

HOUSE OF REPRESENTATIVES*Friday, June 21, 2024*

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 the hon. Penelope Beckles, MP, Member for Arima, who has requested leave of absence from June 21 to 25, 2024, and from the hon. Kamla Persad-Bissessar SC, MP, Member for Siparia, and Mrs. Anita Haynes-Alleyne, MP, Member for Tabaquite, who have requested leave of absence from today's Sitting of the House. The leave which the Members seek is granted.

PAPERS LAID

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Point Fortin Civic Centre for the year ended September 30, 2014. [*The Minister of Finance (Hon. Colm Imbert)*]
2. Annual Audited Financial Statements of the Youth Training and Employment Partnership Programme (YTEPP) Limited for the year ended September 30, 2023. [*Hon. C. Imbert*]
3. Audited Financial Statements of InvesTT Limited for the year ended September 30, 2023. [*Hon. C. Imbert*]
4. Audited Financial Statements of National Enterprises Limited for the year ended September 30, 2023. [*Hon. C. Imbert*]
5. Audited Financial Statements of National Investment Fund Holding Company Limited for the year ended December 31, 2023. [*Hon. C. Imbert*]

Papers 2 to 5 to be referred to the Public Accounts (Enterprises) Committee.

UNREVISED

6. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Trinidad and Tobago Unit Trust Corporation for the year ended December 31, 2023. [*Hon. C. Imbert*]

Papers 1 to 6 to be referred to the Public Accounts Committee.

Hon. C. Imbert: I beg to move that Papers 1 and 7 be referred to the Public Accounts Committee, and Papers 2 to 5 be referred to the Public Accounts (Enterprises) Committee.

Madam Speaker: So, Minister of Finance, there is no Paper 7. I think you ended with 6, so if you beg to move—you begged to move that Papers 1 and 6—am I correct that you begged to move Papers 1 and 6?

Hon. C. Imbert: [*Inaudible*]

Madam Speaker: Okay. So, Hon. Members, the question is that Papers 1 and 6 be referred to the Public Accounts Committee, and Papers 2 to 5 be referred to the Public Accounts (Enterprises) Committee?

Question put and agreed to.

URGENT QUESTIONS

Malaria Outbreak

(Measures Taken to Address)

Mr. Rudranath Indarsingh (*Couva South*): Thank you very much, Madam Speaker. To the Minister of Health: Given recent reports of a malaria outbreak, can the Minister inform the House what measures are being taken to address the spread of this dangerous disease in the public interest?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you, Madam Speaker. Madam Speaker, the way this question is phrased, speaks to a lack of understanding of what malaria is, and it also speaks to the, what we continue to see, unpatriotism of the UNC.

Hon. Members: [*Desk thumping*]

Hon. T. Deyalsingh: Trinidad and Tobago has enjoyed the malaria-free status as determined by WHO since 1965, and to tell the international community there is a malaria outbreak is nothing more than unpatriotic.

Hon. Members: [*Desk thumping*]

Hon. T. Deyalsingh: The lab confirmed cases for 2021—

Hon. Members: [*Interruption*]

Mr. Indarsingh: You cannot accuse me of lying. You cannot accuse me of lying.

Hon. Member: Yes, you are.

Mr. Indarsingh: On what basis? On what basis?

Madam Speaker: Order!

Mr. Indarsingh: You cannot accuse me of lying.

Hon. Member: There is no outbreak.

Madam Speaker: Order!

Hon. Members: [*Crosstalk*]

Dr. Rowley: You are a disgrace, sit down.

Hon. Members: [*Desk thumping*]

Mr. Indarsingh: Tell them that you are lying and, Madam Speaker, tell him to withdraw.

Madam Speaker: Member.

Hon. Members: [*Crosstalk*]

Madam Speaker: So I am going to ask both the Prime Minister and the Member for Couva South to stand up and apologize to this House.

Dr. Rowley: Madam Speaker, I humbly apologize to you and my colleagues, but enough is enough.

Hon. Members: [*Desk thumping*]

Mr. Indarsingh: Madam Speaker, I apologize, but I will not be accused of lying in the public's interest.

Hon. Members: [*Desk thumping*]

Madam Speaker: So I am just going to caution everyone because, you see, it is one thing to say the wrong thing is being done, but you repeat the wrong. We know that certain language is considered unparliamentary, and I know that sometimes Members get very passionate, but let us remember where we are. So I will ask everybody to get their emotions under control and let us go about this Sitting in the manner we know we should conduct ourselves. The Minister of Health.

Hon. T. Deyalsingh: Let me contextualize, Madam Speaker, because for a university graduate and an experienced parliamentarian, I will put this on the Table. An outbreak is classified as any significant deviation from a baseline or a normal level of infections. Madam Speaker, 2021, nine cases; 2022, 14 cases; 2023, 11 cases. That gives you an average of 11 cases per year. Madam Speaker, 2024 to date, three cases. How on earth can that be an outbreak?

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for Couva South.

Hon. T. Deyalsingh: I am not finished, Madam Speaker.

Ms. Ameen: But you sat down.

Madam Speaker: One moment, please. So we are now at Urgent Questions, where two minutes is given for a response. I have taken into account the little interruption and the two minutes are now spent. Member for Couva South.

Mr. Indarsingh: Madam Speaker, just as we were told that 19 babies did

not die—

Hon. Members: Nooo!

Hon. Members: [*Desk thumping*]

Madam Speaker: So I—

Hon. Members: [*Interruption*]

Hon. T. Deyalsingh: Listen, Members, I recognize we are about towards the end of June and maybe, you know, the recess is in the air, but we are still here. Okay? We are still here, and the Standing Orders still apply. So, Member for Couva South, remember you have 15 seconds to ask a question, please no preambles. Please ask your question.

Mr. Indarsingh: Thank you very much, Madam Speaker. Madam Speaker, could the Minister inform this House how many cases of malaria have been detected in the public health system across Trinidad and Tobago?

Madam Speaker: Minister of Health.

Hon. T. Deyalsingh: Madam Speaker, I will repeat: 2021, nine; 2022, 14; 2023, 11; 2024 to date, three. And let me put on record that our malaria-free status since 1965 is not to be trifled with by the UNC.

Hon. Members: [*Desk thumping*]

Hon. T. Deyalsingh: And let me further state for the record, speaking to the experts, all—most, if not all, malaria cases are what you call “imported cases”, that is, people go abroad to malaria-endemic countries, get bitten by the Anopheles mosquito and bring back the malaria to Trinidad and Tobago. That is why we are not classified as an endemic country for malaria. So to put on the record—and I am talking to the international community now—by the UNC that we have an outbreak of malaria is untrue, diabolical and serves no useful purpose, and lastly, it is unpatriotic.

Hon. Members: [*Desk thumping*]

Mr. Indarsingh: The Speaker approved the question.

Hon. Members: [*Interruption*]

Madam Speaker: Member.

Hon. Member: Shocking.

Hon. Members: [*Interruption*]

Madam Speaker: Member for Couva South.

Mr. Indarsingh: Thank you.

Madam Speaker: So, Member for Oropouche West.

**Increased Dengue Cases
(Strategies to Address)**

Mr. David Lee (*Pointe-a-Pierre*): Thank you, Madam Speaker. On behalf of the Member for Oropouche West, who is stuck in traffic, to the Minister of Health: Given the reported increase in dengue cases across Trinidad and Tobago, inclusive of the death of one citizen.—

Hon. Members: [*Interruption*]

Mr. Indarsingh: Madam Speaker—

Dr. Moonilal: He goes mental.

Mr. Indarsingh:—if the Members of the Government are disturbed, I am not disturbed, and tell the Member for Laventille, he continues to—

Madam Speaker: Member!

Hon. Members: [*Desk thumping*]

Mr. Indarsingh:—make remarks across the Floor. He is in charge of this House.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for—

Mr. Indarsingh: He is in charge of this House. They cannot—*[Inaudible]*

Madam Speaker: Member for Couva South. Member for Couva South.

Mr. Young: It is good thing they did not ask for a by-election for—
[Inaudible]

Madam Speaker: Member for Port of Spain North/St. Ann's West. So, Member for Couva South, you know when you interject, you stand on a Standing Order. Okay? So I will ask you—

Mr. Indarsingh: Madam Speaker, 48(4), the Member for Laventille West is very insulting.

Hon. Members: *[Desk thumping]*

Madam Speaker: Listen, Member for Couva South.

Mr. Young: That is what you call, “Lengua fever”.

Madam Speaker: Member.

Hon. Members: *[Crosstalk]*

Madam Speaker: All Members.

Mr. Imbert: *[Inaudible]*

Madam Speaker: Member for Diego Martin North/East, please do not be led down that path. Please. All right. So we are going to start again. I am not going to be so lenient if I have to repeat Standing Order 53. I am not going to be so lenient. Okay? So we restart with a clean slate. Member for Oropouche West.

Mr. D. Lee: Thank you, Madam Speaker. On behalf of the Member for Oropouche West, Question No. 2 to the Minister of Health: Given the reported increase in dengue cases across Trinidad and Tobago, inclusive of the death of one citizen, can the Minister state what specific strategies are being implemented by the Ministry to address this situation?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very

much, Madam Speaker. Madam Speaker, in preparation for the rainy season every year, the Ministry of Health starts its dengue and mosquito sensitization programme as early as February. February 2024, we started our sensitization activities, inclusive of clinical review of signs and symptoms, so doctors can recognize it; public outreaches via all media; focus on source reduction at the home level; we are going to the malls, et cetera.

On the part of the Ministry of Health, specifically for activities in the community, we stress two things, one, source reduction at the level of the home, the community, with your pots, your saucers, your water receptacles, your gutterings. That is the best way to control the *Aedes Aegypti* mosquito.

1.45 p.m.

We also do different types of spraying, ultra-low volume, thermal fogging. However, spraying is not the only solution to this. Because as the Chief Public Health Inspector explained to the country yesterday, spraying can lead eventually to over spraying, which causes mosquitoes building up resistance to the chemicals, also it can be dangerous to human, animal, birth health, if exposed too often.

So the strategy is, you do a combination of sensitization for homeowners to do their bit, for the Ministry of Health to do their bit via Insect Vector Control Division. I have also spoken to my colleague, the Minister of Rural Development and Local Government to assist with clearing of drains and so on. Any place that has stagnant still water is a potential breeding sight. For example, and as I close, a plant pot, a saucer, which contains your plants can have 1,000 eggs. So we ask homeowners, clean your gutterings, get rid of all saucers of stagnant water and work together with the Ministry of Health, together with chemical intervention to control the spread of dengue. Thank you.

Madam Speaker: Member for Couva South.

Mr. Indarsingh: Thank you very much, Madam Speaker. Minister, can you confirm or deny that there are hundreds of cases of dengue which have been detected within the public health care system and are currently being treated?

Hon. Members: [*Desk thumping*]

Madam Speaker: Minister of Health.

Hon. T. Deyalsingh: Madam Speaker, I wish my friend did not go down there, because again it speaks to the “unpatriotism”—

Hon. Members: [*Desk thumping*]

Hon. T. Deyalsingh: So the cases are as follows, they are not hundreds.

Mr. Indarsingh: I am asking for data.

Hon. T. Deyalsingh: I am giving you the data.

Madam Speaker: One moment. Member for Couva South, Member for Couva South, I am not going to tolerate any more outbreaks. You have asked a question—

Dr. Moonilal: [*Inaudible*]

Madam Speaker:—and apparently Member for Oropouche East you would also like me to shine some light on you, all right? I am on my legs for all who do not recognize. Minister of Health.

Hon. T. Deyalsingh: January 2024, 17 laboratory confirmed cases, not hundreds as the UNC is positing; February 2024, 13; March 2024, 19; April 2024, 31; May, 43, a total over five months of 123. Where does the UNC get this from? And this is carried—this is lab confirmed, lab confirmed, not suspected, lab confirmed.

Mr. Charles: That is plenty.

Hon. T. Deyalsingh: But not the thousands that Couva South—

Hon. Members: [*Crosstalk*]

Hon. T. Deyalsingh:—is speaking about. It is 123 over a five-month period. And the counties that we are concerned about are, one, Victoria, with 29 per cent of the cases; Caroni, 31 per cent of the cases, and St. Patrick, 23 per cent of the cases.

Madam Speaker: Member for Pointe-a-Pierre.

Mr. Lee: Thank you, Madam Speaker. Madam Speaker, as a follow-up question to the Minister, could the Minister confirm if he has spoken to his counterpart in local government to ensure that the Inspect Vector Departments of the regional corporations are fully funded for spraying in the next couple days and months?

Hon. Members: [*Desk thumping*]

Madam Speaker: Minister of Health.

Hon. T. Deyalsingh: I cannot speak for any other Minister. I have communicated with the hon. Minister to do his part. The Ministry of Health conducts, as I said, ultra-low volume spraying, thermal fogging and perifocal work wherever we have dengue and the *Aedes Aegypti* mosquito.

May I also appeal to citizens to take regular precautions by wearing long sleeve clothes, especially in the evening, because these mosquitoes tend to bite in the night time, sleep under a net, use insect repellents and work with us on source reduction in and around your homes. Even your vases inside your homes can be a repository for eggs. A thousand eggs could be in one vase. But the Ministry, in our thermal fogging, does not always go inside your home. So help us, help us by getting rid of any article, receptacle that could contain clear stagnant water. Even a simple bottle cap can have 100 eggs in your yard. So, please, let us work together to make sure that the dengue does not proceed any further.

Madam Speaker: Member for Couva North.

**PRRS Discovery in South Pig Farm
(Measures Taken)**

Mr. Ravi Ratiram (*Couva North*): Thank you most kindly, Madam Speaker. In light of the recent discovery of Porcine Reproductive and Respiratory Syndrome (PRRS) at a pig farm in south Trinidad, can the Minister outline the specific measures being taken to prevent the spread of the disease?

Madam Speaker: The Minister in the Ministry of Agriculture, Land and Fisheries.

Hon. Members: [*Desk thumping*]

The Minister in the Ministry of Agriculture, Land and Fisheries (Sen. The Hon. Avinash Singh): Thank you, Madam Speaker. Madam Speaker, the Porcine Reproductive and Respiratory Syndrome (PRRS) is a widespread viral disease that affects domestic pigs, which was first recognized in the United States in 1987. Symptoms include: reproductive failure, pneumonia and increased susceptibility to secondary bacterial infection. Multiple strains of the virus with considerable variation in viral ends explain the broad spectrum.

It must be noted, Madam Speaker, PRRS is classified as a notifiable pest under the Animal (Diseases, Importation, Health and Welfare) Act, Schedule One, and is primarily transmitted through the movement of infective animals. Piglets of infected dams may not show symptoms but can still shed the virus through faeces, urine and semen. Fomite transformation and transmission via vehicle or supplies is also possible.

Notwithstanding this, Madam Speaker, the public is advised that there is no evidence to suggest human infection with the PRRS virus. Regarding this outbreak, a public statement was issued on June the 7th detailing the situation and now to the specific measures being taken. The farm has been quarantined. No live

pig movement and no product is currently moving off that farm. Sanitec has been deployed to assist with bio—

Madam Speaker: Hon. Member, your time is now spent. Hon. Members, question time under Standing Order 27, has now expired. Leader of the House.

ANSWERS TO QUESTIONS

The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis): Thank you, Madam Speaker. Madam Speaker, there are three questions for oral response and we will be answering all three. There are no questions for written response.

Madam Speaker: Thank you. Member for Couva North.

ORAL ANSWERS TO QUESTIONS

Lights at Edinburgh Recreation Ground

(Restoration of)

80. Mr. Ravi Ratiram (*Couva North*) asked the hon. Minister of Public Utilities:

Will the Minister indicate when the lights at the Edinburgh Recreation Ground, Ghany Street, Edinburgh, will be restored?

Madam Speaker: The Minister of Public Utilities.

The Minister of Public Utilities (Hon. Marvin Gonzales): Thank you very much, Madam Speaker. Madam Speaker, the Trinidad and Tobago Electricity Commission has advised that the existing lighting infrastructure at Edinburgh Recreation Ground on Ghany Street in Chaguanas, comprises six light poles, each of which has eight lights installed, giving a total of 48 lights. Following reports that the lights were not functioning, the Commission conducted a site visit to the ground which revealed that the meter base for the lights is defective. As such, it is expected that this problem would be resolved within the next few weeks.

Madam Speaker: Member for Couva North.

Factory Road, Chaguanas Streetlights**(Installation of)**

81. Mr. Ravi Ratiram (*Couva North*) asked the hon. Minister of Public Utilities:

When will the outstanding streetlights along Factory Road, Chaguanas be installed?

Madam Speaker: Minister of Public Utilities.

The Minister of Public Utilities (Hon. Marvin Gonzales): Thank you very much, Madam Speaker. Madam Speaker, the Trinidad and Tobago Electricity Commission has advised that under the Ministry of Public Utilities, National Street Lighting Programme, the Commission installed 13 LED street lights and eight poles along the segment of Factory Road Chaguanas, where there is already a supply of electricity. The project was completed on June 17th, 2024. I repeat, the project was completed on June 17th, 2024, at a cost of \$99,755.36.

However, there is a segment along Factory Road that is off the electricity grid and in these circumstances it is not possible to install streetlights at this time. The continuation of the grid and the installation of poles and streetlights would be subject to the availability of funding upon further completion of the survey and the development of cost estimates by the Commission.

Madam Speaker: Member for Couva North.

Mr. Ratiram: Thank you most kindly, Madam Speaker, to the hon. Minister. Minister where there are electrical poles existing that are not functioning on Factory Road, can you identify when these streetlights will be repaired?

Hon. M. Gonzales: Can you repeat?

Madam Speaker: Minister of Public Utilities.

Hon. M. Gonzales: Madam Speaker, can the hon. Member repeat the question? I did not hear what he asked.

Mr. Ratiram: No problem. Thank you, Madam Speaker. Madam Speaker, to the hon. Minister. Minister where there are electrical poles where the streetlights are not functioning along the Factory Road, can you identify when these lights will be repaired?

Madam Speaker: Minister of Public Utilities.

Hon. M. Gonzales: Madam Speaker, I am not aware that we have light poles on Factory Road that are not functioning. However, if the Member should pose the question under a different Standing Order, I will be more than happy to come and report to the Parliament on these so-called non-functioning lights on Factory Road.

Madam Speaker: Member for Couva North.

Brickfield Fishing Facility

(Upgrade of Infrastructure)

82. Mr. Ravi Ratiram (*Couva North*) asked the hon. Minister of Public Utilities:

When will the infrastructure at the Brickfield Fishing Facility be upgraded?

Madam Speaker: The Minister in the Ministry of Agriculture, Land and Fisheries.

The Minister in the Ministry of Agriculture, Land and Fisheries (Sen. The Hon. Avinash Singh): Thank you, Madam Speaker. Madam Speaker, the Fisheries Division has advised that the electrical infrastructure upgrade to the Brickfield Fishing Facilities is expected to be completed within this fiscal year 2024. Thank you.

Madam Speaker: Member for Couva North.

Mr. Ratiram: Thank you most kindly, Madam Speaker. Madam Speaker, can the Minister advise if any feasibility study was conducted on this Brickfield

Fishing Facility to identify the necessary infrastructure upgrade and maintenance work that is required to be carried out on the facility?

Madam Speaker: Minister.

Sen. The Hon. A. Singh: Madam Speaker, there are 22 fishing facilities under the Division of Fisheries and the Ministry of Agriculture, Land and Fisheries, and an ongoing basis feasibility studies are being undertaken. In particular, the Brickfield Fishing Facility, we estimate that this particular work is estimated to cost around \$60,225 and we are seeking the assistance of the Ministry of Works and Transport for their assistance in execution of the electrical works. Thank you.

Madam Speaker: Member for Couva North.

Mr. Ratiram: Thank you, Madam Speaker, to the hon. Minister. Minister can you provide us with a timeline in terms of when it is expected that these works can possibly be completed?

Madam Speaker: But, that was the original question asked and answered, just posed in a different way. So in accordance with the Standing Order, I rule it out of order.

Madam Speaker: Member for Couva North.

Mr. Ratiram: To the hon. Minister. Minister can you advise if members of the fishing community and those who utilize this fishing facility have been consulted with any of the works to be undertaken at the Brickfield Fishing Facility?

Madam Speaker: Ruled out of order in accordance with the Standing Orders.

STATEMENT BY MINISTER

Madam Speaker: Leader of the House.

The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis): Thank you very much, Madam Speaker. Madam Speaker, there is

agreement between the Opposition Chief Whip and myself for the Minister of Finance to speak to the conclusion of his statement on the UTC.

Madam Speaker: So Whip?

Mr. Lee: Yes.

Madam Speaker: The Minister of Finance.

Hon. Members: [*Desk thumping*]

Trinidad and Tobago Unit Trust Corporation
(Consolidated Financial Statements)

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam Speaker. I am authorized by the Cabinet to make the following statement on the Report of the Auditor General on the Consolidated Financial Statements of the Trinidad and Tobago Unit Trust Corporation for the year ended December 31st, 2023. In accordance with section 30(6) and (7) of the Unit Trust Corporation of Trinidad and Tobago Act, Chap. 83:03, the Board has forwarded a copy of the balance sheet and accounts together with the report of the Auditor General to the Minister to lay before Parliament. Today, I would like to outline to this honourable House some of the main highlights of this report.

For the financial year 2023, the Corporation's marketing and investment strategies have maintained the confidence and dedication of its unitholders, as well as yielded a confident financial performance, which I will now highlight.

With respect to total income, a total income of \$915.2 million was recorded when compared to a loss of \$239.4 million in the previous year, mainly resulting from favourable movements in the fair values of investment securities which moved from an impairment of \$1,032.7 million, \$1.03 billion in 2022, to a surplus of \$20.6 million in 2023.

This is due to the adoption of IFRS 9 Financial Instruments which require that

investment securities be valued using the most recent market price at the reporting date. Any adjustments to the values of the investments are reported in the Consolidated Statement of Profit and Loss.

2.00 p.m.

Investment income increased by 14 per cent from \$176.5 million to \$881.8 million due to improved dividend declarations and gains realized from increased interest. The TT\$ Income Fund generated the highest income of \$438.2 million, followed by the Growth & Income Fund of \$184.4 million. Both funds showed growth by 8 per cent and 7.6 per cent, respectively. Interest income and dividend income increased by 15.2 per cent and 5.3 per cent, respectively.

With respect to annual net income the annual net income for 2023 was \$57.7 million, an increase of 10.5 per cent when compared to \$52.2 million in 2022. This is a direct result of the positive movements, a net change in fair value on investment securities, as well as higher returns in investment income. Consequently, a growth in retained earnings of 4 per cent from \$1.6 million to \$1.7 million was achieved.

Total assets. Total assets marginally increased by \$32.6 million from \$25,145.3 million or \$25.145 billion in 2022 to \$25,177.9 million or \$25.178 billion in 2023 due mainly to improved cash inflows from the TT\$ and US\$ Income Funds, which again reflected from the adverse movements in the financial markets.

Net assets attributable to unitholders: net assets attributable to unitholders remain relatively flat at \$23,210.7 million or \$23.21 billion as at December 31st, 2023. The net assets attributable to unitholders represent the amount payable on demand to unitholders in the Growth & Income Fund, the TT\$ Income Fund, the Universal Retirement Fund, the US\$ Income Fund, the Corporate Fund and

participating shareholders of the UTC (Cayman) SPC Ltd. Each fund is primarily responsible for redemption of its units or shares out of its assets.

Initial capital, which represents the capital subscribed by the initial contributors in accordance with section 17 of the Act and invested in the Growth & Income Fund was \$4.8 million at the end of the period, which was unchanged from December 31st, 2022. Unit capital, which represents the net asset value of the five investment funds domiciled in Trinidad and Tobago, was as follows as at December 31st, 2023.

- Growth and Income Fund, \$4,965.0 million, \$4.965 billion;
- TT\$ Income Fund, \$12,210.0 million, \$12.21 billion;
- Universal Retirement Fund, \$409.6 million;
- US\$ Income Fund—expressed in TT dollars—\$5,079.7, \$5.08 billion; and
- Corporate Fund, \$538.8 million.

With respect to the Growth & Income Fund, the UTC group paid \$73.2 million in distributions to unitholders of this fund, an increase of \$17.7 million or 32 per cent over 2022. This was the net result of the corporation's long-term investment strategy and effective risk management. The Growth & Income Fund, Madam Speaker, guarantees that each unitholder that holds units in this fund for at least three years from the date of purchase, may redeem those units at a price no less than the purchase price of the units. However, there is significant uncertainty with regard to the timing and value of these claims. As a result, as a consequence, the UTC established the Guarantee Reserve Fund under section 26(1) of the Act to meet claims under the guarantee pricing plan. The guarantee pricing liability increased from \$2.6 million in 2022 to \$9 million in 2023, of which a price guarantee charge of \$7 million was recorded.

Distributions to unitholders—very important. The UTC paid a total of

\$308.7 million in distributions to its unitholders, an increase of 20.5 per cent or \$52.4 million increase when compared to 2022. This was due to the higher distributions from the Income Funds in response to fluctuations in local and international interest rates. On another positive note, the corporation emerged as one of the top five companies in terms of dividends being paid to investors according to the Trinidad and Tobago Stock Exchange.

Pension and other post-retirement liabilities. Madam Speaker, I wish to comment on the Corporation's pension and other post-retirement liabilities. The financial position of the group's pension and other post-retirement liabilities, as at December 31st, 2023, decreased by 60 per cent, from \$36.5 million in 2022 to \$22.8 million in 2023. The pension plan for years 2022 and 2023 were in surplus as the fair value of the plan exceeded the present value of defined benefit obligation. The funding ratio of the plan decreased from 104 per cent to 103.8 per cent in 2023 which is considered stable. Further observation revealed that assets held in collective investment schemes, the Universal Retirement Fund, and the TT Income Fund, declined from \$209.7 million to \$205.0 million in 2023. The plan's assets are invested in accordance with a strategy agreed with the plan's trustee and management committee and is largely dictated by statutory constraints and the availability of suitable investments.

The regional market: As part of the corporation's regional development, two wholly-owned regional subsidiaries when incorporated in St. Lucia, namely UTC Fund Management Services (STL) Limited and UTC Global Balance Fund Limited. The Fund Management Services performs the functions of a management company of a collective investment scheme in the Eastern Caribbean Securities Market, while the Global Balance Fund Limited represents the first collective investment scheme accessible to investors throughout the Eastern Caribbean

Currency Union.

In addition, the Corporation entered into a 50/50 joint venture arrangement with GK Capital Management, the investment and advisory arm of GraceKennedy Limited, to offer a suite of collective investment schemes in Jamaica. The operations are conducted through GK Mutual Funds Limited. Three collective investment schemes were launched there: GK US\$ Income Fund, GK Jamaican Dollar Money Market Fund, and GK Jamaican Dollar Growth and Income Fund. These schemes offer additional investment options to the Jamaican market and are denominated in Jamaican and US dollars, designed to be attractive for both institutional and individual investors. This joint venture contributed \$0.3 million in profits for the period.

In conclusion, the UTC, a locally owned financial institution, has proven its strength and stability in the market by not only overcoming the economic downturn caused by the COVID-19 pandemic, but attracting new investors and establishing its presence in the Caribbean. Unit Trust has maintained the confidence of its investors through the execution of innovative investment strategies and effective risk mitigation methods.

As a consequence, Madam Speaker, the Auditor General has given an unqualified audit opinion confirming that the consolidated financial statements presented fairly, in all material respects, the financial position of the Unit Trust. Unitholders are reassured that UTC will maintain its consistent solid performance in the upcoming year.

In closing, for the sixth consecutive year, the Unit Trust has retained high ratings from the rating agency, the Caribbean Information and Credit Rating Services Limited (CariCRIS). UTC achieved a CariAA Issuer/Corporate rating for foreign and local currency on the regional rating scale and a ttAA on the Trinidad

and Tobago national scale. These ratings clearly establish that UTC's investment portfolio continues to be well managed, with good asset quality and healthy investment returns. Further, the Unit Trust's strong risk management practices support the overall improvement in operating efficiency. It is expected that the Unit Trust will maintain its stable credit profile over the next 12 to 15 months. I thank you.

Hon. Members: [*Desk thumping*]

WHISTLEBLOWER PROTECTION BILL, 2022

[Second Day]

Order read for resuming adjourned debate on question [June 14, 2024]

That the Bill be now read a second time.

Question again proposed.

Madam Speaker: Prime Minister, you were on your legs. You have two minutes of original speaking time left and 15 additional minutes if you wish. So if you are going to avail yourself of those 15 minutes, you will have 17 minutes uninterrupted.

Hon. Dr. K. Rowley: Thank you very much, Madam Speaker.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, it is with a sense of satisfaction that I rise to conclude this debate on this Bill, which has been with us in an original version 2015 Bill and we are currently debating the 2022 version of the Bill. Madam Speaker, in the few minutes available to me, I want to just comfort the population in particular by indicating that notwithstanding any comment you might hear from this House, this Bill did not suddenly appear from the sky and it is not something dreamed up by crazy people in Trinidad and Tobago.

It is a piece of legislation that one can find across the Commonwealth. I

want to congratulate and thank those people who took part in drafting the Trinidad and Tobago version which we have had before us, both the 2015 version and the 2023 version. Because, Madam Speaker, you can find whistleblower legislation in the United Kingdom, in Canada, in New Zealand, in Malta, in Jamaica, in Malaysia, in Barbados, Cayman Islands, and Ghana, among others in the Caribbean. So what our people did, when I started out in this presentation, we had a demand by public concerns to have this legislation on the books of Trinidad and Tobago, and our drafts people looked at all these options and precedence, and took the best as their created Trinidad and Tobago's draft.

So I am happy, Madam Speaker, to support this legislation because it represents good research and good drafting, but all legislation from time to time or even at its birth, you can find nuances that may require consideration for a change. In Jamaica, we have the Protected Disclosures Act of 2011; in Malaysia, it is called the Whistleblower Protection Act 7:11; in New Zealand, is the Protected Disclosures Act of 2002; in Malta, is the Protection of the Whistleblower Act, 2013; in Canada, is the Public Interest Disclosure (Whistleblower Protection) Act—Alberta—2012.

2.15p.m.

In the United Kingdom, it is the Public Interest Disclosure Act, 1998. And I trust that at the end of today's proceedings, there will be the Trinidad and Tobago's version of the Whistleblower Protection Act of 2024.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: That, Madam Speaker, would mean that we would have to make an amendment to change from 2022 to 2024. And I indicate, Madam Speaker, that on the completion of my presentation in a few minutes—I think by now amendments would have been circulated and we will treat with those

amendments during the committee stage.

Madam Speaker, there are two particular clauses I want to just mention to confirm that they exist within the legislation. Because as the legislation evolves, Madam Speaker, coming in 2015, going into committee, hearing some comments from our colleagues, even though they were not supporting the measure, and drafters continuing to try to massage the legislation as close to acceptance as we can get, Madam Speaker, many of the clauses in the legislation you will see in the 2015, they were retained in the 2022 legislation. And, of course, if you had done the research, you can see where the precedent came from.

There is one—in clause 3, I want to just mention this whole question of disclosure because this is a key part of the legislation. What we did, Madam Speaker, in trying to ensure that as we put this law on the books, that it does not create harm to persons who have good intentions, all kinds of protections are written into the legislation.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: I have been associated with legislation in this Parliament since 1991, and in the other place since 1987, and I think in terms of the care and attention and the detail that went into legislation where protection of the public interest is enshrined, I am particularly proud of the work done on this piece of legislation.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, against that background, I draw your attention to clause 3 where—they could talk about, you know, the definition, and I quote from the 2022 Bill, which is going to be—which is now in front of us:

“‘disclosure’ means disclosure of information by a person which...”—

Mrs. Robinson-Regis: It is clause 4.

Hon. Dr. K. Rowley: Clause 4, sorry. It is clause 4 in this Bill, and in the previous Bill, it was clause 3. It:

“...means disclosure of information by a person which shows or potentially shows that improper conduct has occurred, is occurring or is likely to occur;”

That is the substance of this legislation.

And if you look at one example in the Commonwealth—let us look at section 2 of the Jamaican Act, listen to what they say there. Being equally concerned, and I have taken equal care, it says:

“‘disclosure’ means disclosure of information...by an employee, regarding any conduct of an employer of that employee...of the employer, where the employee has a reasonable belief that the information disclosed shows or tends to show that improper conduct has occurred, is occurring or is likely to occur...”

Now, one Bill has many more words but means the same thing, implying the same protection and identifying the purpose of the legislation.

One other point that I want to draw, Madam Speaker, with respect to clause—as I wrap up. I talked here about—in the Bill, you will find, Madam Speaker—and I think that is clause 12(3) of our Bill. We talked about:

“An employer shall publish and republish widely in his organisation and at regular intervals, the internal procedures referred to in subsection (1), and adequate information on how to use those procedures.”

In the Jamaican case, a similar position exists:

“Each employer shall cause information on the procedures for making a disclosure to be circulated among employees of the employer on a regular basis, in order that the employees may be made aware of the procedures.”

2.20 p.m.

So, Madam Speaker, the Bill goes into such details, saying the same thing in different quantity of words that it must not just be there and be a secret. The employees must know it must be there, they must be reminded from time to time and in our case, we are saying the employer must publish it so that they could know. Madam Speaker, the Bill is like that throughout: carefully drafted and ready for acceptance by those who are concerned. Madam Speaker, how much time do I have?

Madam Speaker: You have about nine minutes left.

Hon. Dr. K. Rowley: Okay. Well, Madam Speaker, I do not want to delay these proceedings much longer because when I sit, the debate will end and we move into committee stage and then we will have the opportunity—and I trust that if my colleagues on the other side, even though they are hostile to the Bill, I trust that if they do have any comments to make or any improvements that they want to suggest, we are wide open. Because, Madam Speaker, this Bill is not about me or about us, it is about the people and the nation of Trinidad and Tobago.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Because, Madam Speaker, if there is one Member in this House who should be afraid of this Act, is me. Because, Madam Speaker, I crave your indulgence to mention that I as a Member of this House exposed to public business discovered one day that somebody had gone and told officials of State that I had committed grievous crimes and the next thing I know, I was the subject of the Director of Public Prosecutions hiring a senior counsel to draft charges against me for allegations made on a report presented by the Integrity Commission.

So, Madam Speaker, in one fell swoop, you had the Integrity Commission,

the Attorney General, the DPP and a famous senior counsel going after me, Madam Speaker—

Mr. Indarsingh: [*Interruption*]

Hon. Dr. K. Rowley:—and a state enterprise called UDeCOTT and Madam Speaker, I had to resort to the court to stop that juggernaut that was seeking to put an end to my political career and to deprive me of my freedom.

At the court, Madam Speaker, where I had the rights and I exercised those rights and the facts were presented as against fiction and gossip and the end result of that, Madam Speaker, was that the entire Integrity Commission had to resign in disgrace.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: But that brought little comfort because the fear of this kind of thing happening is always there but like medicine, Madam Speaker, there are lots of side effects to many medicines but you sometimes have to take it because it gives you the best chance to survive and that is what this legislation is about.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: I will tell you worse, Madam Speaker, coming out of this House, where I was involved. One of my colleagues accused me of attempting to “kill him with ah teacup”. It resulted in the House meeting to discuss this behaviour of mine. Members of—my colleagues in this House initiated proceedings against me and were pushing it in the office of the DPP attempting to have me charged for assault of this Member. Madam Speaker, upon closer examination, it was found that the allegations were all a lie but the bottom line is this—

Mr. Young: Wow, wow.

Hon. Members: [*Desk thumping*]

[*Madam Speaker rises*]

Hon. Member: “Wha’ about email-gate?”

Hon. Dr. K. Rowley: I withdraw that—untruths, untruths. Madam Speaker, what disturbed me most about that matter is that when that matter got to other quarters, one of the highest-ranking officials in dispensing justice in this country was known to have said to another high-ranking officer in whose hands my freedom lay that I should have been charged. Not based on any evidence but based on the fact that if I was not charged, certain people would have been upset. Madam Speaker, I was astounded to hear a member of the Judiciary making a statement like that, that a person should be charged not because the evidence determined it you know, but because some people in the society would be upset if I was not charged.

Against that background, Madam Speaker, I have good reason to be afraid of this legislation but it is not about me, it is about the people of Trinidad and Tobago and the nation.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: And on that basis, Madam Speaker, I extend my invitation to those grumblers on the other side and ask them to stop grumbling, look at these clauses, make any contributions—

Mr. Indarsingh: [*Interruption*]

Hon. Dr. K. Rowley: Madam Speaker, I do not know what happened to my colleague from Couva South, you know, but something has happened to the water down there.

Mr. Deyalsingh: Lengua fever.

Hon. Dr. K. Rowley: Lengua fever, okay.

Hon. Members: *[Interruption]*

Mr. Young: Lengua fever. Indian Walk/Lengua fever.

Mr. Hinds: A Lengua outbreak.

Hon. Member: “It eh have no water, dais the problem.”

Hon. Dr. K. Rowley: Mosquitoes like clean, clear water, Lengua fever, “is dirty water”. *[Laughter]* Madam Speaker—

Mr. Indarsingh: *[Interruption]*

Hon. Dr. K. Rowley: But seriously, Madam Speaker, I hope that my colleagues if they have any suggestions to make will offer them, the Government will receive them with cooperative, open armand at the end of these proceedings today, Trinidad and Tobago will legislate and put on our books, whistleblower legislation. Madam Speaker, I beg to move.

Hon. Members: *[Desk thumping]*

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to the committee of the whole House.

Madam Speaker: This Bill has 29 clauses, a Schedule and a Preamble.

House in committee.

Clause 1.

Question proposed: That clause 1 stand part of the Bill.

Madam Chairman: Attorney General.

Sen. Hon. Armour SC: Thank you very much, Madam Chairman. I would like to propose on the list that had been circulated and I hope that all Members have that list.

“Delete the word ‘2022’ and substitute the word ‘2024’”—in clause 1.

Question put and agreed to.

Question put and agreed to.

Clause 1, as amended, ordered to stand part of the Bill.

Clause 2 ordered to stand part of the Bill.

Clause 3.

Question proposed: That clause 3 stand part of the Bill.

Madam Chairman: Attorney General.

“Delete clause 3”

Sen. Hon. Armour SC: Thank you very much, Madam. Just one observation, if I might, as we are going along from clause 3, we would be deleting and that is the proposal that is on the Floor now and there will have to be a subsequent renumbering in the due course of the paragraph numbers, but the proposal is to delete clause 3.

Madam Chairman: Whip.

Mr. Lee: Through you, Madam Chair, just can I ask the Attorney General and maybe the Prime Minister, by deleting clause 3 makes it—the Act was inconsistent with the Constitution so by deleting clause 3, it becomes consistent now, I mean, without any fanfare or sound or reasoning given?

Sen. Hon. Armour SC: Well I would not say that it is unprecedented or unheralded. When the Prime Minister spoke earlier in the week and indeed when I spoke, we spent some time looking at the Suraj decision and we have to remember that this is a Bill that was tabled in 2015. It went to a special select committee in 2016. In fact, I believe one of your colleagues referred to an opinion of the Chief Parliamentary Counsel that was produced in 2016, which spoke to a three-fifths majority but there have been developments in the law since then. The very significant case of Suraj, Dominic Suraj which we are all familiar with and I spent

some time—in fact, I quoted from that in my remarks to the House on the previous occasion.

In a nutshell, Suraj has made it clear that there is a test to be subscribed to, the test of proportionality. If a piece of legislation has a legitimate aim and I do not think that anyone can second-guess the fact that the legitimate aim of this legislation is to deal with the corruption and to protect persons who disclose that corruption. When you look at the totality of the legislation and you find that the totality of the legislation strikes a proportionate balance in the aim of the legislation and the rights which it impacts, there is a measure by which that legislation can then pass by a simple majority and I am satisfied on the advice that I have received.

I have since received the CPC's advice of 2016 and the decision of Suraj in 2023, which was June 2023. I have taken advice from a very respected senior counsel. I have conferred further with the CPC and in fact, you will see when we come to clause 29, there is an amendment which is now being proposed by the CPC to address the one clause that makes this Bill majority, not super majority and therefore we are removing clause 3 because the passage of the Bill no longer requires a super majority, a three-fifths majority.

Mr. Lee: Just a follow-up question, Madam Chair. Attorney General, with all due respect, if it is as how you have just put it across, why was this not done at the inception that the Bill was brought back in its original form from back in 2022 and not do the change when the Bill was brought in the House to be debated?

Sen. Hon. Armour SC: 2022 preceded 2023 and the Suraj's decision was June 2023, so we are amending the legislation today consonant with a development that occurred after the Bill was laid on the Table.

Madam Chairman: The question is that clause 3 be amended as

circulated.

Question put and agreed to.

Clause 3, as amended, ordered to stand part of the Bill.

2:35p.m.

Clauses 4 to 23 ordered to stand part of the Bill.

Clause 24.

Question proposed: That clause 24 stand part of the Bill.

“In subclause (1), in the *chapeau*, delete the words ‘the disclosure’”.

Sen. Hon. Armour SC: Thank you, Madam Chairman. I wish to propose, as circulated, that the words “the disclosure” in the second line of 24(1) be deleted, and consequent on our having already deleted clause 3 sequentially, this 24 would now be number 23.

Madam Chairman: So, AG, that is why the last question may have caused a little concern.

Sen. Hon. Armour SC: Yes.

Madam Chairman: So we go through it just as it is. The clerks will note.

Sen. Hon. Armour SC: Obligated.

Madam Chairman: So we go with the numbering as the Bill presents itself.

Sen. Hon. Armour SC: So clause 24 to delete the words “the disclosure” in the second line.

Madam Chairman: Whip.

Mr. Lee: Madam Chairman, just for clarification with the Attorney General. What was the purpose of removing the words “the disclosure”? Does it affect clause 3, or was it for the removal of clause 3? Could you just enlighten me on the reason to remove it?

Sen. Hon. Armour SC: No, the purpose is simply we had taken from, as indeed the Prime Minister had pointed out recently in his winding up, we were using precedence out of other jurisdictions. The Jamaican jurisdiction has this language. We had borrowed that, but when we looked at it in terms of the purport of this entire Bill, we do not need the words that were borrowed from the Jamaican precedent, the words “the disclosure.” So we are asking for that to be deleted.

Question put and agreed to.

Clause 24, as amended, ordered to stand part of the Bill.

Clauses 25 to 28 ordered to stand part of the Bill.

Clause 29.

Question proposed: That Clause 29 stand part of the Bill.

“A. Delete subclause (1) and substitute the following subclause:

- (1) The Minister may make regulations-
 - (a) for the processing of disclosures and other information collected under this Act;
 - (b) for the retention of disclosures and other information collected under this Act;
 - (c) for ensuring that only information that is relevant and necessary for the purposes of this Act is retained by whistleblowing reporting officers and whistleblowing reports units;
 - (d) prescribing the length of time during which disclosures and other information collected under this Act may be retained by whistleblowing reporting officers and whistleblowing reports units;

- (e) for the destruction by whistleblowing reporting officers and whistleblowing reports units of information in their possession which is no longer necessary for the purposes of this Act;
- (f) for the conduct of independent reviews of information retained by whistleblowing reporting officers and whistleblowing reports units to ensure compliance with this Act and its regulations; and
- (g) generally for carrying into effect the provisions of this Act.

B. Delete subclause (3).”

Sen. Hon. Armour SC: Thank you very much, Madam Chair. The proposal as circulated is that subclause (1) of 29 be deleted and substituted there with a new subclause (1), which is spelt out in the amendment that has been circulated. I am quite happy to read that subclause in its detail but if I may just give the thrust of the amendment. The thrust of the amendment is that the whistleblower is given authority under the legislation in certain specified circumstances and the Prime Minister referred to that in his wind-up today.

The fact is that the whistleblower is able to show, or potentially show, that improper conduct has occurred, or is occurring, or is likely to occur, that is the disclosure that is made. When he does that, he has to be protected—he or she—and in the protection which the balance of this legislation must ensure he gets in order that it be proportionate, the information that is collected and stored over a period of time must be regulated by fair procedures, so that it is stored and not kept for an undue period of time.

So we propose in the amendment that the Minister, who has power under

Section 29 to make regulations, and I stress here, by affirmative resolution, that is subsection 2, so those regulations, when proposed, will come to this House for scrutiny.

- “(1) The Minister may make regulations-
- (a) for the processing of disclosures and other information collected under this Act;
 - (b) for the retention of disclosures and other information collected under this Act;
 - (c) for ensuring that only information that is relevant and necessary for the purposes of this Act is retained by whistleblowing reporting officers and whistleblowing reports units;
 - (d) prescribing the length of time during which disclosures and other information collected under this Act may be retained by whistleblowing reporting officers and whistleblowing reports units;
 - (e) for the destruction by whistleblowing reporting officers and whistleblowing reports units of information in their possession which is no longer necessary for the purposes of this Act;
 - (f) for the conduct of independent reviews of information retained by whistleblowing reporting officers and whistleblowing reports units to ensure compliance with this Act and its regulations”

So the nob of the proposed amendment that the Minister will be entitled to

make and empowered to make under the regulations is to provide a catch-all protective mechanism for the information that is produced by the whistleblower to ensure that it is dealt with fairly. It is not retained excessively, and it is subject to ongoing scrutiny, and that is the proportionate nature of the legislation that is mandated by the Suraj principles, which this Act complies with. And I therefore ask that the amendment be approved.

Madam Chairman: AG, have you dealt with the—

Sen. Hon. Armour SC: And generally, sorry:

e) “generally for carrying into effect the provisions of this Act.”

And then, B, we are proposing that we delete subsection (3) of the existing section 29 because that is not necessary anymore.

Madam Chairman: Whip.

Mr. Lee: Just for clarification, Attorney General, 29(3), that you are deleting, there was a penalty in that clause. So there is no longer a monetary penalty anywhere in your changes?

Sen. Hon. Armour SC: Yes, the answer to that is section 63 of the Interpretation Act already provides that by deleting certain words and substituting other words and terms of imprisonment. So that is already taken care of in the amendment Act.

Question put and agreed to.

Clause 29, as amended, ordered to stand part of the Bill.

First Schedule ordered to stand part of the Bill.

Preamble.

Question proposed: That the Preamble be not approved.

“Preamble Delete.

Renumber the clauses and cross references accordingly.”

Whistleblower Protection Bill, 2022
(cont'd)

Gonzales, Hon. M.

Mc Clashie, Hon. S.

Cummings, Hon. F.

Forde, E.

de Nobriga, Hon. S.

Leonce, Hon. A.

Manning, Hon. B.

Morris-Julian, Hon. L.

Scotland, K.

Richards, K.

Monroe, R.

Ragbir, Dr. R.

Hon. Members: [Continuous *desk thumping*]

NOES

Lee, D.

Charles, R.

Ameen, Ms. K.

Indarsingh, R.

Padarath, B.

Moonilal, Dr. R.

Hosein, S.

Paray, R.

Ratiram, R.

Bodoe, Dr. L.

Rambally, D.

Tancoo, D.

Hon. Members: [*Interruption*]

Madam Speaker: Okay. So, could we have some silence so that the vote could be taken properly?

Division continued.

Benjamin, Ms. M.

Mohit, Ms. V.

Seecheran, Dr. R.

Question agreed to.

Bill accordingly read the third time and passed.

Hon. Members: [*Desk thumping*]

Madam Speaker: Hon. Members, the debate on the second reading of the following Bill—[*Madam Speaker confers with the Clerk*]

**MISCELLANEOUS PROVISIONS
(TESTING AND IDENTIFICATION) BILL, 2022**

[Third Day]

Order read for resuming adjourned debate on question [November 01, 2023]:

That the Bill be now read a second time.

Question again proposed.

Madam Speaker: Member for Lopinot/Bon Air West.

The Minister of Public Utilities (Hon. Marvin Gonzales): Thank you very much.

Hon. Members: [*Desk thumping*]

Hon. M. Gonzales: Thank you very much, Madam Speaker. Madam Speaker, let me commence my contribution here this afternoon by commending my colleague from Cumuto/Manzanilla—

Hon. Members: [*Desk thumping*]

Hon. M. Gonzales:—for demonstrating in this House here this afternoon what Members of Parliament are sworn to do when they are sent here by their representatives.

Hon. Members: [*Desk thumping*]

Hon. M. Gonzales: Our responsibility here, Madam Speaker, is in accordance with section 53 of the Constitution, to pass:

“...laws...”—that are—“...for the...”—good order—“...peace...and”—the—
 “good government of”—the people of—“Trinidad and Tobago...”

That is our responsibility.

Hon. Members: [*Desk thumping*]

Hon. M. Gonzales: And I want to commend the action of my esteemed colleague from Cumuto/Manzanilla—

Hon. Members: [*Desk thumping*]

Hon. M. Gonzales:—to my colleague from Mayaro—

Hon. Members: [*Desk thumping*]

Hon. M. Gonzales:—that when you wish to seek to lead and to lead a party, you must stand on your own, you must stand on your two feet—

Hon. Members: [*Desk thumping*]

Hon. M. Gonzales:—you must stand for integrity, you must stand for honour—

Hon. Members: [*Desk thumping*]

Hon. M. Gonzales:—you must lead by example. And therefore, from this evening, Madam Speaker, the new Leader of the Opposition is the hon. Member for Cumuto/Manzanilla.

Hon. Members: [*Desk thumping*]

Hon. M. Gonzales: The new leader for Cumuto/Manzanilla. You see—

Dr. Gadsby-Dolly: The other one is not here.

Hon. M. Gonzales: Because the other one is absent. Never in the House.

Madam Speaker, this Bill that we are about to continue to debate is very much in alignment with the Bill that this House just passed, as we seek to combat criminal activities, corruption and all other forms of wrongdoing in Trinidad and Tobago. That is our responsibility. And I want to commend the hon. Prime Minister and the Member for Diego Martin West for leading the debate on this particular, very important matter in Trinidad and Tobago. Because as he has indicated, Madam Speaker, so many countries in the Commonwealth would have passed legislation, would have had a framework for whistleblower legislation in their respective countries to combat crime, and to combat official and white-collar criminal activities in Trinidad and Tobago.

Madam Speaker, this Bill that is before this House for debate was piloted by my colleague, the hon. Member for Laventille West, the Minister of National Security, in his capacity as Minister of National Security, the Minister with responsibility for leading the arms of national security in Trinidad and Tobago, and in particular the prison service, the police service, the defence force, and all other arms of national security that were put here to protect the people of Trinidad and Tobago.

A very component and a very important aspect of national security, Madam Speaker, is the issue of trust. And if we do not have trust in the people who are sworn with the responsibility of protecting the citizens of Trinidad and Tobago and all of us, it can have grave implications for law and order in this country. And

therefore, as a Parliament, over and over again, we must ensure that the appropriate legislative framework is in place, Madam Speaker, to ensure that those who are sworn to protect the people of Trinidad and Tobago are fully prepared and protected so that they can discharge their responsibilities.

Madam Speaker, the Bill before us, the Miscellaneous Provisions (Testing and Identification) Bill, it aims to amend, as you have rightly pointed out, several pieces of legislation including the Judicial and Legal Service Act, the Prison Service Act, the Defence Act, the Police Service Act, the Civil Service Act, the Fire Service Act, and the Financial Intelligence Unit of Trinidad and Tobago Act. These amendments, Madam Speaker, seek:

“...to...”—establish—“...a regulatory framework for polygraph and drug testing...”—as well as—“...biometric identification for members of the Protective Services and certain offices in the Judicial and Legal Service and the Civil Service.”

The Bill, it consists of 9 clauses and requires a special majority to be passed.

Madam Speaker, we would have heard, over the course of this debate, several Members of the Opposition contributing. The last Member from the Opposition, I think was the Member for Caroni East, he would have taken his time to go through the several clauses in the Constitution that, in his opinion, this legislation is in breach of. The hon. Member for Caroni East did not refer to one clause in this Bill in his contribution during this debate. As a matter of fact, a great part of his contribution was to recite every single right under clause 4, or sections 4 and 5 of the Constitution, and seeks to engage in rumour-mongering and fearmongering to give the population the impression that what the Government is seeking to do in this piece of legislation is to somehow undermine fundamental

rights and freedom. But had the Member looked at the legislation that we were debating, he would have recognized, Madam Speaker, that in the very Preamble of this legislation, the very Preamble, it stipulates, and I read as follows:

“WHEREAS it is enacted by section 13(1) of the Constitution that an Act of Parliament to which that section applies may expressly declare that it shall have effect even though inconsistent with sections 4 and 5 of the Constitution and, if any Act does so declare, it shall have effect accordingly...”

3.00p.m.

The very Bill that we are debating makes provision in the preamble that the provisions of this Bill are rather contrary to sections 4 and 5 of the Constitution. And it goes on to say at the last preamble:

“And whereas it is necessary and expedient that the provision of this Act shall have effect even though inconsistent with sections 4 and 5 of the Constitution.

And therefore, I ask my honourable and esteemed colleague for Caroni East, that had he taken note of the Bill that we were debating in this Parliament, it would not have surprised him that the Government has made out its case that this Bill that is before us, because it is very intrusive in nature, by requiring law enforcement officers and certain holders of public offices in Trinidad and Tobago, to be subjected to lie detector test, biometric test, identification test, what have you, that the Bill requires a special majority because, Madam Speaker, the purport and the intent of this Bill, though inconsistent with some clauses in the Constitution, the legitimate aim of this Bill is to seek to protect the citizens of Trinidad and Tobago.

Hon. Members: [*Desk thumping*]

Hon. M. Gonzales: Because it is the very Constitution. Because Members opposite give the impression that any Bill that undermines sections 4 and 5 of the Constitution is a Bill that simply can pass, and that is not so. The Constitution, which we all ascribe to, stipulates that if a Bill shall be contrary to sections 4 and 5 of the Constitution, it shall be passed by the requisite constitutional majority of the Parliament.

In addition to that, Madam Speaker, section 13 of the Constitution, and I read as follows:

“An Act to which this section applies may expressly declare that it shall have effect even though inconsistent with sections 4 and 5 of the Constitution.”

The Constitution says that, that an Act of Parliament:

“...may expressly declare that it shall have effect even though inconsistent with sections 4 and 5 and, if any such Act does so declare, it shall have effect accordingly unless the Act is shown not to be reasonably justifiable in a society that has a proper respect for the rights and freedoms of the individual.”

I repeat:

“...unless the Act is shown not to be reasonably justifiable in a society that has a proper respect for the rights and freedom of the individual.”

Madam Speaker, the Bill before this Parliament that we are about to debate is a very serious piece of legislation, because it involves serious officers of the State who are involved in serious investigation that can undermine the peace and order of Trinidad and Tobago.

And what the Bill is seeking to do is to put in place a legislative framework

where some of these officers who are exposed to very sensitive and secretive information, that the heads of the respective departments of some of these senior officers, members of the Defence Force, members of the prison service, members of the Trinidad and Tobago Police Service, the Customs and Excise, et cetera; that some of these officers may be subjected to certain biometric and lie detecting tests to ensure that we have credibility of information that may come about as a result of some of these investigations.

The proposed legislation also grants these office holders the authority, Madam Speaker, to collect biometric data for purposes including integrity testing in the following situation, and these are the strictures of the legislation before us. Because it does not give carte blanche and widespread powers to heads of departments to identify every single officer that is under their charge to be subjected to some of these intrusive practices, Madam Speaker. It lays out a clear framework to ensure that some of these officers, for the purposes of integrity testing, be subjected to some of these tests. And these are the provisions, Madam Speaker.

When an officer is involved in intelligence or counter-intelligence roles, very important. So it is not an officer who is involved in any simple investigation in the police service for assault and battery or assault and robbery, as the case may be. It is an officer that is involved in intelligence or counter-intelligence roles; when an officer is assigned to a department dealing with highly classified information, Madam Speaker.

Another point, when the officer is part of or involved in an ongoing investigation related to economic loss, serious fraud or acts of sabotage, when the officer has or had access to materials that may be subject to an investigation, where

there is reasonable suspicion that the officer's involvement in misconduct related to a criminal investigation and when the officer's duties involve top secret or secret or sensitive information and in cases involving the discharge of a firearm or use of physical force or incidents near persons charged or convicted under specific Acts.

Madam Speaker, these are very serious matters and we have to ask ourselves as a Parliament whether we will put in place the necessary legislative framework and protection to ensure that officers who are involved in some of these very sensitive investigation, that they be protected, that the heads of the respective departments be allowed to submit and to instruct some of these officers to undergo these necessary integrity tests, so that the people of Trinidad and Tobago are protected from some of their colleagues.

Madam Speaker, let me say from the onset that we on this side of the Government believe that most of our uniform officers in the Trinidad and Tobago Police Service, in the Defence Force, in the prison services, in the Judiciary and all arms of national security are law abiding and are working every single day to protect the interest of Trinidad and Tobago. But we cannot bury our heads in the sand, that many, and a minor component of some of those officers, may be involved in some practices that may undermine the work of their establishments, may undermine the work of their colleagues. And, therefore, this Bill ensures that the heads of the respective departments will subject some of their colleagues and some of his charges or subordinates under his control to allow these officers and officials of the State to be subjected to integrity testing, so that the work of their department in protecting the people of Trinidad and Tobago will not be undermined.

Madam Speaker this is not novel legislation in the world. As a matter of

fact, Madam Speaker, most Commonwealth jurisdictions or established democracies, be it in the United States, in England, in Scotland, in Australia, in Canada, even in the Caribbean, legislations have been put in place to ensure that persons who are charged with the responsibility to be engaged in activities to protect the people of Trinidad and Tobago, especially persons who have access to sensitive information, that they do not operate in a way to undermine the interest of the country.

Madam Speaker, as I prepared for this debate, I thought it would have been necessary to bring and to remind the country of a very famous report that is part of the history of Trinidad and Tobago. I refer, Madam Speaker, to the *Report of the Commission of Enquiry into the Extent of the Problem of Drug Abuse in the Trinidad and Tobago Police Service*. Let me again remind Members/colleagues on both sides that we believe that the vast majority of our law enforcement officers are law-abiding and that they are committed to their work and they are committed to their oath of office and they are working hard every single day to protect the people of Trinidad and Tobago.

But on numerous occasions in the recent past and in the further past, we have had incidents in Trinidad and Tobago where persons who have been sworn to protect the people of this country would have gone against their oath of office. And that is the reason why, Madam Speaker, I thought it would be very important and timely to remind the country of the *Report of the Commission of Enquiry into the Extent of the Problem of Drug Abuse in Trinidad and Tobago*.

Permit me to read, Madam Speaker, at paragraph 4.1 of this report:

“Mr. Burroughs, the Commissioner of Police, is linked intimately with one Naim Naya Ali, Dole Chadee, Rammer, Rudolph Mills, and Adella Moses,

all of whom are stated to be very extensively involved in drug trafficking”—in Trinidad and Tobago. “He is also closely linked with the operator of a gambling club at Curepe, one Hosein Alladin alias Betalal, that Alladin is referred to, even in certain police circles, as ‘a Deputy Commissioner of Police’. One witness give testimony”—before the Commission of Enquiry—“that he knew that one Kenneth Trudge of East Dry River used to push marijuana for Mr. Burroughs some time ago, but Trudge was now hooked on cocaine.”

At 4.2 of that report, Madam Speaker:

“Evidence before the Commission disclosed that Ossie Walker, a senior Customs Officer, who allegedly is the owner of several boutiques including the Preview, Better Half and Woman's Dream, was engaged in drug trafficking.”

A senior police officer, a Deputy Police Commissioner, involved in drug trafficking according to the report of that Commission of Enquiry.

“It was also said that Polly Mohammed, operator of this Preview Boutique in Barataria, has been serving as his courier between Trinidad and Tobago and the U.S. and that she was of similar service to one Marshall of the Ministry of Industry and Commerce. It is understood that Mohammed was arrested in New York in early 1985 in possession of considerable quantity of cocaine.”

Very, very profound conclusion by this Commission of Enquiry.

And it reminds us, Madam Speaker and Members of this House, that the issue of corruption within the Trinidad and Tobago Police Service as well as other arms of national security is not one that we should bury our heads and believe that if we were to attack the crime situation in this country, a fundamental pillar of

attacking the crime situation in this country, is rooting out official corruption within the police service, rooting out official corruption within our customs department, rooting out official corruption within the various arms of national security who are charged with the responsibility of protecting us; and that is what this Bill is seeking to do to ensure that persons who are charged with that responsibility are protected even from some of their colleagues.

So, yes, Madam Speaker, we agree that this Bill undermines some aspects of the Constitution, but the Bill stipulates that even though it is inconsistent with Section 4 and Section 5 of the Constitution, its legitimate aim is to protect the people of Trinidad and Tobago and, therefore, it is very consistent with Section 13 of the Constitution.

3.15p.m.

I want to ask my colleagues, especially my colleagues on the opposite side. That it is all well and good and cheap politics to blame the Minister of National Security for every single thing that goes wrong in this country. But our responsibility as legislators, as lawmakers is to ensure that the appropriate legislative frameworks and the appropriate Bills are passed, so that those who are responsible for protecting the country going out there on a daily basis, pounding the pavements, going into the streets, and going into the alleys, bearing arms and going after the criminals, that they are protected. Our responsibility is to ensure that the appropriate legislation is in place so that they can execute their duties and execute it seamlessly so that our country is protected.

We would have seen a short while ago, again, Madam Speaker, where Members of Parliament on both sides had a perfect opportunity to demonstrate loyalty to Trinidad and Tobago by passing legislation so that we can attack the

crime situation and the lawlessness in this country. We would have seen where Members opposite, most of them, hanging their heads in shame, voting no on a very important piece of legislation to protect the people of Trinidad and Tobago. Are you going to do that now? Are you going to repeat what you have done a short while ago?—where we have an opportunity to pass legislation to ensure that our protective services, wherever they are, wherever they are, can function in a way so that they could discharge their duties and discharge their duties seamlessly.

Madam Speaker, I go through the provisions of this Bill that is before us. If I go through the provision of this Bill before us, you would see that the legislators, or the drafters of this Bill, would have put certain constitutional guardrails to ensure that this Bill—*[Interruption]*

[Disruption from Public Gallery]

Madam Speaker: Member please proceed. You have about five minutes of original time left.

Hon. Members: *[Desk thumping]*

Hon. M. Gonzales: Thank you very much, Madam Speaker. I want to point to some of the provisions—*[Interruption]*. I want the point to—*[Interruption]*—some of the provisions in this Bill, Madam Speaker, where—*[Interruption]*

[Disruption from Public Gallery]

Madam Speaker: Continue.

Hon. M. Gonzales: Thank you very much. Madam Speaker, I would like to point to some of the definitions—*[Interruption]*

[Disruption from Public Gallery]

Hon. M. Gonzales: I would like to point to some of the definitions in the

Bill, Madam Speaker, as it relates to confidential or sensitive information. The Bill defines:

“confidential or sensitive information’ means information which reasonably could be expected to cause damage to national security if disclosed without prior written authorization”.

Hon. Members: [*Crosstalk*]

Hon. M. Gonzales: This too is very important. It defines confidential or sensitive information, meaning, persons who are involved and exposed to confidential or sensitive information; persons who are sworn to protect the people of Trinidad and Tobago by virtue of their responsibilities and their oath of office being exposed to confidential or sensitive information. It means information which reasonably could be expected to cause damage to national security if disclosed without written authorization.

Madam Speaker, why would we not want a department, or officers who are exposed to sensitive information, to be exposed to integrity testing?

3.40 p.m.

I would tell you something, Madam Speaker. This Bill that is before us is so important, where the sharing of information, not only among local national security agencies—it is very important because there are many national security agencies in our counterpart countries like America, in England, in Scotland, even in the region, that will not be prepared to speak to our national security officers if we do not have in place a regime to expose officers to constant integrity testing.

I once served in a sensitive national security agency in Trinidad and Tobago, Madam Speaker, and I can tell you that my experience in working in that agency, on a constant basis, in order to remain a part of the agency, we had to subject

ourselves to constant integrity testing, and not only that, Madam Speaker, but in order for your counterpart agencies in other countries to share critical information with you, in order to protect and to prosecute criminals, they must ensure and they must be satisfied that even within your organization, there is a regime to expose officers to constant integrity testing. And that is the reason why, Madam Speaker, in this Bill you talk about secretive and highly sensitive information. Because you see, what the Bill is seeking to do is to ensure that you have strictures in place to ensure that the provisions of this Bill are not in any way arbitrarily—and the powers that reside in this Bill are not in any way arbitrarily exercised by the heads of department.

Madam Speaker: Hon. Member, you have one more minute of original speaking time left. You are entitled to 15 more minutes extended time if you wish to exercise it. Yes?

Hon. M. Gonzales: Thank you very much.

Madam Speaker: Please proceed.

Hon. M. Gonzales: I will make use of my 15 minutes, Madam Speaker. Thank you very much.

Hon. Members: [*Desk thumping*]

Hon. M. Gonzales:

“secret information”—it—“means information which reasonably could be expected to cause serious damage to national security...”

—so officers who are exposed to secret information, and the Act defines “secret information”, which:

“...reasonably could be expect to cause serious damage to national security if disclosed without prior written authorization;”

Another serious definition and a very important definition in the Bill that is before us is “serious criminal offence”. It:

“...means an offence punishable with a term of imprisonment of five or more years;”

And:

“‘top secret information’ means information which reasonably could be expected to cause exceptionally grave damage to national security if disclosed without prior written authorization...”

These are some of the guardrails within this Bill that ensure, Madam Speaker, that the heads of the various departments that I have just mentioned, that they do not exercise their discretion arbitrarily, but that they will ensure that some of the officers under their charge, who are exposed to top secret information, who are exposed rather, or are suspected of serious criminal offence, who are exposed to secret information, that they be exposed to constant integrity testing so that their work and the work of their department is not in any way undermined, and that there will be a high possibility of information and prosecution being churned out of some of these departments in a very credible manner. That is the importance of the legislation before us.

In Trinidad and Tobago, the only piece of legislation that we have requiring integrity testing for entry into the police service, for entry into the organization is in the police service. The Police Service Regulations require that persons who are seeking to join the Trinidad and Tobago Police Service shall be subjected to lie-detecting tests and other forms of integrity testing. But we do not have in place a regime and a legislative framework to ensure that all other departments and arms of the State who are critical in the fight against crime, and the fight against white-

collar crime, and other types of crimes that can undermine the security of the people of Trinidad and Tobago are exposed to constant integrity testing, and that is what we are seeking to do here today.

So members of the public, and the members of the public who are listening to this debate and wondering what we are debating, it is as simple as that, ensuring the members of the customs department, members of the prison service, the Defence Act, the police service, the civil service, the fire service, the Financial Intelligence Unit, who are exposed to information that can undermine the security of the State, can undergo the appropriate security vetting and integrity testing so that the best officers are placed on the frontline as we seek to combat crime, and illegal and criminal activity in Trinidad and Tobago. That is our role and that is our responsibility as a Parliament, Madam Speaker.

Madam Speaker, let me point you to a January 31, 2011, article that was posted on the Jamaica Information Service—remind you of the date, January 31, 2011. Today is June 21, 2024, and in Trinidad and Tobago, we are debating this Bill. But in Jamaica, this matter was before the people of Jamaica, and this is what the article that was posted on the Jamaica Information Service would have revealed:

“Persons holding top level positions within the public sector could soon to be asked to undergo polygraph examinations commonly known as lie detector tests.”

It is a matter that is before the Jamaican people in 2011.

“As a matter of policy...”

—and as I quote, Madam Speaker:

“...this Government”—the Jamaican Government—“has decided that all

sensitive post within the public sector should be subject to vetting to ensure the integrity of those who hold the posts,' said Minister of National Security, Senator Hon. Dwight Nelson.

He was speaking on Wednesday January 26 at the official opening of the newly established polygraph unit at the Jamaica Constabulary Force's Police Academy in...St. Catherine."

And this is what he said:

"...it is not only for recruitment..."

—which is what we have happening here in Trinidad and Tobago. The hon. Minister of National Security, the hon. Dwight Nelson in Jamaica, he said that this—what we are seeking to do is:

"...not only for recruitment, it is only for promotion but I think we have to ultimately get to the stage where as a country, we have absolute confidence in the integrity of our public sector employees..."

The Commissioner of Police, one Owen Ellington, in the same ceremony would have remarked:

"...that the establishment of a Centre of Excellence in polygraph examination is being explored 'so that we can provide assistance to...'—all—"...our regional..."—partners.

That is in 2011, where the Jamaican Government and the officials operating in Jamaica, understanding that in order to protect their country, they need to have a system and a regime to ensure that those who are charged with the responsibility of protecting the country, that their integrity is forever maintained as far as possible. And this is what Commissioner Owen Ellington would have said:

"It is being recognised all around that law enforcement has to be of the

highest professional standard...”

I quote:

“It is being recognised all around that law enforcement has to be of the highest professional standard, especially now that we are moving into the age of international policing,’ he said.”

Madam Speaker, if we do not put in place this legislation, we can create, in Trinidad and Tobago, a scenario where our local law enforcement officers will not get the necessary collaboration and cooperation from their international colleagues, or even colleagues in the region, because they would want to ensure that those that are responsible for managing serious crime and serious misconduct in the affairs of the State are persons that they can trust and share information with. And this is what Commissioner Owen Ellington of Jamaica would have said in his concluding remarks:

“It is not going to be business as usual...”

—and I adopt his words:

“It is not going to be business as usual; foreign forces are not going to expose their procedures, their staff and their intelligence and information to institutions in which they have doubts about its integrity...”

“It is not going to be business as usual; foreign forces are not going to expose their procedures, their staff and their intelligence and information to institutions in which they have doubts about its integrity...”

And therefore, I ask Members opposite this afternoon, are we going to ensure that our law enforcement officers, our customs officers, our prison officers, our defence force officers, our police officers, are we going to ensure that we put in place this very important piece of legislation so that they can be respected by their

foreign, their international, their regional counterparts, so that information can be shared with them, so that they can prosecute persons who undermine, and undermine the interest of national security in Trinidad and Tobago, and undermine the interest of the State? That is the importance of the piece of legislation before us.

And therefore, Madam Speaker, I believe it is incumbent upon us, as a Parliament, that we support the Minister of National Security in this Bill that is before us, we support this Minister of National Security, because when we put in place this piece of legislation, we are ensuring that some of the sensitive departments that exist in our police service, in our prison service, in our defence force, who are exposed to sensitive information that can undermine the security of the State, that we have some of the best law enforcement officers, men and women in uniform, who wear their uniform proudly, and that they are not undermined by some of their colleagues who are not truthful to their oath of office.

Madam Speaker, the legislation protects officers who might have been exposed or might have been required to undergo integrity testing. Because the question is going to be asked by police officers who operate, and law enforcement who operate in some of these sensitive positions as to what may happen with their biometric tests, their fingerprints, or even information that they would have shared in a lie-detecting environment. And the Bill makes clear provision that results of the test conducted, and the information collected shall be treated as confidential and not to be disclosed. So it protects the officers who are exposed to integrity testing, who are required to undergo integrity testing, so that they can go about conducting their investigation in a sanitized environment, and in an environment where they can feel comfortable to share information with their colleagues, not

only regionally, but locally and otherwise to protect the interest of this country. But the heads of department who require these officers to undergo these tests must ensure that the results of these tests are kept confidential.

And the second aspect of the Bill, it gives—or rather, it exempts disclosure from under the Freedom of Information Act, meaning that one cannot use the Freedom of Information Act to get sensitive information that was garnered from integrity testing, biometric tests or lie-detecting tests.

3.35 p.m.

This information will be kept confidential and it makes provision for this information to be protected as well, Madam Speaker, to ensure that they are not placed in any way that can impact and undermine the officers who would have been exposed to this information.

So, Madam Speaker, I believe that the Bill even though it is, yes— because of its intrusive nature, may undermine section 4 and 5 because the Bill says that in the preamble. But in accordance with section 13, it stipulates clearly, that even though the Bill may conflict with section 4 and 5 of the Constitution, and let me repeat what section 13 says in the Constitution that where:

“13. (1) An Act...is inconsistent with section 4 and 5 and, of the Constitution if any Act does so declare, it shall have effect accordingly unless the Act is shown not to be reasonably justifiable in a society that has a proper respect for the rights and freedoms of the individual.”

Madam Speaker, the legitimate aim of this piece of legislation is to bolster national security in Trinidad and Tobago. It will work towards reducing crime. It is an important arsenal in the fight against crime and illegal activities in Trinidad and Tobago, whilst it seeks to identify rogue elements within the protective

services and certain government departments. It tackles corruption within some of these sensitive State agencies, and most importantly, Madam Speaker, it promotes public confidence in the national security arm of this country.

Madam Speaker, the issue of public confidence cannot be overstated or underestimated. When evidence and when investigation and when information comes out of certain departments within our protective services, the people of Trinidad and Tobago must have confidence that those who had the responsibility to gather the information and engage in activities to go after those who undermine the security of the State, that their investigation is impeccable. It is beyond reproach, it cannot be questioned, because the officers who would have engaged in the activities to bring about the necessary prosecution are officers with high integrity, and that is the purpose of the legislation before us, Madam Speaker. And therefore, Madam Speaker, I want to commend this Bill to all Members of the Parliament to put aside petty politics, let us work together to ensure that we have laws in place to protect the people of Trinidad and Tobago, I thank you, Madam Speaker.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for Fyzabad.

Hon. Members: [*Desk thumping*]

Dr. Lackram Bodoë (Fyzabad): Thank you very much, Madam Speaker for the opportunity to join the debate in what I agree is a very important Bill before this House today and before I go further into my contribution, Madam Speaker, I just wanted to address just a few points that my friend from Lopinot/Bon Air West would have made. And the first, of course, is the issue of the loyalty of the

Opposition, Madam Speaker, I want to give the assurance that our loyalty to Trinidad and Tobago on this side is unquestionable—

Hon. Members: [*Desk thumping*]

Dr. L. Bodoë: —and unwavering Madam Speaker, and we will continue, Madam Speaker, to do what is right for Trinidad and Tobago and of course, that includes our responsibility to examine every piece of legislation—

Hon. Members: [*Desk thumping*]

Dr. L. Bodoë: —that comes before this House and to ensure that we do what is right for Trinidad and Tobago.

Madam Speaker, I also want to address the concern raised about my colleague for Caroni East when he spoke and to say that he was right to point out the pitfalls of breach in sections 4 and 5. And of course, we understand that section 13 is there to provide for that, but of course, we here in this Parliament, you know, need to look at the issue of proportionality and of course, there is always the issue of the rights of the State versus the rights of the individual citizen. That is always a debate in any country, Madam Speaker.

So, Madam Speaker, I do agree this is very important legislation in the laying of this Bill by the Minister of National Security in February of 2022. That is to say, Madam Speaker, this Bill has been before this House for a long time and I trust and hope that today, you know, that the Government is indeed serious about getting this piece of legislation passed and this Bill becoming law in the law books of Trinidad and Tobago. And indeed, the Minister of National Security in laying this Bill had shared that information regarding allegations against members of the protective services and certain public officers being involved in criminal activity and that is indeed a very serious concern in any society. And my colleague from

Lopinot/Bon Air West, gave that as well that this will be a work against crime and corruption, Madam Speaker.

So, Madam Speaker, in preparing for this Bill, I can surmise by saying that really there are three things here that we are looking to do, Madam Speaker, and the first I would say is that we are looking to guard the guards. So this is about guarding the guards, this really is about, you know, ensuring that those who are entrusted with our protection, both individually and nationally that, you know, we guard the guards, we have to look at who is going to guard them. And we have to, I agree as well on this side that the majority of law of police officers, and members of the protective services are indeed law abiding and rightful thinking citizens. So really and truly, we are just looking at dealing with a small minority of those officers in the protective services and the other areas of the public service that are included in this Bill, so it is really about guarding the guards.

It is also, I want to say, Madam Speaker, it is about saving people from themselves. And what do I mean, here, Madam Speaker? Some of these officers hold positions where it can be very easy to be tempted and therefore, and truly, if we do get this piece of legislation on the books, then we really will be saving people from themselves in certain situations. It is really about allowing them and, you know, preventing them from resisting temptation. And the third thing here, Madam Speaker, would be really and truly to maintain integrity in public service. This is what this is all about; really about keeping your hands clean in public service and avoiding temptation, Madam Speaker.

So, Madam Speaker, this Bill, if it becomes law will give a discretionary power to the heads of the protective services and the heads of specific branches of the civil service to do certain things. It will mandate under clause 3 of this Bill—it

introduces a new section, section 11(a), which really mandates the officers under certain purview to submit themselves to three things:

- “(a) polygraph or any other lie-detecting tests;
- (b) drug tests; and
- (c) the collection of biometric information.”

So, in essence, Madam Speaker, the Bill by way of amending several Acts, which we have alluded to, and many of my colleagues have already alluded to, is really intended to provide a regulatory framework for named categories of public officers to order or subject certain persons in the organization to the measures mentioned above.

So, Madam Speaker, who will be impacted by these measures? It really will be two categories of people, broadly speaking, those already employed in the protective services and the civil service, and those who might be seeking employment in these State agencies, it is a very important development.

So, Madam Speaker, the Government’s argument and rationale for bringing these measures in the laying of this Bill is purportedly do the following things:

- To reduce crime.
- To tackle corruption.
- To promote confidence in the national security arena; and
- To bolster confidence amongst members of the protective services.

All very, very important measures, Madam Speaker, in our current scenario of the high crime situation in Trinidad and Tobago. And Madam Speaker, I just want to say that we on this side will support any and all measures that will help to fight crime and corruption in this country, providing that these measures are

reasonable, proportionate and implementable, and I will talk a little bit about implementation as we go forward, Madam Speaker.

So, the issue of the impinging on the certain rights of the citizens has been dealt with Madam Speaker. The requirement for the three-fifths majority I will not go further into that, many of my colleagues who have spoken on this side would have addressed this, so I will not repeat that, Madam Speaker.

So Madam Speaker, I really would like to focus mainly on some of the technical areas with regard to some of these tests, and the challenges surrounding polygraph testing, as well as to examine briefly, the status of any other lie detecting test.

So, Madam Speaker, let us talk just a little bit about the lie detection test because it is important to understand that whilst we provide the framework, while this Bill will lay the framework for implementing some of these tests, many of these tests have shortcomings. They have pitfalls and we need to understand, you know, exactly what we can get, how much information, what kind of information. So let us talk briefly, about what is called lie detection test, Madam Speaker.

So Madam Speaker, if I may, quote from a 2015 article in the journal entitled *Europe's Journal of Psychology*, and this quotation says that:

“...for as long as there have been lies, there have been methods of lie detection.”

Yes, Member for St. Joseph:

“...as long as there have been lies, there have been methods of lie detection.”

So really and truly—[*Laughter*]—we speak about lie detection tests, Madam Speaker, but we need to understand what we are speaking about. And again, this is

for the general information of colleagues and members of the public who would be looking on, I am sure intently at this legislation.

So methods of lie detection, are really—the correct name would really now be “deception detection test.” So that would be the correct terminology that the psychologists would use, the criminologists use and they have evolved significantly over the years. It is therefore, with this in mind that I believe the Government would have included the phrase “and any other lie detecting test” in clause 3, Madam Speaker, so the legislation is forward thinking. It does provide although the term “polygraph” is used, it also provides under the new section 11 (a), paragraph (a):

“polygraph or any other lie detecting test”

Because it takes cognizance of the fact that you know, the polygraph test will evolve and there might be further developments, so it does include, you know, provision for that, Madam Speaker.

You know, Madam Speaker, the history of the development of lie detection, is very, very instructive and if you will permit me, Madam Speaker, you know, when you research these things, you will come across very, very interesting things and it shows how we have evolved in terms of lie detection testing over the last 1000 years, Madam Speaker. You know, Madam Speaker, one of the earliest methods of lie detection was practiced in China around 1000 BC and this is very interesting, it is called “the handful of dry rice,” Madam Speaker. It was one of the earliest lie detection tests, “the handful of dry rice”. It is very interesting, Member for St. Joseph—[*Laughter*]. So, what was the basis of it, Madam Speaker?

So Madam Speaker, if you were suspected of lying, you were required to fill your mouth with a handful of dry rice so it is important that it was dry rice, Madam

Speaker. And after a short while, maybe 10 seconds, 15 seconds, 20 seconds, you were asked to spit out the rice, you were asked to expectorate the rice. Now, if the rice remained dry, Madam Speaker, the suspect was found guilty of fraud. I found that very interesting. So, if you spit out the rice and it remain dry, you were find guilty of fraud and why, Madam Speaker, because the point was that the method was based on the physiological principle, and the assumption that experiencing fear and anxiety is accompanied by decreased salivation and a dry mouth.

So they are saying—this is telling us that listen, you know, if you become fearful, your mouth becomes dry and therefore, you would not salivate and will spit out the rice. But you know, what is interesting about this Madam Speaker, on the basis of this simple handful of dry rice test, many people were found guilty and executed, Madam Speaker, 1000 years ago. So, I had make that point simply to say that is very important that whatever we put on the law books, you know, there are implications to it, Madam Speaker. So, I found that was very, very interesting.

You know, but Madam Speaker, it does not end there, you know, there was an improvement on that. So, the improvement on the handful of dry rice test was the trial by ordeal method, which became very popular may be 300 or 400 years after, Madam Speaker. So, this was evolution, you know, thought to be a better method. So, we had the evolution of what is called the water test and the fire test, Madam Speaker. Very interesting, and again, I make these points because, we might be laughing about this now, Member for Oropouche East, but we have to understand that in those times this was the technology, these were the methods available. But more importantly, many persons were found guilty by these methods and met the fate of death because that was punishment in those days, Madam Speaker.

3.50 p.m.

Madam Speaker, so I thought the water test and the fire test were very interesting. And just to share, the fire test was very simple, if you put your hand in boiling water and it showed no traces of scalding or small blisters, it represented a sign that the accused persons claimed to be true. So you were not guilty if you were able to put your hand in the boiling water and come out without this blister or scald. Madam Speaker you could imagine how many people would have failed that test and would have met their fate. I thought the water test was also quite interesting.

So, how was this conducted, Madam Speaker? It was based on cold water. So what you did was, you throw:

“...the accused person into the water in a roped sack.”

So you put him in a sack and came over and throw them in the water. Now,

“If the tested person emerged at the surface in a short time, it signified that ‘not even water accepts him/her’ – or more precisely - servants of the devil (hence liars too)...”

So if he was ejected then he would be found guilty.

So, Madam Speaker, this is just some, you know, some snippets from the evolution of testing over the years. But, I made these just to illustrate the point that we have to be careful and wary of where we go, and how we go. So a lot has evolved since that time, and you know we have come to the modern polygraph testing.

The first modern Lie Detection device was called Lombroso’s Glove. It was created in 1881. So it has been around for a long time, and it was designed by an Italian criminologist gentleman, by the name of Cesare Lombroso. Nothing to do

with caesarian section, Madam Speaker. So what did this test do? It attempted to measure changes in the accused person's blood pressure which was recorded in a graph, and that really is the basis, the physiological changes, that determined the lie testing. It went on. There were further evolution of these testings, and in addition to blood pressure changes, breathing changes, and so on, would have evolved over the years, Madam Speaker. So the issue with lie detecting testing has always been the issue of reliability, how reliable it is.

The National Academies of Sciences in 2003 conducted testing on the reliability of the polygraph, and it was found to be between 81 to 91 per cent. Fairly, you know, fairly reliable for a test like this, but again with shortcomings, Madam Speaker. It is important for us to note that the polygraph does not detect lies, but instead, it measures physiological responses postulated to be associated with the deception. So it is a deception-detecting test and none of these responses are specific to deception, nor are they necessarily always present when deception occurs. So it means that there are ways and means of beating detecting lie detection tests. This is important for those who administer them, especially in using them, you know, going forward and this is one of the reasons why the results of polygraph testing are seldom admitted as evidence in the judicial courts, Madam Speaker.

So there are several shortcomings. Not to belabour the point, but just to summarize the shortcomings. Again, this is from a study from a European journal. What are the issues associated with lie detection and the shortcomings? Well there are three or four that are important to note, Madam Speaker. It is important to note that there are certain counter measures that trained individuals can use to reduce the rate of deceptive individuals. There is also a high rate of false negative

outcomes and there is also a lack of consistency of polygraph testing procedures. It is important that when we implement this that we understand what we are doing, and those who are trained to administer—people are properly trained to administer the test, Madam Speaker. So, that is an important point, the lack of consistency, in terms of the procedures.

3.55p.m.

But I am sure, Madam Speaker, when the regulations are brought to the Parliament to accompany this piece of law, that we will get a chance to go into a bit more details about this. And, of course, one of the important things also is that most of the evidence, which supports the use of polygraphs, have been developed using laboratory experiments rather than real-world studies. So it is an issue there.

So, Madam Speaker, moving on, just to glimpse into the future—moving on from lie detection, other things are happening right now. There is the use of PET scanning and something called functional MRI, and those will be the tests that we will be alluding to in the legislation if it does come to pass in the future. So I will leave lie detection, polygraph testing there for the moment, Madam Speaker, and just move on a bit and just talk a bit about drug testing, because we mentioned the polygraph testing, we mentioned drug testing. Drug testing is very, very important. During the last decade, there has been an increase in drug testing at the workplace across the world, both in the public and private sector. It is common in many private sector companies but we are speaking here about public officials, of course, and this is where, you know, we want to look at it.

So in terms of drug testing, it has been around for a long time. It became most noticeable and apparent to the world in the Olympic Games in 1968. Again, history is important. It shows us where we have been and therefore, where we go

forward. So in the Olympics sports arena, in Mexico City, 1968, this is when the issue of the methadone drug treatment programme and the involvement of the military, it was used, and since then, it is being used in the US military after World War II. So it has been around for a long time. In fact, it was a big issue in World War II, in terms of opiate addiction, Madam Speaker. So, Madam Speaker, it is by no means a cut-and-dried issue.

So what is a drug test?—you know, just for the benefit of the population, again, who would be listening on to this debate. So a drug test really involves a chemical analysis of an employee's sample to determine if there are traces above a minimum level of illegal drugs, because it has to reach, you know, a certain standard. What are the scenarios in which a drug test might be conducted? So there are several scenarios—and again, these can be applicable—and we speak, from the legislation, about the circumstances and certain conditions, and the heads of the protective services and the heads of the public service departments will ask for a drug test.

So you can have what is called a random—you can have what is called, “random drug testing”, and with random drug testing, Madam Speaker, you are looking here where you have testing employees at different times throughout the year. So when the legislation is implemented, you know, we will have to look at how it is done, how frequently and so on. So you can have testing employees at different times throughout the year. You can also have something called a “voluntary test”. There are circumstances in which, you know, a worker might volunteer to be tested simply to refute any allegations of wrongdoing.

You can also have the case of reasonable suspicion. And I just want to dwell on reasonable suspicion because that would have come up in terms of the

law, Madam Speaker. So “reasonable suspicion” is as follows, and if you allow me to quote from this paper, it is saying here that:

A supervisor may reasonably suspect that an employee illegally uses drugs based upon, among other things, observation of drug use, apparent drug intoxication, abnormal or erratic behaviour, investigation, arrest or conviction for drug-related offences.

So this is where you would have the drug testing based on reasonable suspicion. Again, those who are empowered, or who will be empowered by this law to order the drug test will, of course, have to be trained and have to be aware of the circumstances in which the drug test may be ordered.

And then, of course, you have something called, “specific condition testing”, and this speaks to where, for example, you have an on-the-job accident or an incident where in those circumstances, it will be—the drug test will be ordered.

There is also something called, “follow-up testing”, Madam Speaker, and this was very interesting because the follow-up testing will be part of a treatment programme where an employee is found to have used drugs. So one of the issues that could arise when this law is implemented is that you could actually detect—you know, you might detect persons who are addicted to drugs and therefore, whether there would be arrangements in place to consider treatment and rehabilitation of those persons, Madam Speaker. So some good could come out of this, in that way, in organizations and therefore, we have to think, you know, whether arrangements are going to be made in place in those situations.

And, of course, you have the situation of pre-employment testing, which is very common, fairly common in the private sector. The samples—and this is where you would have the breach of privacy and breach of your private rights in

sections 4 and 5 because you are looking at collecting intimate samples, which can involve hair, blood, saliva, urine. Again, the regulations, hopefully, will speak to under what conditions—how this will be done. The drug classes that are commonly screened for would be the cannabinoids, the cocaine, opiates, amphetamines, and something called PCP, which is so phencyclidine.

So, Madam Speaker, with regard to the substances that you are testing for, again, those who are testing have to be aware with regard to the reliability of these test results, because you have what is called, “crush reactivity”. So, for example, certain cough syrups, certain diet pills, Advil, for example, and certain herbal teas can—if someone is consuming those, they can show up as some of these substances. So, again, we have to make sure we put safeguards for this.

The debate about drug testing is an ongoing one. You have arguments for and arguments against. What are the arguments for drug testing that will support what we are trying to do here, Madam Speaker? Well, the arguments are exactly what we are trying to do. We are saying that public employees are in positions that require a high amount of integrity, so that is one of the arguments for drug testing. Drug testing will reduce employee medical costs associated with drug abuse. I think that is an important point. That could be an important benefit from this legislation point of view and it does act as a deterrent to drug use. So there are many benefits, big benefits noted here.

The arguments against drug testing centre around four main issues. It centres around procedures and accountability, what we call the chain of custody, Madam Speaker, and this is very important. I trust that when the regulations come before the Parliament, the whole issue regarding the chain of custody, you know, will be put in place. You can have, you know, exchange of samples. You can

have a breakdown in the chain of custody and so on. And, of course, there is a cost associated with drug tests. We spoke about the reliability and we spoke about the invasion of individual's privacy. And, of course, I do want to mention section 16A, which speaks about the confidentiality and the non-disclosure of test results. I think that is a very important safeguard in all of these scenarios, Madam Speaker.

Madam Speaker, the legislation also speaks to the issue of data collection, biometric identification; very important. That is data that has to be protected. Again, we on this side would want to emphasize that enough checks and balances are put in place for the protection of biometric information, and the common examples would be fingerprints, facial recognition, voice recognition, the palm—I think finger patterns and so on.

So, Madam Speaker, this is legislation which is important. It will add, if properly implemented—of course, anything that we on this side can do in terms of assisting in the fight against crime—you know, we agree that crime and criminal activity continues to be a major issue in Trinidad and Tobago, Madam Speaker. We on this side will have no real objections against any regulatory framework which the Bill proposes, Madam Speaker.

Hon. Member: [*Inaudible*]

Dr. L. Bodoë: [*Laughter*] I have to choose my words carefully. Madam Speaker, the Government must acknowledge and understand that these are mere tools in the fight against crime and the promotion of good governance. So it is not the end-all of it. This is not a magic formula, Madam Speaker. It is just one of the tools that can be used in the fight against crime. This is not a debate about crime, Madam Speaker. I am not going to go into all of the measures that are important and necessary, and some of the things that we on this side have proposed, I will

leave that for another time and place.

And, of course, it is important that when we pass this legislation, if we do here this evening, Madam Speaker, that we understand that there are many shortcomings and limitations to these tests and they ought not to be abused, Madam Speaker. I make a plug for that. I think there should be proper checks and balances. The Bill does provide for some of these, Madam Speaker, but we cannot emphasize that, you know—overemphasize that when we are infringing on privacy rights, that you have to put checks and balances in place.

Some of my colleagues would have noted the absence of sanctions for abuse of these measures and that is something that we can look at in the regulation phase of this, Madam Speaker. So, Madam Speaker, you know, we look forward to the presentation of the regulations which will operationalize these measures.

Madam Speaker, as I close, I just want to say that, you know, it is all well and good to come here and make this Bill law, put this on the law books, but it is very important for the Government—and I call upon the Government to allocate adequate resources—

Hon. Members: [*Desk thumping*]

Dr. L. Bodoë:—to make these measures count. I think all our efforts today will go in vain, if this Bill is passed, if the Government does not take its responsibility seriously, in terms of making proper regulations and providing and allocating adequate resources to make this work. Madam Speaker, with those few words, I thank you.

Hon. Members: [*Desk thumping*]

Madam Speaker: Prime Minister.

Hon. Members: [*Desk thumping*]

The Prime Minister (Hon. Dr. Keith Rowley): Thank you very much, Madam Speaker. If I hear my ears right, Madam Speaker, it appears as though a wind of change is blowing in this Parliament.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, I will simply say, having heard my colleague from Fyzabad, that all is not lost. Madam Speaker, this Bill might generate a question, coming from the lips of some of our citizens, as to why is this necessary. It will also generate, from some quarters, resistance, in the context of their response, under no circumstances should we have this done. But, Madam Speaker, I want to speak here this afternoon in my capacity as Chairman of the National Security Council.

I have held a lot of public offices throughout the last three or four decades, but it is as Chairman of the National Security Council that I have been educated most about the soft, weak and dangerous under-belly of the nation, because, Madam Speaker, every nation has this requirement, this issue about national security. We talk a lot about national security in Trinidad and Tobago, the Ministry of National Security, the Minister of National Security, the police service, and the number of the murder rate and so on; all of that. That too is national security, but that is not all that national security is.

Madam Speaker, the point that I want to make today to the population and my colleagues in here is that one has to clearly understand an issue and then take a position on it. I do not think that persons who will oppose this measure, whether in the Parliament or out, have fully seized themselves of what we are dealing with.

4.10 p.m.

Madam Speaker, when I became opposition leader, I did something that I thought would help me in the event that I become Prime Minister of Trinidad and Tobago. I had in my team the Member of Parliament for Laventille East/Morvant at the time—

Mr. Hinds: Laventille West at the time.

Hon. Dr. K. Rowley:—at the time, you were Member for Laventille West. He is a former police officer and is a former police instructor. I sent him to Fairfax County in Virginia, and the reason why I chose Fairfax County is because the population of Fairfax County is roughly about the same size as the population of Trinidad and Tobago. I sent him to Fairfax County to spend some time with the police department in Fairfax County, to understand how they police 1.3 million people, how do they go about policing that population? Because we as a nation seemed to be having difficulty policing our population.

When he came back and reported to me on his experience in Fairfax County, the first thing he reported was that Fairfax County, while having approximately the same number of people as Trinidad and Tobago, have a significantly lower number of police officers, right. The actual figures, you know, he could give you the actual figures when he winds up, if he chooses to, but that was an important point, how come they are policing a larger population or a similar population, with a significantly lower number of police officers? And in fact, when I looked at the average for Trinidad and Tobago, police officers on the establishment, plus all the para, well, even without taking into account the para, and so on, it turned out that Trinidad and Tobago has a higher level, higher average of—the police officers per capita is higher in Trinidad and Tobago than the worldwide average, and we have a higher number of police officers on average, than the Caribbean average. So,

therefore, we are adequately peopled in our police service but we are not getting an equivalent level of policing.

If you talk to police officers, I think I told this story about one of my constituents speaking very roughly to a police officer, when the department could not respond to a report that somebody was climbing through a window on the street. Because many of them will tell you about resources. That is a buzzword when you talk about how well we are using our resources. Resources, resources, resources. The resources are the cars, are the helicopters, are the stations, and as a Government and previous Government, you would see we have done a lot in terms of providing physical infrastructure. Every year we spend millions on motor cars, and we spend on cameras, and bulletproof vests, and all those things, and they are all necessary, but the one thing that we have not been able to come to terms with, Madam Speaker, it is the quality and character of miscreants in the police service. And I am not here broad-brushing the police service saying, “all police officers are”, I am going to the other end of the spectrum. Within the police service, you have people, a small amount I think, or a not insignificant amount, who are not fit to be in the police service and therefore, you need to know who these people are and you need to know what all of them are doing; good ones and not so good ones. And the system of polygraphing is technology which is not new, it is old technology. Modernized, but useful technology, that is used by states/nations to question its officers and to get answers from them, the answers of which will indicate whether they were properly located within or whether they should be in the service and polygraphing, Madam Speaker is a tool for identifying.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: So far, I have mentioned police officers but it is not only police officers. The Bill deals with making amendments to:

“...the Judicial and Legal Service Act Chap. 6:01, the Prison Service Act Chap. 13:02...”

Because prison officers, some of the times you see them being arrested. Good ones seeing their colleagues being arrested for breaking the law, facilitating criminal conduct in the prison, endangering them and the society at large:

“...the Civil Service Act...”

Well, that covers a huge breadth of people who are conducting national business:

“...the Financial Intelligence Unit of Trinidad and Tobago Act...”

But, Madam Speaker, I want you to pay attention to the next phrase:

“...to provide a regulatory framework for polygraph...”

I want to repeat that, this Bill is meant:

“..to provide a regulatory framework...” Because polygraphing is taking place. And polygraphing is not taking place where it ought to take place. And the former phrase, polygraphing is taking place, because we do have some officers, who we talk about belonging to special units and they have to be vetted before they can be in that unit and the pressure for doing that did not really come from the local environment, it came from our participating partners in national security. The countries that we share interest with, who help us with national security, especially information that is pertinent to our own national security, as my colleague for Lopinot/Bon Air West said earlier on, “they will not deal with us”, and even if they are dealing with us, there are some officers that they will not deal with, because sometimes they know more about our officers than we know about them. And if there are officers who are to share station information, training and work

programmes, those officers are required to be of the highest quality and have an integrity that is beyond reproach.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: And it falls to the Government to make sure that such officers are available in the nation, so as to be able to benefit from all that we can get from those who will help us, whether it is the British, the French, the Americans, the Canadians. If we must benefit from being associated with them, we have to have officers of a certain level of integrity and that is why we say we have to have vetted units. But this legislation goes further than that, not just vetted units, we need to have institutions where people of questionable character do not find solace, comfort and of course, benefits.

Madam Speaker, so the Bill is drafted to provide a regulatory framework because in the absence of a regulatory framework, do not be surprised if some of the miscreants who are putting us all in danger, take the position, “that I am not cooperating”, and, Madam Speaker, they do not believe me. Go back to the news and you would see at one time, not too long ago, a commissioner of police was very concerned about the laxity of policing and the wave of allegations about police misconduct in the south-western part of the country in South Western Division. And the police commissioner then, decided the way to deal with that was to polygraph the officers who work in that district and then be guided by the results of the polygraph, to determine whether they should remain there or other officers of a proven quality should replace them. Madam Speaker, the population looked on at this initiative by the police commissioner, and, Madam Speaker, to a man and I dare say possibly to a woman, so let me say to on officer, every single one of those officers, flatly refused to cooperate with being polygraphed. But

Madam Speaker, they did so on the grounds that they have rights and that there is no law and regulation requiring that. But here was the Commissioner of Police wanting to use an available tool and that is why we are asking the Parliament to give the Commissioner of Police that tool.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: So they were quite happy to have what was going on, go on, where the whole country believed that “all ah dem corrupt” and that porous border, the south-western peninsula, is there threatening all of us, and will not be polygraphed. I do not know what the outcome of that was but I know what the response was. But Madam Speaker, interestingly enough, the Police Service Commission is required to investigate people and to screen people to become Commissioner of Police.

4.20 p.m.

Madam Speaker, would you believe the said Commissioner of Police, as an applicant for the post of Commissioner of Police, being required to do the same thing he asked the officers to do and he did the same thing the officer did?

Hon. Members: Oh.

Hon. Dr. K. Rowley: Flatly refused to be polygraphed, walked out of the test, disconnected himself and said he did not like the questions—

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: —and literally had to be told, “Well, if you want to be considered as an applicant, you have to do the test.” Well, Madam Speaker, he so wanted the position, he came back and he hooked up again. The results are there for all to know. But the bottom line is, Madam Speaker, there was no regulatory framework requiring that the officers who are required to be tested are

in fact so tested, and that is what this legislation is seeking to do to prevent this favour that an officer may do to you by subjecting him or herself to the tool of polygraph testing as and when required.

I did not only stop in Fairfax County with the MP from Laventille West. I went further to investigate in the United States police service. How are they doing this polygraphing test? I looked across the country and I came—Madam Speaker, it is commonplace. In one district, the officers are called like they do with testing in sport, you have no date or time as to when you will test you.

Mrs. Robinson-Regis: Random.

Hon. Dr. K. Rowley: You will be in the bath, you get a call on your phone, and you need to come down to the station because you are now to be randomly tested today. So, every single day, every single officer knows that is quite possible that they may be called for a polygraph test, and that is how departments manage to contribute to preserving or establishing adequate integrity in their systems. But in Trinidad and Tobago, Madam Speaker, it is the opposite, where the people who are required to be tested determine that the regulation should not be there, they do not agree with it and therefore, whatever they are doing they can carry on.

Madam Speaker, let me take a minute or two to just tell you a couple of things that cry out for this legislation, and they are all in a day's work of the security units. Madam Speaker, there was a time not too long ago, a Commissioner of Police got information that police officers in Tobago were renting out Government firearms to known people in the drug business. Madam Speaker, that sounds like a nancy story, until one day it was the renter, for reasons best known to him, maybe in a moment of panic, or a moment of absolute patriotism, he decided to tell the police that this was going on. The police did not

believe him. He said, “Well okay, I will call yuh when I have it.” And he did call the Commissioner of Police and said, “I have the guns”. The Commissioner himself and an associate went to Tobago and guess what? Lo and behold, this Tobagonian did in fact have a police Galil rifle using 5.56 ammunition and an automatic pistol of the police service, rented to him by the police service officials. Of course, we were all happy that he had it back, and they were back home in police custody.

But the rest of the story did not end there, “yunno,” Madam Speaker. That officer was charged, and to this day—that happened in 2008, that happened in 2008—where those two officers who did that were charged. Madam Speaker, you would not believe that the system in which we live, and which is functioning is supposed to protect us—That happened in 2008. Everyone expects that the—well everyone, maybe all of them, everybody has retired from the service. All, including the magistrate that delayed the matter on numerous occasions and the Commissioner and all of them, everybody, and the persons who did that, home on benefits and the matter is still pending in the courts. That is our society. That is the society, those are the institutions, those are the experiences that people will tell “yuh”, “Doh do nothing, leave it just so” and blame the Prime Minister, and blame the Minister. That is only one example, Madam Speaker. That is only, one, one example.

I could tell you about another example, of an immigration officer who is in custody of millions of dollars that has nothing to do with his earnings from his visible post. Madam Speaker, I could tell you so many things that it will destroy your confidence in your priest, not the one that you go to, just any arbitrary priest because, Madam Speaker, we need to get serious in this country. I know there are

people who are great defenders of another person or a person, or an unfortunate— because the first thing that comes into view when people are found behaving in those kinds of ways, the first thing that comes to view is their job. Madam Speaker, all our jobs are important, all, and all of us want to protect our jobs, but the time to protect it is before you commit the crime—

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley:—not after, where the general sentiment is, “How you go do the man dat?” My question is, “How the man could do me dat?” Because when I hear of some of these things, my question is, “How you could do that?” Madam Speaker, we have to use the tools that are available to us to ensure that persons who are unsuitable do not find themselves in positions where they can harm the State and our general national security. That is what it is.

Madam Speaker, I can quote here from a BBC story that is available to us. This is from 24th June, 2010 where the story is:

“US Afghan commander Stanley McChrystal fired by Obama.”

Madam Speaker, here is the United States President firing one of the most senior officers in the US military in the middle of a war because, Madam Speaker, it became necessary to remove that officer. General McChrystal was no ordinary officer you know. He was one of the most outstanding generals in the business at the time. But, the officer fell short, and I am sure the President did not take any pleasure, but the circumstances warranted that action be taken to protect the State, Madam Speaker. And, if we are not prepared to make those interventionist actions, we might as well say we are not prepared to improve our circumstances.

I do not want anybody in any of the services I mentioned there that the Bill will deal with, whether it is the fire service, the police service, the customs, the

coast guard, Madam Speaker, I do not want anybody to take it personally. But, I want them to take it as a serious issue that if you are in these services a certain standard of behaviour is required to carry out duties.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, we have some systems in this country, which come to light from time to time, and certain things can be prevented provided that you are in a position to know before and that you take the necessary corrective action before.

Let me give you one other little example, Madam Speaker. There are a whole lot of firearms in the public system, a whole lot. What we do not have is a whole lot of perfect or excellent security. As a result of that, Madam Speaker, we have found ourselves from time to time becoming victims of our own purchase. Recently, one of our officers who, while not getting a mark of A or even down to E, checked out a firearm from the public system, and gave it to another officer. That second officer went and committed a heinous crime against a family, brought the firearm back, gave it to the one who gave it to him, who cleaned it and put it back on the shelf, and all we got outside here was the blood and pain from the news of the family that was destroyed. Madam Speaker, to prevent things like this from happening, we must do everything possible to try and know before.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: And what polygraph does as a modern technological assessment of a physiological response to a person who is asked a question, is to identify to you the need for closer surveillance and monitoring and positioning of persons who failed the requisite polygraph test. That is what it is and if that is too much for us to do, then it is too much for us to try to rectify the rubbish that passes

in places from time to time, and is that hard for the good officers. We have thousands of officers, and I do believe that the vast majority of them are decent, right-thinking citizens.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: I see them from time to time, Madam Speaker, many of them putting their lives on the line, and from time to time, there are officers who act to put the lives of other officers at risk. We in the Parliament, we are not required to go out there in the night time to confront anybody. We are required to make laws to give the authority—

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley:—to officers who can control their guns. And if that is too much for us to do, then we are in the wrong business, in the wrong place, and we are unfit to be given the title of honourable.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, if in giving this authority to officers who should have it to conduct polygraphs we manage to weed out one officer who is unsuited for a position that saves one situation, then it would have been worth our while to cast this vote—

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley:—in favour, in favour. I do not know what is to be gained by saying, “Do not do it,” so that officers who are engaged in nefarious activity, whether it is in security, in personal enrichment, in undermining or just general “wutlessness.” If they can tell me what is the benefit in that, then, Madam Speaker, I am all ears. But as far as I am concerned, there is no benefit to be gained by the senior officers who have a responsibility for their subordinates, not

knowing which of their subordinates should be of great concern to them. Whether it goes in so far as to who they associate with, who they do private business with, or who they do criminal business with. I cannot understand what is the benefit in being ignorant about that. But speaking on behalf of all the citizens who have families and an interest in this nation, there is great benefit in using this tool.

4.35 p.m.

Madam Speaker, I appeal to my colleagues on the other side to not see this as an opportunity for scoring political points or depriving the Government of your vote, because this Bill requires a special majority, and I do not know that there is any benefit in saying that “Because I have the vote to make the special majority vote, I will deny it to you.” Madam Speaker, no personal benefit comes to anyone of us as a personal action on this matter. So a denial of the vote to make this law is not a denial to us here, or the PNM, or the Government. It is a denial to every single citizen who wants protection.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: I want to end by saying this, Madam Speaker. Every time we are confronted by the poor—let us not use the police service—the poor policing, the response is, “We need more”. That is a public service thing too. You go to a Ministry and work is not being done by that department, the first solution, hire more people The first solution, hire more people. The bottom line is, I am saying, we may not need to be hiring more people if we have a good cadre of good people and less of the bad ones that require more people.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: More and more officers, while at the same time not treating and taking out the infected ones, all that is going to happen is that you will

end up with a larger bunch of infected officers. So, Madam Speaker—

Madam Speaker: Prime Minister, you have one minute left of ordinary time. You have 15 more minutes, if you so wish, to wind up your contribution.

Hon. Dr. K. Rowley: Thank you, Madam Speaker. I will just take—

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley:—the one minute to wind up, and to say that if we put more effort into screening out people who are unsuited for where they are located, they might be suited for somewhere else. I am not saying that they should not be anywhere, or they should not get a job, and they should not get a meal. I am not saying that. I am saying that the positions that we have in the security services and similar services—customs, immigration, coast guard, all those places—those places require officers to be of a certain standard, and in those offices, integrity and character do not just matter, they are absolute essentials.

I think it was—in 2013, I think it was—no, it was in 2016, I opened a police station somewhere in the East-West Corridor—

Hon. Member: St. Joseph.

Hon. Dr. K. Rowley:—St. Joseph, and I made the case and I made the point, and I am making it again, that one of the things that we have to do to improve our performance as a nation, from policing, is to screen people better, more thoroughly, as they enter the services, and this polygraphing is a major tool for screening on entry, because some of these people who enter, ought never to have been allowed through the door into these institutions.

Madam Speaker, I must tell you this story—

Madam Speaker: So, Prime Minister—

Hon. Dr. K. Rowley: Two minutes. Just two minutes.

Madam Speaker: Well, we will grant you the 15 and you could take how many of the 15 you wish. Okay? So you are granted 15 minutes to continue.

Hon. Dr. K. Rowley: Okay. So, I have 15. I probably would not take all. I will not take all, but I must tell you this story, Madam Speaker. I must tell you the story. When I was a tennis player, right, I used to play tennis at the Police Barracks Ground. I was there one morning with Dr. Joseph, who was then Minister of something, I cannot remember.

Hon. Member: Education.

Hon. Dr. K. Rowley: Education. After we finished playing and I was leaving, I saw a police officer, who I knew, and I hailed out to him on the way out and he stopped and he was talking to me. It was the morning when they were having an in taking to the Barracks, so there was a line of young officers waiting to go into the Barracks as new police officers. This guy was talking to me by a car window and he said, “Wait, wait, wait, wait,” and he ran across, and he was talking and saying, “What you doing here?” The fella said, “Ah come to go in the police service.” He said, “I have a warrant here for you.”

Hon. Members: [*Laughter*]

Hon. Dr. K. Rowley: He was a warrant officer and he was carrying a warrant in this pocket, produced the warrant and picked up the guy one step from entering the police service in St. James, and that was just an ordinary morning, Madam Speaker. I mean, this is the kind of thing that could happen. But if that happens—and when you go there, there is a polygraph test where they ask you some serious questions—then it would bring out whether, in fact, you are the kind of officer that we are looking for, and then, you know, you would not have to end up like the Commissioner of Police who ran out the polygraph test office, objecting

to the questions.

So, Madam Speaker, I do not want to belabour the point. I think it is all well known to us that we do have need for screening better, and what polygraph testing does is to help us to do that. In fact, what this Bill does is to provide a regulatory framework for it so it is not voluntary and objectionable. Thank you, Madam Speaker.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for Oropouche East.

Hon. Members: [*Desk thumping*]

Dr. Roodal Moonilal (*Oropouche East*): Thank you. Thank you very much, Madam Speaker. Madam Speaker, it is not my intention as well to exhaust all the time provided by the Standing Orders during debate, but it would be remiss of us and myself if we did not seek to comment somewhat on some of issues that have occupied the attention of the House in this debate and a few issues that the Prime Minister himself chose to identify.

Madam Speaker, let me begin by saying that this measure is not completely objectionable. It is a truism that as we progress with institutions, public institutions in particular, we need to deepen the capacity to assess, to understand, to weed out—to use that familiar term—public officers across the board. While today, there is this focus on the Trinidad and Tobago Police Service and police officers, let us remind ourselves, as we begin, that we also must include in our framework other critical officers of the State who play important roles in law enforcement, in the collection of taxes and revenue and so on, and in managing the society and, of course, there be a focus on customs and excise, on immigration, on the Transport Division, BIR, which are included and which we must also discuss.

So that while we discuss police because it is—the central focus many of us will have is crime and security, let us not, you know, abandon consideration of the importance of measures like these to deal with miscreants, to use the term of Diego Martin West, in various departments of the State that are critical, that contribute to this overall malaise, this overall erosion of public administration.

I remember, Madam Speaker, some years ago—not playing tennis with Dr. Cuthbert Joseph. But I remember years ago, campaigning in a particular part of my constituency and there was a place of fellowship incidentally right opposite the Barrackpore Police Station that was very popular because persons felt that if you visit there, somehow you are safe because the police station is over the road. The very renowned keeper of that establishment had cause to publish on a piece of Bristol board with a marker the people who were owning money to the establishment. Madam Speaker, when I pulled up by the establishment as the Member of Parliament, you know, it behoves me to look at the bad-pay list, and out of five, the first three is police constable X, police constable AB, corporal so. That was the first list of people who were not wanted there because they were owning significant sums to the keeper.

What message, therefore, would the police officer be sending in a community if he, and in this case, all he would convey to the public that this is the image of the Trinidad and Tobago Police Service? We term it in the village “bad pay”, so to speak. Even when the police got paid, they could not find the three persons at the end of the month. You could not find them, particularly the last week of the month. You know, when they found one, he said, you know, he was fasting and he could not go there, and so on, for some time. But it is the nature of the society of—whether it is police, it is other—I do not want to identify persons and so on

necessarily, but customs, you think of immigration, you think of the Transport Division and so on, where persons are imbued with some type of authority by statute. We pass law here that gives people authority. You are called, “inspector”. You are called, you know, something. In public health, for example, in the regional corporations, you are a public health inspector. It gives you a certain command over establishments and persons and businesses. You see years ago, you know—I am not saying this in recent terms because I do not want to accuse anyone. You see years ago, you know, the public health inspector moving with a nice market bag every week trailing behind and you know, well, that is crab, dasheen bush, chive, what have you, and that is the health inspector. I say this because what has happened—in decades and decades of this type of culture, you know, what has happened is that the fundamental values have gone.

I will call no names, but I went—all of us went to school with persons who later became police officers. In fact, my school in San Fernando was famous for supplying the army and the police, Madam Speaker. I would know persons as young boys in Form 2, Form 3 and so on, and later in life, when I entered public life and so on, I would see the same persons, but then I would read reports and I would pick up, you know, information that something happened along the way.

When we were in school we were told that if you passed and you see 10 cents on the ground, that is not yours, you leave it. My mother, in particular, used to say, “That could have some bad thing on it. It could have some vibration or something bad with that, and if you touch that 25 cents or 10 cents, then something happens to us, we get real sick or fall down.” But we grew up with this attitude that if you see something on the ground, do not pick it up. It is not yours. If somebody drops it and leaves it, let them come back and pick it up. That changed

when persons entered this civil service and this, you know, law enforcement agency and so on. Something changed and it is a persuasive argument that, you know, the culture, the environment, their seniors—I come to this point too.

Sometimes junior officers across the board, whether it is police or elsewhere, they adopt an attitude and a behaviour because they see it from the seniors. They see it from the seniors. A senior police officer will tell a junior, “I am going home now, doh call me. Doh call me. I am doing something home this evening, do not call me. Whatever it is, deal with that.” Then the junior absorbs that culture, and when you move from constable to inspector, to superintendent, you will then tell the junior, “Seven o’clock this evening I am having dinner at home. Please do not disturb me for anything,” and it continues. It continues.

Now, the matter before us, I do not want to over play it. This is not going to solve, miraculously, in the short term even, some the fundamental problems we have dealing with crime, dealing with police, miscreants, those few persons who bring the service into disrepute. It will not solve it, Madam Speaker, but it must work in tandem with others strategies.

I am happy the Prime Minister raised that trip to Fairfax in Virginia, in the United States, and the development that took place, because I recall the Opposition, the United National Congress, also sent a representative on that trip. It was in May 2018, I believe—

Mr. Hosein: On another trip.

Dr. R. Moonilal: On another trip. We also sent a representative on, not the exact trip, but on a similar trip to Fairfax. Senator—at the time, Sen. Saddam Hosein, the current Member for Barataria/San Juan, also attended a programme at Fairfax which sought to convey the latest technologies and latest strategies in

dealing with gang violence and the use of firearms in criminal activity and so on. It was very instructive. When we received the report from the then Sen. Hosein, it spoke of a multipronged approach, not just looking at polygraph vetting and screening and so on, but it included programmes, social programmes for at-risk youth, community crime prevention officers in every station, school-based monitoring—which is a critical issue at this time, eh—getting police, whether they are uniformed or not, but getting some type of presence, strong presence in the school.

I mean, we are bombarded, almost on a daily basis, by scramble fights of children and particularly, females. Sometimes, I mean, it was so bad, I wondered whether they were doing that for some social media promotion and it is not real, but it cannot be, I doubt. And these mad scrambles that take place on the street, in the school compound and so on, to approach that, of course, again, it is multifaceted, but there needs to be some presence of law enforcement in schools. And the Member for Siparia, in outlining recently a policy agenda to deal with crime fighting, spoke of the use of police and law enforcement in the education sector, and it is something that we are talking about, fleshing out, in a policy sense and in a programme sense.

You also had the issue at Fairfax, they raised court ordered monitoring and supervision, youth assessment inventory as an assessment tool to look at patterns of youth crime and delinquency.

4.50 p.m.

So, the vetting of the police officers takes place in a wider context. It must be. The related point is that we have already had, I believe from October 2023, TTPS polygraph test for new recruits. They announced that they were

polygraphing recruits at the police service. And there is a matter raised by the Prime Minister—I just wanted to get it out of the way one time. The Prime Minister made reference to a former commissioner of police not wanting or not availing himself to undertake a polygraph test as part of a recruitment to the office of Commissioner of Police. Now the Prime Minister did not name the applicant for Commissioner of Police, but it led swiftly on the social media to a comment by former Commissioner of Police Griffith, indicating that it was not him, in case the Member for Diego Martin West wanted to suggest in any form or fashion that it was him. It was not, and he submitted himself to polygraph testing, and on all occasions that the office of Commissioner of Police required it.

Mr. Hosein: And he challenged the Prime Minister.

Dr. R. Moonilal: And typically challenged the Prime Minister to say otherwise. But that is another—Madam Speaker, I do not promote those types of fights. I am not Don King here promoting any fight, but all I am saying is the Prime Minister and that energized former commissioner will sort that out. But, Madam Speaker, let me get back to the Bill please, without the distractions. Madam Speaker, the issue, an important issue being raised here, and sometimes we feel it is one or the other. One or the other. Now the Government just invested \$260 million for which the Government will pay \$480 million for a headquarters of the Ministry of Health. It was leaking a few days ago during the rain. Now I say that—

Madam Speaker: So, Member—

Dr. R. Moonilal: I am coming.

Madam Speaker:—I am going to ask you quickly to make the connection.

Dr. R. Moonilal: Sure.

Madam Speaker: You took us all through crime and so on, and I was happy when I heard you say you are getting back to the Bill, because I was about to stand on Standing Order 48(1) but you got there. Let us keep—

Dr. R. Moonilal: The point I am making, Madam Speaker, and it is related to the Government's point, the Prime Minister makes this point today, which he made before, that resources, infrastructure is not everything. And I am saying that whether it is health or police, and we could come to police, we have built many, many police stations. Under our tenure 2010 to 2015 we built nine police stations and 90 percent completed the police station that the Prime Minister himself opened in 2016, St. Joseph.

Hon. Members: [*Desk thumping*]

Dr. R. Moonilal: And when we bring this measure, the Prime Minister suggests that it is not resources alone because we are giving more cars, we are giving more bulletproof vests, we are giving better equipment and so on, but vetting will help in weeding out the miscreants, the police and so on, but do not understand estimate the importance of resources, because today the TTPS still argue that they do not have sufficient resources.

Mr. Hosein: Body cameras.

Dr. R. Moonilal: Body cameras and so on. But the point is what is required is the management of resources. The management of human and material resources. And that in tandem with a vetting process that is robust, strenuous, that they can now go to with a regulatory framework and vet, and polygraph police officers, randomly I believe, on a host of matters, it must work in tandem with the provision of resources. We must also not underestimate the importance, Madam Speaker, of infrastructure, and therefore I call upon the Government to be very

cautious about this issue and not underestimate the importance of physical material resources to go in tandem with a polygraph statutory framework to deal with the officers. A couple questions on the Bill we will just ask now, and as I said it is not all objectionable, there is something laudable here as well. The polygraphing, could we be absolutely clear that the results of polygraphing officers cannot be used for evidential purposes?

Mr. Hosein: Criminal prosecution.

Dr. R. Moonilal: For criminal prosecutions? It is to be used, I believe, for disciplinary matters, transfers, et cetera, et cetera. When the former Commissioner of Police introduced polygraph, it was really to look at sensitive areas of national security, border control for one, border protection, and it led to transferring officers to certain areas. But, we asked the Government to state whether or not the results of polygraph testing can be used in court for criminal prosecution, because I suspect it cannot be, so therefore this is a matter really for transferring. If fact, because disciplinary proceedings may also end up in court, you also want to be careful that what is really the evidential value of polygraph testing in this context. Clearly, it is an embarrassment, there are officers who can claim that this could be embarrassing and so on.

I remember a very interesting point on polygraphing years ago. There was a former Commissioner of Police by the name of James Philbert, I think a practising attorney now in the south land, and when this matter came up of polygraphing he had an interesting perspective. He said that, when you polygraph police officers, particularly officers who are in investigative duty and undercover, as we say, involved on a daily basis with criminal elements for information, they may be involved in participating in something towards the end of gathering intelligence

and evidence. And when you polygraph them, depending on what you are asking they will fail. But they will fail because they were doing their jobs. I remember a commissioner of police had this argument when this matter arose 2007/2008 somewhere there. So that one has to be caution as to what really is the intent of this.

There is another intent here, that the machinery must be put in place—so the Bill speaks to machinery as well, to protect officers, high officials in other areas that the Bill designate, from arbitrary treatment, victimization by senior officers, because there is an authority that you place here in certain ranks to cause to be undertaken, polygraph testing. And we must shape the legal framework to ensure that it cannot be used because you want to punish someone, you put a polygraph test on them, the results come out one way or another and you use that for disciplinary action, for transfers. And in the civil service as we all know, in the public service a job is not a job. There are some areas that you function in that carry other benefits and other perks and so on, and if you are out of that you lose, sometimes significant income you lose. You lose opportunity as well, and we must always be focused also on protecting the workers/officers from arbitrary treatment and victimization, which has been a major issue here.

And I am happy that the Prime Minister raised this issue, Madam Speaker, that there are policemen and women who when we go to sleep in the night they are working, they are on call, they go out on task force, they go to do things that we cannot dream of doing. We are not trained and so on, and we must be careful even in treating with those officers that we do not victimize them as well, and they face disciplinary action or prosecution when they make this dedicated commitment to work 24/7. And that has been a big issue in a recent development in Trinidad and

Tobago.

Madam Speaker, this issue, of course, rental of—the Prime Minister raised this as well as a centrepiece really of his contribution, the rental of firearm or the use of firearm by criminal elements, which they received from official law enforcement persons and so on. That has been around for a long time, I imagine, because you have heard stories of these things for years and years, and again remember police officers under disciplinary charges so on since the time of Randolph Burroughs, because Commissioner Burroughs at that time found that a lower ranked officer could not account for his weapon during a particular time. So that has been around for a long time.

This may have a dent, we do not know. We can give it a try. But it cannot be the be-all and end-all, because this by itself will not stop that trade. It has to be a much more robust system to stop that trade, than random polygraph testing. Because the science which other speakers have dealt with before, so there is no need, I have reviewed some of the speeches by colleague before, the science speaks now to loopholes, even in the implementation of polygraph testing as a scientific method. In fact, I was reading in preparation for today where there are persons who are suggesting now that persons who are the subject of a polygraph test will stick themselves with two needles on two parts of their body so it temporarily raise their blood pressure and if you ask them any question—

Mr. Hosein: There is no variation.

Dr. R. Moonilal:—there is no variation in their answer, testing the blood flow and so on. Now, that may be so, I do not know about that, I heard today about dry rice in your mouth to check for fraud, but I do not know much about that, Madam Speaker.

Hon. Members: [*Laughter*]

Dr. R. Moonilal: But what I can say is that polygraph testing is not this cure for all, because there are personalities who will beat this, and there is enormous literature on this. In fact, in the United States today they are going to abandon polygraph testing in favour of other scientific methods of detection of persons and so on. So, Madam Speaker, it was in that context that I wanted to speak to this Bill and underline the importance of management of resources rather than just implement it. For example, we can pass this Bill, implement this framework, then the challenge would be to get the proper management, to get the tools available. Now, I will not go because I ought not to go, and you will not allow me to go into electronic monitoring devices, which was passed years ago, that legislation, today we cannot sort out what is the best device because a poodle just bite out one from somebody foot.

Madam Speaker: You just promised me—

Dr. R. Moonilal: Yes.

Madam Speaker:—that you were not going there. Thank you.

Dr. R. Moonilal: Madam Speaker, I come back to polygraph testing equipment, we need to be very careful in putting the process in place that it does not end up as others, and there are many examples I could give, which I would not.

Hon. Member: [*Inaudible*]

Dr. R. Moonilal: They are encouraging me, Madam Speaker. It is not just the electronic monitoring devices but the body cam. The body cameras they bought it and then it was the wrong battery—

Hon. Member: The charger.

Dr. R. Moonilal: —it was the wrong charger.

Madam Speaker: You—

Dr. R. Moonilal: They are encouraging—

Madam Speaker: No, no, the thing about it is that as one of the most senior persons here, you cannot let people guide you down the wrong path you know better than that, you know, so—

Dr. R. Moonilal: Madam—

Madam Speaker: —do not, at all, at all, be misled along that path. You keep on what you know is correct.

Dr. R. Moonilal: Madam Speaker, I will be guided by only you in this matter.

Hon. Members: [*Laughter*]

Dr. R. Moonilal: So, Madam Speaker, that is the point that I wrap up now, that this will go nowhere unless we do not have professional input into the procurement of the devices, the equipment, the technology, and the use of that. The use of it, so that we do not have a situation where a polygraph machine—

Hon. Members: [*Desk thumping*]

Dr. R. Moonilal:—to use a simplistic term, I am sure is not just that a polygraph machine comes into the police service, it is to be used there and then we discover that we do not have the trained persons. We do not have the minor devices that it requires to use in tandem, and that is another significant point that I raise and I would not get into all those examples.

5.05 p.m.

Madam Speaker, the Prime Minister, as well, you know, made an interesting point that we intend here to weed out miscreants and so on. I venture to say that if this was in place, a recent appointment of a Deputy Commissioner of Police may

not have been made, because we could have done a polygraph test and confirm several matters.

Madam Speaker, the Prime Minister is also fond of acknowledging his role. I think this is the first Prime Minister in history who speaks with the identity of chairman of a National Security Council, that Dr. Eric Williams chaired, George Chambers, A.N.R. Robinson, Basdeo Panday, Patrick Manning, Mrs. Persad-Bissessar. Everybody, every Prime Minister is by definition Chairman of a National Security Council. But this is the first Prime Minister to identify himself as such. And whatever that is, that may be something else about that. But whatever it is, I also had the opportunity, Madam Speaker, to serve for five long years as a member of the National Security Council, which I served, and understand the sensitivity of that—

Mr. Imbert: [*Interruption*]

Dr. R. Moonilal: You see again, the Member for Diego Martin—what is that?—North/East, I think he is bothered by a court decision this morning.

Hon. Member: “Ohhh.”

Hon. Members: [*Desk thumping*]

Dr. R. Moonilal: The recipient of another blow from Anand Ramlogan. But I want to get back to this national security matter. Madam Speaker, let me look at you.

Madam Speaker, the National Security Council by definition receives very sensitive, confidential reports and so on, and will understand more than anybody else I believe, the tragedy that exists in the TTPS as it relates to officers, allegations of corruption, allegations of wrongdoing, and the pervasiveness of this, they will understand. They will also understand, Madam Speaker, that this cannot

change in the short term just by passing this Bill. If this Bill is to help with our cooperation agreements with the United States and elsewhere, that requires the passage of this legislation that is fine, because there is a cooperation.

But I also want to reflect, Madam Speaker—I think it is the final point I will make. The Prime Minister has made a point on more than one occasion, and made the point again today, that foreign governments, whichever those governments may be, may have difficulty working with local law enforcement personnel who they believe they have intelligence on that may not be suited for that job. That is something that needs to be articulated a bit more and discussed, because there is a point at which we must be careful of that as well because you can have a situation where that is also being used as a ruse to get rid of certain people, to ensure that certain persons are not promoted, are not given opportunities, and we call it, we said the embassy of X, Y and Z has said that they cannot work with officer Y. they cannot work with officer Z, but they prefer officer A. We must be careful of that as well, because in circumstances where we do not have the intelligence, because the intelligence community has all but collapsed now, we do not have the domestic intelligence capacity we may want to accept, lock, stock and barrel what a foreign government is telling us.

So, Madam Speaker, those are the few unobjectionable words I would like to leave for the record. Thank you very much.

Hon. Members: [*Desk thumping*]

Madam Speaker: Minister of National Security.

Hon. Members: [*Desk thumping*]

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you very much, Madam Speaker. Madam Speaker, unlike the Whistleblower

Protection Bill which we passed into law earlier today, this Bill is not as old as five years. It was first read in this House in January of 2022 and was read for the second time in February of 2022. The Bill was again read on November 1st 2023, and we are here again today to deal with them.

Like the Member for Oropouche East, others on the other side have spoken, and careful note has been taken of their expressions, and as a result of our own deliberations, and to bring further clarity to some of the issues that were raised, we decided that we would offer a few minor amendments which should, about this time, be circulated or should shortly be circulated, in order to bring clarification to some of the questions that were raised.

Madam Speaker, just let me before I proceed treat with some of the issues raised most recently, of course, by the Member for Oropouche East. I want to suggest to the Member the regulations of Trinidad and Tobago Police Service provide for polygraphing of persons on entry into the police service—and that has been so for quite a while. And therefore, the police is well suited with the necessary equipment, the necessary training and personnel who conduct these rather routinely.

As a matter of fact, as we speak, in the attempt to recruit hundreds of police officers in this year, about 1,500 applicants are being considered and the police service as we speak, with the resources and the capacity in polygraphing that it has, is treating with about 700, 800 of them. And because of the exigencies of the situation we would have, through the hon. Prime Minister, negotiated with our brothers and sisters in the island of Jamaica and some of our colleagues there, in the CARICOM fraternity are here with us as we speak, joining the Trinidad and Tobago Police Service and the SSA in conducting these polygraph tests on the

1,500 persons to ensure, as the Prime Minister said in his submission in this debate, that on entry they are well taken care of.

This Bill is necessary because while we have polygraphing for police officers, and by the way, Madam Speaker, the police service and the Police Service Regulations is the only group that are polygraphed on entry in contemplation in this Bill. Whether it is the Judicial and Legal Service Commission, the customs, the prisons, the fire, no other group contemplated here polygraphs or is polygraphed for an on entry.

So, Madam Speaker, the Member for Oropouche East needs not worry about this. He raised the question of other scientific methods for testing integrity, and, yes, this Bill provides for collection of biometric data, the eyes, and the Bill provides for other means of testing integrity other than polygraphing. So I think that satisfies the Member in that regard. He probably did not read the Bill as well as he should but there we go, Madam Speaker.

Just to mention in the context of polygraph, the Prime Minister would have raised the question of polygraphing and mentioned that a former Commissioner, he called no name, walked out of a polygraphing experience. That was quite absolutely correct, Madam Speaker, it happened. And to make matters worse, pulled the electrodes off, and I was present when at the level of the National Security Council, if I may be permitted to say, when the question of the walking out of the polygraph by that former Commissioner, very recent former Commissioner, the same one who send the WhatsApp to the Member for Oropouche East today, he was asked, did you walk out of a polygraph?—pull off the electrodes and walked out. And he said, yes, he did. When asked why, he gave an explanation that the questions that were asked were not the questions that

they were supposed to ask “he”. When asked further about it he said, those were the questions you were supposed to asked, those were not the questions that came from the Police Service Commission. Well it begs the question, how did you know what questions were supposed to be asked to “doh” like the ones—And he walked straight out. I hope the Member for Oropouche East send him back a WhatsApp and tell him that.

The Member for Oropouche East also spoke a while ago, au passant, about the question of body cams. You see that former Commissioner, he is on record as having purchased, whimsically, without deep thought, 250 body cams, not one of which has been used in police operations in this country because it was not in sync with it. It was incompatible with the existing technology. As a result that 250, at millions of dollars cost to the police service and the Government and people of this country, is now used on police recruits merely so that there they would get accustomed to wearing them when the real McCoy is put upon them in the line of their duty. Waste! I hope the Member for Oropouche East will send a WhatsApp message to his friend.

Mr. Indarsingh: Madam Speaker, I rise on 48(6), he is imputing improper motive.

Mr. Young: Send him a WhatsApp is imputing improper motive?

Hon. F. Hinds: Madam Speaker—

Madam Speaker: Member please, I have to rule. Overruled.

Hon. F. Hinds: Thank you very much, Madam Speaker. Madam Speaker, the matters in front of us, as the Member for Diego Martin West made pellucidly clear today, are as simple as they are straightforward. We are faced with a serious crime upsurge in this country. The public is concerned about it and we are clear in

our minds that we will not be properly able to tackle this crime problem if those who we pay, those who are sworn to protect us are themselves contributing to the problem. And as a result, we present these measures to this House for its consideration. It affect members of the police service, the defence force, the prison service, the fire service, the Custom and Excise Division, the Immigration Division, the Board of Inland Revenue— I heard the Member for Oropouche East recommending it, but they are in the Bill. Clearly, he did not read the terms of it as he should. And, of course, the office of the Registrar General which houses the Land Registry, the Companies Registry and such likes, registrar of births and deaths. And of course these measures here as well covers the Financial Intelligence Unit of Trinidad and Tobago.

[MR. DEPUTY SPEAKER *in the Chair*]

We contemplated the Transport Division, but once we pass this today we can come with an amendment sometime, hopefully shortly, because they are having issues with officers who are sworn and paid. In fact, so much so that four officers of the Licensing Division were recently sent on suspension and five public officers, public servants working there at, Madam Speaker.

Madam Speaker, so that the measures we bring before this House today are very, very, important. The Member for Oropouche East alluded to it, yes. We have relations with other States of the region, particularly in CARICOM and the world. Many of the crimes that afflict us in Trinidad and Tobago are transnational in nature and we rely on our transnational policing with Interpol and other agencies to share information at critical times. We share with them, they share with us. Recently we were able to assist the Grenadian Government in identifying a fugitive, a murder fugitive who was hiding out in Trinidad and dispatched him to

Grenada. And so the story goes. Therefore they must have trust and confidence in those with whom they relate in Trinidad. Law enforcement to law enforcement. So we put the necessary MOUs in place, the necessary protocols, but trust and integrity is central to these arrangements, so it should bring no surprise to the Member for Oropouche East.

Mr. Deputy Speaker, as part of my consultations with the national community, I engaged the leaders, the heads of departments mentioned in this Bill, so as to share with them, through the lips of the Law Reform Commission who assisted or in fact put this Bill and the policy that supported it together, we engaged the head as recently as March of this year. That included, of course, the Commissioner of Police, the Chief of Defence Staff, the Commanding Officer of the Regiment, air guard, coast guard, the Commissioner of Prisons, the Chief Fire Officer, the Board of Inland Revenue, the Comptroller of Customs, the Chief Immigration Officer and of course officials from the Registrar General; every one of them who are affected by the measures for our consideration in this House today.

5.20 p.m.

We caused Senior Counsel of the Law Reform Commission and his team to present, independent of the Government so to speak, the measures and their impact and effect on the services for which they have responsibility and, of course, they having a role to play as heads—because this Bill provides that in appropriate circumstances, these heads can trigger the call for the need for polygraphing or other integrity testing as maybe necessary. I am quite happy to have you know, in particular, in light of the fact that one association—and I am too embarrassed to identify the association now—but one association representing a group of these—I

think I should be fairer to those who are not so guilty, you know. But one association head, rather unthinkingly, expressed publicly, when I presented this Bill here in November, that he does not support these measures. So I engaged, as we said, the heads of the departments.

Every one of them, having listened to the presentation, having participated wholesomely in the discussions that went on for about four hours, having asked all the questions that they had to ask, every one of them expressed, Mr. Deputy Speaker, absolute satisfaction with these measures. In fact, they were good enough, thoughtful enough, to put their responses in writing. And so I have in my possession from the Board of Inland Revenue, from the Minister of Finance, from the Commissioner of Police, from the Commissioner of Prisons, from the Chief Fire Officer, from the Chief Immigration Officer, from the Customs and Excise Division, every one of them expressed support for these measures. And I commend them—and if they want copies, they can get access. I commend these, from the heads of these agencies, speaking on behalf of their agencies, support for these measures.

There were some questions raised. I think the logic, the need for this is compelling and beyond reproach—

Hon. Member: Reproach.

Hon. F. Hinds:—or reproach, Mr. Deputy Speaker.

Yes, these measures call for a special majority, but the Member for Diego Martin West was quite potent in the way he put it, not because you have that power, you should simply laud it and say you are not getting it as though you are doing the Government something. It is the people of Trinidad and Tobago that these measures aim to protect. And while it requires a special, or what they now

call a “super majority”, the law and the Constitution of Trinidad and Tobago permits passage of law, which infringes, impinges upon the established rights in section 4 and 5 of the Constitution. The Constitution itself makes provision for that.

But the case of Surratt, which you would have heard about, and Suraj before it—Dominic Suraj—those matters make it quite clear that outside of this Parliament, in the constitutional court, measures like this can pass muster if a couple things are shown. One, that there is a legitimate aim. No surreptitious aim, no ignobility, but a legitimate aim. I want to rewrite or restate for the benefit of my friends in this House and outside—because the Member for Siparia is not present in the House today. I am rather disappointed at that fact of the very important matter of integrity testing of law enforcement and other officers, whose activity impact on our lives in a very serious way and on whom we depend to protect us, the Member for Siparia is not here. So let me say for the benefit of those inside, and if she happens to be in front of a television—

Hon. Member: The Member.

Hon. F. Hinds: The Member for Siparia—the legitimate aims include to bolster national security efforts, to reduce crime, to identify rogue elements within the protective services and the other government departments of which we speak, to tackle corruption in these services.

The Member for Oropouche East told us today, “This cannot be the only item.” We do not think it is the panacea for all of our problems. We have the Police Complaints Authority, which has a mandate to deal with serious police misconduct and police corruption, and it operates in the jurisdiction seeking out issues around those lines and treating with them. So this is not the only measure.

The whistleblower legislation, which we passed today, is also another one of the efforts that we make, and we have been consistently doing things as a Government, trying to tighten the reins and to improve the national security frontier and platform in the protection of the people of this country. The legitimate aims also includes to promote public confidence in the national security arms, and public includes, not the general public who the police and law enforcement and these agencies protect and service, but it also includes the internal public.

I told you, when I presented this Bill here, that there are the vast majority of hardworking decent officers who feel very uncomfortable when they are in company with, going out on exercises, depending on their colleagues to watch their back—if I am permitted a colloquialism—and they have a good idea, by virtue of their close relationship with some, that they do not deserve the respect, and trust, and confidence. But how do you know that? This is scientific way of finding out when the particular circumstances arise. So the public, which confidence this legitimate aim espouses, includes members of these services who need to know that their colleagues are solid, and sound, and can be trusted.

So, Mr. Deputy Speaker, as I said, they raised several matters, and every one of them—I too want to share with my friends a matter that I would have read in the *Daily Express* of the 22nd of June, 2023, where a young man approached the defence force to join its ranks—they were recruiting—and when he was asked the question, “Have you applied for any of the services, this service or any before, and have you been polygraph?” He told them a lie and he said, “No.” And there was a reason why he did that because he had failed, on that occasion, with an application to the Trinidad and Tobago Police Service. So he told a lie to the defence force as he approached them for membership.

Of course, it was discovered that he had told that lie, and for that and other reasons, I presume, they denied him entry and he took the matter to the court and, of course, the court described him as having been dishonest. And for that reason and others, the court upheld the defence, as put by the defence force in that challenge, and the court saw the wisdom and explained in its judgment the need for polygraphing, and the need for confidentiality and trustworthiness, and integrity testing on the part of those who populate these services, and I was quite pleased at that.

Mr. Deputy Speaker, we have many reports of the Commissioner of Police, explaining that in year 2022, for an example, 36 officers were charged, stemming from 79 offences, and in 2023, up to that time when she spoke, 19 officers have been charged. Let me share with you some other statistics, because it is important to bolster our suggestion of the legitimate aim even for the purposes of *Hansard*. Am I correct? As at May 2024, just talking about the crime patterns in Trinidad and Tobago, 525 persons were charged for murder; in 2019, 103; in 2020, 121; in 2021, 87; 2022, 101; in 2023, 89. And it is going to be a little more year to date, 2024, I have the figure 24 here, but I rather suspect a few other persons have been charged since these statistics were acquired at the end of May.

In so far as manslaughter is concerned, 24 persons; rape, incest and the other sexual offences, 1,412; kidnapping, 546 over that same period between 2019 and 2024; narcotic offences, 2,292; possession of firearms, 3,083. As for the protective services in particular, Mr. Deputy Speaker, personnel facing criminal charges in the last five years: 2019, 63 of them; 2020, 69 of them; 2021, 114; 2022, 44; 2023, 62; and year to date, about 13 of them, totalling 365 members of the protective services who are the focus of the deliberations and the measures before this House

here today. So this is not pie in the sky. This is not whimsical.

The reason why we are here today is because of the reality of these situations and the State's response to it. And we as a Government, bar all the shouting, we assess the situation on the basis of the best advice available to us, we take decisions, and we are strong and bold enough to stand by those decisions, and in some cases like today, convert those decisions from policy to law and to present them for the consideration of this House. We must do that.

In so far as protective service members on suspension—the Prime Minister would have spoken today, and that officer, the police corporal in that horrific gun-renting incident in Tobago, a corporal of police, he would have been on suspension and continued, since 2008, to be on suspension up until his retirement recently. So he has now gone into retirement with full benefits. But as for members of the protective services on suspension: 2019, 27 of them; 2020, 24; 2021, 19; 2022, 52; 2023, 58; and year to date—well, as at May, 4 of them, totalling 184. This is just the protective services. I am not talking about the public servants who are here contemplated as well in relation to disciplinary action taken at the level of the Public Service Commission.

So, Mr. Deputy Speaker, insofar as we are concerned, we as a Government, we see the wisdom, we see the need for these measures, and we present them you, to this House, for our consideration. I think there is precious useful else to say. I suspect from the observations on the other side that my friends, most of whom have vacated the Chamber—the Opposition Benches are very sparsely occupied.

5.35 p.m.

The Member for Siparia is not here. The Member for Oropouche East who spoke, he has departed the Chamber. Barataria/San Juan has departed the Chamber. The

only men who are in this Chamber is the Member for Naparima, the patriots—is it patriots?

Mr. Gonzales: Yes, yes.

Mr. F. Hinds: The Member for Mayaro and of course, the man and the Member of the moment—

Hon. Members: [*Desk thumping*]

Hon. F. Hinds: —Cumuto/Manzanilla.

Mr. Scotland SC: Cumuto/Manzanilla.

Mr. Charles: [*Inaudible*]

Hon. F. Hinds: I said the gentlemen in the House. I mean, you must think, you must think. Unless if you have reason to think otherwise. I spoke of the gentlemen.

Mr. Deputy Speaker: Member. Member.

Hon. F. Hinds: And now I can—

Mr. Deputy Speaker: Address the Chair. Address the Chair.

Hon. F. Hinds: Indeed, Mr. Deputy Speaker.

Hon. F. Hinds: Now I can—

Mr. Deputy Speaker: Naparima, please.

Hon. F. Hinds: And the Member Caroni East who spoke in this debate but gave no indication of anything that we heard here today. I do not know why, but when he spoke, he was firm in objection to it. And I heard today a bit of a different tone, which I am pleased to have heard. So I commend these measures and of course, the Member for Chaguanas East is in the Chamber. So with just about four or five of them in the House, I commend these measures forcefully for its consideration and Mr. Deputy Speaker with those few words, I beg to move.

Hon. Members: [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

[MADAM SPEAKER *in the Chair*]

5.40 p.m.

House in committee.

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

Clause 3.

Question proposed: That clause 3 stand part of the Bill.

Clause 3 A. In subclause (a), in the proposed section 11A(2), delete paragraph (h) and substitute the following new paragraph:

“(h) the law officer is in proximity to a person charged or convicted of a serious criminal offence under any of the following Acts:

Chap. 11:25 (i) the Dangerous Drugs Act;

Chap. 11:27 (ii) the Proceeds of Crime;

Chap. 12:07 (iii) the Anti-Terrorism Act;

Chap. 12:10 (iv) the Trafficking in Persons Act; or

Act No. 4 of 2021 (v) the Anti-Gang Act, 2021.”.

B. In subclause (c), delete the proposed section 16A and substitute the following new section:

“Confidentiality and exemption 16A. (1) The results of the tests conducted and the information collected

pursuant to sections 11A and 16(1)(j) and (k) are confidential and shall not be disclosed.

(2) The results of the tests conducted and the information collected pursuant to sections 11A and 16(1)(j) and (k) are exempt from the application of the Freedom of Information Act.”.

Madam Chairman: Minister of National Security.

Mr. Hinds: Thank you very much, Madam Chair. We propose an amendment in the sense that in subclause (a) in the proposed section 11A(2) that we delete paragraph (h) and substitute it with the paragraph as circulated. In effect, we are including in this list of laws the Proceeds of Crime and the Anti-Gang law.

Madam Chairman: Yes, Member for Barataria/San Juan.

Mr. Hosein: Thank you very much, Madam Chair. Madam Chair, through you to the Minister, I notice at the amendment also, we retain the term:

“(h) law officer is in proximity to a person charged or convicted of a serious criminal offence...”

And then the five new legislation are listed. I just want to get some clarification from the Minister in terms of the intention or how we are going to interpret the “proximity to a person charged”. Is it someone who is a relative? What is the clarification or the intention of the legislation for that part?

Mr. Hinds: Proximity does not mean consanguinity as you have described it. It certainly does not mean geographical space or distance. This has to do with persons who are charged for—other persons who are charged for or convicted of a serious criminal offence under any of the Acts as I have just described them. That

is to say:

- “(i) the Dangerous Drugs Act;
- (ii) the Proceeds of Crime;
- (iii) the Anti-Terrorism Act;
- (vi) the Trafficking in Persons Act; or
- (v) the Anti-Gang Act...”

Mr. Hosein: Minister, what the question is that it is the law officer is in proximity to a person charged or convicted you know. What does that entail in terms of the defendant—

Mr. Hinds: I just indicated that—

Mr. Hosein: I am clear that the person could be charged under the five Acts, that person.

Mr. Hinds: Yeah.

Mr. Hosein: But the law officer would be in proximity to that person.

Mr. Hinds: Meaning if the person is associated with in the context of the evidence that is to be put before the court, which will be decided by the court on a case-by-case basis. In other words, if the law enforcement or the arresting officer is of the view that that person is sufficiently connected to it in the same context as you have conspiracy and that kind of connection, that is what it means and the court will decide that on a case-by-case basis.

Mr. Hosein: So that is a good point you raised, Minister. Instead of using the word “proximity”, why do we not put a list of inchoate offences—conspiracy, attempt—instead of using this word “proximity”?

Mr. Hinds: No, I would say it is a term that the court is not unfamiliar with in these circumstances and we have the confidence that the court could resolve this in terms of the connection, the closeness, the proximity.

Mr. Hosein: You see while we understand the court, the first port of call here would be the head of department. So for example, it will be the Commissioner of Police who will have to be the one to enforce the Act before the matter reaches the court. So it is for the Commissioner to determine what is in proximity, it is the Chairman for the BIR to determine that or the Comptroller of Customs. So it is a term of art that is very unfamiliar with respect to criminal law.

Mr. Hinds: I would submit that the Commissioner of Police and the other officeholders, by virtue of what they do, they would be quite familiar with the concept that is captured in the term “proximity”. I do not anticipate that it would generate too much difficulty.

Mr. Al-Rawi SC: Madam Chair?

Madam Chairman: Member for San Fernando West.

Mr. Al-Rawi SC: Madam Chair, if I could assist my colleagues, subsection (2) is subscribed by subsection (3) of the same section. Subsection (3) says:

“For the purpose of this section—

(a) subsection (2) applies to a law officer only while he is on duty;”

And therefore the plain and ordinary meaning assigned to that phrase is to be circumscribed by the expressions expressly set out in subclause (3), proximity being particularly relative to the prison officers and others while they are in that position. That is what it is intended to mean.

Madam Chairman: Okay. Member for Naparima, you had a question?

Mr. Charles: Is there a measure of subjectivity in interpreting proximity in this context?

Madam Chairman: Member for San Fernando West.

Mr. Al-Rawi SC: Madam Chairman, forgive me for intervening on this but I assisted in drafting the Bill back in 2022 so I am fairly familiar with it. Yes, it is

an objective test. It is the plain and ordinary meaning in accordance with the statutory interpretation and that is set out by the combination of subsection (2) and subsection (3).

Madam Chairman: Minister.

Mr. Hinds: Yes, indeed. I am satisfied that it will not be a problem.

Madam Chairman: The question is that clause 3 be amended as circulated.

Question agreed.

Question put and agreed to.

Clause 3, as amended, ordered to stand part of the Bill.

Clause 4.

Question proposed: That clause 4 stand part of the Bill.

Clause 4 A. In subclause (a), in the proposed section 29A(2), delete paragraph (i) and substitute the following new paragraph:

“(i) the officer is in proximity to a person charged or convicted of a serious criminal offence under any of the following Acts:

Chap. 11:25 (i) the Dangerous Drugs Act;

Chap.11:27 (ii) the Proceeds of Crime;

Chap. 12:07 (iii) the Anti-Terrorism Act;

Chap. 12:10 (iv) the Trafficking in Persons Act; or

Act No. 4 of 2021 (v) the Anti-Gang Act.”.

B. In subclause (c), delete the proposed section 30B and substitute the following new section:

“Confidentiality and exemption 30B. (1) The results of the tests conducted and the information collected pursuant to sections 29A and 30(1)(l) and

(m) are confidential and shall not be disclosed.

(2) The results of the tests conducted and the information collected pursuant to sections 29A and 30(1)(1) and (m) are exempt from the application of the Freedom of Information Act.”.

Madam Chairman: Minister of National Security.

Mr. Hinds: Yes, indeed. Madam Chair, again, we offer an amendment in similar terms and this is to delete the proposed section 29A(2)—in that section, to delete paragraph (i) and substitute it with the following new paragraph as written in the amendments that have been circulated. Similar text. Yes?

Mr. Hosein: When you did the first amendment, you did not give us the rationale for the part B which is replicated here, also where the information is confidential.

Mr. Hinds: Yes.

Mr. Hosein: Is there a reason why we are now dividing it into two separate subsections because what we are doing is really replacing what is already there?

Mr. Hinds: I did indicate when I was on my legs in the course of the debate that we were seeking to bring further clarity based on questions that you—

Mr. Hosein: Sure.

Mr. Hinds:—and others on the other side would have raised and we believe the formulation that we have chosen makes it very clear. One, that the information would not be disclosed and secondly, it will not be subject to the provisions of the Freedom of Information Act.

Mr. Hosein: Sure.

Mr. Hinds: And this formula is replicated—

Mr. Hosein: Throughout.

Mr. Hinds:—throughout. Made simple.

Mr. Hosein: Sure.

Madam Chairman: The question is that clause 4 be amended as circulated.

Question agreed.

Question put and agreed to.

Clause 4, as amended, ordered to stand part of the Bill.

Clause 5.

Question proposed: That clause 5 stand part of the Bill.

- Clause 5 A. In subclause (a), in the proposed section 243A –
- (a) insert after the word “officer” wherever it occurs the words “or other rank”;
 - (b) in subsection (2), delete paragraph (i) and substitute the following new paragraph:
 - “(i) the officer is in proximity to a person charged or convicted of a serious criminal offence under any of the following Acts:
 - Chap. 11:25 (i) the Dangerous Drugs Act;
 - Chap.11:27 (ii) the Proceeds of Crime;
 - Chap. 12:07 (iii) the Anti-Terrorism Act;
 - Chap. 12:10 (iv) the Trafficking in Persons Act; or
 - Act No. 4 of 2021 (v) the Anti-Gang Act.”.
- B. In subclause (d), delete the proposed section 247 and substitute the following new section:
- “Confidentiality 247. (1) The results of the tests

and exemption conducted and the information collected pursuant to sections 243A and 244(1)(l) and (m) are confidential and shall not be disclosed.

(2) The results of the tests conducted and the information collected pursuant to sections 243A and 244(1)(l) and (m) are exempt from the application of the Freedom of Information Act.”.

Madam Chairman: Minister of National Security.

Mr. Hinds: Thank you very much. Madam Chair, the first aspect of this amendment deals with a matter that was raised I think by the Member for Barataria/San Juan in the course of the debate identifying that, as it relates to the defence force, if we use the word “officer” simpliciter, it does not distinguish between the commissioned officer of that force and the other ranks.

So this amendment, in response to that, making it quite clear that we are talking about—in the use of the word “officer”, we are speaking about the commissioned officers from the rank of Lieutenant right up to Chief of Defence Staff and of course the other ranks from private up all the way to Warrant Officer Class I.

Mr. Hosein: Madam?

Madam Chairman: Yes, Member for Barataria/San Juan.

Mr. Hosein: Minister, thank you very much for the clarification on that. This is just a drafting issue I am seeing here. When you quoted the Anti-Gang Act, I believe you have to insert the word “, 2021” for the proper citation. It was done in the first amendment, it was not followed through in the other so the Act has to

be properly cited. I had to go back to the parent Act to look at the citation also. So if you watch the clause 3 amendment, the 2021 was included.

Mr. Hinds: Taken, taken and thank you very much.

Mr. Hosein: You would also have to change it in clause 4.

Mr. Hinds: Thank you very much.

Mr. Hosein: Sure.

Mr. Hinds: And wherever it appears—

Mr. Hosein: 2021 will be included.

Mr. Hinds:—it will be so corrected. “, 2021”.

Mr. Hosein: Yes.

Mr. Hinds: Thanks.

Mr. Al-Rawi SC: Madam Chair, just to note that because the marginal note has the citation of the Act that there is no need per se. So just to say that this is a matter of drafting that the drafters will pick up. The marginal note recited in the circulated amendments takes care of the reference to the section 2021 as does the Interpretation Act. So the comment is noted but it is taken care of in the amendments.

Mr. Hinds: In effect but just for consistency.

Mr. Al-Rawi SC: Yeah, but I did not want to say that it had to be part of the amendment per se.

Mr. Hinds: Thank you.

Madam Chairman: So the question is that clause 5 be amended as circulated.

Question put and agreed to.

Madam Chairman: Minister.

[Madam Chairman in discussion with the Minister]

Madam Chairman: So hon. Members, the question is that clause 5 be amended as circulated and further amended at (i) to read:

“the officer or other rank” being inserted between the words “officer” and “is in proximity”.

Mr. Hinds: Yes, indeed.

Question put and agreed to.

Clause 5, as amended, ordered to stand part of the Bill.

Clause 6.

Question proposed: That clause 6 stand part of the Bill.

Clause 6 A. In subclause (a) in the proposed section 77A –

(a) in subsection (2) delete paragraph (i) and substitute the following new paragraph:

“(i) the officer is in proximity to a person charged or convicted of a serious criminal offence under any of the following Acts:

Chap. 11:25 (i) the Dangerous Drugs Act;

Chap.11:27 (ii) the Proceeds of Crime;

Chap. 12:07 (iii) the Anti-Terrorism Act;

Chap. 12:10 (iv) the Trafficking in Persons Act; or

Act No. 4 of 2021 (v) the Anti-Gang Act.”.

(b) in subsection (3) delete paragraph (c) and substitute the following:

“(c) “officer” includes –

(i) a member of the Special Reserve Police established under the Special Reserve Police Act;

(ii) a member of a Municipal Police Service within the

meaning of Part III of the Municipal Corporations Act;

(iii) an expert or consultant on contract or an employee of such expert or consultant on that particular job with the Police Service;

(iv) a person employed on contract in the Police Service;”.

B. In subclause (d) delete the proposed section 78A and substitute the following new section:

“Confidentiality and exemption 78A. (1) The results of the tests conducted and the information collected pursuant to sections 77A and 78(1)(p) and (q) are confidential and shall not be disclosed.

(2) The results of the tests conducted and the information collected pursuant to sections 77A and 78(1)(p) and (q) are exempt from the application of the Freedom of Information Act.”.

Madam Chairman: Minister of National Security.

Mr. Hinds: Thank you, Madam Chair. This amendment like a previous one is to—it is proposed in section 77A in subsection (2) to delete paragraph (i) and substitute the following new paragraph as circulated.

5.05p.m.

Madam Chairman: Member for Barataria/San Juan. No? Member for Pointe-a-Pierre.

Mr. Hosein: [*Inaudible*] Also, we are changing the definition of “officer” to include the SRP—

Mr. Hinds: No, sorry. We are amending the definition of “officer” as well to include—

Mr. Hosein: Correct.

Mr. Hinds:

“...Special Reserve Police established under the Special Reserve Police Act;”

And:

“a member of a Municipal Service within the meaning of Part III of the Municipal Corporations Act;”

Mr. Hosein: Yes.

Madam Chairman: The question—

Mr. Hinds: And, of course—sorry, Madman Chairman—an expert or consultant. This is a point that came up in the debate, and we include as well:

“an expert or consultant on contract or an employee of such expert or consultant on that particular job with the Police Service;”

And:

“(iv) a person employed on contract in the Police Service...”

—just to ensure that all of those who are operating in those capacities, having access to the information and the capacity to do the damage that we are treating with, are covered. Thanks.

Question put and agreed to.

Clause 6, as amended, ordered to stand part of the Bill.

Clause 7.

Question proposed: That clause 7 stand part of the Bill.

A. In subclause (a) in the proposed section 11A –

(a) in subsection (2) delete paragraph (i) and substitute the following new paragraph:

“(i) the officer is in proximity to a person charged or convicted of a serious criminal offence under any of the following Acts:

| | |
|----------------------|---------------------------------------|
| Chap. 11:25 | (xi) the Dangerous Drugs Act; |
| Chap.11:27 | (xii) the Proceeds of Crime; |
| Chap. 12:07 | (xiii) the Anti-Terrorism Act; |
| Chap. 12:10 | (xiv) the Trafficking in Persons Act; |
| | or |
| Act No. 4 of 2021 | (xv) the Anti-Gang Act.”; |

(b) in subsection (4)(d)(iv), insert the following new paragraph:

“(v) in relation to an officer of the Transport Division, the Transport Commissioner;”.

B. In subclause (c) delete the proposed section 28B and substitute the following new section:

| | |
|-----------------------------------|--|
| “Confidentiality and exemption | 28B. (1) The results of the tests conducted and the information collected pursuant to sections 11A and 28(1)(l) and (m) are confidential and shall not be disclosed. |
|-----------------------------------|--|

(2) The results of the tests conducted and the information collected pursuant to sections 11A and 28(1)(l) and (m) are exempt from the application of the Freedom of Information Act.”.

Madam Chairman: Minister of National Security.

Mr. Hinds: Thank you, Madam Chairman. This amendment proposes that subsection (2) is deleted—oh, sorry, delete paragraph (i) and substitute the following new paragraph as circulated. But beyond that, at (b), in subsection 4(d)(iv), to insert the following new paragraph:

“(v) in relation to an officer of the Transport Division, the Transport Commissioner...”

—we are including that. Because the Transport Division, it was—[*Confers with technocrat*]—oh, I see. As a drafting error, it was left—[*Confers with technocrat*] Yes, okay.

In clause 7, section 11A(1):

“Subject to subsection (2), the Head of Department may order an officer of...”

And the “Transport Division” is listed at (e), but the Transport Division and the Transport Commissioner are not included in the definition of “Head of Department” in subsection (d). And therefore, we want to include that, Madam Chairman. So we propose—

Madam Chairman: Barataria/San Juan.

Mr. Hosein: Madam Chair, this is here, if I am not mistaken, the issue or the clause that deals with the Heads of Department. Is the Act going to be applicable to the FIU also? Because I do not know if the director is there, listed as a HOD.

Madam Chairman: San Fernando West.

Mr. Al-Rawi SC: If I may assist, Madam Chairman. At page 27 of the Bill, Madam Chairman, “Department” is defined, and it is defined as:

“...Customs and Excise...Immigration Division...—BIR—“...Registrar General’s Department and the Transport Division;”

Hon. Member: The SSA is not included?

Mr. Al-Rawi SC : It is a defined term, which only includes those things defined.

Mr. Hosein: So what clause 7 deals with is the Head of Department, and we accounted for customs, we accounted for immigration, BIR, Registrar General and we now account for the Transport Division. Is it that we also have to account for the FIU?

Mr. Al-Rawi SC: So “Department” is defined at (c), and Head of Department is defined at (d). And as you have said correctly, Customs and Excise Division is captured, Immigration Division, Chief Immigration Officer, Board of Inland Revenue, Chairman, et cetera, in relation to the Registrar General.

Mr. Hosein: Correct. Are we now inserting—

Mr. Al-Rawi SC: Correct. And now the insertion comes to harmonize the approaches that the Minister has identified.

Mr. Hosein: Sure. Thank you.

Mr. Hinds: Thank you very much. Madam Chairman, in respect of (b), in clause 7, we are proposing that the word “in” after “(b)”, be replaced with the word

“after”. So it reads:

After subsection 4(d)(iv), insert the following new paragraph.

Yes?

Question put and agreed to.

Clause 7, as amended, ordered to stand part of the Bill.

Clause 8.

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

In subclause (d) delete the proposed section 34A and substitute the following new section:

“Confidentiality and exemption 34A. (1) The results of the tests conducted and the information collected pursuant to sections 15A and 34(1)(o) and (p) are confidential and shall not be disclosed.

(2) The results of the tests conducted and the information collected pursuant to sections 15A and 34(1)(o) and (p) are exempt from the application of the Freedom of Information Act.”.

Madam Chairman: Minister of National Security.

Mr. Hinds: Thank you, Madam Chairman. We are proposing that in subclause (d), we delete the proposed section 34A and substitute the following new

section as circulated.

Madam Chairman: Whip? Member for Barataria/San Juan?

Question put and agreed to.

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

Clause 9.

Question proposed: That clause 9 stand part of the Bill.

In subclause (c) delete the proposed section 32 and substitute the following new section:

“Confidentiality and exemption 32. (1) The results of the tests conducted and the information collected pursuant to sections 7A and 27(3) are confidential and shall not be disclosed.
(2) The results of the tests conducted and the information collected pursuant to sections 7A and 27(3) are exempt from the application of the Freedom of Information Act.”.

The Bill is amended by deleting the words “reasonable suspicion” wherever it occurs throughout the Bill and substituting the words “reasonable grounds to believe”.

Madam Chairman: Minister of National Security.

Mr. Hinds: Thank you. Similarly, Madam Chairman, in clause 9, we

propose that in subclause (c) that we delete section 32 and substitute the following new section as circulated.

Question put and agreed to.

Clause 9, as amended, ordered to stand part of the Bill.

The Clerk: The Preamble.

Madam Chairman: The question is that the Preamble to the Bill be approved—

Mr. Hosein: I am seeing on my list, there is another clause that:

“The Bill is amended by deleting the words ‘reasonable suspicion’...”

Mr. Al-Rawi SC: Wherever reasonable suspicion occurs, for the record, the last box.

Madam Chairman: [*Inaudible*]

Mr. Al-Rawi SC: Yes.

Mr. Hinds: What is being proposed here, Madam Chairman, is that throughout the Bill, the words “reasonable suspicion”, where used, should be substituted with the words “reasonable grounds to believe,” and that occurs throughout the Bill. Where reference is made to where the heads of those departments are exercising the power, throughout the Bill, the words “reasonable suspicion” are to be replaced with the words “reasonable grounds to believe”.

6.05 p.m.

Madam Chairman: Okay. So, Minister, the difficulty I have is that I get the impression that—is this a new clause?

Mr. Hinds: Yes.

Madam Chairman: It should really have a title.

Mr. Hinds: Alright.

Madam Chairman: And I am not quite sure where it is being inserted.

Mr. Hinds: In paragraph—[*Confers with technocrat*]. Madam Chairman, just bear with us, let me just get the exact—

Madam Chairman: Can I, can I—because I think this will take a little doing, can I therefore suggest that we suspend and give you five minutes to just organize this properly? So, this Committee meeting is suspended, we will return at 6.15.

6.06 p.m.: *Committee suspended.*

6.15 p.m.: *Committee resumed.*

Madam Chairman: This Committee meeting is now resumed.

New clause 10.

Insert after Clause 9 the following new Clause:

“Clauses 3 to 9 amended 10. The Bill is amended by deleting the words

“reasonable suspicion” wherever they occur in -

- (a) clause 3 in the proposed section 11A(2), in paragraphs (e) and (f);
- (b) clause 4 in the proposed section 29A(2), in paragraphs (e) and (f);
- (c) clause 5 in the proposed section 243A(2), in paragraphs (e) and (f);
- (d) clause 6 in the proposed section 77A(2) in paragraphs (e) and (f);
- (e) clause 7 in the proposed section 11A(2) in paragraphs (e) and (f);
- (f) clause 8 in the proposed section 15A(2) in paragraphs (e) and (f); and

- (g) clause 9 in the proposed section 7A(2) in paragraphs (e) and (f), and substituting the words “reasonable grounds to believe”.

New clause 10 read the first time.

Question proposed: That new clause 10 be read a second time.

Question put and agreed to.

Question proposed: That the new clause be added to the Bill.

Question put and agreed to.

[*Member's device goes off*]

Madam Chairman: Could the Member with the offending device please get it under control?

Question proposed: That new clause 10 stand part of the Bill.

Mr. Hinds: Madam Chair, this new clause 10 is to amend:

- (a) clause 3 in the proposed section 11A(2), in paragraphs (e) and (f);
- (b) clause 4 in the proposed section 29A(2), in paragraphs (e) and (f);
- (c) clause 5 in the proposed section 243A(2), in paragraphs (e) and (f);
- (d) clause 6 in the proposed section 77A(2) in paragraphs (e) and (f);
- (e) clause 7 in the proposed section 11A(2) in paragraphs (e) and (f);
- (f) clause 8 in the proposed section 15A(2) in paragraphs (e) and (f); and
- (g) clause 9 in the proposed section 7A(2) in

paragraphs (e) and (f), and substituting the words
“reasonable grounds to believe”.

All Madam Chair, to remove the term or the words “reasonable suspicion” and to replace that or substitute the words “reasonable grounds to believe.”

Question proposed: That new clause 10 stand part of the Bill.

Dr. Moonilal: Thank you very much, Madam Chair. We clearly understand the numbering, could the Minister for the public record indicate the reason for this change? And I have taken note that the Government has accepted today almost 90 per cent of the amendments from the Opposition, so, we would just like to get the—

Hon. Members: [*Desk thumping*]

Dr. Moonilal:—reasoning behind this particular change.

Mr. Hinds: I have not taken so note. In fact, I disavow that proposition—

Hon. Members: [*Laughter*]

Mr. Hinds:—left up to—

Dr. Moonilal: Could you explain the reason and do not get into that?

Mr. Hinds: Yeah, let me, let me. Madam Chair, by way of explanation—

Dr. Moonilal: For the record.

Mr. Hinds:—while the two terms—

Dr. Moonilal: For the record.

Mr. Hinds:—effectively means the same, the words “reasonable grounds to believe” are more frequently used in this jurisdiction, and guaranteed to be far more familiar to the courts and the arbiters of facts in Trinidad and Tobago. It is simply for that.

Mr. Hosein: Can I just inquire from the Minister, the term of art is used in separate jurisdictions for example, “reasonable suspicion” is used in the

English/UK jurisdiction, “reasonable grounds to believe”. We will find it a lot in Canada legislation, sometimes we borrow from both, is it that the “reasonable grounds to believe” will connote a higher standard of proof than that of “reasonable suspicion?” The Privy Council had given a decision on what “reasonable suspicion” means in terms of a very low threshold, is it that this will now connote to somewhat of a bit of a higher standard and suspicion?

Mr. Hinds: We use the words “reasonable grounds to believe” confident that Privy Council, Supreme Court of Trinidad and Tobago, Magistrates’ Court, all—

Dr. Rowley: And the police.

Mr. Hinds:—and, of course, the end users—the police, and law enforcement—will understand what that means without too much or any difficulty.

Mr. Hosein: Sure.

Mr. Hinds: Thanks.

Question put and agreed to.

New clause 10 ordered to stand part of the Bill.

Preamble approved.

Question put and agreed to: That the Bill, as amended, be reported to the House. *House resumed.*

Bill reported, with amendments.

6.25 p.m.

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

Madam Speaker: This Bill requires a three-fifths majority.

The House voted: Ayes 36

AYES

Robinson-Regis, Hon. C.

Miscellaneous Provisions
(Testing and Identification) Bill, 2022 (cont'd)

Rowley, Hon. Dr. K.

Imbert, Hon. C.

Young SC, Hon. S

Hinds, Hon. F.

Deyalsingh, Hon. T.

Al-Rawi SC, Hon. F.

Webster-Roy, Hon. A.

Cudjoe-Lewis, Hon. S.

Gadsby-Dolly, Hon. Dr. N.

Gonzales, Hon. M.

Mc Clashie, Hon. S.

Cummings, Hon. F.

Forde, E.

de Nobriga, Hon. S.

Leonce, Hon. A.

Manning, Hon. B.

Morris-Julian, Hon. L.

Scotland SC, K.

Richards, K.Monroe, R.

Lee, D.

Charles, R.

Ameen, Ms. K.

Indarsingh, R.

Padarath, B.

Moonilal, Dr. R.

Hon. Members: [*Desk thumping*]

Hosein, S.

Paray, R.

Ratiram, R.

Hon. Members: [*Continuous crosstalk*]

Madam Speaker: Members, could the vote be taken in silence so we could properly record the votes of the Members?

Division continued.

Bodoe, Dr. L.

Ragbir, Dr. R.

Hon. Members: [*Desk thumping*]

Tancoo, D.

Benjamin, Ms. M.

Mohit, Ms. V.

Seecheran, Dr. R.

Question agreed to.

Hon. Members: [*Desk thumping*]

Bill accordingly read the third time and passed.

ADJOURNMENT

The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis): Thank you very much, Madam Speaker. Madam Speaker, I beg to move that this House do now adjourn to Friday, 28th June, 2024 at 1.30 p.m. That is Private Member's Day and I will await the Member for Pointe-a-Pierre indicating what we will be doing then.

Mr. Lee: Madam Speaker, I have to apologize to my friend, Arouca/Maloney. I did not get a chance to caucus with some of my colleagues here.

Hon. Members: [*Laughter and desk thumping*]

Mr. Lee: So, when I do that I will communicate with my friend.

Hon. Members: [*Crosstalk*]

Madam Speaker: Order. Please, please. Order!

Hon. C. Robinson-Regis: Madam Speaker, after the caucus takes place, Madam Speaker, we would be very pleased to know. Please caucus with the Member for Cumuto/Manzanilla.

Hon. Members: [*Laughter and desk thumping*]

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.32 p.m.