specificity, we now propose an amendment which will ensure that it is quite clear that we are talking about a government firearm and one that is the property of the Government of Trinidad and Tobago as distinct from a personal or private firearm that would ordinarily have been granted under the usual firearm user’s licence application process.

So, Madam Speaker, I do not propose to be any longer.

Hon. Members: [*Desk thumping*]

Hon. F. Hinds: There was nothing otherwise useful to contemplate in the submissions made from the other side. So, we commend these measures, subject to the amendment that I have just described and, therefore, Madam Speaker, I beg to move.

Hon. Senators: [*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.

7.30 p.m.

Clauses 1 to 7 ordered to stand part of the Bill.

Clause 8.

Question proposed: That clause 8 stand part of the Bill.

Madam Chairman: Minister of National Security.

Mr. Hinds: Thank you very much, Madam Chair. We propose an amendment to clause 8 to the extent that we would, in the proposed section 8, after the words “any firearm or ammunition”, wherever they occur, insert the words, “which is the property of the Government”.

Question put and agreed to.

Clause 8, as amended, ordered to stand part of the Bill.

Clauses 9 to 11 ordered to stand part of the Bill.

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

House resumed.

Madam Chairman: Minister of National Security.

Hon. F. Hinds: Thank you very much, Madam Speaker. Madam Speaker, I wish to report that the Firearms (Amdt.) Bill, 2022, was considered in the committee of the whole and approved with an amendment. I now beg to move that the House agree with the committee’s report.

Question put and agreed to.

Bill reported, with amendment, read the third time and passed.

ADJOURNMENT

Madam Speaker: Leader of the House.

The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis): Madam Speaker, will you recognize me from this seat?

Madam Speaker: Sure.

Hon. C. Robinson-Regis: Thank you very kindly. Madam Speaker, I beg to move that this House do now adjourn to Friday, the 10th day of February, at

1.30p.m. On that day we will do Bill No. 4 on the current Order Paper, which is an Act to amend the Municipal Corporations Act, Chap. 25:04.

Question put and agreed to.

House accordingly adjourned at 7.35 p.m.