

**HOUSE OF REPRESENTATIVES**

*Monday, January 13, 2025*

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 Dr. Rai Ragbir MP Member for Cumuto/Manzanilla who has requested leave of absence from today's sitting of the House. The leave which the Member seeks is granted.

**CONDOLENCES**

**(MRS. LISA MORRIS-JULIAN)**

**Madam Speaker:** Hon. Members, as we are aware, one of our colleagues and a Member of this distinguished House, a great daughter of the soil, Mrs. Lisa Morris-Julian tragically passed away on Monday, December 16, 2024 along with two of her beloved children. As we mourn their passing, we also honour the rich legacy Mrs. Morris-Julian has left behind. I now invite the House to pay tribute to Mrs. Lisa Morris-Julian. Member for Diego Martin West.

**The Prime Minister (Hon. Dr. Keith Rowley):** Thank you very much, Madam Speaker. Madam Speaker, Lisa Roxanne Morris-Julian, the daughter of Ann Morris and the late Raymond Morris, who we buried not too long ago. She was the eldest daughter with several siblings and had been a mother and a married woman for over 25 years. She was the mother of two sons and two daughters at her home, but outside of her home she was the mother to thousands of others.

Madam Speaker, Lisa Morris-Julian, in her short life, had a multifaceted career mainly in the role of education, public service, and as you would know, Madam Speaker, in politics. She spent 14 years as a teacher on the establishment

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of the public education system, and that urge to be of service to a wider population took her into the political arena in 2013 when she was elected the councillor in the Arima district. That was the beginning of a noted and noticeable political career.

She went on to be elected as the Deputy Mayor of Arima in 2015, and one year later she was elected as the Mayor of that royal borough, where she served for two consecutive terms. And by 2020, she lifted her sights to even broader service at the national level, where she was selected as the Member of Parliament in a general election, in a successful campaign where in the end she was appointed Minister in the Ministry of Education on August 19, 2020.

Madam Speaker, her broad interest was centred largely around youth development, environmental issues and, of course, education. During her term here in the Parliament, she was quiet but effective. As a teacher, she was also quiet but effective. As a mayor, she was more effective than being quiet. She was known to be a person who other persons got along with because she was of such a pleasant disposition, and anyone who knew her could not but notice how motherly she was, and how comfortable and excited she was working for children of the nation in the Ministry of Education. But in this Parliament she was never too busy to accept the assignments allocated to her, so she served as an active Member of the Standing Finance Committee, the Committee on Land and Physical Infrastructure; the Joint Select Committee on Local Government Authorities, Service Commissions and Statutory Authorities; the Committee on Government Assurances; the Joint Select Committee on the Miscellaneous Provisions (Local Government Reform), Bill 2020; the Joint Select Committee on the Shipping Bill, 2020; the Committee on Public Administration and Appropriations; the Committee on Foreign Affairs and the House Committee.

Madam Speaker, it was a tremendous shock to all of us to have received the

news of her tragic passing under such horrendous circumstances, because for many of us she was a light that was getting brighter. She was a beacon to more people in this nation holding on to a promise that we could be better and that our better selves were ahead of us. Lisa's voice was a calming one. Lisa's intellect was one of reason, and in Parliament where most things are dealt with moment by moment and of convenience, Lisa stood on principle. I would be the most surprised person to know that she had an enemy or that any person could truthfully say that she was disagreeable. She was a gift to this Parliament. She was a gift to this nation. She was a gift to the community of Arima, and she was a gift to her family. Madam Speaker, these gifts have an end date and Lisa's end date came much too soon for the rest of us.

As I stand here today to say these few words of tribute to her very valuable contribution that would have affected so many lives, all I can ask of those who knew her is to spread her story to those who did not, and for those who did not know her, you have missed a citizen of the highest import. We in this House have lost a colleague, a colleague that we all miss, a colleague that we all can only be proud of.

We join her family in mourning in her passing, and if she was a gift from God, we can only accept that God has taken the best. May we acknowledge her contribution to the nation, may her family manage the burden placed on their shoulder and may she rest in eternal peace.

**Madam Speaker:** Member for Pointe-a-Pierre.

**Mr. David Lee** (*Pointe-a-Pierre*): Thank you, Madam Speaker. On behalf of the Opposition Members of Parliament, we offer our sincere condolences to the loved ones, family and many colleagues of the late Member of Parliament for D'Abadie/O'Meara, Lisa Morris-Julian.

Today, we all, regardless of the side of the political aisle we sit on, mourn the loss of a colleague and two of her beautiful children in the most heart-breaking of circumstances. Members on this side of the House have had the experience of working with the late hon Member throughout at different stages of her career. Some have worked with her in the local government sphere alongside her, some engaged with her in the education sector where she spent a significant portion of her career. While many of us worked alongside her in the execution of our various parliamentary duties, at each level she was passionate about her role.

Today, we in the Opposition acknowledge her commitment to public service, working her way up from the local government level to the parliamentary level. As all colleagues in this House can testify, a life in public service is never easy as it requires resilience to protect what matters the most to you. It is clear that as a mother and as a wife, the late Lisa Morris-Julian balanced public life, but ensured that she did all to preserve the love of her family. She did all to put her family first. To the very end, she upheld that duty, protecting her family to the very end. She demonstrated that the love of a mother knows no bounds and cannot be broken. If there is one message that we can take from this heart-breaking event is, regardless of public life, career or position, your duty to family goes until the very end, no matter the circumstances.

Today, this Parliament also mourns the loss of her two beautiful children and no doubt just as we are saddened by the death of our colleague, their friends and loved ones also bear a scar.

Today, we offer a prayer for her husband Daniel and the surviving children. We pray for healing and strength for them. In the midst of the sadness, we ask them to find comfort and hold their heads high in knowing their wife and mother served our nation. May her soul rest in peace. Amen.

**Madam Speaker:** Hon. Members, when this House was adjourned on December 09, 2024, I would never have imagined having to re-enter this Chamber and be confronted by the empty desk that the late Mrs. Lisa Morris-Julian, Member of Parliament for D’Abadie/O’Meara, once occupied. While we are all aware of our own mortality, the death of a friend, family member or colleague always comes as a shock, reminding us of the fragile and unpredictable nature of life.

Lisa Morris-Julian served Trinidad and Tobago with sincerity and passion, humility and distinction. She joined this Parliament in 2020 bringing with her a wealth of experience as a dedicated public servant to the people of Trinidad and Tobago with a distinguished career in local government. Coming from a family deeply rooted in service, she followed in the footsteps of her grandfather and served as the Mayor of the Borough of Arima for over seven years before transitioning to her role as a parliamentary representative.

Lisa Morris-Julian gave of herself selflessly sharing both her time and her expertise with a spirit of willingness, care and love. The late Member Morris-Julian served admirably as a member of the Executive Committee of Trinidad and Tobago branch of the Commonwealth Parliamentary Association. She willingly answered the calls to participate in the various activities organized by the Parliament, and having completed those obligations would often leave those events, although it would be late into the night, and return to address the concerns and needs of her constituents.

**1.45 p.m.**

Her advocacy extended beyond her constituency, as she worked to elevate the voices of the First Peoples. A proud descendent of the Indigenous First Peoples of Trinidad and Tobago, it was Lisa Morris-Julian, the daughter of Arima, who made every effort to attend ceremonies hosted at the Red House to honour her

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heritage, and she would greet and walk with every in representative in attendance. The late MP Morris-Julian's experience as a secondary school teacher deeply influenced her role as a parliamentarian. She was a dedicated and well-loved English, Communications, and Theatre Arts Teacher, and she regularly referenced anecdotes from her time spent at the Arima Central and Barataria South Secondary schools.

MP Morris-Julian displayed a devotion to the welfare of children, which was evident in all of her contributions. I consider it a fitting coincidence that her final contribution in this House was during a debate on the "Protection of our nation's children against bullying in schools throughout Trinidad and Tobago". It was during an official visit of a parliamentary delegation to the National Assembly of the People's Power of Cuba last August, that I saw Lisa Morris-Julian, the teacher, in her true element. Her love for education was evident during a tour of the Special School Solidarity with Panama, as she interacted with both the teachers and the students. Member Morris-Julian was exceedingly impressed with the special needs educational facility, and expressed her desire to pattern and emulate this model across the educational districts in Trinidad and Tobago. She said these profound words to the audience at that facility, which have stayed with me, and I quote:

As a teacher, I know that in order to teach you must first love. I am convinced that it was this love, a love for children, a love for people, and a love of service that fuelled her tireless dedication to the service of a country, and her constituency. I am certain Members can also attest that very often her biding love for her family, especially her children, made its way into many of her contributions in this House. While the general public may forget, Members of Parliament are first and foremost human beings of mid families and children. Many

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parliamentarians themselves shield their families from the sometimes unwanted and unwarranted scrutiny, that comes from being a person in public life.

However, Lisa Morris-Julian kept her family at the forefront of everything that she did, even in this House. These words from her final contribution describe her best and I quote:

“I am a mother of children.... I was not always a Member of Parliament, I was not always a politician.”

It was Lisa Morris-Julian, the mother, whose last moments involved a selfless act of courage, and the natural sacrifice of motherhood.

During the period of mourning, I have heard several persons recount how committed Member Morris-Julian had been to the upliftment of young persons, especially young women. We were fortunate at the Parliament to witness her dedication to empowering aspirant young parliamentarian’s first-hand. In September 2024, Member Morris-Julian was the feature speaker during for the orientation session for the National Youth Parliament, and, in November 2024, she represented Women Parliamentarians of Trinidad and Tobago at the first Regional Edition of the Course for Women Electoral Candidates.

Each time Lisa Morris-Julian, the mentor, engaged with the participants with an ease and comfort that I could only attribute to her genuine passion for mentorship, and her deep commitment to empowering the next generation of leaders. We should all strive to emulate and maintain Mrs. Morris-Julian’s high standards of excellence in service to our country. She was a true patriot, a gentle humble soul, with a dry sense of humour and an honest human demeanour.

Members, though we have been in weeks of mourning, it will not be easy for many of us to overcome this unexpected and inexplicable loss. As the late Member Morris-Julian was a practicing Roman Catholic, I can only offer the

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words of the Bible in Psalms 34:18 as comfort.

For the Lord is near to the broken-hearted and saves the crushed in spirit. Do know that this day, and each day, we are to trust in the Lord with all our hearts and ultimate being, and do not lean on our own simplistic understandings.

While tragedy is no respecter of persons, we are bound by a duty of life and love to continue to walk the path of truth, and to be of good courage. To the life of a dear colleague, to many a mentor, a friend, a wife, a teacher, a mother, and a daughter, whom we will all miss. I want to say thank you for your service Mrs. Lisa Roxanne Morris-Julian. I take this opportunity to express my deepest condolences to the family once more, and I pray that Almighty grants them the strength needed to persevere. May they find comfort in the knowledge that the legacy of MP Morris-Julian's parliamentary service lives on. I now ask that we stand and observe a minute of silence as a mark of respect.

*The House of Representatives stood.*

**Madam Speaker:** Hon. Members, I have directed the Clerk of the House to convey our condolences in writing to the family of the late Mrs. Lisa Morris-Julian.

## **CONDOLENCES**

**(MR. WILLIAM “BILL” CHAITAN)**

**Madam Speaker:** Hon. Members, I wish to inform this House of the passing of the former Member of Parliament Mr. William “Bill” Chaitan, who passed away in the month of December 2024. Mr. Chaitan served as the Member of Parliament for Pointe-a-Pierre, and Minister in the Ministry of Energy and Energy Industries during the Sixth Republican Parliament from January to October 2001. I now invite hon. Members to pay their respective tributes to Mr. Chaitan. Member for Diego Martin Central.

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**Minister in the Office of the Prime Minister (Hon. Symon de Nobriga):** Thank you, Madam Speaker. On behalf of the Government of Trinidad and Tobago, I extend heartfelt condolences on the passing of Mr. William Beharry “Bill” Chaitan, former Member of Parliament for Pointe-a-Pierre, and Minister in the Ministry of Energy and Energy Industries. Born on June 6<sup>th</sup> 1946, Mr. Chaitan dedicated his life to service. In December 2000 parliamentary elections, he was elected as the Member of Parliament for Pointe-a-Pierre under the banner of the United National Congress. During his tenure, he also served as the Minister in the Ministry of Energy and Energy Industries, an appointment he received in January 2001. He further served as a Member of the Public Accounts Committee.

In addition to his political career, Mr. Chaitan was a geophysicist and co-authored the publication “A gravity investigation of the Pitch Lake of Trinidad and Tobago” in 1991. A family man, Mr. Chaitan is survived by his wife Carol Ann and their three children. His legacy of service will be remembered by all who knew him, and all he interacted with. We offer our prayers and support to his family and loved ones during this time of loss. May he rest in peace.

**Madam Speaker:** Member for Pointe-a-Pierre.

**Mr. David Lee (Pointe-a-Pierre):** Thank you, Madam. As the Member of Parliament for Pointe-a-Pierre, I offer sincere condolences on behalf of the Opposition, on behalf of the United National Congress, as well as the constituents of Pointe-a-Pierre, to the loved ones of the late William Chaitan. Having served in our Sixth Republican Parliament as the Member of Parliament for Pointe-a-Pierre, Mr. Chaitan was greatly admired by the people of Pointe-a-Pierre, and at large, by the people of Trinidad and Tobago. His dynamic intellect, his profound ability to engage issues from the community level to the boardroom, and his deep understanding of national development were the core issues that led to his

appointment as a Minister in the Ministry of Energy and Energy Industries in 2001. While Mr. Chaitan served diligently, offering distinguished public service to the people of Trinidad and Tobago, both as the Member of this House of Representative, as well as a Minister, his contributions went beyond the political dynamic. His work as a geophysicist offered value to our national educational and professional framework. Today, Madam Speaker, we acknowledge his national service and dedication to the people of Trinidad especially, the people of Pointe-a-Pierre. May his soul rest in peace. Amen.

**Madam Speaker:** Hon. Members, I too would like to pay tribute to the late Mr. William Chaitan. Although, his time in Parliament was relatively brief, Mr. Chaitan consistently demonstrated his acceptance of the demands of service. He gained a reputation as a highly engaged, and well informed Member, who actively contributed to the important work of the Public Accounts Committee. Mr. Chaitan applied his expertise at the Ministry of Energy and Energy Industries, and later on as a private citizen, providing valuable insight and advice about various issues, such as the care and consideration that ought to be taken when dredging water ways in Trinidad and Tobago. Based on a review of his participation in parliamentary debates, his contributions were insightful and valuable, enriching the discourse and contributing to the overall effectiveness of the legislative process.

Every parliamentarian, regardless of the brevity of their service, must be celebrated and remembered for their contribution to shaping our democracy. The sacrifice, dedication, and commitment required to represent the voices of constituents create a lasting impact on the parliamentary process. We will therefore forever be grateful to Mr. William Chaitan for his contributions in this House, and his public service to Trinidad and Tobago. I take this opportunity to express my deepest condolences to the family of Mr. William Chaitan, and I pray

that the Almighty grants the comfort and strength needed in this time of bereavement. I therefore now ask that we stand and observe a minute of silence as a mark of respect.

*The House of Representatives stood.*

**Madam Speaker:** Hon. Members, I have directed the Clerk of the House to convey our condolences in writing to the family of the late Mr. William Chaitan.

**2.00 p.m.**

**NATIONAL ASSEMBLY OF THE PARLIAMENT OF GUYANA**

**(Re: Lisa Morris-Julian)**

**Madam Speaker:** Hon. Members, I have received correspondence from the Clerk of the National Assembly of the Parliament of Guyana dated January 03, 2025, which states as follows:

“Dear Mrs. Annisette-George,

The National Assembly of the Parliament of Guyana at its 90<sup>th</sup> Sitting on 18<sup>th</sup> December, 2024, directed me to express deepest sympathy on the untimely passing of the Honourable Lisa Morris-Julian, M.P., Minister in the Ministry of Education, and a distinguished Member of the Parliament of Trinidad and Tobago. This loss is not only a tragedy for her family and friends, but also the Parliament and nation that she served with dedication and honour.

We are informed that Mrs. Morris-Julian was widely respected for her outstanding qualities and steadfast commitment to public service. Her absence will undoubtedly be felt across the Parliament of Trinidad and Tobago and beyond.

During this difficult time, please convey the heartfelt condolences of the National Assembly of the Parliament of Guyana to her family, colleagues, and loved ones. May they find strength in the legacy of Mrs. Morris-Julian

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National Assembly of the Parliament of Guyana  
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has left behind and in the countless lives she touched through her work as a Parliamentarian.

Please know that the thoughts and prayers of the National Assembly of Guyana are with you, the Members of the Parliament of Trinidad and Tobago, and all those mourning this profound loss.

Yours sincerely,

Sherlock E. Isaacs,

Clerk of the National Assembly of the  
Parliament of Guyana.”

### **PAPERS LAID**

1. Statement of the President pursuant to section 9(1) of the Constitution of the Republic of Trinidad and Tobago, setting out the specific grounds on which the decision to declare the existence of a State of Public Emergency was based. [*The Deputy Speaker (Mr. Esmond Forde)*]
2. Value Added Tax (Amendment to Schedule 2) (No.2) Order, 2024. [*The Minister of Finance (Hon. Colm Imbert)*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Port of Spain Corporation for the year ended September 30, 2013. [*Hon. C. Imbert*]  
*Paper 3 to be referred to the Public Accounts Committee.*
4. Audited Financial Statements of Trinidad and Tobago Tourism Business Development Limited for the year ended December 31, 2022. [*Hon. C. Imbert*]

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5. Audited Financial Statements of Trinidad and Tobago Tourism Business Development Limited for the year ended December 31, 2023. [*Hon. C. Imbert*]
  6. Audited Financial Statements of the University of Trinidad and Tobago for the year ended September 30, 2022. [*Hon. C. Imbert*]
  7. Audited Financial Statements of the University of Trinidad and Tobago for the financial year ended September 30, 2023. [*Hon. C. Imbert*]
- Papers 4 to 7 to be referred to the Public Accounts (Enterprises) Committee.*
8. Administrative Report of National Enterprises Limited for the year ended September 30, 2023. [*Hon. C. Imbert*]
  9. Mutual Administrative Assistance in Tax Matters (Amendment to Schedule 1) Order, 2024. [*Hon. C. Imbert*]
  10. Value Added Tax (Amendment to Schedule 2) Order, 2024. [*Hon. C. Imbert*]
  11. Trinidad and Tobago Revenue Authority (Extension of Period) (No. 5) Order, 2024. [*Hon. C. Imbert*]
  12. Annual Report on the Exercise of the Functions and Powers of the Ministry of Health for the fiscal year 2021. [*The Minister of Health (Hon. Terrence Deyalsingh)*]
  13. Annual Report on the Exercise of the Functions and Powers of the Ministry of Health for the fiscal year 2022. [*Hon. T. Deyalsingh*]
  14. Annual Report on the Exercise of the Functions and Powers of the Ministry of Health for the fiscal year 2023. [*Hon. T. Deyalsingh*]
  15. Annual Report of the Environmental Management Authority for the year 2023. [*The Minister of Planning and Development (Hon. Penelope Beckles)*]

16. Administrative Report of the National Schools Dietary Services Limited for the fiscal year 2021/2022. [*The Minister of Education (Hon. Dr. Nyan Gadsby-Dolly)*]
17. Annual Report of the Ministry of Public Administration and Digital Transformation for the fiscal year 2020. [*The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis)*]
18. Annual Administrative Report of East Port of Spain Development Company Limited for the year 2022 - 2023. [*Hon. C. Robinson-Regis*]
19. Ministerial Response of the Ministry of Energy and Energy Industries to the Sixteenth Report of the Public Accounts (Enterprises) Committee on an Examination of the Audited Accounts, Balance Sheet and other Financial Statements of the Trinidad and Tobago National Petroleum Marketing Company Limited and its Subsidiaries (NP) for the financial years 2018 and 2019 and follow up on the implementation of the recommendations contained in the Committee's Sixteenth Report, Eleventh Parliament. [*Hon. C. Robinson-Regis*]
20. Ministerial Response of the Ministry of Finance to the Sixteenth Report of the Public Accounts (Enterprises) Committee on an Examination of the Audited Accounts, Balance Sheet and other Financial Statements of the Trinidad and Tobago National Petroleum Marketing Company Limited and its Subsidiaries (NP) for the financial years 2018 and 2019 and follow up on the implementation of the recommendations contained in the Committee's Sixteenth Report, Eleventh Parliament. [*Hon. C. Robinson-Regis*]
21. Ministerial Response of the Ministry of Trade and Industry to the Seventeenth Report of the Public Accounts (Enterprises) Committee on an Examination of the Audited Accounts, Balance Sheet and other Financial

Statements of the National Export Facilitation Organization of Trinidad and Tobago (exporTT) for the financial years 2017 and 2018 and follow-up on the implementation of the recommendations contained in the Committee's Twenty-Eighth Report, Eleventh Parliament. [*Hon. C. Robinson-Regis*]

22. Motor Vehicle and Road Traffic (Amendment to Fourth Schedule) Order, 2024. [*Hon. C. Robinson-Regis*]
23. Annual Report of the Statutory Authorities Service Commission for the period January 01, 2023 to December 31, 2023. [*Hon. C. Robinson-Regis*]
24. Companies (Amdt.) Regulations, 2024. [*The Attorney General and Minister of Legal Affairs (Sen. The Hon. Reginald Armour SC)*]

## **JOINT SELECT COMMITTEE REPORTS**

### **Foreign Affairs**

#### **Deepening Existing Ties and Facilitating New Linkages**

#### **(Presentation)**

**The Minister in the Ministry of Finance (Hon. Brian Manning):** Madam Speaker, I have the honour to present the following report:

The Third Report of the Joint Select Committee on Foreign Affairs on an inquiry into 'Deepening Existing Ties and Facilitating New Linkages between the Republic of Trinidad and Tobago and the Co-operative Republic of Guyana,' Twelfth Parliament.

### **Public Administration and Appropriations**

#### **Ministry of Digital Transformation**

#### **(Presentation)**

**Dr. Lackram Bodoë (Fyzabad):** Madam Speaker, I have the honour to present the following report:

The Twenty-Second Report of the Public Administration and Appropriations Committee on an Examination of the Ministry of Digital Transformation on Sub – Head 04 Current Transfers and Subsidies, Sub–Head 09 Development Programme – Consolidated Fund and Infrastructure Development Fund for the Financial Year 2024, Twelfth Parliament.

### **URGENT QUESTION**

#### **Carrera and Remand Prisons**

#### **(Refurbishment of Detention Centres)**

**Dr. Roodal Moonilal** (*Oropouche East*): In light of serious concerns raised by the Prison Officers Association (POA) on the suitability of the Carrera Convict Prison and the Remand Prison in Golden Grove as designated detention centres pursuant to the Emergency Powers Regulations, will the Minister indicate what urgent works have been undertaken to repair and refurbish the named detention centres?

**Madam Speaker:** The Minister of National Security.

**The Minister of National Security (Hon. Fitzgerald Hinds):** Thank you very much, Madam Speaker. Madam Speaker, let me state from the outset, that on matters such as these I take my timing, my guidance from the administration of the prison service as opposed to any other entity or individual. I have been informed by the administration of the prison service that the two facilities referred to in this Urgent Question are suitable for occupation as we speak. As a matter of fact, they are under occupation as we speak. But, of course, repairs and refurbishment are always an ongoing process and there are some items that have been identified for repair and refurbishment, and they are being addressed promptly. Thank you.

**Madam Speaker:** Member for Oropouche East.

**Dr. Moonilal:** Thank you very much, Madam Speaker. Would the Minister care



to comment on the statement by the general secretary of the Prison Officers Association, Mr. Lester Logie, who stated that at the Golden Grove facility now designated as a detention centre, they have written to both the Minister and the Prime Minister indicating that there is no alarm, the roof is leaking, there is flooding at the facility, there is mold in some areas of the facility, and they have asked for the Prime Minister and the Minister of National Security to address this, could the Minister care to comment on those serious concerns raised by the Prison Officers Association?

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

**Madam Speaker:** Minister of National Security.

**Hon. F. Hinds:** I have not been so advised by the administration of the Trinidad and Tobago Prison Service.

**Madam Speaker:** Member for Oropouche East.

**Dr. Moonilal:** Thank you very much. Would the Minister indicate the number of persons detained since December 30<sup>th</sup> at the start of the State of Emergency?

**Madam Speaker:** Member for Oropouche East, I rule that question out of order in light of your original question responses. These are Urgent Questions.

## WRITTEN ANSWER TO QUESTION

### Bolivarian Republic of Venezuela

#### (Details of Minister's Official Travel)

9. **Dr. Roodal Moonilal** (*Oropouche East*) asked the hon. Minister of Energy and Energy Industries:

With regard to the official travel of the Minister to the Bolivarian Republic of Venezuela during the period April 2021 to July, 2024, will the Minister provide a breakdown of the following:

- a) the number of occasions on which the Minister has travelled to that country;

- b) the official agenda of each meeting held;
- c) a list of all the officials in attendance at each meeting; and
- d) the cost of travel, accommodation and other expenses to the Republic of Trinidad and Tobago for the Minister's attendance at each meeting?

**THE NATIONAL EMBLEMS OF TRINIDAD AND TOBAGO  
(REGULATION) (AMDT.) BILL, 2025**

Bill to amend the National Emblems of Trinidad and Tobago (Regulation) Act, Chap. 19:04 to provide for a new Coat of Arms and other related matters, brought from the Senate [*The Minister of Tourism, Culture and the Arts*]; read the first time.

**ORAL ANSWERS TO QUESTIONS**

**Madam Speaker:** Leader of the House.

**The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis):** Thank you very kindly, Madam Speaker. Madam Speaker, there are six questions for oral response, we will be answering all six. There is one question for written response and, Madam Speaker, we have received that information and it will be distributed. Thank you, Madam Speaker.

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

**Calcutta Tunnel to Kurban Junction  
(Status of Rehabilitation Work)**

**31. Mr. Rudranath Indarsingh (Couva South)** asked the hon. Minister of Works and Transport:

When will Calcutta No. 1 Road from the Calcutta Tunnel to Kurban Junction, be paved and rehabilitated with the supporting drainage infrastructure?

**The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan):** Thank you, Madam Speaker. Madam Speaker, drainage, concrete and roadworks

at Calcutta No. 1, from the tunnel at Freeport to Calcutta No. 2 junction have been approved for implementation under the PURE Programme of works for fiscal 2025. Invitations to tender for the projects are expected to go out by the end of February 2025. In the interim in-housing patching activities have been programmed to provide some relief to commuters within the area. Thank you.

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

**Mr. Indarsingh:** Minister, taking into consideration there are over 1000 potholes currently existing on this expanse of road, could you give us a timeline in terms of the dates when these projects will commence, as you just alluded to?

**Sen. The Hon. R. Sinanan:** May I?

**Madam Speaker:** Minister of Works and Transport.

**Sen. The Hon. R. Sinanan:** Thank you. Madam Speaker, I do not know if I need to read the answer again for him, but just to indicate that under the PURE Programme—this work is programmed on the 2025 programme and the invitation to tender will go out by the end of February 2025. That is a timeline by itself. Thank you.

### **Calcutta Settlement Road to Teelucksingh Junction**

#### **(Status of Rehabilitation Work)**

**32. Mr. Rudranath Indarsingh** (*Couva South*) asked the hon. Minister of Rural Development and Local Government:

When will Calcutta Settlement Road #2 from the Freeport Police Station to Teelucksingh Junction, be paved and rehabilitated with the supporting drainage infrastructure?

**Madam Speaker:** Minister of Rural Development and Local Government.

**The Minister of Rural Development and Local Government (Hon. Faris Al-Rawi SC):** Thank you, Madam Speaker. Madam Speaker, the required road

restoration drainage works from Calcutta Settlement Road No. 2, from Freeport Police Station to Teelucksingh Junction was recently brought to the attention of the Ministry and the Couva/Tabaquite/Talparo Regional Corporation. Investigations were conducted by the technical department of the municipal corporation. Findings revealed that the existence of approximately 30 per cent of the drainage on site with 70 per cent of drainage works are still required.

**2.15 p.m.**

Additionally, road rehabilitation work is needed for some, if not the entire roadway. The municipal corporation has estimated that the required drainage works will cost approximately \$7million, and the road rehabilitation works will cost approximately \$3.6 million. The Couva/Tabaquite/Talparo Regional Corporation has made a recommendation for the Ministry to source the funding and resources needed for the project due to the nature of works required and the cost associated with undertaking the works. It should be noted that the municipal corporation cannot carry out the works of this magnitude under its existing 2025 allocation, since its 2025 allocation has already been assigned to other projects based on its submissions for the 2025 budget.

Accordingly, the Ministry is of the view that this project should be executed by the Rural Development Company, with funding sourced by the Ministry of Finance. It is anticipated that following the engineering, investigation and design stages, tenders can be invited in or around June 2025, with the expectation that construction work will commence in the second half of calendar 2025. Thank you.

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

**Mr. Indarsingh:** Thank you very much, Madam Speaker. Minister, based on your comprehensive statement, can you give—because you said that this will commence in the second half of the calendar year. Now, I have taken note of your

statements and I am very guarded. Will this commence before the next general election or after the general election?

**Madam Speaker:** Member, I will not allow that question. That question is out of order. Member for Fyzabad.

**Bridge at St. John's Branch Trace, Avocat  
(Commencement of Reconstruction Works)**

**33. Dr. Lackram Bodoë (Fyzabad)** asked the hon. Minister of Works and Transport:

Will the Minister indicate when reconstruction works will commence on the collapsed bridge at St. John's Branch Trace, Avocat?

**Madam Speaker:** The Minister of Works and Transport.

**The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan):** Thank you, again, Madam Speaker. Madam Speaker, the collapsed bridge located at St. John's Branch Trace, Avocat, falls under the purview of the Siparia Borough Corporation. As usual, the Ministry of Works and Transport stands ready to provide any technical assistance that the Borough Corporation may request. Thank you.

**Madam Speaker:** Member for Fyzabad.

**Landslip at the Shore of Peace Cremation Site  
(Commencement of Rehabilitation Work)**

**34. Dr. Lackram Bodoë (Fyzabad)** asked the hon. Minister of Rural Development and Local Government:

Will the Minister indicate when rehabilitation works will begin on the landslip at the Shore of Peace Cremation Site?

**Madam Speaker:** Minister of Rural Development and Local Government.

**The Minister of Rural Development and Local Government (Hon. Faris Al-**

**Rawi SC):** Thank you, Madam Speaker. I thank the hon. Member for the question. The Ministry of Rural Development and Local Government was informed of the landslip at the Shore of Peace Cremation by the Siparia Borough Corporation in April 2024. Accordingly, in May 2024, the Ministry's Engineering Unit assessed the site location to determine the scope of work and cost of restorative works required. The Ministry's preliminary assessment confirmed that the landslip was extensive and repair works estimated to cost approximately \$26 million. Due to the estimated cost to undertake restorative work at this site and the fact that the Borough Corporation does not have the funding in fiscal 2025 to implement same, the Ministry referred the project to the Rural Development Company of Trinidad and Tobago.

In November 2024, the RDC, that company, submitted its estimate for the landslip repair work and the project was thoroughly investigated, scoped and costed. The RDC's estimate for the project was \$20.5 million, and after review by the Ministry, the RDC was given approval to invite tenders for the project in December 2024. Upon evaluation of tenders, the Ministry of Rural Development and Local Government will approach the Ministry of Finance for loan financing for this project, since it is not catered for in the 2025 Estimates of Expenditure. Barring unforeseen circumstances, it is expected that the construction works can indeed commence in 2025.

**Madam Speaker:** Member for Fyzabad.

**Dr. Bodoë:** Thank you, Madam Speaker. Thank you for that response, Minister. In view of the impending collapse of the structure at the site and the usage of the site on a daily basis by hundreds of citizens, can you perhaps give a time frame as to when you expect this work to begin?

**Madam Speaker:** Minister of Rural Development and Local Government.

**Hon. F. Al-Rawi SC:** Thank you, Madam Speaker. Madam Speaker, the Ministry of Rural Development and Local Government has had its eyes on the Shore of Peace for quite some time. Indeed, the Member will recall that on the funeral of the cremation of the late hon. Basdeo Panday, the Siparia Borough Corporation had not done any works to update the site. The Ministry went in and did all of those works, ensuring that it has maintained its operational position. We have indeed been assisting and picking up the burden where the Corporation, now Borough, has failed to do so. With that in mind, we scoped and we costed and we have prepared and there are cautionary tapes and other aspects there. The key is that the procurement cycle must be observed. So we have already done the costing, as I have indicated in the answer earlier. The tenders have come back. We have indeed approached the Ministry of Finance already on funding for the RDC, as that has already been taken to the Cabinet. That is to be managed and we will get to the works with immediacy. But I want to remind that the Borough Corporation has failed consistently to execute its work at that site and that the Ministry has been stepping in to ensure that it continues to work.

**Madam Speaker:** Member for Fyzabad.

### **Mon Desir-Delhi Road**

#### **(Resurfacing of)**

**35. Dr. Lackram Bodoie** (*Fyzabad*) asked the hon. Minister of Works and Transport:

Will the Minister indicate when the Mon Desir-Delhi Road, from Seeram Junction to Sparrow Junction, be resurfaced?

**Madam Speaker:** Minister of Works and Transport.

**The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan):** Thank you. Thank you, again, Madam Speaker. Madam Speaker, phase one of the

sectional road rehabilitation along the Mon Desir-Delhi Road, beginning at Sparrow Junction, has been approved for implementation in the Highways Division's programme of works for 2025. Tenders have been invited for this project.

**Madam Speaker:** Member for Fyzabad.

**Dr. Bodoë:** Thank you for that response, Minister. Minister, in view of the fact that this is a very important artery to Fyzabad from the highway, can you perhaps give a time frame when you expect that work will commence?

**Madam Speaker:** Minister.

**Sen. The Hon. R. Sinanan:** Madam Speaker, having said that the tenders have been invited, we do have the procurement regulations, and within the procurement regulations, there are certain specific time frames that have to be followed when there is a tender period, an evaluation period, an award and a standstill period. This takes us close to—at the end of the day, it could take us as far as 40 days. But I give you the assurance that the project tenders have already been invited and it is a road that we know has major connectivity issues in it. Thank you.

**Madam Speaker:** Member for Fyzabad.

**Dr. Bodoë:** Thank you, again, Minister. Minister, can you indicate whether the scope of works include total resurfacing or just spot patching which has been before?

**Madam Speaker:** Minister.

**Sen. The Hon. R. Sinanan:** Madam Speaker, based on the information that I have, it is road works. Road works, in most instances, will entail sectional paving and road rebuilding where required. If it was patching, it would have said, "sectional patching". It says, "road works"—actually it says—even some drainage work has to go in as well. Thank you.



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

**Formal Policy between TTPS and MTS  
(Fight Against Crime)**

**36. Mr. Rudranath Indarsingh** (*Couva South*) asked the hon. Minister of National Security:

Will the Minister inform this House whether there is a formal policy between the Trinidad and Tobago Police Service (TTPS) and the National Maintenance Training and Security Company Limited (MTS) to assist in the fight against crime?

**Madam Speaker:** Minister of National Security.

**The Minister of National Security (Hon. Fitzgerald Hinds):** Thank you very warmly, Madam Speaker. Madam Speaker, there is no such policy.

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

**Mr. Indarsingh:** Madam Speaker, could I ask the Minister then, what would have guided the Minister in the Ministry of National Security, at the 45<sup>th</sup> anniversary of MTS, to tell the country that police work can be done by MTS officers?

**Hon. Member:** What! Who said that?

**Madam Speaker:** Minister of National Security.

**Hon. F. Hinds:** I have no recall of using those words.

**Mr. Indarsingh:** Not you. I said, the Minister in the Ministry.

**Hon. F. Hinds:** I cannot speak for anyone else. Thank you, Madam Speaker.

**NATIONAL EMBLEMS OF TRINIDAD AND TOBAGO (REGULATION)  
(AMDT.) BILL, 2025**

Bill to amend the National Emblems of Trinidad and Tobago (Regulation) Act, Chap. 19:04 to provide for a new Coat of Arms and other related matters [*The Minister of Tourism, Culture and the Arts*]; read the first time

*Motion made:* That the next stage be taken at a later stage of the proceedings. [*Hon. C. Robinson-Regis*]

*Question put and agreed to*

**Madam Speaker:** The Prime Minister.

**STATE OF PUBLIC EMERGENCY  
(BASIS FOR DECLARATION)**

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

*Whereas* it is enacted by section 8(1) of the Constitution of the Republic of Trinidad and Tobago that the President may from time to time make a Proclamation declaring that a state of public emergency exists;

*And whereas* the President has by Proclamation made on the 30<sup>th</sup> day of December, 2024, declared that a state of public emergency exists in the Republic of Trinidad and Tobago;

*And whereas* it is enacted by section 9(1) of the Constitution that within three days of the making of the Proclamation, the President shall deliver to the Speaker for presentation to the House of Representatives a statement setting out the specific grounds on which the decision to declare the existence of a state of public emergency was based, and a date shall be fixed for a debate on this statement as soon as practicable but in any event not later than fifteen days from the date of the Proclamation;

*And whereas* on the 31<sup>st</sup> day of December, 2024, the President delivered to the Speaker for presentation to the House of Representatives a statement setting out the specific grounds on which the decision to declare the existence of a state of public emergency was based:

*Now, therefore, be it resolved* that the House take note of the Statement by

the President under section 9(1) of the Constitution setting out the specific grounds on which the decision to declare the existence of a state of public emergency was based.

**2.30 p.m.**

Madam Speaker, that requirement has been fulfilled by the correspondence to you from the President. It now falls to the House by this Motion to take note of the President's response and to treat with it.

Madam Speaker, I will be brief because I do not think that I need to hammer out to anyone in this House or in this nation that we have a serious state of continuing violent, criminal actions in our country, and it has been so for quite some time. Anyone who has been familiar with Trinidad and Tobago for the last 20 years or more would have been observing the existence in our society of a relatively small number of people when compared to the overall population, who on occasion, sometimes with great frequency, resort to violence to treat with their circumstance or violence as a way of life. And over the years Madam Speaker, there are persons who have been so disposed, have improved their ability to disturb the national psyche by some of the most horrendous violent acts.

In recent years, Madam Speaker, we have seen persons conducting violence resulting in murders rising from 100 and—I think when we had the Keith Noel era, when it was believed that the number of violent crimes resulting in murders was unbearable, that the number that year I think was 136.

**Mr. Imbert:** Noel's death was 136—

**Dr. K. Rowley:** 136.

**Mr. Imbert:** That was Noel's death.

**Dr. K. Rowley:** Keith Noel, 136.

**Mr. Imbert:** I think it was the 136<sup>th</sup> death.

**Dr. K. Rowley:** Right, so when the 136<sup>th</sup> person had been killed, the nation rose up at the instigating of some citizens that this was too much for us to bear. *Keith Noel 136*, that became a political issue and in fact the organizer of Keith Noel 136 got himself elected to Parliament to put an end to violent crime in Trinidad and Tobago.

Madam Speaker, no such simplicity exists in this society where persons see an opportunity for profit or revenge on a daily basis and all they seem to have done is to improve their killing machine and their ability to kill more. Because “Government come, Government go; Minister come, Minister go,” what we have seen from this element in our society is a growth from *Keith Noel 136* to the year of a State of Emergency.

I think that was 2011, where 350-odd persons were killed and it has continued and continued to the point where in 2023, over 600 persons were murdered in this society. We thought that was a record-breaking arrangement, which to contemplate a repeat was too much given the amount of effort, resources, dollars, policemen, security services, information gatherers, promotions around and of course the concerns of the citizens for safety and security. We thought that all the effort that we would have put out would have seen some reduction. Madam Speaker, come 2024 and it is as if the violent criminal element decided that if you want, we will show you what we can do.

Madam Speaker, it is not uncommon in this society to wake up and be informed of a new kind of crime, a new way of hurt, a new way of killing people and you ask what were these people thinking? What respect do they have for human life whether it is a pensioner whose home was invaded to be killed by some person who is able-bodied and who one would expect in a normal society would go out and look for a job and feed himself or a child or a person going to work? It has

turned out Madam Speaker, where initially we thought that this was a Laventille thing because the crimes were committed in Laventille and therefore if we isolate Laventille—in fact one Member of this House had reported to his Leader that the way to solve the crime in this country was to castrate the males in Laventille. We had gone as far as that but over time we have seen that violent streak—that violence as a public health issue. It is not a Laventille thing, it is a Trinidad and Tobago societal problem, Madam Speaker.

So, as we were ending the year in 2024, and there were so many voices speaking up, pointing out what was happening and how as a nation—of course, the Prime Minister would have failed the country. That is one way of putting it but the bottom line is the society has been under attack from a criminal element, which we have not been able to suppress.

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

**Dr. K. Rowley:** And that does not say that we have not been making considerable efforts Madam Speaker. When you look at the resources that we have directed to this problem you ask yourself had we been able to escape this, what could we have done with the billions that we have directed to secure ourselves? And what is more painful it appears as though the more we spend on it the more the criminals find opportunities to expand their enterprise because Madam Speaker, violent crime, murder and its associated conduct is now a commercial business enterprise in our country.

At the community level, there are intelligent persons and not-so-intelligent persons committing commercial acts for benefit through criminal conduct, recruiting youngsters, male and female, parent and cousins recruiting them into criminal enterprises, the household making it more and more difficult for the law enforcement officers to cope with the rash of instances and the heartlessness of

some of the criminal actions. Madam Speaker, I know my colleagues in the political arena see an opportunity to condemn in this but that does not change the price of cocoa. It does not change the price of what we are facing is not what we have been accustomed to.

We have rules and regulations in this country. Some cemented in our Constitution that are geared towards normal citizens and normal behaviour with a normal component of deviants from that. Only to discover that those arrangements are not sufficiently creating concerns for those who see crime as a way of life, as an opportunity and who see law-abiding citizens unarmed and exposed, as victims of opportunity. Madam Speaker, that is Trinidad and Tobago in 2025.

So when at the end of the year we see a continuation of a situation where persons who take that decision to commit crime are now so comfortable with their power, where they believe that the rest of the society is afraid of them that they can do it with impunity in full public view. Madam Speaker, having broken so many laws with the assistance of so many people—because in many instances to break those laws and to arm themselves they have to have assistance. And whether the assistance is with corrupt customs officers, corrupt police officers, corrupt this, corrupt that but they manage to get themselves armed and of course, Madam Speaker, they arm themselves in recent times with better killing machines.

So when they have an event to conduct the killing, it is no longer killing of a person. It is an attempt to kill everybody within range. So we have quintuple murders, quadruple murders, triple murders, all of that Madam Speaker, by people who believe that the societal control cannot bring them to heel and allow them to respect the rights of law-abiding citizens. Even as they get convicted and get into the prison, the prison has become part of the problem rather than part of the solution, and all we can do, Madam Speaker, is to continue to engage them, direct

resources and ensure that we have a commitment that law-abiding citizens must be protected from this element of criminality.

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

**Dr. K. Rowley:** Madam Speaker, this matter before us specifically to which the President refers, I could speak to you as head of the National Security Council with the responsibility for the country's safety and security. Within the days approaching the end of December, after years and months of knowing and working against those who organize numbers of people in what is loosely called gangs, a term well known to this House, because it was in this House that we spent hours and hours and hours trying to hammer out legislation under something called Anti-Gang Legislation. Because officers of State who had the responsibility to follow them were telling us how many gangs and how the growth of gangs in this country has gone about and how school children and others are getting involved in this new modern criminal enterprise. The one of where to be disrespected by a certain person by looking in the wrong direction the response is to kill you. To have something that they want in instant gratification the response is to kill you. To have a business and not pay tax that they levy on you through fear is to kill you.

That Madam Speaker, unfortunately, is the summary of our society at this point in time and that is why, Madam Speaker, as a Government—I led a Government to understand and a region to understand that crime is no longer a situation of opportunity where somebody passing and see a bag and would pick it up or in the dark of night will attack someone with the hope that nobody knows who did it. Madam Speaker, crime, violent crime is now accepted. In most quarters, especially that level of CARICOM and international research, you see crime as a public health issue, violent crime in this country is a public health issue Madam Speaker and those who organize groups as gangs, they do not care. They

do not respect. As a matter of fact, Madam Speaker, they expect to benefit from the generosity of the law-abiding ones and that is why there is a strong feeling that the rules that we have made and the laws that we have made and the enforcement levels are not sufficiently rigorous to treat with the harshness and the cruelty of the criminals in our society.

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

**Dr. K. Rowley:** But they have power, they believe they can engage the law enforcement officers in shootouts, and sometimes, Madam Speaker, they kill law enforcement officers and sometimes law enforcement officers are forced to defend themselves by killing them. Madam Speaker, that is not a good epitaph of our society but that is what it is because we cannot for one minute say that we will give up on this fight or that we cannot win this fight.

So when officers are in the police station—it has come to my attention in some districts, some instances, police officers whose job it is to protect us and secure us, in some districts at night, are so afraid of the criminals that they close the police station door, turn out off the lights and be inside there hoping that the criminals do not come at them.

**2.45 p.m.**

That happens, Madam Speaker. It is not supposed to happen but it happens. And, Madam Speaker, the criminals come in front the police station choosing—

**Hon. Member:** “We know all ah that.”

**Hon. Dr. K. Rowley:** I am not speaking to you, I know you are happy with it. Madam Speaker, I am speaking to you. Madam Speaker, when citizens identifying themselves as lawbreakers choose their place of attack to be in front of a major police station inside the city and to carry out an attack using the most sophisticated killing weapons, it tells you that they have no regard for law enforcement in our



society. They benefit from the fact that the law is as protective of them as they are not as protective of us. So that happens. We saw the outrage, Madam Speaker. We saw the outrage and the population was equally outraged.

But, Madam Speaker, because this criminal element that is going on in our society is commercial enterprise, some of them attempting to hold territory, to claim districts, to label districts and to operate it as their fiefdom, they have to protect and then retaliate. So just as it is to be expected, when this outrage took place at the Besson Street Police Station, within a matter of hours, more murder and mayhem was planned and executed and the next event was a shooting in Prizgar Lands where five people were killed, four on the scene and one in the hospital.

**Hon. Member:** “Is the other way around.”

**Hon. Dr. K. Rowley:** “Or, is the other way round?”

**Hon. Member:** [*Interruption*]

**Hon. Dr. K. Rowley:** “But all ah dem, the five dead. Is four on the scene?”

**Hon. Member:** Yeah.

**Hon. Dr. K. Rowley:** And one in the hospital—

**Hon. Member:** Yeah.

**Hon. Dr. K. Rowley:**—in one killing instance and the weapon of choice, Madam Speaker, in these situations, are assault weapons designed not to maim or to stop but make sure to kill. High quality, high-calibre weapons.

So, Madam Speaker, at the level of the National Security Council after that second shooting where we now had five people dead, two shootings, “one in front the police station, one in ah back street in Prizgar Lands”, information reaching us is that those engaged in that kind of activity now speaking of themselves being at war and nobody would back down in that war. And, they will call in their

associates who we know are spread all over the country as far as Tobago, as far as Cedros, in central Trinidad, in San Fernando, in Sangre Grande, in Diego Martin because “they at war, my enemy has attacked me, I have lost soldiers and we are at war”.

Madam Speaker, when that information came to the National Security Council that this is what is happening, over and above the normal too-frequent murder for profit, murder with robbery, murder with home invasion, this is now organized battle. Even though this Government had been reluctant to have a state of emergency, largely because we believe that we must minimize the effect of the misbehaviour of this few on the lives of the law-abiding. So while a number of persons advising the Government would say have a state of emergency, it is not a panacea. There are things that during a state of emergency, you can do whereas some people cannot do because the law would have been modified to give us new conditions and terms of engagement.

But, Madam Speaker, we were always mindful that a state of emergency as we have known in the past—we have had one in 1970, 1990, 2011 and then we had the COVID non-violent state of emergency. But, we know what a state of emergency can do to the economy of Trinidad and Tobago. We were hoping that we would not get to the point where we would disrupt the day-to-day lives of our people more than criminals are disrupting it, and that we would not threaten the society’s economic well-being. Especially, Madam Speaker, especially the activity of small and medium-sized businesses, many of which are operating on margins that are very narrow, very small, just on the edge. And, if they lose their ability to perform their business usually in the twilight or darkness when they do entertainment, when they do other things, even people moving to go from place to place to conduct lawful work, a state of emergency could be quite disruptive to

them. Getting transport, meeting people, being concerned about your subordinates being out. The environment of a state of emergency is not something that we believe that we should just jump into because it is available by coming to the House and doing what we are doing today.

We also know that we want to attract outsiders into our country as part of our economy. Because, the very idea of a state of emergency immediately is broadcast around the world that we are under a state of emergency and many persons will not even bother to find out what exactly is involved in that, what exactly are they dealing with. But, just the fact that a state of emergency exists, it is unattractive to some people to think of us as a place that they want to be.

So the Government has been mindful that we could get on with our business, get on with the crime fighting without a state of emergency. Which, in fact, the most that you have been accustomed to in a state of emergency is restricting movement. And, of course, giving additional authority to law enforcement officers to operate without the delayed action of getting warrants in hot pursuit, and of course, the ability to detain certain offenders who may have been viewed to be part of the problem, acting on information before that information has gelled into concrete evidence. And of course, a very important part of a state of emergency is to raise the authority of Defence Force personnel to augment policing in the country.

So, Madam Speaker, our fear has not gone unnoticed, because it is only two days ago, there was a report coming from Tobago that, as a result of us being under a state of emergency, two of the cruise lines have cancelled their visit to Tobago. Now, if you go to Tobago and you drive through and walk through now, you will not see anything going on that says “state of emergency, do not pass here, state of emergency, do not do that”. But we have to declare the law in the way it has to be

declared. It makes the news and somebody at the headquarters says, “Well we not gonna cruise to Tobago” and that is the kind of thing that we have been trying to avoid. I do not know what else we have lost. I do not know who else was planning to make an investment in Trinidad and Tobago and said, “Well that place looks unstable and because it is under a state of emergency, we are not going to do it.” That is what the criminals are costing us.

Over and above the millions we are spending in the courthouse every week, every week and the millions in the Privy Council in the event that they get convicted for murder, that is what they are costing us. It is not “ah free ride thing, you know”. Every murder case in this country costs taxpayers millions of dollars, you know, and, Madam Speaker, these criminals just do not care. Some of them believe that they have a right because they are in Trinidad and Tobago, “it is my right and I have endless rights.” No responsibility, no regard that when one person is killed, it affects thousands of persons because those persons are connected to the other people and it is not just the dead person in the coffin. It is all those who are responsible for loving and caring for them, who nurtured them and “bring” them up. The murder is a broad infection.

Madam Speaker, so when five persons are killed in one go from another gang and the information comes to us from the police that their investigation and their interpretation is that this is gang warfare where retaliation is almost certain to come, there is invitation for others to come and support and it will just snowball: A kills B, B kills C, C kills D and carry on with that. So the killing fields, according to them, is what it should be. At that point, Madam Speaker, the Government, whatever reluctance we had with respect to a state of emergency, we had to intervene. The Government had to intervene and the Government intervened and we convinced the President that a state of public emergency exists.

For those who believe that it was not a public emergency because “it eh concern me”, given the total disregard for human life and respect for the law-abiding citizens, just picture “ah scene”, where one of the targets of this gang or these gangs are walking on the pavement that you are using. And, they decide on that day that that is where the murder will be committed, where “yuh wife and yuh child”—and I am not telling you anything new here, it has happened.

I still remember her vividly, this woman leaving Santa Cruz, I think it was her husband’s birthday, coming to town to buy some goodies and to go back home and to give her husband a good birthday, end up on Charlotte Street. Nonsensical, up to now, we cannot figure out what they were fighting over, shoot-out on Charlotte Street and she was the one who got killed. After they fired off their weapons and they run away, police have to spend hours looking for them. I do not know if they had found them but there was a dead woman on the pavement with a husband at home whose wife never came back. So all of us, every single one of us is at risk. “Yuh child is going to school, shooting up the vehicle, they shoot up the vehicle.” It has reached the stage now, Madam Speaker, where if you see a white panel van, you have to be careful because it may be carrying the next set of killers who are on a mission to kill a particular person from a particular gang because they have a problem.

Madam Speaker, I know that there are some people who believe that this is easy to get rid of, but if it was so easy to get rid of, we would have gotten rid of it already. But instead what we are seeing, the cancer is spreading. My fault, your fault, anybody fault, the bottom line is this is what is happening. And, when we decided to have a state of emergency, we did take note of how could we have the additional powers for the Defence Force, the additional access for the police going after the criminals who seem to be the offenders, who would be detained without

affecting, as far as we are able to, the general public. That is why this State of Emergency is different to the ones we had before.

We made no restriction on the gathering of law-abiding citizens because had we done that, we would have been accused of all kinds of conspiracy theories to interfere with the election that is due in 2025. We did not do that. We have no restrictions with respect to movement or association or conduct of meetings. We sought to narrow it, Madam Speaker, narrow it to let it be laser focused on criminal activity as identified by the police and with respect to the removal of some of the facilities for criminal activity.

I must tell you, Madam Speaker, I do not advise myself in law. I rely on the Attorney General and his Office and lawyers who the State hires. Madam Speaker, we hire senior counsel. The police has a group of lawyers to guide the police. The National Security Council has lawyers. One of the things that we did in this situation was to limit the access to bail because the police is telling us that one of the problems they have is the speed of the revolving door where a person who is identified as having committed an offence can get back to his business as quickly as the bail ink can be dried.

**3.00 p.m.**

But the State of Emergency still maintains the possibility of bail being restricted. I do not want to talk about any specific instance here because it is all before the court, I would presume. But I must say, Madam Speaker, even in the management of this situation, where we get news of certain findings by the police, certain threats identified by persons who have in fact chosen law breaking, I am amazed that in a State of Emergency, bail is still so easily available to people who are in fact the problem in this violent criminal society in this crime wave. Amazed.

Madam Speaker, we have not restricted the actions of law-abiding citizens. Detentions of persons would be based on police information about the risk, the threat, and the behaviour of citizens who threaten society's safety and security. The law is well written. No Government can use a State of Emergency to shut down the rights of citizens indefinitely. As this section quotes, we are allowed to come here, Madam Speaker, and to take note of what the President has done.

The other Motion which is in front of us, is geared to ask for an extension of what is happening under the State of Emergency. So, Madam Speaker, what are we taking note of? We are taking note of the fact that the President has been convinced by the Government that gang warfare had been imminent. Gang warfare action had been taken. Retaliation was the expected action, more deaths and more mayhem were to be expected, and therefore, governmental authority had to intervene, if not to bring sobriety, but to bring some element of increased and improved law enforcement to the lawless. The President was convinced, Madam Speaker.

The information did not come to us from the priest. It did not come to us from the teachers. It did not come to us from the doctors. It came to us from the agency who is responsible, who is charged with working towards our safety and security. And, Madam Speaker, I could tell you it is easy to dismiss the police work in this country, but it is as dangerous as anything else that goes on in Trinidad and Tobago because the criminals have no respect for the uniform. The criminals have no respect for the officers. The criminals have no respect for the law, and they have no respect for the prison. And that is the assignment that we have as the Government to change that. Madam Speaker, we stay committed, and we stay engaged. Madam Speaker, I beg to move.

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

*Question proposed.*

**Madam Speaker:** Leader of the Opposition.

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

**Mrs. Kamla Persad-Bissessar SC** [*Siparia*]: Thank you very much, Madam Speaker. I just take this opportunity as we reconvene in this new year to wish all of you, all Members, all members of staff, Madam Speaker, and, of course, our citizens and residents throughout the land to wish you success, safety, and for a very blessed, peaceful 2025.

And I rise in response to the hon. Prime Minister on this Motion, and I dare say this may be the last time I would do so in this Chamber, given the Member's soon to be—his abdication from office as Prime Minister.

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

**Mrs. Persad-Bissessar SC:** Indeed I read today, Madam, as I say farewell words to my hon. colleague, I read today that the seat for Diego Martin West, which the hon. Member holds, is now going to be contested by Minister Amery Browne.

**Hon. Member:** [*Inaudible*]

**Madam Speaker:** Let us just remember the Standing Orders, and let us abide by the Standing Orders, no crosstalk, if people have to talk—in hushed tones—and let us try to respect each other. Member for Siparia.

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

**Mrs. Persad-Bissessar SC:** Thank you, Madam Speaker. So I wish the hon. Member well for his upcoming retirement and trust that, in the days ahead, the hon. Member would reflect on the sorry paths he has brought our nation with the murder rate, the economy, and, in every sector, a state of collapse.

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



**Mrs. Persad-Bissessar SC:** I move along, Madam. In January of last year, in January 2024, the Prime Minister responded to a call I then made in January 2024, and others, for calling a State of Emergency in our country; that was one year ago. Fast forward a year later, where over 625 persons were murdered in 2024, and we started 2025, and thus far, even with the State of Emergency, my last reporting appears to be about 11 or 12 persons have been murdered during the State of Emergency.

So the Prime Minister regales us with all these numbers and how bad the crime situation is. One year later, Madam Speaker, riding out into the sunset with a multimillion-dollar retirement deal at the expense of taxpayers, the Prime Minister comes to tell us now, in effect, he is admitting that he has failed. They have failed.

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

**Mrs. Persad-Bissessar SC:** And what caused you to wake up? The 625 murdered last year? The over nearly 5,000 persons that were murdered under their watch? That today, at the beginning of this year, on your last legs, as it were on the eve of your retirement, you come here to tell us how bad it is, and what do you do? Bouff the criminals, bouff the law enforcement officers, bouff the customs officers, bouff everybody, but do not take responsibility.

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

**Mrs. Persad-Bissessar SC:** And the first duty of a Government is to keep its citizens safe and secure. That is your first duty, because if no one is alive, and if no one is safe and secure, then there is no need for education, there is no need for roads, and there is a need for hospitals. The first primary duty of any Government, is to keep its citizens safe.

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

**Mrs. Persad-Bissessar SC:** So here we are. The Government is now saying that we were right. When we called for the State of Emergency a year ago, I said, “You know how many lives could have been saved out of 625 murders plus 11 more,” and now I wish, as I say, even with this drastic measure, how has it performed? Did we get any sense of that? We are being told how bad it is, how bad it is, being told that somebody got shot and killed outside Besson Street Police Station. Some others got killed at Prizgar Lands, I think if I say it correctly, and that is what woke you up? All year long, for all these years, did you not wake up to say, “Let us try something else, let us do something, let us do something.”

Now, as on the eve of your retirement, you finally decide, “let us drop the State of Emergency.” We need something drastic, but what troubles me, up to this point of this SOE, there is nothing, no plans, no policy, or programmes post-SOE, which I guess maybe in the next Motion, let us not anticipate that. So, I think this is, in my respectful view, a dereliction of duty on the part of the Government, of their sacred duty to look after and keep citizens safe and secure.

So I deal now, Madam, with your leave, of course, with the first Motion, which is that we must now take note of the statement by the President under section 9(1) of the Constitution setting out the specific grounds on which the decision to declare the existence of a state of public emergency was based. Interestingly, the hon. Prime Minister not once referred to that statement. So, perhaps for those who do not get to read our pieces of paper here, I would want to spend a moment to see and put on the record what is the statement of the President, which is what we are debating at the moment, to take note of the statement. What did her Excellency tell us?

This is what her Excellency shared with this Parliament. It was laid today, I think, as paper number one on the Order Paper. This is what her Excellency shared

pursuant to her duty as set out in the Constitution that where a declaration of a public emergency is made, the President must give a statement setting out the specific grounds on which that proclamation is laid. So this is the statement that we are being asked to take note of. I would not go through the entire thing but the highlights:

“On Monday December 30, 2024, being satisfied that a public emergency had arisen as the result of the occurrence of action that has been taken or is immediately threatened, by any person, of such a nature and on so extensive a scale, as to be likely to endanger the public safety, I made a Proclamation declaring that the state of public emergency exists.”

Her Excellency continues:

“Set out hereunder are the specific grounds on which my decision to issue that Proclamation was based.

This statement is made pursuant to section 9(1) of the Constitution...which provides inter alia that within three days of the making of the Proclamation, the President shall deliver to the Speaker for presentation to the House...a statement setting out the specific grounds on which the decision to declare the existence of a state of public emergency was based.

On December 30, 2024, I was informed by the Cabinet that in Trinidad and Tobago, there had been sixty-one (61) homicides for the month of December, 2024 and approximately six hundred and twenty-three (623) homicides so far for the year and that additionally, for the past 14 days there had been an increase in the number of violent crimes, leading to the death of individuals, via the use of illegal firearms, and in particular firearms of high calibre, including, but not limited to automatic firearms which have led to over twenty (20) homicides in the past seven days.”

Her Excellency continues:

“Cabinet further informed within the last 48 hours prior to December 30, 2024, the following two serious criminal activities, involving the use of illegal high-power firearms, took place which endangered the public safety. Cabinet informed that these were only two highlighted examples of the serious criminal activity that is endangering public’s safety in this country on an extensive scale.”

So here we are after 600-plus murders on that day just before what we call Old Year’s Day, New Year’s Eve, the Cabinet decided, “Look, too much is too much.” Why then? Is it that that only because they were certain “it would have” one gang fighting another gang? Was it done to protect the gang members?

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

**Mrs. Persad-Bissessar SC:** Or was it done to protect the people of Trinidad and Tobago? Because that specific ground that we are given, and the Prime Minister in his contribution earlier did refer to what happened at Besson Street; outside, and happened in Prizgar Lands, and that was like maybe the last bomb they fly off and say, “Hey, we have to get serious and do something.” Her Excellency informed us a little further:

Cabinet informed that the first of two serious...activities occurred on December 28, 2024, at approximately 3.50 p.m. when there was an attempt, outside the Besson Street Police Station to take the life of Calvin Lee, a person with a criminal record and suspected leader of criminal gangs operating in the Port of Spain area. As Calvin Lee left the stated...Station, several men armed with automatic firearms ran towards him and started shooting, one person was killed and several 5.56 calibre shells were

recovered at the scene, confirming the use of high-powered automatic weapons.”

Further:

“Cabinet informed...the second of the two serious criminal activities occurred on the night of December 29...when six persons were shot at Prizgar Lands... four (4) persons dying at the Port of Spain General Hospital.”

Madam Speaker, again, when I listened to the press conference on Monday the 30<sup>th</sup>, which was attended by and presented by the hon. Member for Port of Spain North/St. Ann’s West, the hon. Minister Stuart Young, and may I congratulate you on the anointment as the next Prime Minister of the Republic of Trinidad and Tobago. I wish you good luck, but I will not be voting for you. I will tell you that very clearly.

And also in that, was the Minister of National Security, Laventille/West. Well, he is also on the way out, so we will have to, at some point, say goodbye. I listened to that, you know, and it seemed to me that the Ministers were contradicting each other. Now the statement, I read parts of it, Madam, the statement, it says, what are the specific grounds for calling the State of Emergency at this point in time, and the two Ministers appeared to be contradicting themselves.

### **3.15 p.m.**

One Minister said—went through all the statistics and the horrendous crime numbers and so on, and the other Minister said, “No, no, this is about reprisals. Gangs and reprisals,” not about all these hundreds of people murdered this year, last year or the year before. It is about the reprisals by the gangs that woke them up to come to bring it. And then, again, the Minister of National Security came

back and he said, “No, no, look at these stats.” The Minister—Port of Spain North/St. Ann’s West, at the end, had to come back and say, “You, know, this is about reprisals. Gang activity and reprisals.” So which one is real?

The hon. Prime Minister came to give us, again, all the statistics, all the crimes, all the murders that have taken place. So I do not see this statement from the President being in sync with what we have been told from the hon. Prime Minister today, from the Minister of National Security and then the Acting AG, Minister Stuart Young. So, Madam Speaker, these are some of the things.

Now, the question really arises—and we have precedent in this country. There is a decision of the Court of Appeal in the case of—brought about the 2011 SOE. A Court of Appeal decision, Madam—one moment. And in that decision, what fell to be determined is whether the proclamation of the State of Emergency then was legal and in keeping with the Constitution and so on. And there was a serious intention and explanation to define what is meant by a “State of Emergency”. And that Court of Appeal decision, Madam, is now under review by the Privy Council.

So there was a High Court decision, which was then appealed, it went up to the Court of Appeal, and it is in the case of *Earl Elie v the Attorney General of Trinidad and Tobago*, between *Ashmeed Mohammed v the Attorney General of Trinidad and Tobago*, and Civil Appeal No. S005 of 2018 continues between *Dominic Pitilal v the Attorney General of Trinidad and Tobago*. So this decision was handed down, Madam Speaker, January 11, 2024. Just about a year—well, today is what?—the 13<sup>th</sup>. Just about a year ago, this decision was handed down.

And in that matter, Madam, what fell to be determined by the Court of Appeal—and which will probably rise again because others have already sent pre-action letters and so on to question this particular Proclamation and State of

Emergency. What fell to be decided amongst other matters, inter alia, was what is the meaning under the relevant section of the Constitution, which I think is section 8(1)(c)—one moment—Constitution, section 8(2)(c):

- “(1) Subject to this section, for the purposes of this Chapter, the President may from time to time make a Proclamation declaring that a state of public emergency exists
- (2) A Proclamation made by the President under subsection (1) shall not be effective unless it contains a declaration that the President is satisfied—

And in subsection (a) talks about:

“...public emergency...”—because of a—“...state of war...

- (b) ...public emergency...as a result of earthquake, hurricane flood, fire, outbreak of pestilence...”

And we will remember the SOE for COVID, a couple of years ago. But this time, we are working under section 8(2)(c), declare a public emergency because:

- “(c) ...action has been taken, or is immediately threatened, by any person, of such a nature and on so extensive a scale, as to be likely to endanger the public safety or to deprive the community or any substantial portion of the community of supplies or services essential to life.”

The applicable words here are that whatever is:

“...immediately threatened...”—on such an—“...extensive scale as to be likely to endanger the public safety...”

And the case spent a lot of time on trying to determine what was meant by “public safety”, because if these things are set into the statement of the hon. Her Excellency the President, if these things do not apply, then you cannot trigger that

section 8(1)(c) to have a State of Emergency.

So the statement of Her Excellency, the comments made by Port of Spain North/St. Ann's West, and the comments made by Laventille West, those two Ministers on that day, contradicted each other. So what is the real factor? What is it that convinced the President that a State of Emergency—public safety was threatened?

In that case that I just referenced, at paragraph 35, the court said:

“There is really no difficulty in my view as to the understanding of section 8(2)(c). As is clear from its wording, it refers to action taken, or immediately threatened, by any person, of such a nature and on so extensive a scale, as to be likely to endanger the public safety.”

Continues at paragraph 36:

“...a submission was made by the Appellants that the Trial Judge, in deciding whether the circumstances constituted a state of public emergency within section 8(2)(c), should have considered only the statement of the President.”

And the court did not do so, Madam. In this matter, the court went on to look at the statements made by Ministers, made by persons sitting here, made by the hon. Prime Minister, all those statements were taken together. I have a concern—given the contradictory statements that have been made as to landing us a triggering of section 8(2)(c), I have a concern that this may very well lead to the courts striking down this State of Emergency.

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

**Mrs. K. Persad-Bissessar SC:** And I will be very happy to hear the learned colleagues on the other side share some time on their understanding of what this is about and where we will go as we go forward.



As I say, that Court of Appeal decision is under review on appeal to the Privy Council. It is gone, but it has not yet been listed, and the learning therein would be very instructive for all of us as we go forward.

Now, Madam Speaker, states of emergency are not new to us. As we approach this one, as we are within a State of Emergency, November 1961, there was pre-election violence with the PNM and the DLP, State of Emergency declared; March 1965, Industrial Stabilisation Act and the arrest of C.L.R. James, State of Emergency; April 1970, the Black Power Uprising, State of Emergency; October 1971, industrial tensions, the Badger oil strikes after the Opposition boycotts and the PNM winning the election by a landslide in 1971; June 1977, BWIA postal workers' strike, the Prime Minister at the time fired all the pilots and declared a State of Emergency; July 1990, attempted coup in Trinidad and Tobago; August '95, House Speaker placed under arrest. This was a one-woman State of Emergency, House Speaker placed under arrest. And so over the years, there have been others, 1995.

We come, fast forward to 2011, State of Emergency in 2011. And given a statement then of the President and the statements of Minister then, John Sandy and others, and of myself, the President made the statement, as required by section 9, and it was brought into Parliament, it was debated here. Those on the other side were adamant, as they are up to the 30<sup>th</sup>, no State of Emergency; never, ever, ever, ever. And it is today, they have capitulated and said and done exactly—

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

**Mrs. K. Persad-Bissessar SC:**—what we have been saying; exactly what we have been saying. And then, of course, we had COVID 2020.

So there we are, statement of the President, which we are debating today. And I am saying, with due respect to the Government, we really need to do

something. It is really, really horrendous. As I said, almost 5,000 persons have been murdered in this country under the watch of the present Government, from since 2015 up to now; up to now.

**Dr. Moonilal:** Today. This morning.

**Mrs. K. Persad-Bissessar SC:** Up to this morning, in the middle of a State of Emergency, someone was murdered this morning. It continues unabated. So will it be that this Proclamation and this declaration will be too little too late?

After a decade, Madam, last year being deemed the worst in our country's history of bloodletting and murders in our country, crime rate, we must ask the Government to tell the country, why now? Why did you do this now and not last year when we called for it, and before that, why not? The hon. Prime Minister did attempt to answer that query—which is coming from other persons, not just us here—by saying, “Well, they did not want to shut down the economy and they did not want small businesses to suffer.” But why did you not think about the over 5,000 people who have been murdered and their families?

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

**Mrs. K. Persad-Bissessar SC:** The Prime Minister laughed about the Keith Noel Committee and what was it called?—the 136 Committee. Prime Minister, one life lost to murder is one life too much.

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

**Mrs. K. Persad-Bissessar SC:** It is too much. And now from that 136 then in that year prior to 2010, we are now in 2025, with almost 5,000 persons having been murdered by criminals after a decade, culminating in 2024. The worst in our history.

You remember, Madam Speaker, an article published January 16<sup>th</sup>—Gail Alexander in the *Guardian* of January 16, 2024? The headline was:

“Kamla wants a state of emergency to fight crime”

**Madam Speaker:** Member—

**Mrs. K. Persad-Bissessar SC:** Yes, Ma'am?

**Madam Speaker:** Member, Leader of the Opposition, while you are quoting the article, you have to make it compliant with the Standing Orders. Okay? So, remember, yes?

**Mrs. K. Persad-Bissessar SC:** Madam Speaker, I would refer to myself as the hon. Kamla Persad-Bissessar, Leader of the Opposition. I cannot use my own name, I thank you for the guidance. So hon. Kamla Persad-Bissessar SC, Member of Parliament for Siparia—

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

**Mrs. K. Persad-Bissessar SC:**

—“...wants a state of emergency to fight crime.

‘It’s the only thing that worked’”

And then in the article:

“What is needed now”—I quote—“amongst all the other suggestions in the fight against crime is a state of emergency in Trinidad and Tobago, says Opposition Leader...

‘Everything else has been tried and tested...’”—she added—well, the Member—“...added among her points during last night’s UNC Anti-crime Town Hall meeting at the Eric Williams Auditorium, La Joya Complex, St. Joseph.

...said while many condemned her...government for implementing a state of emergency...in 2011, it addressed the crime problem at the time.

‘Yes, we got a lot of ‘pong’ for it, but you know what happened? The crime went down. It worked in T&T.’”

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

**Mrs. K. Persad-Bissessar SC:** So I ask you to consider that as we go forward with these crime talks, and we will have further discussion, it is not something the Opposition can do. It is something that is really definitely needed at this time if we are to feel safe.

Madam Speaker, that was the response then. What was the response of the others from the other side? And here it is, CNC3, quote:

“Prime Minister Dr. Keith Rowley yesterday dismissed Opposition leader Kamla Persad-Bissessar’s call for a state of emergency to deal with the rising crime situation, saying his Government does not believe it is a feasible approach to the issue.

Speaking during a post-Cabinet media briefing...”—Prime Minister——  
“...Rowley said Government did not believe an SOE is T&T’s best option due to the number of down sides, and the Government didn’t want to do anything to disturb economic recovery it’s working towards.”

And that article, Madam, published in Loop News TT as well, January 18<sup>th</sup>, Reporter Beena Mahase, headline:

“PM slams Opposition’s call for SoE”

And this is what is reported:

“Prime Minister Rowley has chastised...”—

**Madam Speaker:** Just leave out the names, so the Prime Minister, the Leader of the Opposition and Member for Siparia, Member for Diego Martin West.

**Mrs. K. Persad-Bissessar SC:** Thank you, Madam. Not calling yours at all, Diego Martin North/East. You will be long gone.

**Hon. Members:** [*Laughter*]

**Mrs. K. Persad-Bissessar SC:** You will be long gone.

**Dr. Moonilal:** The Auditor General called yours.

**Mrs. K. Persad-Bissessar SC:**

“Prime Minister...has chastised the Opposition’s call to implement a State of Emergency...as a measure to deal with the current increase in criminal activities.

...he further accused...”

—and he, the hon. Prime Minister:

“...further accused the UNC of ‘trying to play politics’ with their suggestion...”

So, Madam Speaker, we have a Prime Minister who opposed a State of Emergency after 625 and counting, then comes with this. This is a reality we have faced and in that last week of the year, so many have lost their lives. The question arises then, why now? I ask again—and I hope in the winding up, the hon. Prime Minister will be good enough to share with us—why now? Is it because we are just on the cusp of an election, on the verge of an election? Is it that they have now woken up to understand what is taking place? Ten years almost of failure and therefore, Madam Speaker, I initially responded to this by saying it was an act of political gimmickry—

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

**Mrs. K. Persad-Bissessar SC:**—at the eve of an election; the eve of an election. Everything else has failed. And there has been so much public criticism, Madam Speaker—not just from us in the Opposition—questioning the effectiveness and motives behind this SOE. If we look at the newspaper headlines—I will just share a few, Madam, with your leave—*Express*, January 13, 2025:

“Two detention centres unfit

Prison officers concerned over the SoE facilities:”

My colleague from Oropouche East raised it a short while ago, and I am sure we will hear more about that. And this was where those in the prison service were expressing concern about what was happening. Now, these are the people who have been charged—not charged, but detained, and they will be put into these facilities. They say, two of those are unfit.

**3.30 p.m.**

So what do we expect? A jailbreak? Some massive jailbreak as the criminal elements go through the roof that is leaking, and the alarms that are not working. What will happen there? I quote from that article:

“Serious concerns have been raised by the membership of the Prison Officers’ Association...over the designation of two of the four prison Facilities by National Security Minister...as detention centres to house those held under the Emergency Powers Regulation.  
...general Secretary of the”—Prison Officers’—“association Lester Logie, said the officers were in no way pleased...”

**Madam Speaker:** Member for Siparia, you know, just by way, and you did it quite frankly by saying, “Look, what we are looking here is at the statement”, and you put it into the *Hansard*. So I am cautioning you with respect to the direction you are going. Let us get back to where you fully anchored us previously.

**Mrs. K. Persad-Bissessar SC:** I am guided, Madam.

**Madam Speaker:** As you said, there is another Motion and let us not anticipate that. I think, let us keep within this.

**Mrs. K. Persad-Bissessar SC:** Yes, Madam Speaker. At the moment, there is a State of Emergency in effect. Law enforcement is operating under that State of Emergency and therefore, they were given powers under this State of Emergency to do certain things; one of which is to detain people. And what do you do with

them? You have to put them somewhere and if the facilities cannot house them properly, then something is seriously wrong, and attention should be paid to that. That is as far as I will go with that, Madam, but there are serious concerns about what is happening there. Now, there is public scepticism—

**Madam Speaker:** I would like to do this now as you stopped.

**Mrs. K. Persad-Bissessar SC:** Yes.

**Madam Speaker:** Okay, you have three minutes of your original speaking time left. You are entitled to 15 more minutes, if you wish, to complete your contribution.

**Mrs. K. Persad-Bissessar SC:** Thank you, Madam Speaker. I will certainly take the time indicated. Now, there is a lot of scepticism, Madam, about this SOE because of the failure of years of ghost crime plans put forward by the Government. Widespread condemnation, scepticism—not because people do not think it is necessary or justified, but because the Government has engaged in so many other plans and policies shared to fight the crime, until now, saying, “Well, this is the way to go”.

There is a track record of woeful, consistent, disastrous failure. Over \$50 billion spent, Madam, so far, and I think over \$50 billion spent in national security. And therefore, what to do? Since 2015, the Government established a dangerous, questionable track record—multi billion-dollar ghost plans. So is this going to be another one of the kind with no real success?

The Prime Minister has a habit of commissioning very expensive, vague crime plans. Every time, there is a public outcry over crime headlines, and then we never hear about them again. My checks have shown that since this Government took office, the Prime Minister has commissioned at least five sets of crime plans, all of which have never seen the light of day; all of which.

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

**Mrs. K. Persad-Bissessar SC:** Remember when the Government marked the end of their first year in office? They announced a plan to spend US \$17.5 million. That was TT \$117 million, on what? Intelligence gathering and equipment to help fight crime. Whatever became of that plan and the over \$100 million of taxpayers' dollars. They have never told the country.

Two years later, 2017, crime was getting worse, and the Government hosted a lavish event at the Hilton Trinidad to launch a National Crime Prevention Programme, a new anti-crime initiative. They then said that they would operate under the direction of an inter-ministerial committee, headed by the Minister of National Security, with participation from the Office of the Prime Minister.

Fast forward again—all of these—they promised then to operationalize a DNA bank, re-engineer the national CCTV network, quicken the pace of evidence gathering, and introduce electronic monitoring bracelets. And what about the jammers in the prison? Are these operating at all? Are these operating—the hon. Prime Minister did not mention prison officers. And my response, I say, “What about the jammers”?

**Hon. Member:** Grabbers.

**Mrs. K. Persad-Bissessar SC:** Grabbers. Sorry. Grabbers which will grab whatever is incoming and ongoing. We have had no feedback on these: the monitoring bracelets, the re-engineering of CCTV—and there were really serious concerns. I know the Member for Oropouche East again had raised serious concerns about those CCTV things, and I guess we will hear some more at another time. What happened with all these plans?

July 2020, the Government appointed a committee to examine and establish the causes of disquiet and dissatisfaction among disenfranchised communities



throughout the country, known as hotspots. That was headed by Mr. Anthony Watkins and including Minister Gadsby-Dolly. To date, there has been no report laid in Parliament. That was 2020, eh. Fast forward four-plus years, no report laid in Parliament or presented in any manner. We do not know how much money was spent and what the recommendations were. If a report was ever produced, that report is now gathering dust.

July 2022—let us fast forward—they appointed a committee to start treating with crime and violence as a public health issue. Today again, the hon. Prime Minister talked about treating crime as a public health issue. Apart from those nice-sounding words, what has happened? What plans, what policies and what projects have been undertaken to deal with the crime?

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

**Mrs. K. Persad-Bissessar SC:** That was 2022. The Prime Minister then told the country that that would involve the Ministry of National Security, the TTPS, the Ministry of Sport and Community Development, the Ministry of Education and the THA. What has happened since then with this public health issue and crime that the Prime Minister again speaks to today?

Then, there was an expensive CARICOM forum later on this. A \$3.4 million spent in the Hyatt. Where is the report? What is being implemented? Again, crime as a public health issue; the Prime Minister speaks about that again today. He has the temerity to come to talk about something that was dead in the water from day one. Never took flight, never implemented, no reports and nothing done. Fast forward to the end of the year then, 625 and counting, dead.

January 2024, again, Prime Minister Rowley announced a \$100 million crime plan and promised to direct Finance Minister, the Member for Diego Martin North/East to allocate \$100 million to be spent by the Trinidad and Tobago

Defence Force in certain communities where development is stymied by crime. What happened with this? Where did it go? Now we have a useless, toothless dog of a State of Emergency in the last few months of this Government.

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

**Mrs. K. Persad-Bissessar SC:** Taxpayers' dollars to fund the "pappy-showing", the whims, the fancies of a useless, failed Government trying to do PR when people are being killed and terrorized in record numbers. So we cannot believe anything they say. We cannot believe that this SOE will have the effect—indeed, many of the SOEs that have been called by this Government, PNM Government, have been for political purposes.

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

**Mrs. K. Persad-Bissessar SC:** I had mentioned some before and I will not go through all those again. So here we are again, as I say, on the eve of an election—and they use once again, this measure that they have resisted throughout their nine-plus years.

And Minister Hinds—sorry, Member for Laventille West, Minister of National Security, admits that a State of Emergency is useless, Madam. He admits that. If we go by the words of this failed Minister of National Security, Member for Laventille West, the Government also does not expect this SOE to have any impact. I quote the words of the Member, Laventille West, uttered as quoted in a *Guardian* article published 19<sup>th</sup> January, 2024 by Shane Superville headlined:

“Hinds to...”—

—well, it has my name, so I will just say the Member for Siparia—yours truly—

**Madam Speaker:** But you have to say it before that, so you will have to say Member for Diego Martin—Member for Laventille West. Yes?

**Mrs. K. Persad-Bissessar SC:** Yes, I hear you. Thank you. I quote the words of

the Member for Laventille West, quoted in the Guardian, published 19<sup>th</sup> January, 2024. Minister, Laventille West says:

“...SoEs don’t get to root of crime.”

This is the Member, Laventille West, present Minister of National Security, then Member of National Security. This is his conviction. This is his firm belief, which he uttered in the public space:

“National Security Minister Fitzgerald Hinds has fired back at the Opposition Leader Kamla Persad-Bissessar’s calls for a state of emergency (SoE) to tackle crime, arguing that such responses do not produce meaningful long-term changes.”

Continues:

The Minister “...disagreed with the suggestion, noting that such strategies did not get to the root cause of the violence.”

What has changed today? Continuing:

“Responding to recent comparisons with Jamaica’s own SoEs in certain parishes to clamp down on criminals...”—the Minister—“...said this does not have a long-term effect, noting that murders continued in Jamaica even in the midst of the lockdowns.”

So, no wonder—I think the public simply does not believe anything that this Government says anymore. And the only way we can deal with this problem is to call the elections now and let us vote them out of office.

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

**Mrs. K. Persad-Bissessar SC:** I thank you very much.

**Madam Speaker:** The Attorney General.

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

**The Attorney General and Minister of Legal Affairs (Sen. The Hon. Reginald**

**Armour SC):** Thank you very much, Madam Speaker, for the opportunity to contribute to this Motion to address the statement of Her Excellency, the President, dated the 30<sup>th</sup> of December, duly delivered to this House, Madam Speaker, on the 31<sup>st</sup> of December, 2024.

In obedience to section 9(1) of our Constitution, Madam Speaker, we assemble today to take note of that statement by proclamation issued on the 30<sup>th</sup> of December, declared then that there existed specific grounds on which Her Excellency declared the existence of a state of public emergency and to engage in a debate with respect to that statement.

Madam Speaker, it is incumbent on us very scrupulously to examine Her Excellency's statement and the grounds set out in that statement by reason of the mandate of section 9(1) of the Constitution. And as we do that, I want to emphasize that the proclamation of the State of Emergency and the statement of Her Excellency, which is before this House, was made on the advice of the Cabinet.

I will say more on that, but permit me as I introduce that point, to advise the Members of this House and the listening and viewing public that Cabinet's decision, duly ratified, to advise Her Excellency to declare a State of Emergency was taken at 1.00 a.m. on the morning of the 30<sup>th</sup> of December, 2024. This is relevant, Madam Speaker, so that the members of the listening and viewing public might understand the seriousness of the work undertaken then, and which this House must undertake now as we assemble here to debate this statement. We are not to engage in the debate today in scurrilous asides and histrionics of things past. We are to look at the statement in the debate that section 9(1) mandates us to engage in so that this House of hon. Members might affirm or not, the decision of Her Excellency as evidenced by her statement.

So if we look at paragraph 3 of the statement, this is what the statement begins with:

“On December 30, 2024, I was informed by Cabinet that in Trinidad and Tobago, there had been sixty-one (61) homicides for the month of December, 2024 and approximately six hundred and twenty-three (623) homicides so far for the year and that additionally, over the past 14 days there had been an increase in the number of violent crimes, leading to the death of individuals, via the use of illegal firearms and in particular firearms of high calibre, including, but not limited to automatic firearms which have led to over twenty (20) homicides in the past 7 days.”

I pause to emphasize that at the 30<sup>th</sup> of December, 2024, Her Excellency by this statement, advises this House that there were 20 homicides in the seven days immediately preceding the 30<sup>th</sup> of December, 2024. So let us forget the histrionics of referring to what the hon. Member of Laventille West may or may not have said a year ago. Let us concentrate on the circumstances of what occurred at the 30<sup>th</sup> of December—

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

**Sen. The Hon. R. Armour SC:**—to prompt the proclamation of that State of Emergency. Her Excellency continues:

“Cabinet further informed that within the last 48 hours prior to December 30, 2024, the following two serious criminal activities, involving the use of illegal high-power firearms, took place which endangered the public’s safety.”

**3.45 p.m.**

So let us forget the histrionics of referring to what the hon. Member of Laventille East may or may not have said a year ago. Let us concentrate on the circumstances of what occurred at the 30<sup>th</sup> of December—

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

**Sen. The Hon. R. Armour SC:**—to prompt the proclamation of that State of Emergency. Her Excellency continues:

Cabinet further informed that within the last 48 hours prior to December 30, 2024 the following two serious criminal activities involving the use of illegal high-powered firearms took place which endangered the public safety.

Her Excellency next goes into detail on these two serious criminal activities, emphasizing that:

Cabinet informed that these were only two highlighted examples of the serious criminal activity that was endangering the public safety of the country on an extensive scale.

After detailing those two highlighted examples, Her Excellency continues to advise this House:

Cabinet informed that arising out of these two incidents, the Trinidad and Tobago Police Service informed the Minister of National Security that intelligence suggested that the latter shooting, which took place—and I interpose to remind the hon. Prime Minister mentioned it—five out of six people were shot dead on the 29<sup>th</sup> of December, 2024.

Her Excellency says:

This was a reprisal shooting and killing for the earlier incident where an attempt was made on the life of Calvin Lee. The intelligence of the Trinidad and Tobago Police Service informed the Minister of National Security, who in turn informed the National Security Council that the criminal gangs in East Port of Spain/Laventille, environs, and throughout Trinidad and Tobago were likely to immediately increase their brazen acts of violence in reprisal

shootings on a scale so extensive that it threatens persons and will endanger public safety.

Cabinet further informed that the National Security Council, in the circumstances, found it necessary to advise me, through the hon. Prime Minister to declare that a public emergency exists.

Her Excellency concludes her statement by stating that:

Having considered the information provided, and given the above premises, I was satisfied that action had been taken or is immediately taken by persons of such a nature and on so extensive a scale as to be likely to endanger the public safety to the extent that warranted the declaration of a State of Public Emergency.

So, Madam Speaker, Her Excellency clearly records that throughout her statement, her proclamation of the 30<sup>th</sup> of December, 2024 was made on the advice of the Cabinet of Trinidad and Tobago. And, it is set out clearly in a proclamation dated the 30<sup>th</sup> of December. Section 75(1) of our Constitution, Madam Speaker, and I remind us by reading it states:

“There shall be a Cabinet for Trinidad and Tobago which shall have the general direction and control of the Government of Trinidad and Tobago and shall be collectively responsible therefore to Parliament”.

In the debate on which we are embarked today in this House, it is apposite that we remind ourselves of the constitutional mandate, function and role of the Cabinet as pronounced on by our courts. We are fortunate to have the benefit of two recently decided cases, one of which the hon. Leader of the Opposition chose to read from selectively and to misread, which have put beyond doubt that our courts—

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

**Sen. The Hon. R. Armour SC:**—and I submit respectfully, no less this House, must respect the decision of the Cabinet which informed Her Excellency’s decision recorded in her statement.

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

**Sen. The Hon. R. Armour SC:** The decisions in those two cases were delivered respectively on the 11<sup>th</sup> of January 2024, Madam Speaker, and on the 19<sup>th</sup> of December 2024 and with your leave, I will address them separately.

The first, January 2024 decision, is the very carefully articulated and erudite judgment of Mr. Justice Alan Mendonça, Retired, speaking for the full Court of Appeal of Trinidad and Tobago, comprised of himself, Mr. Justice of Appeal, Prakash Moosai and Mr. Justice of Appeal, James Aboud. This is the case Civil Appeal Nos. S.003 of 2018 and S.004 of 2018, *Earl Elie and Ashmeed Mohammed v the Attorney General of Trinidad and Tobago*. It runs Madam Speaker, to 65 pages and consists of 133 paragraphs. The hon. Leader of the Opposition chose to read selectively from two of the paragraphs of that case to make a submission that has no basis in law.

When I was a young man and I had just started practicing and I was in enthusiasm, impressed by a statement made by a judge in a case, and I chose to quote it, I always remember the judges would say to me, and I will not call their names now, but they were wise judges, “Mr. Armour, read on, read on, because what you have just quoted needs to be understood in the context of what follows or what prefaced it.”

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

**Sen. The Hon. R. Armour SC:** So we do not, as purported Senior Counsel, claimed to read from judicial authorities, read selectively and mislead this hon. House.



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

**Sen. The Hon. R. Armour SC:** In that judgment of Elie, I will call it “Elie” for short, it involved more than one appellant, Elie and Ashmeed Mohammed, but for brevity, I will call it the “Elie decision”. In that judgment, we start at paragraph 20. Leader of the Opposition started at paragraph 35. Paragraph 20, the Court of Appeal tells us that the question—and I am reading from the last four lines:

“The question...that faced the Trial Judge on this issue was whether the circumstances at the time of the Proclamation met the description of a public emergency within the meaning of section 8(2)(c) of the Constitution.”

So, when we are reading Her Excellency’s statement today, we are not concerned with what may or may not have been said by other Members of Parliament, whether on this side of the House or on the other side in January 2022, or proceeding. We are concerned with what is in the statement at the time of the proclamation. The proclamation is dated the 30<sup>th</sup> of December, and Her Excellency’s statement is dated the 31<sup>st</sup> of December, 2024. So we must read it, and we must ruminate on that statement. That is my first point that comes from paragraph 20, which the Leader of the Opposition did not read of the judgment of Elie.

And, then let us go to paragraph 35 and 36. Paragraph 35 from which the Leader of the Opposition read says:

“There is really no difficulty, in my view”—this is Justice of Appeal, Mendonça—“as to the understanding of section 8(2)(c). As is clear from its wording, it refers to action taken, or immediately threatened, by any person, of such a nature and on so extensive a scale, as to be likely to endanger the public safety.”

Certainly, you look to the statement of Her Excellency to see what activated her mind on the advice of the Cabinet at the time of the statement. And then, paragraph 36 from which the Leader of the Opposition read, says:

“As noted earlier, a submission was made by the Appellants at the Trial Judge, in deciding whether the circumstances constituted a state of public emergency within section 8(2)(c), should have considered only the statement of the President. She was wrong to take into account the statement of the Prime Minister and the evidence of Sandy. I do not agree”

The hon. Opposition Leader, chose to pause there, to say therefore, that it is not just the statement of the President that we must consider here. We must consider things said by the hon. Member for Siparia, many years ago, and the Member for the Government, the National Security Minister last year.

But the context of this judgment is that, first of all, it was a matter in court in which persons had sworn affidavits. So, in its totality, the judge had to be looking at the totality of all of the evidence before him. The trial judge, Madam Justice Dean-Armorer, as she then was, she is now President of the Court of Appeal of the Turks and Caicos Islands and the Court of Appeal who were reviewing her statement. You have to look at the totality of all of the statements that were made at the material time. But that does not mean that you ignore or disabuse yourself of the statement made by Her Excellency, the President, which is what we are looking at now. And if the hon. Leader of the Opposition had gone on to read paragraph 40, this is what the Court of Appeal says.

“The President does not have to explain why the ordinary powers of the criminal justice system and the police were inadequate”—et cetera. “As previously mentioned, his task is to provide a statement as required by

section 9(1) of the Constitution setting out the specific grounds on which the decision to declare the existence of a state of emergency was based.”

He did that, and in this case, Her Excellency, Madam Christine Kangaloo, has made a statement, which she has put before this House dated the 31<sup>st</sup> of December 2024, she has done that and that is what we must look at.

I take you, Madam Speaker, to the very important parts of the judgment of Mr. Justice Mendonça, which are relevant to the earlier point I made then, and that is, the value and the significance of the fact that the President, Her Excellency the President, is acting on the advice of the Cabinet. This is what Mr. Justice of Appeal says at paragraph 44 of the judgment—beg your pardon, not 44, 47. He says at paragraph 47:

“I have mentioned that section 8(2) (c) requires an assessment of the risk or the likelihood to the endangerment of public safety.

“As the Trial Judge noted, with which I agree, great weight is to be given to the judgment of the executive.”

He goes on to quote from a decision of the House of Lords in the case of *Secretary of State for the Home Department v Rehman*, reported as [2003] 1 AC 153, at paragraph 62 which reads in these terms:

“...in matters of national security, the cost of failure can be high. This seems to me to underline the need for the judicial arm of government to respect the decision of ministers...on the question of...”—what—“...constitutes a threat to national security. It is not only that the executive has access to special information and expertise in these matters. It is also that such decisions, with serious potential results for the community, require a legitimacy, which can be conferred only by entrusting them to persons responsible to the community through the democratic process.”

That is to say, the persons elected to govern the country. That is the significance of the Cabinet under section 75 of our Constitution, advising Her Excellency, at 1.00 a.m. on the morning of the 30<sup>th</sup> of December, of the facts and circumstances which prompted Her Excellency, in her discretion, to proclaim the existence of a period of national emergency, and why we are today to look scrupulously at what she says in that statement, to appreciate why therefore we should endorse that statement and affirm it for the validity that it brings to the moment.

The Leader of the Opposition did not read that passage. We must be true to our oaths as Members of the inner Bar, whatever one may want to do or say as politicians serving other interests. If you are reading from a judgment, read the judgment properly.

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

**Sen. The Hon. R. Armour SC:** And it is not the first time I have had to regret that travesty.

The second case, Madam Speaker, which is equally relevant on the issue of the role of the Cabinet, albeit in a different fact scenario, is the more recently decided case our Privy Council 19<sup>th</sup> December 2024, of Ravi Balgobin Maharaj and the Cabinet of Trinidad and Tobago. Members will recall that this decision is a decision brought by an appellant, the self-proclaimed, so-called activist Maharaj, represented by Anand Ramlogan, who lost his challenge to Her Excellency the President's extension of the term of office of the present Commissioner of Police, Mrs. Erla Christopher.

**4.00 p.m.**

In the judgment of the Board of the Privy Council, having held in unequivocal terms that there was nothing unconstitutional nor unlawful in the decision of the President to extend the term of the office of the commissioner, Lady Simler of the

Privy Council, that paragraph 53, pointed to the powers conferred by sections 7 and 8 of the Constitution. Quote:

“...exercisable by the President in a state of emergency.”

—as further examples of those provisions in the Constitution, which allow for the advice of the Cabinet to the President and for appropriate deference being accorded to the Cabinet. And therefore for appropriate respect being accorded to the decision of the President based on that advice.

So that, it is not enough for us to stand here and do a disservice to what is said by the President in her statement. To read selectively from a judgment. To speak in scurrilous terms. To suggest—and I thought for a moment I had not heard correctly, to suggest that in the quotation of Her Excellency, that says that there were two gangs in particular who were at war with each other and there were going to be reprisal attacks, to suggest that this Cabinet is somehow or the other, one, protecting one gang as against another, is irresponsible in the extreme.

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

**Sen. The Hon. R. Armour SC:** And it goes against all of the law that is being handed down and the draftsmen of our Constitution who have drafted our Constitution to say you are elected according to prescribed terms, and you would pay abeyance to the fact that the Cabinet is the Government duly elected, and you pay respect to the section of the Constitution that mandates what we are to do here. Look at the statement and take it on its terms.

Madam Speaker, the foundation of any democracy lies in the safety and the security of its people. And when public order is threatened, it can create an environment where fear thrives, trust is eroded and the rule of law falters. Public order necessarily requires—and this is the thrust of the Constitution, requires trust in the Government to govern. Trust in the rule of law and trust that your

government will act swiftly and decisively to protect the citizens of this country. And that is what was done on the morning of the 30<sup>th</sup> of December, 2024, when the Cabinet took the decision to advise Her Excellency of circumstances existing within its knowledge, brought to it as a matter of national security.

We heard the hon. Prime Minister to date, tell you, as Chairman of the National Security Council, he is the repository of information and the Raymond case tells us, that must be respected. It comes in a quality of information that you do not second guess. The courts defer to that. This House, with respect—unless compelling evidence to the contrary shown, not scurrilous remarks, must also respect that. Otherwise we make little and we make a fool of our Constitution and of the oaths we take in this honourable House, and in the other place to uphold the Constitution.

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

**Sen. The Hon. R. Armour SC:** The declaration, Madam Speaker, of a State of Emergency is never a casual choice. It is a measure of last resort untaken only after all other avenues have been explored. So, if a year ago there was no sufficient basis for a State of Emergency, so be it. But if at the 30<sup>th</sup> of December, the circumstances of reprisal gang killings on an extensive scale were threatened and the information that comes to the Cabinet, persuades the Cabinet to take that information to Her Excellency, and she tells us in her statement after due consideration, she is satisfied according to the tenets of section 82(c) that circumstances exists for calling a State of Emergency, then that is what we have to look at, that is what we have to scrutinize and that is what we must respect.

We are confronted with criminals whose brazenness knows no bounds. Wanton disregard for life, limb—who are going in to our schools and taking hold of our children in the schools and turning them into criminals. And we have to

take recognition of that, and we have to take the measures as extreme as they may be at particular points in time, to address it, to redress it and to bring it under control. Madam Speaker, there is a measure of proportionality—that is for the other debate, I would not get into that just yet.

But there is a measure of proportionality that is now accepted in constitutional law, that notwithstanding the fact that there are rights and freedoms guaranteed by our Constitution. There is a proportionate decision-making process that governments have to subscribe to, when they balance the risk and the benefit of the actions that they are about to take. And therefore, Madam Speaker, against the background of everything that I have said, in closing, on the basis of what is already being said by the hon. Prime Minister and on the basis of the statement before you, dated the 30<sup>th</sup> of December, I beg to move, to support the move that the Proclamation be endorsed and that this House vote appropriately. Thank you very much.

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

**Madam Speaker:** Prime Minister.

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

**The Prime Minister (Hon. Dr. Keith Rowley):** Madam Speaker, given the comprehensive discourse of the Attorney General, I would hardly be expected to improve on that. But, I simply want to say, Madam Speaker—those who are engaging in the debate, that my colleague from Siparia made some comments which ought not to go unchallenged. Because it is easy to be critical, but there has to be logic. My colleague made reference to the fact that I as Prime Minister, for the period that I have been in office, I am responsible for—what, 4,000 deaths or 5,000 deaths—yeah, okay. But, if one takes that statement logically, then I would say that the Member for Siparia is responsible for 2,435 deaths. That during her

term of office that is what happened, we lost 2,435 people. But, the Member went on to say that we have a State of Emergency, and it was said that we should have had it before and lives would have been saved. That is conjecture. Because, nobody knows exactly what life would have been saved. And when you look at the numbers, it did not put an end to behaviour of the criminals.

The State of Emergency of 2011, did not put an end to the behaviour of the criminals. Because the previous year in 2010, there were 474 murders and rising. The curve of criminality, the curve of violence, the curve of violent crimes, and the curve of murders have been going up. And then, when the 2011 instance in Arima took place and the Government of the day decided that the response to it should be a State of Emergency, nobody was saying that that would put an end to criminal intent, criminal planning, criminal execution in this country. But by the nature of that emergency, that year, the number of murders dropped to 379; a State of Emergency. And then the emergency expired. I think it went until December or thereabout, it went on for about six months. But immediately after that, Madam Speaker, what do we have? Government could have all the answers about emergency—the following year it was 407. The following year it was 403. The following year it was 420.

So, when my friend from Siparia left office, that year there were 420 murders. And the difference between 420 and 600 is a lot, it is 200 more people. But 400, is in fact a lot as well. So to come here and pretend that I would have done this, and I know that—we have been struggling with this as a nation and that seems—when I made that comment that seemed to have offended my colleague. But then my colleague took issue with interpretation of a press conference held by the two Ministers. One, the Minister of National Security, the other the Attorney General, at the time when you were facing this retaliatory environment, in which gang



warfare had broken out in East Port of Spain, with calls to invite other people around the country to join in, in defence of certain people.

Madam Speaker, I do not agree with the statement by the Member of Siparia, that the Ministers were contradicting one another. The Acting Attorney General, gave clear explanation of the law under which the emergency came in, and what the emergency would apply to and not apply to. For the public benefit it was clear descriptions. And the Minister of National Security gave a perspective of the upward trend of the killings that were taking place. And the use of a particular type of weapon, which if used and when used will multiply.

It is easy, Madam Speaker, to say that the number of killings is 600, and to disparage the effort. But one ought, for a very fleeting moment, to consider what would the number have been if the initiatives taken and the action taken had not been taken. It could easily have been far worse because the criminals have no upper limit to the number of people they intend to kill. That is a similar point I am making. We have got significant benefit by seeking to restrain them. We have not got it to zero because they have been resisting good order. But when the Member for Siparia is picking that—nitpicking arrangement to say two Ministers were there, and they were contradicting each other, and the matter could go to court and—brings me to the point that the Member must know what she is talking about. With her experience, Madam Speaker, let us pay careful attention, as we have done with this emergency.

But, I simply want to say, that my colleague from Siparia, is just blowing hard, knowing that—as I speak to you now—I do not think we have finished paying the millions to people who have sued the State for a State of Emergency declared under her stewardship. Senior counsel as she is. That emergency of which she is an expert, of 2011, resulted in a number of people using the rights of

the Constitution which all of us have—criminal and all, to go to the court and complain and in this instance of 2011, they complained that they were arrested without reason. And of course, the court wanted to hear about this. What my colleague from Siparia should tell this House and to tell the nation, is that the Government in seeking to convince the court that there was good reason for those persons being detained in an emergency, and that there was good reason for a State of Emergency being declared by the then President.

**4.15 p.m.**

As the Government sought to do that, the Member for San Fernando East, then was the Attorney General, asked—

**Mr. Hinds:** West.

**Hon. Dr. K. Rowley:** San Fernando West, sorry—asked our colleague from Siparia and another one from somewhere else—

**Mr. Al-Rawi SC:** Ramlogan.

**Hon. Dr. K. Rowley:** He is from Golden Grove?

**Hon. Members:** [*Laughter*]

**Hon. Dr. K. Rowley:** Anyway, these Members were asked to answer the questions on behalf of the taxpayer: “What was the reason for the State of Emergency in 2011?”

Madam Speaker, with all that fulmination and interpretation here today, and “senior counselling” today, would you believe that the Member for Siparia flatly refused to answer the question, flatly refused to go on affidavit to defend taxpayers in the court for the action of her government, led by her, resulting in millions of dollars being paid to people—

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

**Hon. Dr. K. Rowley:**—people who her government thought should have been

detained for public safety, and then coming here today and fulminating like that, frothing at her mouth, rocking left and right about an emergency, which has removed the possibilities of that being successful?

I have no doubt that there are people who will challenge the Government's actions, because the criminals have been challenging the walls of the prison, they have been challenging the law, they are challenging the court, and they will continue to challenge and look for a loophole to get out. And then you have a question asked, "Why did you declare an emergency in 2011?" No answer from the Prime Minister and the then Attorney General, and, of course, the court had no choice but to rule in favour of the criminals and paid them millions of dollars.

Madam Speaker, my friend from Siparia is playing smart with foolishness, playing hurt when there is no hurt to be had, playing "rectifier" when she can rectify nothing, playing interested when she is not interested. It is all about trying to make it as difficult as possible, and, of course, she is an expert in denigrating people. Madam Speaker, today is a simple, straightforward matter to come here and say that when gangs are threatening to shoot indiscriminately as they do, kill indiscriminately as they do, with weapons that can penetrate the wall of the average house of this country and across motor cars, and on streets and in police stations, in front police stations, and we have to stop them from behaving like that, we are being accused of declaring an emergency to protect the criminals from one.

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

**Hon. Dr. K. Rowley:** That, Madam Speaker, is an offensive statement—

**Mr. Armour SC:** It is.

**Hon. Dr. K. Rowley:**—and I reject it out of hand.

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

**Mr. Young SC:** Political gimmick.

**Hon. Dr. K. Rowley:** I do not even want to say it is politics because that is bad politics. It is just a matter of trying to fool people, hoping that the population will hear that and somehow would see salvation in her efforts. Madam Speaker, it is not salvation, it is lack of cooperation.

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

**Hon. Dr. K. Rowley:** So I will spend no more of my time trying to convince this country that we got a problem. We have a problem. I will spend no more of my time trying to convince my colleagues on the other side. Do your duty and stand up and face the criminals and stop mollycoddling them in your ranks.

Madam Speaker, this is a serious matter, and it is not going to go away by just pointing fingers at people and at one another. The criminals know as long as we are doing that, they have the edge. They know that. They know as long as we see them as victims, they have the edge, and they no sympathy for us, the law-abiding. So today, in this Motion, we are required to take note of the President of the Republic being convinced that on that situation of December 30<sup>th</sup> and the days ahead, God alone knows what would have happened if we had not intervened. So I cannot tell you how many lives have been saved, but I know that on that occasion, the Government took action to give the police and the defence force additional leeway.

Madam Speaker, I do not want to tell you the difficulties some police officers have in getting a warrant to go after people who they believe should be apprehended in quick order. When you are taking two and three days to get a warrant, by the time you get it—and worse, some people give the criminals a heads-up that somebody is coming to get a warrant for you. That is our society. We removed that or largely eliminated it so that the police can move quickly on information to protect the public, the innocent public, and in many instances,

people who are endangering others, sometimes without regard for their own lives. Because when you engage armed police officers in a firefight with weapons, lives can be lost on both sides, but there are some people who do not care, but we in the Government, we have to care for every single life in this country.

So, Madam Speaker, I have said enough. As leader of the Government, in support of the President's decision, and on that basis, I beg to move.

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

*Question put and agreed to.*

*Resolved:*

That the House take note of the Statement by the President under section 9(1) of the Constitution setting out the specific grounds on which the decision to declare the existence of a state of public emergency was based.

**EXTENSION OF STATE OF PUBLIC EMERGENCY  
(PERIOD OF THREE MONTHS)**

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

*Whereas* it is enacted by section 8(1) of the Constitution of the Republic of Trinidad and Tobago that the President may from time to time make a Proclamation declaring that a state of public emergency exists;

*And whereas* the President has by Proclamation made on the 30<sup>th</sup> day of December, 2024, declared that a state of public emergency exists in the Republic of Trinidad and Tobago;

*And whereas* it is enacted by section 9(2) of the Constitution that a Proclamation made by the President for the purposes of and in accordance with section 8 shall, unless previously revoked, remain in force for fifteen days;

*And whereas* it is enacted by section 10(1) of the Constitution that before its expiration the Proclamation may be extended from time to time by resolution supported by a simple majority vote of the House of Representatives, so however that no extension exceeds three months and the extensions do not in the aggregate exceed six months;

*And whereas* it is necessary and expedient that the Proclamation made by the President on the 30<sup>th</sup> day of December, 2024 declaring that a state of public emergency exists in the Republic of Trinidad and Tobago, should be extended for a further period, not exceeding three months:

*Now, therefore, be it resolved* that the Proclamation made by the President on the 30<sup>th</sup> day of December, 2024 declaring that a state of public emergency exists in the Republic of Trinidad and Tobago be extended for a further period of three months.

Madam Speaker, I stand in support of this Motion as a continuation of what has been said in support of the action that the Government has taken, that the nation is taking. Madam Speaker, I know that there is some disagreement in the population as to whether there should be a State of Emergency. Some people are of the view that there should not be a State of Emergence, one, it is a waste of time, but by the same token there are others who believe that the emergency, as declared, should have been declared before, and there are others who believe, Madam Speaker, that it will help in fighting crime. These are all points of view expressed by various components of our national population. But as a Government, I always say that Government's decisions are never single line items. There are always options and sometimes, something which is an option on Monday, it is not a good option on Friday. It all depends on the circumstances.

My colleague from Siparia spent a lot of time quoting herself, for whatever

that was worth.

**Mrs. Persad-Bissessar SC:** [*Inaudible*]

**Hon. Dr. K. Rowley:** There is a word for that, you know.

**Hon. Members:** [*Laughter*]

**Hon. Dr. K. Rowley:** She spent a lot of time quoting, taking a position that the Prime Minister said that I would never declare a State of Emergency. Madam Speaker, I never said any such thing. I have always said that it is not an option that we would pursue at this time. It is simple as that because the option was always available to do it. But then looking at it in the round, one determines whether on this occasion it is the best.

I could tell you, Madam Speaker, the business community has always felt that you get better law enforcement under firmer rules of some kind of State of Emergency. There are other people who believe, Madam Speaker, that a State of Emergency poses a threat to the law-abiding by the law enforcement officers, but one has to balance it. How many law enforcement officers of the 7,000 are lawless? How many criminals are committing to be lawful? So, Madam Speaker, when the decision is made, we have to look at it in a balanced way. It is not that because we declare a State of Emergency, that the planning and execution of murder will end. So to say that, "We are in a State of Emergency and they killed somebody," that is not the best way to look at it, Madam Speaker. It is whether the runaway criminal effects have been checked in part, if not in whole.

My colleague may enter the debate and give us some numbers to see whether, in fact, there has been any amelioration in the behaviour of the violent few. If there has been, then one can only assume that it has been as a result of the action that we have taken. If that is so, Madam Speaker, we may want to take that action for a bit longer. It is too early, Madam Speaker, to say that it has been

successful, so we close the door after 15 days. We believe that we would put our officers out there to do more.

We have given them additional support from the defence force. We are covering more ground. We are spending more time interrogating suspects. We are spending more time, and need to spend more time, converting information to evidence.

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

**Hon. Dr. K. Rowley:** We are, in fact, spending time, hopefully, detaining the deadly, to reduce their ability to reign death and destruction on the innocent and the law-abiding.

Madam Speaker, we need more time to have this intervention impact upon the circumstances which caused us to be here, which caused us to declare the emergency, which caused the President to be convinced that the time has come. The situation warrants it and we are under a State of Emergency, and that State of Emergency and the powers that we have given to our officers should be maintained for a while longer. Madam Speaker, on that basis, I beg to move.

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

*Question proposed.*

**Madam Speaker:** Member for Barataria/San Juan.

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

**Mr. Saddam Hosein** (*Barataria/San Juan*): Thank you very much, Madam Speaker. Let me take the opportunity to wish you a Happy New Year, and my colleagues on both sides of the House. Madam Speaker, before I begin my substantive contribution on this Motion, I just want to express my deepest condolences to the family of Kumari Baksh, an attorney-at-law, my colleague, a person who was in law school with me, who was brutally murdered at her Cumuto



residence, together with her loving husband while this State of Emergency was in effect.

Madam Speaker, I had to read an article in the newspaper where the Member for Laventille West—the outgoing Member for Laventille West, the failed Minister of National Security, Madam Speaker—

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

**Mr. S. Hosein:**—attempted yesterday, on the eve of this debate, to go in the public space to defend the continuation of this SOE by saying, “Criminals are on the run.” Madam Speaker, I agree with him, the criminals are running amok in this country.

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

**Mr. S. Hosein:** They are taking over this country because the Government has let go of the reins. This State of Emergency, Madam Speaker—they themselves, most of them in the Cabinet—well, we know there are two Cabinets now, 11 and nine, Madam Speaker. But that Cabinet was not even aware that a State of Emergency was going to be proclaimed on the morning of the 30<sup>th</sup> of December.

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

**4.30p.m.**

**Mr. S. Hosein:** Madam Speaker, we learned of the State of Emergency because of a media release, coming out of the Office of the Prime Minister not the Presidential Proclamation by way of Legal Notice. What is important is this, the evening before this State of Emergency was announced on the Monday, there was a big lime in Tobago at the Prime Minister’s residence, Madam Speaker; big lime. Several persons were invited, Madam Speaker. I do not know if it is “PNM big wigs” or not. Madam Speaker, a couple hours later, they then find this information, “Aye, we need to call a State of Emergency”.

Madam Speaker, this State of Emergency was not well thought out, it was

not planned properly and it is not being executed properly. They are only serving to waste the people of Trinidad and Tobago's time. I will tell you why, Madam Speaker, again, when this State of Emergency was announced to the country by the Acting Attorney General and the Minister of National Security, there were no regulations proclaimed. Why is that important? The police and law enforcement need to understand the powers that they have. A State of Emergency can be proclaimed, yes, but in order to determine the parameters, the powers of law enforcement, Madam Speaker, you must have regulations. The regulations did not come until very late on Monday night. So, the criminals were running up and down this country, no regulations, two Ministers in the morning on TV telling country you have a State of Emergency and the police are just as confused because they did not know what powers they have and what powers they did not have.

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

**Mr. S. Hosein:** Then, they come to this Parliament to justify and tell us that, listen there is reprisal killing because of the statistics, inconsistent messaging and then come here to defend this State of Emergency, when they may not have had a proper basis from the declaration of this State of Emergency, Madam Speaker.

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

**Mr. S. Hosein:** The Prime Minister says that the President is convinced. I heard him a short while ago saying that the President was convinced. Madam Speaker, let us clear up that because that is very important. There is no need to convince the President. This is a rubber-stamping exercise.

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

**Mr. S. Hosein:** Madam Speaker—

**Madam Speaker:** Remember, Member, we are not dealing with the first Motion now, eh? Okay? We are on to the extension. We are not dealing with the first

Motion, so just be guided on how you are going forward.

**Mr. S. Hosein:** Madam Speaker, I just want to go back to the recital of this Motion, where it says:

“...Whereas it is enacted by section 8(1) of the Constitution...that the President may from time to time make a Proclamation declaring...a state of public emergency exists”

So, Madam Speaker, I had to go back to the *Hansard* of the 2<sup>nd</sup> of September, 2011. The Member for Diego Martin West, then Leader of the Opposition, he said this:

“We are here in this Motion to treat with the statement of the President, and I dare say, the President’s statement is in fact a synopsis of what the Government told him. So let us not make any interpretation that these are the President’s assessments based on information that he gathered on his own.”—

**Madam Speaker:** Again, as I told you, we are not dealing with the statement. That debate is gone. Let us deal with this, okay. What you just read there confirmed what I anticipated. So—

**Mr. S. Hosein:** Thank you very much, Madam. I think the point has already been made, Madam Speaker, that that statement that the Prime Minister made earlier on is absolutely wrong.

**Madam Speaker:** Member for Barataria/San Juan, I warned you twice. We are on to a different debate.

**Mr. S. Hosein:** Madam Speaker, under this particular State of Emergency, there are certain regulations that will be continued for this period of three months. Several regulations were made and proclaimed by the Government; we have the Emergency Powers Regulations, 2024, then we have, Madam Speaker, the

Emergency Powers (Amdt.) Regulations—and I will get to that—and then we have the Detention of Persons (Discipline and Place of Detention) Directions, 2025. So, we have three legal instruments that were so far proclaimed or made public through Legal Notice by the Government.

Madam Speaker, let us assess, firstly, the Regulations. These Regulations that are called the Emergency Powers Regulations, 2024, really, are a copy and paste of the exact same Regulations from 2011. So, every time they come to chastise the State of Emergency of 2011, they are using almost the identical—

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

**Mr. S. Hosein:**—regulations from the 2011 State of Emergency. So, this is hypocrisy at its highest.

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

**Mr. S. Hosein:** Madam Speaker, they are so bad at drafting legislation. Madam Speaker, in 2011, an error was made, where the fines for the offences were left out, you know they made the same error because they copy and paste bad?

**Hon. Member:** “Nah”

**Mr. S. Hosein:** Madam Speaker, they had to come a little later to fix the error now and have an Emergency Powers (Amdt.) Regulations, 2024, to tell people, well if you breach the regulation, this is the offence and this is the fine, this is the term of imprisonment. Madam Speaker, “dey cah even copy right”.

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

**Mr. S. Hosein:** “Dey cah even copy right”. They are asking the people of Trinidad and Tobago to trust them. I heard the Prime Minister say he reposes confidence in the Attorney General to provide legal advice. I do not know if he might have another AG some time soon.

**Mrs. Persad-Bissessar SC:** And this time, it was the Acting AG.

**Mr. S. Hosein:** This time it was the acting AG, soon to be Prime Minister, I believe—

**Mrs. Persad-Bissessar SC:** Anointed.

**Mr. S. Hosein:**—anointed Prime Minister.

Madam Speaker, let us go through some of these regulations because this is very important to have a correct assessment of what these regulations are here for, what the powers of the police officers are and what law enforcement can, in fact, do and they cannot do. So, I want to go through some of those particular provisions, as outlined in the Emergency Powers Regulations of 2024. Madam Speaker, when you read Regulation 3, it really outlines, gives the foundation, the basis for further regulations to be promulgated through the Constitution by virtue of sections 8 and 9. It talks about all sorts of things, such as possession of guns and ammunition, power to stop and search forfeiture and disposal of firearms ammunition, explosives by the court, searches, arrests without warrants, detention without charge, preventive, restriction on bail, restriction on the right to apply for habeas corpus, joint army and police enforcement.

So, Madam Speaker, let us go to the first one I want to look at and this is Regulation 8. Regulation 8 in the Emergency Powers Regulations says this —and I want to read it into the record because these were not part of the Parliament's record, these are what were outlined through Legal Notice. Regulation 8 says:

“Subject to the provisions of regulation 11, any person who without lawful authority, the burden of proof as to lawful authority laying upon him, purchases, acquires or has in his possession any firearm, ammunition or explosive is guilty of an offence.”

Okay, that is fine. So the Emergency Regulations is basically telling you, if you are in possession of a firearm or ammunition, you have committed an offence.

Madam Speaker, do you know there is existing law under section 6 of the Firearms Act that already makes it a criminal offence to be in the possession of guns and ammunition. So, what brand new power you are giving the police here? What brand new power are they giving here, Madam Speaker? It is already in existing legislation.

What is even more comical, Madam Speaker, is this: under the Emergency Regulations, if you are convicted pursuant to the Emergency Regulations, the fine is \$100,000 and imprisonment to a term of five years. Madam Speaker, you know, if you are convicted under the Firearms Act on a first offence, the fine is \$500,000 imprisonment for 15 years? It is a harsher, more serious penalty to charge, convict and prosecute under the Firearms Act rather than these Emergency Powers Regulations and it is exactly the same offence: possession of a firearm and the burden of proof shifts on to the person who is in possession; already there, section 6 of the Firearms Act. So, what new is the Government doing there with this State of Emergency?

Let us go to Regulation 9, Madam Speaker. Regulation 9 gives the police the power to stop and search any person on the street or public place who he reasonably suspects of having in his possession, firearms, ammunition or explosives. Further, it gives the police officer the power to:

“...seize and detain any firearm, ammunition...”—or—“...explosive... found.

Well, Madam Speaker, this sounds like a serious matter, police could stop search and seize you if they suspect that you have a firearm or ammunition on you that is unlawful. Madam Speaker, this could also be found in section 27 of the Firearms Act. Section 27 says:

“Where...”—the—“...police...has reasonable cause to suspect that any

person is carrying a firearm...ammunition..."—or pepper spray—"...in a public place contrary to any provisions of this Act, the police officer may search that person and may seize and retain any firearm...ammunition..."—or pepper spray—"...carried by that person until such time as legal proceedings against that person for any offense in relation to such firearm...ammunition..."—or pepper spray—"...are finally determined, and may without warrant arrest such person."

—exact power. The exact power is found in the existing legislation that is not promulgated by the Regulations under this Emergency Powers Regulations, 2024, Madam Speaker.

Forfeit and disposal by the court, Regulation 10, Emergency Regulations. It provides the court to order the disposal and forfeiture of firearms, ammunition or explosive found. Section 38 of Firearms Act, the equivalent section, says that:

"Any firearm or ammunition..."—or pepper spray—"...seized and detained under this Act may be retained for as long as is necessary for the purpose of any examination, investigations, inquiries or legal proceedings; and subject to section 10 a Judge or Magistrate may, upon application in such proceedings, direct such firearm or ammunition..."—or pepper spray—"...to be forfeited or otherwise disposed...as he considers just."

Madam Speaker, what is new? What is new, Madam Speaker? These are already existing laws in place that are now copied into Emergency Powers Regulations. So, you have a State of Emergency; no curfew. You have a State of Emergency without a gun amnesty but you have the exact same powers that the police already have under existing law. It absolutely makes no sense. It is political gimmickry.

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

**Mr. S. Hosein:** It is PR to the highest level when it comes to national security

because they want people, in an election year, to feel as though they are doing something about crime--

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

**Mr. S. Hosein:**—when they have failed after nine consecutive years, Madam Speaker. They have failed after nine consecutive years.

Regulation 13, this deals with the police power, now, to search premises and vehicles. Regulation 13 provides for a police officer to enter a premises or:

“...stop and search any...vehicle...in a public place or not, if he suspects...”

—that the person has in his possession a firearm, ammunition or explosive. Now, Madam Speaker, under the Firearms Act, section 29, a police officer already has the power to stop and search any vehicle for firearms. It says this:

“A police officer in uniform may stop any vehicle for the purpose of ascertaining whether any firearm or ammunition is being conveyed therein and may search without warrant such vehicle, the driver thereof and any person conveyed therein.

This is what the Firearms Act says and the Emergency Regulation says the exact same thing; the police could stop any car, even without a State of Emergency, if they suspect that car and the persons being conveyed in the car have an illegal firearm and/or ammunition. Admittedly, Madam Speaker, the Act or the current law does not allow the police to go into a private premises without a warrant—admittedly—the powers under the State of Emergency gives them that power but, Madam Speaker, they can go with a warrant. This Government comes, beats their chest, “we have fixed the criminal justice system, we are doing so well, we proclaimed AJIPA.” They have boasted so much, that they got rid of 15,000 cases from the Magistrate’s Court. Well, I thought they could have gotten a warrant in a



couple of hours, when they come here to boast about how well the criminal justice system is doing, then Prime Minister tells us well, you have to wait about two days for a warrant. How does the Prime Minister know that? How does the Prime Minister know that? So, Madam Speaker, you have processes but it is a lazy approach that they are adopting.

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

**Mr. S. Hosein:** It is simple; if a police officer, law enforcement already has intelligence, already has evidence, already has the basis, it is a low evidential threshold to convince a judicial officer, be it a Master of the High Court, in order to issue a warrant. That also protects the State and protects the accused because if anybody brings a claim against the State, they can say this was a lawfully issued warrant by a judicial officer of the High Court.

**4.45 p.m.**

So when they come to say, Madam Speaker, that police could just bounce in people's houses, that is not so. The police must have some level of reasonable cause. You "cyah" just go into somebody's house in a State of Emergency. You must have a reasonable belief, you must have reasonable suspicion. You "cyah" just go into anybody's house and that is why, Madam Speaker, if they are instructing or any authority under the Government or law enforcement is instructing people to go into people's houses without reasonable justification, cause or suspicion, Madam Speaker, you could end up in the courthouse and the State will have to pay big, big money. This is a democracy. This is a democracy, Madam Speaker. This is a democracy.

Arrest without a warrant, regulation 14, Madam Speaker. Regulation 14 of the Emergency Powers Regulation gives the police the power to arrest a person:

"...in a manner prejudicial to public safety or public order"

**UNREVISED**

That is a wide power now being given to the police under the regulations and the person can be detained for enquiries without charge in the first instance for 48-hours and then if they require further time they can go up to seven days, Madam Speaker. Well, this sounds like the police could get time to do some work, detain the person, investigate, and make the relevant enquiries. Madam Speaker, when you read section 16 of the Anti-Gang Act of 2021, which the United National Congress opposition supported—

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

**Mr. S. Hosein:**—it allows a:

“...police officer...without a warrant,”—to—“detain for a period not exceeding forty-eight hours”—where he has reasonable cause to believe that a person—“has committed or is committing or about to commit”—or—has interfered with an investigation of an offence under the Act without charging him for the offence.”

So it is the exact same power that is found in section 16 of the Anti-Gang Act, where the police can arrest for 48-hours without warrant a person suspected of criminal conduct in the manner of offences under the Anti-Gang Act. Being a gang leader, being a gang member, committing gang-related offences such as murder, possession of firearms, drugs, ammunition, Madam Speaker. So there is no new power. What is even more important is when you read further section 16(5) and subsection 16(6), Madam Speaker, it says that if you want to go beyond that 48-hours, you can go by a judge to get a seven-day extension. But, it is a lazy approach that they are adopting here, Madam Speaker.

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

**Mr. S. Hosein:** Lazy approach. So basically the Emergency Powers Regulation and the existing law is really the same thing. It is really the same thing.

Preventative detention, Madam Speaker: Preventative detention is something that the Minister has power to do. The Minister will order that person be detained and that person will have detention, Madam Speaker, for a lengthy period. They are denied bail, of course. They are denied the right to habeas corpus, but there is still a due process built in it because there is a tribunal set up where the State will have to justify the continued detention of any person. So what this really is, Madam Speaker, is a temporary suppression of crime. When this State of Emergency is over what you think is going to happen? When all those gang members and gang leaders are out on the street, what is going to happen? What is going to happen?

Madam Speaker, I want to give you one example. The newspaper has reported that a gang leader, or an alleged gang leader, the one who triggered this entire State of Emergency, Calvin Lee, it is in the President's statement. He is under house arrest. Madam Speaker, police outside his house whole day giving him police protection 24/7. When the State of Emergency is over what is going to happen? When "6ixx Dan" I think he is called "6ixx Dan" or "Tyson" when "6ixx Dan or Tyson's" house arrest is over, what happens?—because this State of Emergency is not going to be in effect for over six months, Madam Speaker. We are going to even cause a more aggravated situation. You have to deal with the root causes of crime.

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

**Mr. S. Hosein:** This is a plaster. This is a plaster on an open wound, Madam Speaker, an open wound.

So while this State of Emergency is happening in Trinidad and Tobago, do you know that the borders are still open? Do you know that the coast guard has collapsed under this Government, the Prime Minister and the Member for

Laventille West. They will come to talk about OPVs that is since 2011. We purchased over 12 Damen vessels, Madam Speaker—

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

**Mr. S. Hosein:**—that they have run down, that they have run down. Imagine, Madam Speaker, that the coast guard is complaining for diesel and fuel to put in vessels. Right now there are no vessels. They have to send them to Suriname. I believe the Member for Port of Spain North/St. Ann's West had to face a Motion of Privilege in this House, Madam Speaker, for statements made with respect to the maintenance of Damen vessels in the past.

Madam Speaker, so these are problems that they have mismanaged, all assets and apparatus of national security, and I want to really understand and I hope one of them in the Government explains this to the country that you have an alleged gang leader under house arrest. You know he is a gang leader according to you, it is in the President's statement. There is evidence, there is intelligence, and there is a law that says if you are a gang leader you are committing an offence, why is that person not charged or prosecuted? Is this political gimmickry that you are engaged in? What is this about because you "cyah" just lock up people for three months and say well, "We do well." What they are trying to do, Madam Speaker, is suppress crime for this very short period just so that they can go on a political campaign and mount a platform to say we have dealt with crime, but the people will reject them at the polls—

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

**Mr. S. Hosein:**—because they will see right through the political gimmickry of this State of Emergency. They are not serious about fighting crime, Madam Speaker. Had they been serious about fighting crime, they would not have been fighting themselves for the leadership of the PNM, had they been serious about

crime. They spent an entire week fighting for who would be the Prime Minister, rather than sitting with the intelligence agencies to determine the way forward in order to lock up—

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

**Mr. S. Hosein:**—prosecute these criminals and throw them behind bars. You have prisons in this country, Madam Speaker, we are hearing from the Prison Officers' Association of Trinidad and Tobago that there are four designated prisons according to the regulations and you have no place to put these persons that you are detaining. What about the safety of the prison officers? They cannot even deal with the current prison population, imagine when you are going to now anticipate a further increase and rapid increase of the prison population because of detentions under this State of Emergency. They have put nothing in place, Madam Speaker, this is all according to the Member for Siparia, political gimmickry.

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

**Mr. S. Hosein:** This is political gimmickry. So you want three months, to do what?

This is part of their general elections campaign, Madam Speaker, it is all part of their general elections campaign. Because the police, they are still complaining about no vehicles. Imagine when we came late last year in the budget to deal with the budget for the TTPS we were told in the *PSIP* documents that were printed by the Government and circulated, not a single police vehicle was acquired by the police service for fiscal year 2023 to 2024. The Minister of National Security admitted that the police service could not in fact recruit the 1,000 recruits that they beat their desks about when the Minister of Finance announced it in the budget. So you have to same level of manpower in the police officers, you have a lack of resources, increased power now, Madam Speaker, lack of investigation. We have

the SSA in this country in charge of intelligence gathering. Legislation was passed in this Parliament to widen the scope and power of intercepting communication, Madam Speaker, but what this Government has done is weaponized the SSA against political opponents rather than the criminals, Madam Speaker, who the intelligence is supposed to be gathered against.

Then, I heard the Prime Minister talk about corrupt police officers and killing machines that the criminals have in their possession. We do not manufacture firearms here, how did the firearms get here? It is because of your mismanagement of the borders that firearms continue to flow in.

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

**Mr. S. Hosein:** So at the end of the day, it is your responsibility to ensure that the borders were locked down to prevent these killing machines, according to you, from coming in the hands of criminals here, Madam Speaker, and then complain about the cost of justice, that we are spending millions of dollars every day in the courthouse about—you. Your Government indicated that you all fixed the criminal justice system with this AJIPA. So tell us about the successes of AJIPA, tell us how well it is doing. We are supposed to have a well-functioning, speedy, effective but fair criminal justice system. But, we promise on this side, Madam Speaker, that when the United National Congress returns to Government in 2025, the Member for Siparia indicated that the Ministry of National Security will be disaggregated into the “Ministry of Home Affairs,” the “Ministry of Justice” and the “Ministry of Defence” in order to have a more laser-focused attempt and attention towards crime fighting and the criminal justice system.

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

**Mr. S. Hosein:** We indicated our plans. We indicated our plans, Madam Speaker. And then the Prime Minister—

**Madam Speaker:** Member for Barataria/San Juan.

**Mr. S. Hosein:** Yes, Ma'am.

**Madam Speaker:** You have three more minutes of original time left. You are entitled to 15 more minutes to wind up your contribution if you wish.

**Mr. S. Hosein:** Thank you very much, Madam Speaker.

**Madam Speaker:** You will?

**Mr. S. Hosein:** Yes. Yes, I will.

**Madam Speaker:** Proceed.

**Mr. S. Hosein:** Thank you very much. And I also want to say, Madam Speaker, that under regulation 17 which talks about the refusal of bail in certain circumstances under the Emergency Powers Regulations, there is a Bail (Amdt.) Act, 2024 again that was supported by the United National Congress opposition, Madam Speaker.

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

**Mr. S. Hosein:** That where a person is charged with an offence of possession of firearm and ammunition with a pending charge or commits an offence with the use of a firearm can be denied bail for a period of up to 180 days or up to one year. We supported that, we supported over 35 pieces of crime fighting legislation in this House.

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

**Mr. S. Hosein:** And in fact, we assisted the Government in filing amendments so that we have better laws to deal with these criminals. So you have the law, but they have failed in management, they have failed in ideas, they have failed in plans and they have failed in competence.

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

**Mr. S. Hosein:** And the last one, Madam Speaker, is this, the defence force under

the regulations are now given powers similar to that of police officers. There was a particular Bill that was brought in 2013 called the Miscellaneous Provisions (Defence and Police Complaints) Bill, 2013 and the Member for Diego West, then Leader of the Opposition had this to say, Madam Speaker, Diego Martin West said the Government has come with a one clause Bill to create what, “soldier police.” He said PNM said no way. You know, Madam Speaker, in 2024 they now have “soldier police” under this State of Emergency. They are the same ones, Madam Speaker, who condemned “soldier police” condemn the soldiers for having police power—

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

**Mr. S. Hosein:** And today gave the defence force similar powers of the police service, Madam Speaker. That is height of hypocrisy in this country, Madam Speaker.

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

**Mr. S. Hosein:** That is the height of hypocrisy. So do not come here and try to shift responsibility and say, “We have a problem.” You caused the problem.

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

**Mr. S. Hosein:** You are the cause of the problem. And then, I heard the Prime Minister say that the Member for Siparia did not want to go into affidavit to justify the last State of Emergency in 2011. There was a public statement laid in this Parliament, debated for three whole days, Madam Speaker, with respect to the reasons for the 2011 State of Emergency, so we reject that submission the Prime Minister, we reject it.

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

**Mr. S. Hosein:** That is a matter of public record, that is a matter of public record. Madam Speaker, as I wind up my contribution, I just want to leave by quoting



again, Madam Speaker, a particular issue with respect to the Islamic Missionaries Guild and some Muslim brothers sent a letter to the Minister of National Security on the 5<sup>th</sup> January 2025 where they have alleged that they have faced issues of discrimination at the Piarco International Airport and we call for that investigation. I think that letter is with the Minister of National Security and, Madam Speaker, as I close this contribution I just want to quote from a CNC3 article dated the 7<sup>th</sup> January 2014:

“In the 7 p.m. news the People’s National Movement says it has an overnight plan to fix the police service and crime on a whole.”

Madam Speaker, it has been nine years and they have destroyed every single thing when it comes to national security. We on this side, Madam Speaker, will stand on the side of democracy, we will stand on the side of justice, Madam Speaker, we will stand on the side of accountability, and we reject the submissions made by the Member for Diego Martin West and the Prime Minister. I thank you very much.

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

**5.00 p.m.**

**Madam Speaker:** Member for Port of Spain North/St. Ann’s West.

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

**The Minister of Energy and Energy Industries (Hon. Stuart Young SC):**

Thank you very much, Madam Speaker. Madam Speaker, it is fitting at the outset to just remind the population through you of the seriousness of the declaration of a state of emergency. We have had within recent times states of emergency that have affected us in the last few decades, in the 1990, 2011, and for those who were around, in 1970 as well.

When one looks at the Regulations, the Emergency Powers Regulations of 1990 and does a side-by-side comparison with the Emergency Powers Regulations

of 2011, there is absolutely no difference. When you compare it to the Regulations, the Emergency Powers Regulations of 2024, as I will do for the population, because this population deserves the truth, they will see a very committed and calculated difference between the Regulations.

But the first point I would like to make is, Madam Speaker, a state of emergency is declared as a last resort as referred to by the hon. Prime Minister the Member for Diego Martin West, and this Government has told the population, it is only after long and hard due consideration exploring other options, but then being faced by a critical amount of intelligence in a very short period of time on the evening of the 29<sup>th</sup> of December—

**Mrs. Persad-Bissessar SC:** Madam Speaker, we are on the second Motion. We are debating the second Motion, not the declaration which was the first Motion. So this is now the Motion about extending for three months.

**Dr. Moonilal:** 48(1).

**Mrs. Persad-Bissessar SC:** 48(1).

**Madam Speaker:** Continue.

**Hon. S. Young SC:** If the Member for Siparia was here for the start of her Member's contribution she would have heard him malign the timeline that I need to get to with respect to the Regulations, and the population owes it, because the Member for Siparia nor anyone on that side was there when the very serious decision was taken on the advice of the Trinidad and Tobago Police Service's intelligence to the Minister of National Security who brought it to the National Security Council who then brought it to the Prime Minister and Members of the Cabinet for this important decision to be made.

The first point is, a state of emergency and every law student and every layperson knows, suspends ones constitutional rights. So to listen to a member of

the Bar, the Member for Baratavia/San Juan, mislead or attempt to mislead the population by saying there is no difference between the Emergency Powers Regulations and existing law is completely false. It starts off on the basis of the suspension of constitutional rights.

**Mr. Hinds:** Correct.

**Hon. S. Young SC:** The second point to be made is, when the decision was taken by the Cabinet in the wee hours of the morning just after midnight on the 30<sup>th</sup> of December from the night of the 29<sup>th</sup>, having gotten the briefing from the Trinidad and Tobago Police Service, the next thing that had to happen in terms of process is a Cabinet note needed to be prepared, a draft proclamation needed to be prepared, and that is presented to Her Excellency the President after the Cabinet Members approve it. That got to Her Excellency at 1.37 a.m. on the morning of the 30<sup>th</sup>, 1.37 a.m. whether events were taking place in Tobago the night before or not. Fortunately for this country, Madam Speaker, what we had was a sober Prime Minister—

**Mr. Lee:** Madam Speaker—

**Hon. S. Young SC:**—who was able to lead the Cabinet.

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

**Mr. Lee:** Madam Speaker, 48(1) please. 48(1)

**Mrs. Persad-Bissessar SC:** That is the second Motion.

**Madam Speaker:** But I am almost certain that I heard something being said about Tobago and so on. This is in response to that.

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

**Hon. S. Young SC:** Thank you very much, Madam Speaker. You see, Madam Speaker, if we were having a debate that was focused on what is best for Trinidad and Tobago, I would not have to get involved in correcting the record, but it would

be most unfortunate and it would be a dereliction of my duty not to correct the record, because I sat here and listened in amazement to the thumping of desks when the Member for Barataria/San Juan spoke, with delight in his voice, about certain prime ministerial activities that took place the evening before in appreciation at the end of year that had been planned for weeks in advance, but this is a government that can move on its feet. This is a government that can process information and take serious decisions to protect the population.

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

**Hon. S. Young SC:** This is a government that was able to get a Cabinet Note done, a Cabinet Note approved and Her Excellency the President—

**Mr. Hinds:** Sober Prime Minister.

**Hon. S. Young SC:**—to then consider what was put before her that forms the basis of the decision to declare a state of emergency. So fast forward now. That takes place at 1.37 a.m. Her Excellency's Office responded to the Government with a proclamation at 2.30 that morning. Immediately thereafter, the hon. Minister of National Security provided that proclamation to the Commissioner of Police and the Chief of Defence Staff after having been advised by both the Prime Minister, the Chairman of the National Security Council and the hon. Minister of National Security as part of his duties, that this was in the pipeline so prepare yourselves to action.

The police service was called to a meeting at 4.00 a.m. that morning. Things were put in place. The wheels were moving at those wee hours of the morning. It was just after 8.30 that morning that the Office of the Prime Minister told the population a State of Emergency had been declared. So to hear the Member for Barataria/San Juan talk about the Office of the President, the Office of the President has nothing left to do. Constitutionally the Office of the President did

what she was supposed to do.

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

**Hon. S. Young SC:** She had a three-day period to provide Madam Speaker with a statement as to the reasons for the State of Emergency, she did it immediate—Her Excellency the President provided it to the Speaker on the 31<sup>st</sup> of December. Absolutely no fault with the process, to stop hysteria, to stop people panicking, to stop the population wondering what the State of Emergency is called for, the Office of the Prime Minister at 8.30 that morning said stand by for the hon. Minister of National Security and Acting Attorney General, they will address the population at 10 o'clock. Things are happening. They behave as though you can just produce regulations immediately. Well, Madam Speaker, this Government I am pleased to tell the population, does not act in that manner.

To come and say here, knowing fully well, because the Member for Barataria/San Juan is not someone who cannot read. He must have done a comparison between the 2011 Regulations and the 2024 Regulations, and to come here and try to mislead the population that it is a simple cut and paste is absolutely untrue. But the 1990 Regulations and the 2011 Regulations which I have in my hand, Madam Speaker, are a copy, but let me tell you what the Government had to do. We had to give serious consideration to how this State of Emergency is going to affect the law-abiding citizens of Trinidad and Tobago.

**Mr. Hinds:** That is right.

**Hon. S. Young SC:** Because this State of Emergency and I will repeat it here as I said, on the 30<sup>th</sup> of December is focused on the criminal element and the criminals who are affecting the lives of the population of Trinidad and Tobago. This State of Emergency is targeted at those elements. Targeted at the elements that, unfortunately, have access to high-calibre weapons, and unfortunately, have been

committing the most heinous acts on law-abiding citizens of Trinidad and Tobago. So, we were forced to act and we did.

So at 10.00 a.m. that morning the hon. Member for Laventille West and myself faced the population and we were able to provide the population with what would be coming in the Regulations. We were able to say immediately, no curfew. I remind the population, because I was a practising attorney in 2011, looking at how the then Government bungled a State of Emergency, looking and seeing how the reasons for the State of Emergency changed within hours, changed from it being a number of heinous murders committed in a short period of time, and a few days later it was all of a sudden a threat to the Government, and then all of a sudden an assassination plot on the hon. Prime Minister at the time, all of which—

**Mr. Hinds:** She was suffering from—

**Hon. S. Young SC:**—all of which subsequently looked at by courts, there was substantial evidence lacking. So we did things properly. At 10 o'clock that morning we addressed the population. We said, there will be no curfew because by then there had been serious consideration since—

**Mr. Lee:** 48(1), Madam Speaker. We are going back to the—

**Dr. Moonilal:** We are not talking about the extension, you know.

**Madam Speaker:** No. But as I said, this is in response to unplanned, unprepared, something to those things were made by the Member and, to me, this is in response, direct response to what was being said.

**Hon. S. Young SC:** Thank you very much. You see, Madam Speaker—

**Madam Speaker:** So, one minute. I am always happy to see love being shared, but let us not share it here.

**Hon. S. Young SC:** Thank you very much, Madam Speaker. Madam Speaker, the population has been observing for long enough to know that when salient points of

truth are being made that hurt the arguments on the other side, this is the modus operandi, try to interrupt.

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

**Hon. S. Young SC:** So take note as we all get ready to make the types of decisions as to how we will govern this country going forward. At 10.00 a.m. that morning in direct response to what we heard from the Member for Barataria/San Juan making heinous applications as to what was being done and this was being bungled as to a copy and paste. It is untrue. We were able to say no curfew because we considered that there should not be a disruption to the lives of law-abiding citizens. When you compare the Regulations of 2024 to 2011, let me tell the population seeing that they have been told that it was a copy and paste, this Government decided not to affect your rights to meetings, not to affect your rights to have gatherings, not to affect your rights to have public marches—

**Mr. Hinds:** Protests.

**Hon. S. Young SC:**—which was done in 2011. The State of Emergency Powers Regulations in 2011 restricted our rights to do all of those things.

**Mr. Hinds:** Yes.

**Hon. S. Young SC:** There was absolutely no need to do it. So if there was a political intention, that is the type of behaviour you would have seen on the other side, but we did not do it because this State of Emergency we were clear from the outset, is focused on the criminal element and targeting the criminal element.

So now one gets to the Regulations of the 2014 emergency powers. The Emergency Powers Regulations of 2024 and seeing after those things were carved out we did not restrict the rights of persons to say anything as had happened in 2011. There were restrictions on what people could say. We do not have that here. It is targeted on arms and ammunitions, explosives and the likes, and to say that it

is no different to the existing legislation, again, is untrue because when someone reads the Regulations you will see in accordance with emergency powers where we are suspending certain constitutional rights, the Regulations are providing for the police to have wider, quicker use of powers, the search and stops, the search and seize without warrants. How could you say, “Well, you could go for a warrant”.

Another point that was raised by the Member for Barataria/San Juan is, how does the Prime Minister know it is taking on occasion a warrant to get—two days to get a warrant in certain circumstances. It is because the National Security Council meets on a regulation basis, and in part of our meetings it is with the heads of the police service, the defence force, intelligence services—

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

**Hon. S. Young SC:**—the prisons, et cetera.

**Mr. Hinds:** He knows.

**Hon. S. Young SC:** So they bring forward to us, a responsible Government, issues that they are having. The issues are not only about certain resources. The issues are very often about what is happening in the criminal justice system, and the Government asks, “Well, how may we be able to improve that”? We know because we have been told that there are occasions where persons go for a warrant, the documents lodged for the warrant are before the criminal justice system and all of a sudden the person who may be the subject of the warrant is alerted, and therefore by the time the warrant is approved, it is of no effect. This State of Emergency via these Emergency Powers Regulations—

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

**Hon. S. Young SC:**—allows the police to move quickly and move immediately, and that is what is taking place.



**5.15 p.m.**

So I am asking the population, read the Regulations if you would like, but you are seeing—you know that the Regulations, based on suspension of certain constitutional rights, are to provide the police with the powers to do things that under ordinary circumstance, they would not be able to. So, first of all, it is completely untrue that this is a copy and paste of 2011. I heard the ridiculous submission—if it is a copy and paste of 2011, why you did not amend the Regulations in 2011, which did not have any fine or penalty? So to hear the Member for Barataria/San Juan say, “Oh, you copied and pasted, and then you had to correct,” but you had the opportunity when you had it, and you had us under curfew, et cetera, in 2011, and you did nothing.

Immediately, because it is a work in progress, we were able—based on legal advice and discussion, an amendment came less than 24 hours to ensure that that potential loophole was closed. Whereas, unfortunately, the taxpayers are still paying for the ill-effects, the lack of thought of the 2011 State of Emergency. The case that has been referred and quoted is what guided as well these Regulations. Again, the failures of 2011.

**Mr. Hinds:** Correct.

**Hon. S. Young SC:** Talking about, “In 2011, an error made with no fines,” but we amended that, we fixed it. And then jokingly to say, but misleading the population, “You cannot even copy right.” It is because it did not exist in 2011. All you did was follow 1990; 1990 was a very different time to 2011. Madam Speaker, 1990, if you looked out of the Red House, you would have seen Port of Spain on fire. They were dealing with crowds, they were dealing with looting. So why is it, in 2011, that error was made? It was not amended. So here we are in 2024. Again, we were very careful to carve out the unnecessary restrictions in the

## 2024 Emergency Power Regulations.

The Member for Barataria/San Juan went to regulation 8 and said, “It already exists in legislation.” Regulation 8 is the regulation dealing with the unlawful possession of firearms, ammunition or explosives. It grounds the police’s ability, under these Emergency Power Regulations, to go and stop and search. If they could use the normal powers, we would not need a State of Emergency, they are allowed to stop and search, and the burden of a person having to prove that the firearm is illegal has turned under the emergency regulations. It is not for the State to prove it is illegal, the burden is now under the person who is found with the illegal firearm. We have shifted the presumption of innocence and removed it, so there is a presumption of guilt under the Regulations. So to have someone called to the Bar—the Member for Barataria/San Juan—mislead, willingly and intentionally, the population, and then said, “That will be good governance,” it is a reminder of what risk we the citizens face, God forbid in an upcoming election anyone should choose to vote for a UNC Government. Our rights were trampled in 2011.

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

**Hon. S. Young SC:** We are still paying, as citizens, for the rounds of 2011.

**Dr. Moonilal:** Madam Speaker, 48(1), please. I did not know it was the UNC election business and so on.

**Madam Speaker:** Please continue.

**Hon. S. Young SC:** Thank you very much. So, Madam Speaker, it is completely untrue, and it is unfortunate that the attempts are continuing to mislead the population as to the powers under these Emergency Powers Regulations 2024. So regulation 8 talks about:

“(1)...any person...without lawful authority, the burden of proof as to lawful

authority laying upon him...”

That means—I am overhearing the Member for Siparia telling the Member for Oropouche East, “Tap him up.”

**Hon. Members:** [*Interruption*]

**Hon. S. Young SC:** So, Madam Speaker—

**Mr. Hinds:** I heard. I heard.

**Dr. Moonilal:** Madam Speaker, 48(1)—

**Mr. Hinds:** I heard.

**Dr. Moonilal:**—can the Minister please get back to the extension?

**Ms. Ameen:** “Stick to de debate nah man. You all over de place”.

**Madam Speaker:** All of these things were said in the debate. The Regulations were extensively dealt with by the Member—

**Dr. Moonilal:** [*Inaudible*]

**Madam Speaker:** Let us get serious.

**Hon. S. Young SC:** Thank you very much. So, Madam Speaker, to say that the existing Firearms Act provides the offences is completely untruth. As I have just read, regulation 8, which deals with unlawful possession, starts by shifting the burden, starts by removing the presumption of innocence. And it says, if you are found with unlawful—

“(1)...any person who, without lawful authority, the burden of proof as to lawful authority laying upon him, purchases, acquires or has in his possession any firearm, ammunition or explosive is guilty of an offence.”

Any first-year law student studying criminal law knows that is vastly different. It has reversed the whole burden, which is contrary to sections 4 and 5 of the Constitution, our entrenched rights, which is what the Regulations on a State of Emergency do. So do not come here, as you normally do, and attempt to

mislead the population.

We then go on in the criticism of the Regulations to say that these are already covered by existing law. It is not true.

“(2) A person...”

Regulation 8(2):

“A person who consorts with or is found in the company of another person, who, without lawful authority, has in his possession any firearm, ammunition or explosive in circumstance which raise a reasonable presumption that he intends or is about to act or has recently acted with such other person in a manner prejudicial to public order or public safety, commits an offence.”

That is not an offence under the Firearms Act. This is now being linked to ungrounded “in a manner prejudicial to public order or public safety”, which is what section 8 of the Constitution talks about, is a necessary ingredient for a State of Emergency.

So a careful reading and understanding of the regulations immediately points out to the population, we are in different times. The laws that persons rely on, outside of a State of Emergency, are not the ones that the police are acting under here. This Government did not cry about an assassination attempt and cry about, “Oh, a number of”—this Government said, this State of Emergency is focused on criminal elements, that the intelligence suggests and had been carried out, and reprisal killings were going to take place with heavy artillery, heavy assault weapons, high velocity weapons. And then it goes on to talk about the:

“(3)...prosecution for an offence under this regulation...”

—and sets out a different procedure to what exist under the Firearms Act.

You go on to regulation 9, the “Power to stop and search for firearms”.

Again, Madam Speaker, the Member for Barataria/San Juan tried to tell the population, “But the police have this power. They could stop and search,” but we have, again, spelt out in the Emergency Power Regulations very different circumstances that now empower them to do it.

“(1) Subject to provisions of regulations 16, a police officer may stop and search any person whom he finds in any street or other public place and reasonably suspects of having any firearm, ammunition or explosive in his possession contrary to regulation 8 or of having committed or being about to commit any other offence prejudicial to public safety or order.”

That broadens the police’s power of stop and search, and again, it is targeted for firearms but gives them the opportunity—because somebody may be going to commit an act, somebody may be going to tell the criminal gang, “This is where the firearms stash is and they do not have the firearm on them,” but the police and the intelligence services may have intercepted the conversation and know that Mr. X or Ms. X is going to tell the gang where to find the firearms. The police now have the power under this regulation to deal with them, which they do not regularly have. So do not attempt to mislead the population.

Again, it goes on. Any:

“(2)...police officer acting under subregulation (1) may seize and detain any firearm, ammunition, explosive or other article found in the person’s possession, custody or control and in respect of which or in connection which he has reasonable grounds for suspecting any offence referred to in that subregulation has been or is about to be committed.”

Firearms are not the only things that they use in the committal of crime. There are instances where persons are taking burner phones in between gangs for

communication. The police cannot just stop you and take your phone like that, unless they have some evidence of, or some more than reasonable suspicion, but this power now allows them to do so.

So do not come here and try to restrict the ability of the police in very limited circumstances, under a last resort State of Emergency, from being given the powers to do what they need to do to make all of us law-abiding citizens that bit safer. Do not come here and mislead the population or attempt to do so. These powers do not exist in the existing legislation, the Firearms Act, the Anti-Gang Act, et cetera.

I have dealt with how does the Prime Minister know how long it takes to get a warrant. Again, it makes we wonder what type of Prime Minister will be provided because on this side, we have a Prime Minister who is in touch, we have a Prime Minister who is connected, we have a Prime Minister who is on the National Security Council—

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

**Hon. S. Young SC:**—constantly providing information too, for decisions to be taken, and that will continue, unlike what may happen. “God out of people’s thoughts”.

Then the next point that was made, and this one was particularly offensive. So then we go on to regulations 13, which I will come back to, which is “Searches”, and I will show how, again, it is different from the existing law. This one in particular, the power of arrest—and the hon. Member for Barataria/San Juan said, “Ay, hold on, you have the power now to hold somebody for 48 hours”—true—“and then you could go to a judge for an extension under the anti-gang legislation.” They “cyah” go to a judge under —that is to a judge. These Regulations and the power of arrest give the power to:

“(3)...a police officer not below the rank of Assistant Superintendent...”—  
 to have somebody—“...detained for...”—an additional up to—“...seven  
 days...” —after the expiry of the 48 hours.

Again, you can see the benefits of this power. There was reference to something—

**Madam Speaker:** Hon. Member, you have three more minutes of ordinary time left. You are entitled to an additional 15 minutes to complete your contribution if you so wish. Yes?

**Hon. S. Young SC:** Thank you very much, Madam Speaker.

**Madam Speaker:** Okay. You may proceed.

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

**Hon. S. Young SC:** So, Madam Speaker, the police are now given the following power under Regulation 14(1):

“Notwithstanding any rule of law to the contrary...”

So it starts of on that basis. Again, this is the language one would expect in a State of Emergency. For those on the other side who have law degrees, who may have practicing certificates, let me assist.

“Notwithstanding any rule of law to the contrary, a police officer may arrest without warrant any person whom he suspects has acted or is acting or is about to act in a manner prejudicial to public safety or to public order or to have committed or is committing or about to commit an offence against these Regulations...”

So it is very specific. And such police officer may take steps necessary—

“...take such step and use such force as may appear to him to be necessary for affecting the arrest or preventing the escape of such person.”

It has expanded the powers. It has said that even though there are laws to the contrary, the police can do this.

And then it goes on:

“No person...”

—this is subregulation (3).

“No person shall be detained under the powers conferred by this regulation for a period exceeding forty-eight hours...”

Again, if one goes back, you will see in the copy and paste of 1990 to 2011, it was 24 hours. This Government consciously said, “Ay, hold on, why did they go with 24 hours in 2011, when the law was already 48 hours?” At that time, it was arguably 72. So this Government, in its efficient, competent manner, made it mirror the existing law of 48 hours. There is no copy and paste.

[MR. DEPUTY SPEAKER *in the Chair*]

And then we go on to say:

“...expect with the authority of a magistrate or police officer not below the rank of Assistant Superintendent, on either of whose direction such person may be detained for such further period, not exceeding seven days...”— et cetera.

So it gives a police officer of the rank of, not lower than Senior Superintendent, who is overseeing the exercise, to say, “Okay, you may continue to detain for seven days.”

Let me stick a pin there and deal with one of the issues raised by the previous speaker, where he referred to a specific person, an alleged gang leader, being released and being under protection at home, and this ridiculous proposition that this Government will do anything to protect the criminal element.

**5.30 p.m.**

I want to remind the population, as I heard that submission, my mind went back to the construction of a police post where you had senior Government

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Ministers in 2015 and 2014 going with a convicted gang leader, giving him the contract to construct a police post, and that is there on the record, the Member for Oropouche East and a Senator in the other place, that is the behaviour. So maybe they are trying to import or to put onto this Government, which we reject, any protection of criminal elements—

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

**Hon. S. Young:**—where it is, the clear record reflects who is the Government for the short period of five years when they were in power openly and brazenly did that with the construction of a police post, of all things? It goes on, Mr. Deputy Speaker, going back to the regulation 13 which talks about searches, where police are given additional powers, where your constitutional rights are suspended to search, notwithstanding any rule of law to the contrary. So again it starts with the provision that is a drafting provision recognized in law that is a suspension of the law.

“Notwithstanding any rule of law to the contrary, a police officer may, without a warrant and with or without assistance and with the use of force, if necessary—

- (a) enter and search any premises; or.
- (b) stop and search any vessel, vehicle or individual, whether in a public place or not,

if he suspects that any evidence of the commission of an offence against regulation 8 or 12 is likely to be found on such premises...” et cetera.

This does not exist in the current law, and also what it is doing is suspending the protection that we the citizens have under the current law, and that is why it starts by saying, “Notwithstanding any rule of law to the contrary...”

So, Mr. Deputy Speaker, the point has been made. These Regulations, these

Emergency Power Regulations were carefully thought out, carefully drafted, there was one amendment which was the correction of a potential loophole by ensuring there is a fine and a penalty. The fine and the penalty do not match what is in existence in the Firearms Act for a number of reasons. That was the advice of the CPC, that was the advice of senior counsel, because, of course, these Regulations provide for wider powers of the police, greater powers of the police, because we are in a State of Emergency.

Another unfortunate statement that was made that had to have been an intentional statement, but unfortunately it is not true, so it is an untruth. When I say unfortunately, that once again there is a blatant attempt to mislead the population, is when the previous speaker said “This Government has weaponized the SSA against political opponents”. Mr. Deputy Speaker, I reject that. That has not happened under this Government.

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

**Hon. S. Young:** This Government has done the exact opposite. We have dismantled no security apparatus. We have actually increased and better the use of camera technology for facial recognition as opposed to dismantling it at the airports, et cetera, and there has been absolutely no weaponization of the intelligence services by this Government, and there will not be by a PNM Government. But it worries me as a citizen, because those on the other side have a particular way where they dog whistle and they put out their intentions as to what they intend to do, so again I question, where would that come from? Is that in their “shoo shoo” back room conversations about what it is they intend to do? Population be aware, listen carefully, these things are not said lightly by those on the other side.

The UNC had come with a previous piece of legislation in the 2010 to 2015

period, where they wanted to give soldiers permanent powers, permanent policing powers. All of the literature, all of the policy says that is a very, very dangerous thing to do. So when they referred to the then Leader of the Opposition, the hon. Member for Diego Martin West rejecting that, that continues to be this Government's position.

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

**Hon. S. Young:** So to come and say that under a State of Emergency giving the defence force personnel extraordinary powers akin to the police service, as has been done for a limited period of time, that equates to permanency. We reject that.

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

**Hon. S. Young:** We are saying give the police service, give the defence force the powers that they are being given under the State of Emergency for an extension up to the three-month period. The reasons have been listed by the hon. Member for Diego Martin West, the importance of this exercise. I have spent some time going through some of the Regulations that provide the police with these additional powers, giving them the additional opportunity, not being burdened by the normal constraints of the law, they are not to be abusing it, and they have not done so. And fortunately the Regulations provide a constitutional tribunal that has three Silk sitting on the panel. Three Silks formulate that tribunal that if they think their detention rights are being affected in any way they can go to the tribunal.

So, Mr. Deputy Speaker, I thank you for the opportunity to enter the debate, and unfortunately, once again, being charged with the task of not allowing the population to be misled by, again, the normal insulting type of language, again, the personalized attacks. Even as I was speaking here to listen to the Member for Oropouche East and the derogatory statements that he is making, and something, they know to be an absolute untruth, throwing it at me as though that will bother

me in any way, but there is—

**Dr. Moonilal:** Mr. Deputy Speaker, I have not spoken yet.

**Hon. Member:** [*Inaudible*]

**Mr. Young SC:** Shaking in his boots?

**Dr. Moonilal:** [*Inaudible*]

**Hon. S. Young:** So, Mr. Deputy Speaker, I assure the population, the State of Emergency was declared after very careful consideration, based on proper intelligence, that unfortunately we saw being borne out right in front of us, with the killing of five people in a reprisal killing. So this is not akin to what has happened previously with make-believe instances, nor are you seeing the repression of certain citizens of Trinidad and Tobago, which we had seen previously. And I remind Trinidad and Tobago about that, they got an opportunity and they went crazy, arresting thousands of people in a profiling type manner. The last thing I will say, and I listened to this one today, and I heard the Member for Barataria/San Juan—

**Mr. Deputy Speaker:** You have three more minutes.

**Hon. S. Young:** Thank you. I heard the Member for Barataria/San Juan refer to it, about the prisons, the Carrera and up at Golden Grove that have been declared detention centres are not sufficient. This Government did what a responsible government does, it is utilizing existing prison infrastructure. This was not utilized as was happened in 2011 as an opportunity for those on the other side to go and buy for \$230 million, a facility at a burden of the taxpayers, a warehouse to then call it a “detention centre”. So again use that in your comparison as we come closer to that period to make choices as to the proper use of a State of Emergency. And history, I am sure, Mr. Deputy Speaker, will come to our defence and will show that this was a properly called State of Emergency that should be extended

for three months. I thank you.

**Mr. Al-Rawi SC:** Well said.

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

**Mr. Deputy Speaker:** I recognize the Member for Oropouche East.

**Dr. Roodal Moonilal** (*Oropouche East*): Thank you very much, Mr. Deputy Speaker, for allowing me to rise and contribute on this very important matter, and thank you to the Member for Port of Spain North/St. Ann's West for anticipating my contribution. Mr. Deputy Speaker, I want to begin by indicating that it was over 400 years ago that the playwright William Shakespeare alerted us to the Member for Port of Spain North/St. Ann's West—

**Hon. Members:** [*Laughter*]

**Dr. R. Moonilal:**—when he said in the play Macbeth, he said:

“Life's but a walking shadow, a poor player that struts and frets his hour upon the stage and then is heard no more. It is a tale told by an idiot, full of sound and fury, signifying nothing.”

**Mr. Deputy Speaker:** Member, the word that you used there I would just like you to retract that word and then—no problem with your quote, but that particular word you used.

**Dr. R. Moonilal:** A word from William Shakespeare?

**Mr. Deputy Speaker:** But you are using it now.

**Dr. R. Moonilal:** Okay, I will retract the word “idiot”, I suspect you are talking about—.

**Mr. Deputy Speaker:** No, you do not need to, just retract.

**Dr. R. Moonilal:** All right, I retract that word. Yeah. Mr. Deputy Speaker, I was reminded of that quote for the last 45 minutes or so, because the Member for Port of Spain North/St. Ann's West has this tendency to elaborate in a dramatic loud

manner, with the belief that sound and fury will signify something, and we may convince somebody because we rant a bit. It was very interesting that when the Member for Port of Spain North was speaking we looked and we took a count, there were 11, exactly 11 elected Members on his side, including himself—

**Hon. Members:** [*Laughter*]

**Dr. R. Moonilal:**—who chose to remain to listen to the sound and fury. I am reliably informed that the rest of the Members are enjoying a refreshing cup of tea elsewhere, which clearly would have had a—

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

**Mr. Deputy Speaker:** Again, Member, I will just give you time to move on.

**Dr. R. Moonilal:** Sure. I will move on, the Member for San Fernando West clearly wants a cup of tea as well.

**Hon. Members:** [*Laughter*]

**Dr. R. Moonilal:** Mr. Deputy Speaker, I want to speak on a couple matters relating to the extension of the State of Emergency, for which we are here now.

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

**Dr. R. Moonilal:** You see, Mr. Deputy Speaker, I deliberately, wilfully did not intervene in an earlier debate, because that debate had to do with one matter, and I was very clear that I wanted to intervene on this matter concerning the extension. And in the earlier debate, the Member for Siparia was detailed, comprehensive, expansive, in dealing with the statement.

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

**Dr. R. Moonilal:** Really there was nothing to add, and we dare not subtract, so there was no need to intervene. Now at this moment there is a need to intervene and respond to several matters raised by both Diego Martin West, the Leader of the Government and the Member for Diego Martin North/St. Ann's West. Mr.

Deputy Speaker, the Member said that State of Emergency is a last resort. The State of Emergency may be a last resort, but it is not a final resort. You may believe it is a last resort, but it cannot be a final resort. The final resort is where you have reached, you must now lift yourself, put your hands in the air and say, “We are finished, we are done”, and declare the general election.

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

**Dr. R. Moonilal:** Dissolve the Parliament and call a general election is where you have reached. Because today you have come to the Parliament to ask for three months extension of a State of Emergency. We have great doubt and controversy and dispute over what led you to a State of Emergency. But that is not the debate now. I think that is not the debate. The debate is for an extension. According to the law, and the Member for Barataria/San Juan, I want to take this opportunity to commend him on that contribution—

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

**Dr. R. Moonilal:**—a powerful contribution, at some time, you know, we were glued listening to him, looking at him, listening and learning. He made fundamental points that the Member for Port of Spain North/St. Ann’s West wanted to misinterpret to mislead.

**5.45 p.m.**

The Member for Barataria/San Juan is very clear, and he was very clear that the State of Emergency entails suspension of constitutional rights. It must, that is by definition. But, he made the point in a nutshell that all the powers that you are giving under this State of Emergency, those powers and the particular fines and offences are found in the Firearms Act in existing statute, where the penalties are greater, more harsh, to use the term he used. That was his point, he understands constitutional rights. But you see if you listen to the Government, both the Prime

Minister and the Prime Minister to be, this really is kick down the door and take. Because the police have existing powers under existing law, with reasonable suspicion, to conduct police activities, to search people and their cars, and do this and do that, but the Prime Minister said, he said it here today, he said, “This problem is the warrant.” This problem is that they do not have the power to just go in immediately into the house. They had information.

We heard today from the Government, in case we read it in the newspaper and we could not believe really whether it is true or not, it was a Sunday night in Tobago. Nothing is wrong, a Sunday night in Tobago is wonderful. A Sunday night in Tobago that intelligence came to the Government and the Leader of Government Business, and the Leader of the Government, that, listen, something is going to happen, we have the intelligence, something is going to happen. A gang war is erupting, and the gangs have certain high-powered, high-calibre weapons, unimaginable weapons. They are going to unleash this reign of terror and mayhem, and, apart from killing gang members, innocent citizens could be killed. They got that information on the Sunday. They could not have had it the week before. Then they would have had to meet and discuss it. And then at 1.30 or thereabout on a Monday morning, a.m., after the Sunday night, they had some sort of Cabinet meeting. We do not know if it is in person, we do not know if it is on Zoom, if it was 11, I do not know the caucus for their Cabinet, it was 11, we do not know the state of their mind—

**Mr. Indarsingh:** At that hour.

**Dr. R. Moonilal:**—at that hour. Mr. Deputy Speaker, let me choose my words carefully. When we were growing up, we were told by those, the elders and so on, that over twelve o'clock in the night, over eleven o'clock in the night, there are two groups of people who operate after that time in the public space, not in their homes



and so on, in the public space, police and thief. I do not think any of my friends opposite are police. The Member for Diego Martin North/East told us about “douens” and “lagahoo” some time ago.

**Mrs. Robinson-Regis:** [*Inaudible*]

**Dr. R. Moonilal:** So no—apart from a WPC who really should go to Anand Ramlogan because she has not been promoted in about 20 years.

**Hon. Members:** [*Laughter*]

**Dr. R. Moonilal:** So apart from that—Mr. Deputy Speaker, let me get back to this. The decision of the Cabinet was made at 1.30 or thereabout in the morning, 1.30 a.m./1.37 a.m., that decision was made. They had this intelligence about reprisal killing and so on, and they had the President’s Office, and indeed Her Excellency as well, they may have invited her to take an expresso at that hour and stay awake because things are happening.

**Mr. Deputy Speaker:** Again, Member, again be careful when you are identifying the President and the terms that you use also, please. Just be cautious.

**Dr. R. Moonilal:** Mr. Deputy Speaker, the Office of the President was on high alert at that hour because they were waiting for a Cabinet decision and so on, a process which the Member for Port of Spain North/St. Ann’s West—I want to tell him many of us have been in town a long time and we have served in government. We know the process. So they made their decision and communicated through the Office of the Prime Minister early in the morning at 8.00 a.m., press conference would take place and so on. But, the very Minister from Port of Spain North/St. Ann’s West was the Acting Attorney General who was responsible for the regulations and then confessed later that we made a mistake with the regulations. We did not provide for penalties, fines and so on, having been acting Attorney General at the moment and in charge of the regulations, then confessed, well, that

was the situation, we made an error. The Member for Barataria/San Juan also indicated that.

So, Mr. Deputy Speaker, what is fascinating about this debate so far is that both leading speakers from the Government have come to ask the Parliament, those of us on this side, and of course their colleagues, to support an extension, but have not given us a score card, a report. What has happened in the last 14 days? Maybe a lot has happened, but tell us, because you are making a case for an extension. What has happened that you now tell us that we need three months more for more to happen? That is what you want. But there is an interesting trivia that I would also raise here, and I ask anyone to correct me, even on my legs, to correct me, because I may not be always 100 per cent right, I try to be, but not always. This is the first State of Emergency to be called and effected in an election year. 1970 was not an election year. 1990 was not an election year. 1995, the arrest of the House Speaker was not an election year, although it had an election in that year, '96 was when the election was due. And, the year 2011 was not an election year. So am right, am I?

**Hon. Members:** Yes.

**Dr. R. Moonilal:** Good. A State of Emergency in the year of an election, and while the Government will tell us that, well, you have the right for assembly and you can have meetings, have political meetings and so on, there is the suspension of constitutional rights, where a great majority of the citizens will be engaged. And there is a door opening here for abuse, where you can abuse political activists, political opponents, those in opposition, not necessarily political opposition, to a standing government, candidates in an election, because you have suspended constitutional rights as they say, you can kick down the door and take. And you can go into anybody homes now without warrant and all those type of protection in

an election year and this is a danger I wanted to point out today.

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

**Dr. R. Moonilal:** This is the danger. Now it is fair to say we mean well, give us time, we mean well, we do well. Throughout all time and history everybody meant well. I am sure the dictators of the past meant well when they started and even meant well when they ended. But, Mr. Deputy Speaker, the risk here, it is a State of Emergency in a year of election when people are mobilized in protest against a government.

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

**Dr. R. Moonilal:** This Government is the most unpopular in the history of this country, and the fact that your constitutional rights are suspended will present a conscious, maybe subconscious, but a conscious fear on the part of people to come out and protest against a government. It is not just holding up a banner or a placard in front a Ministry or on the pavement somewhere. It is that the police now has certain rights. Under the emergency powers, they have a certain leeway to use that term they use, they have a leeway that they did not have before.

[MADAM SPEAKER *in the Chair*]

So someone goes in front of White Hall or somewhere and is protesting against government policy, I am just saying this as an example, against the Prime Minister taking an \$87,000 pension for himself for the rest of his life and so on, somebody is protesting that. Today you can look at that person, the leaders of a march in demonstration, and say okay, you have the right to demonstrate and so on, but tonight we have, “We believe that you have arms, ammunition and explosives in the home.” You break down the door and you come in. That is an election year, that is the risk. The point I am making with that as well is that you have had 14 days.

According to all the statements made by Government, both in and outside the House, this matter had to do in part or maybe in large part with this issue of reprisal killings where intelligence tells you, “We know the actors.” In fact, I am told that one or two of the actors are under house arrest, correct? We know the actors, we have identified the weapons, we know the weapons, we know the actors. How in 14 days you cannot tell us if you have seized those weapons? You have had 14 days of knowing the actors, knowing the weapons, knowing what is going to happen, knowing who is going to do it, but in 14 days you cannot give us an account of what you have seized—

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

**Dr. R. Moonilal:**—who you have arrested, who you have detained, Madam Speaker. You would think that the Government would come and tell us, “We have achieved so much so far and, yes, we have to continue because the risk is still there and we need three months further to do it.” But they have not done it yet. I do not know if I will now force somebody to look at that angle, somebody who is known to be running away from water, running away from Akash, running away from everything. I do not know if I will force them now to come with statistics and say, “Yes, yes, we have seized this.” But even with the statistics, and I have read in the newspapers as well some of the data, what is happening in the country. Yes, there are activities undertaken by the police, all over the country, and so on, but how much are reported to be activities related to that specific gang warfare that triggered the State of Emergency as opposed to a traffic violation at Debe Junction, somebody park light not working, as opposed to those matters. Where is the evidence, the data to tell you what has been done in the last 14 days? Where is it? None.

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

**Dr. R. Moonilal:** But in the 14 days, in 14 days we have had 11 murders—

**Mrs. Persad-Bissessar SC:** And counting.

**Dr. R. Moonilal:**—and counting. One this morning.

**Mr. Indarsingh:** Twelve.

**Dr. R. Moonilal:** So in a State of Emergency where you expect to have heightened security and patrols and defence force in action, I have asked constituents and those persons outside of my constituency, I said, “Tell me something, have you seen increased patrols, joint army police patrols anywhere? We are in a state of emergency?” They say, no. In fact one person said, I think we are seeing more banditry looking cars. Whatever that is, I do not know. The Prime Minister told us about panel van earlier.

**Mrs. Persad-Bissessar SC:** White panel van.

**Dr. R. Moonilal:** A white panel van and so on, but banditry looking cars, but not police. So there is no heightened security in that sense during this State of Emergency. So it is targeted, it is specific, it is to a particular group or two groups of gangs and so on, but we do not have a report on what has happened in 14 long days, 14. All we know is that we need more time, we need more time. A State of Emergency carries with it a certain responsibility to act quickly, get to the bottom of things quickly since this is specific. They are not saying that this State of Emergency was triggered by the brutal murder of Amina Mohammed, they are not saying that. They are not saying that this was triggered by another home invasion somewhere where someone was killed. No, no, no. They are not saying it was triggered by the brutal murder of the attorney-at-law and her husband. No, no, no. They are saying this is reprisal killing.

In a statement persons are named. I do not know if that has happened before either, where statements to declare a State of Emergency names actual citizens I

believe, names are there, that this is reprisal, this is the person, that is the person. So this is targeted, so you will think in 14 days you have your law enforcement community, they have responded to this crisis and you do not need three months because we are not dealing with the whole of Trinidad and Tobago effectively.

**Madam Speaker:** Hon. Member you have three minutes left of ordinary speaking time.

**Dr. R. Moonilal:** Excuse me?

**Madam Speaker:** You have three minutes left of ordinary—

**Dr. R. Moonilal:** What! Yes, thank you for the extension.

**Madam Speaker:** Yes. You are entitled to 15 more minutes. You may proceed.

**Dr. R. Moonilal:** Thank you very much, Madam Speaker. I have to look at my notes now. So, Madam Speaker, they cannot give us an account of that time. Madam Speaker, an important point I want to raise here. During a State of Emergency you expect more patrols, you expect more manpower, human resources, equipment. We are told, and there are reports in the press, that the police is saying that they have absolutely no extra resources provided to the police. No extra resources have been provided during a State of Emergency. And, last year this Government promised to recruit 1,000 police officers, new recruits, so to speak. You know how much they recruited?—100.

**Hon. Members:** Of the thousand.

**Dr. R. Moonilal:** Nine hundred less than promised. So you will not have the manpower. The SRPs are complaining that the last time they got salary, I believe, was in November last year, they got salary. They are owed certain allowances and so on, and they have not been incorporated properly as police officers. You have complains from the SRP, you have complaint from the police officers who are still awaiting back pay I believe, over a year now. You have not recruited the 1,000

police officers. There is no equipment provided, extra equipment, resources to manage a State of Emergency, and the Member for Barataria/San Juan spoke about the collapse of our maritime security. When they started we heard of border protection agency.

**6.00 p.m.**

What about that? Where has it gone? Gone. We have heard about that. No word on that. So you have the illegal guns, you have less police officers than you needed and what you promised, and you use a State of Emergency in an election year where there is a clear special target. Now, had this been another Government, a progressive Government you have intelligence—assuming the intelligence is correct, targeted at two gangs, targeted at a human being whose name you put on the statement. You move with the police and the army under your existing statute and laws and you go.

Okay, so we called a State of Emergency because it is hard to get a warrant. That is the reason we got. You called a State of Emergency because it is hard to get a warrant. So what happens when the State of Emergency ends and it is still hard to get a warrant? And you could have presumably brought policy and law to deal with that problem if you believe that is such a grave problem, inhibiting the justice system, undermining attempts to deal with criminality, the warrant. But you call a State of Emergency because you cannot get a warrant and you needed to suspend rights because you wanted really to operate without that and in the context that you know who the persons are, you know the weapons, you know what they are going to do but you cannot do it in 14 days. You cannot accomplish that.

Madam Speaker, we made the point already it is a curfew-less State of Emergency. So persons can move up and down presumably. You gave them 24 hours I believe, without regulations, so they can move their weapons.

**Mrs. Persad-Bissessar SC:** Tip them off.

**Dr. R Moonilal:** Tip them off so they can move their weapons and so on. Madam Speaker, in this abominable approach to dealing with crime, they have not proposed any new policy, any new programme, any new technology, anything new that will deal and put a dent to crime. No solution, this is just kick down the door and take. Madam Speaker, this matter, I just want to come to, I raised it. We are being told by a letter—by a statement in the press today. In fact, a front page—I would not display it. Front page of the *Trinidad Express* page 3 headline: “Two detention centres unfit”.

Madam Speaker this is critical when you talk about extension of a State of Emergency because it involves detaining persons. Arrest, detain, charge and then you go through a process that is lengthy, conviction and so on. And we are being told by the Prison Officers' Association whose General Secretary, one Lester Logie, is telling us that they are not pleased with the designation of the Carrera Convict Prison and Remand Prison in Golden Grove as detention centres under the Emergency Powers Regulations. Why is it that they are not pleased? They are saying Madam Speaker, that the Carrera Convict Prison is a unique prison, as we all know, surrounded by water. It has unique challenges that make it unfit for detainees to be there. Officers have issues with the conditions of the dormitory which has almost collapsed. The facility's dormitory facilitates prison offices, they are saying that Carrera, it has collapsed.

They are saying that the vessel that they use to go to and from that island facility is in need of urgent repairs. It should have been dry docked approximately two years ago. That is the vessel. They added that there is no visit area for detainees and this poses a unique challenge in terms of security. It is possible that we would have to transport persons detained there to and from the mainland, the



shore, for visits. So, if someone has to meet their lawyer, a detainee has to meet their lawyer you have to take them from the island and bring them back to Chaguaramas somewhere there and take them back on a vessel that may not be sea-worthy.

They are saying that the Golden Grove—Madam Speaker, we have to put this on the record. This is the General Secretary of the Prison Officers' Association saying this. At that facility there is no alarm, the roof is leaking, there is flooding at the facility, there is mould in some areas of the facility, and they have been writing to both the Minister of National Security and the Prime Minister on this matter over time. They are even saying that they have suggested a commission of enquiry into a project there where repairs were done to a cost of \$70 million to repair the facility and the facility is nowhere ready to be opened. Madam Speaker, they would like the Minister and Prime Minister to look into this issue, but I do not think they will get any headway with that.

To this day the Prison Commissioner confirmed that none of the detainees were being held at any of the four facilities. Now, this is an interesting revelation if it is correct. We are reading it. There are four facilities designated as detention centres under this power. The Prison Commissioner is saying that no detainee is being held at any of the four. Where are they? Is there is secret detention centre somewhere that they are housing detainees during this period, if they are not at any of the four designated centres? Where are the detainees? That is the question we may ask. I remember coming in this Parliament—not as a Member—

**Mrs. Persad-Bissessar SC:** Maybe there are none?

**Dr. R Moonilal:** That is an interesting question now. In 14 days has there been anyone detained under this power?

**Mrs. Persad-Bissessar SC:** The question is where are they?

**Dr. R Moonilal:** And if they have been detained where are the detainees?

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

**Dr. R Moonilal:** Where? Are they at Balisier House?

**Hon. Members:** [*Laughter*]

**Mr. Hosein:** They have space there?

**Dr. R Moonilal:** They have space there, I do not know. Where are they? So the question is that in 14 days have you detained one human being under this power, and if you have detained anyone or any group of people, where are they? Are they at a ghost location that we do not know because the Commissioner says no one has been detained or actually housed there? Where exactly are they being held? They can tell us because the law—the emergency powers provide for detention centres as designated detention centres for the purpose of a State of Emergency. The Commission of Prisons said nobody is being housed there at all.

Madam Speaker, the other matter raised by the Member for Port of Spain North/St. Ann's West—you know, he touches these issues. The SSA, he mentioned the SSA. The SSA which is the heart of intelligence in this country—Strategic Services Agency has been dismantled, dismembered under the guise of having a coup to remove the Government. You all remember that? And they fired everybody. That was a next Cabinet meeting at midnight. This country should be worried about these Cabinet meetings that take place after 12.00 midnight, eh?

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

**Dr. R Moonilal:** It happened on a weekend as well. A Saturday night if I am not mistaken. They flew down a gentleman from Washington. Saturday night midnight and the day after, fired the director and nine employees, then a Sunday night, Monday morning declared a State of Emergency. I am saying that we need to protect this country from their nocturnal hours. From what they are up to at

those hours. What is wrong with a Cabinet meeting 10.00 a.m. in the morning and 1.30 p.m. in the afternoon? “What happened, you can operate in sunlight”? You cannot operate during the course of business hours, that you have to fire an SSA director because they were staging a coup.

To this day, not one human being has been charged with any offence related to an attempt to overthrow the Government of Trinidad and Tobago, none, and the intelligence community collapsed when they did that. They collapsed and today they have intelligence but I know the intelligence they have. It is from a unit in the Trinidad and Tobago Police Service that they want to keep their hands on and that was a conflict as well. So today, this country is without the statutory body, the agency that deals with intelligence, collapsed and gone.

Madam Speaker, the CCTV cameras—they raised it. I did not raise it at first. They raised it. From day one, 2015 to today, we have had this problem with CCTV cameras and coverage and that was like “pulling tooth”. As they say, pulling teeth, so to say. So to speak, pulling teeth. That it is so hard—Madam Speaker, it is hard to get from them any information on how many cameras are up, how much repaired, the coverage. All we know is when an incident takes place and you ask the police, the police say, “Okay, I am very sorry but those six cameras around that scene, they are not working”. That is all you know. When you ask the police, “do you have footage”? In hit-and-run accidents in this country, it happens all the time. You feel in a way comforted that you see cameras up on the post and when you go to the police you say all we have to do is retrieve that. They say, “Okay, I want to tell you those cameras are not working but if you know the neighbour next to the post and they have a CCTV you could give us”. That is what happens now.

Today this society is policing itself almost. Do you know there are chat

groups now called “crime watch and ting”? Citizens of this country are into chat groups called “crime watch and crime dis and crime dat”, citizens watch and so on. They have to watch themselves because under this administration, Madam Speaker, this entire business of national security has collapsed. It has collapsed and they came up—I do not want to repeat. They came with all types of ideas, \$100 million for veteran soldiers and retirees, \$15 million I think for a cricketing icon to do some programme. They came with all of these programmes. Hyatt, \$3.4 million, two-day crime talks and today, State of Emergency, Madam Speaker, State of Emergency is what they come with. And what do they do? “Dey “bouf up de criminal.” Their strategy in dealing with crime is to “bouf up” criminals, as if the criminal is sitting down somewhere listening and say “oh, no, no, you sound like my grandfather and meh father, meh tanty, so I will refrain from killing anyone”.

**Mrs. Persad-Bissessar SC:** They “bouf up” the police.

**Dr. R Moonilal:** They “bouf up” the police. They “bouf up” public servants. Something happens, well, the public servants put the clause inside to remove people’s pension. The public servants interfered with some matter in the Ministry of Legal Affairs.

**Mrs. Persad-Bissessar SC:** Still on the Order Paper— [*Inaudible*]

**Dr. R Moonilal:** Still on the Order Paper. They have not removed any clause to deny persons their pension. Madam Speaker, on the State of Emergency Regulations I am coming to now, the society is under siege. In a period like this, we cannot continue anymore with a situation where our rights have been deprived and where the Government has taken—by law they can, 14 days or so, to deal with a specific problem related to gangs.

Madam Speaker, this Government did not come today and tell us that gang

warfare is a serious matter that they are dealing with. They now have new technology. The Minister of National Security was playing with five drones or something recently, he got as a donation from the US Embassy I believe. We had technology when we were there and you know, they continue to harp in their speeches about 2010—2015. They harp a lot about that. Today who—they copy this and the State of Emergency and who got lock up, and “ting”. I want to remind them as the Member for Barataria/San Juan reminded us, the Government of the day and politicians and Ministers do not lock up people, “it is police do dat”.

So if there is the case where police may have used their power in a manner that is not within the law, the police did that not the Minister, the Prime Minister, and the Government, and the police may still be today in a position where they can abuse the State of Emergency powers. I have heard the Ministers saying so far we have not heard any complaints. So far we have not heard any complaints. That does not mean that you do not have any abuse at this time. You want to hear the complaints, you will get complaints and if you extend for three months you will get more complaints, particularly at a time like this. Madam Speaker, this was a knee-jerk reaction from the Government.

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

**Dr. R Moonilal:** Gimmickry because they faced an election and a hostile electorate. We have never come across this before in life. A hostile electorate and they want to show that they are doing something. That the murder rate may dip slightly by five human beings per month or something like that. You may think in a State of Emergency in the first 14 days you have had no murders or one maybe or two or something. Look at the type of murders you are having. An attorney-at-law gunned down after delivering a sermon in the church yard, home innovation murders, gang related murders, double and triple in a State of Emergency which

means this cannot and is not working. It is not working.

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

**Dr. R Moonilal:** While you should be coming with new policy initiatives, new technology, new processes for warrants or anything like that that is keeping you back, you ought not to be denying citizens their Constitutional rights in an election year under the guise of dealing with one gang leader and a next gang leader. You ought not to be doing that.

**6.15 p.m.**

The Prime Minister gave an example of an innocent woman who was killed in Port of Spain and because of that, we must have a State of Emergency, innocent people can die. That is correct, they can die. But in a society that has a heavy police presence, patrols, proper intelligence, you will prevent murder, you will prevent killing, you will prevent gang war as well if the police do their job.

Today, we heard the Prime Minister—I am hoping that we heard him wrong—talking about police stations now, “where police man does take off de lights, so when yuh go to the police station, de lights off, yuh think nobody there”. That was uttered. Was it?

**Hon. Members:** Yeah.

**Dr. R. Moonilal:** I was not dreaming that. Okay. That was uttered. So today, it is the same Government that brought a Commissioner of Police and three Deputy Commissioners of Police, complaining about the management of the Commissioner and the Deputy Commissioners of Police, when they imposed the leadership of the police on us. So if “dey taking out light and dey taking out water and dey taking off painting and so on”, who is to blame? It is the management.

There was a Minister appointed. As soon as they appointed a new Minister, they said, “His job is the police service—manage the police service.” I did not

know he could do it but that is his position. Today, the Prime Minister is complaining, “policeman taking off de light so it doh bother them in de night”, with complaints and reports and so on. It speaks to their incompetence, it speaks to their mismanagement, it speaks to their failure, and nothing will change that.

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

**Dr. R. Moonilal:** They thought their recent soap opera, an episode in a soap opera would take the public’s attention—because they were able to capture the front page two, three days and so on, they thought their recent soap opera would have the population forget about murder, about crime, about poverty, about unemployment and everything else, and it will not work. So, Madam Speaker, this is a warning to the Government, all of them, all, all, all, all—the problem is not only with Diego Martin West, the problem is really with all.

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

**Dr. R. Moonilal:** So whether you arrange the seating on the top deck of the *Titanic* or not, the *Titanic* has a destiny. It has a place to go. So rearranging the seating is irrelevant, it is all, and eventually, they will the feel the anger of the population on this matter.

And if at today’s date—because we all know—in fact, that is a point that I was trying to remember as well. We all know that January—I do not know why. I mean, I myself cannot pinpoint scientifically or even intuitively the reason, but January has always had this high murder rate historically. When the year starts, it has been like that for several years. We knew that. And if in a State of Emergency, 11 persons are murdered in 13 days, that means your State of Emergency is useless. It is useless.

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

**Dr. R. Moonilal:** As someone told me, State of Emergency means criminals are

“Still Organizing Everything”. They are still organizing everything, State of Emergency, it has not changed. Because we have the data. I think the Member for Barataria/San Juan also had the data. If he had more time, he would have told you the data. When you look at serious crimes as well, not just murder, serious crimes, break-ins, robberies and so on—

**Mr. Hosein:** They had five missing persons.

**Dr. R. Moonilal:** Five missing persons in 14 days or so, 13 days. But that was last week, five missing persons in the first seven or eight days, it has not changed. So the State of Emergency is not working. And I want to end by indicating that the specific targets—because we are hearing this term that thing has to do with—it is a targeted approach to the criminal element, who we know, if you cannot deal with them in 14 days, you cannot deal with them in 14 months. You will not deal with them.

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

**Dr. R. Moonilal:** And therefore, it is very difficult, Madam Speaker, for us on this side to contemplate giving this critical support to the Government on this matter. But we will listen to Government Members and we are there—we are here to be convinced otherwise in the event that the Ministers who follow and spokesmen who follow may have some more revelations or some more very strong and persuasive arguments. Madam Speaker, I thank you.

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

**Madam Speaker:** Minister of National Security.

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

**The Minister of National Security (Hon. Fitzgerald Hinds):** Madam Speaker, I am rueful at the fact that I must spend some of my precious time responding to the Member for Oropouche East, but I owe it to the people of Trinidad and Tobago to



do that and I shall so do.

Madam Speaker, the Member very facetiously, and as a comedian would do, he performed here this afternoon to much applause and desk thumping from his colleagues, and he identified that this State of Emergency is the first in Trinidad and Tobago's history in an election year. I want to tell him that we have outlined the reasons—the very serious reasons why we approached Her Excellency, and Her Excellency found justification in that approach and, of course, issued the declaration of a State of Emergency in Trinidad and Tobago. In fact, Her Excellency would have observed, like sensible people would, that sections 7, 8 and 9 of the Constitution, which deal with emergency powers, make absolutely no mention of anything about elections; no reference to elections at all.

As a matter of fact, Madam Speaker, it was the Member for Port of Spain North/St Ann's West who, in his contribution—and Oropouche East was sitting there while the Member spoke—who pointed out that unlike the 2011 State of Emergency, Emergency Powers Regulations, ours, in 2024, does not include provisions to restrict political activity.

**Mr. Young SC:** Correct.

**Hon. F. Hinds:** He pointed out that unlike the regulations that they issued, when they initiated a State of Emergency in 2011, meetings are still permitted today. We did not affect that and we had the option to. We did not interfere with the right to public marches. We did not affect the rights to processions. We did not. We specifically did not interfere with the right to free speech, which they had. Everything they did, we did not do, and it is here before us. They made illegal, under their regulations, a person who calls together, or assists in the holding or calling together any meeting, any public meeting. We did not interfere with that or public marches. We expressly left those things out.

I just want to go through a couple more so that he will probably better understand. We had no prohibition on the holding of meetings and marches, as I said. We interfered with none of that and yet the Member gets up here to tell us that, suspiciously, we are having a State of Emergency in an election year.

The Member went on to speak about detainees and the detention centres, and I heard the Member for Siparia and his colleagues chorusing behind him, asking, “Where are they, where are they?” I was the Member of the Senate who, at the end of the State of Emergency that they hosted in 2011—I was an Opposition Senator, and about two days before the expiration of that State of Emergency, I looked across the Floor at the then Minister of National Security, Sen. John Sandy, as he then was, and said, “Look here, the emergency has gone and you have not arrested one person under emergency powers.” Not one, not even the eight people who they—well, in fact, when I told him so, he looked at me in a bumfuzzled kind of manner. They all looked stunned. And by the next day, they went and pick up eight people and feigned some assassination plot against the Member for Siparia, tried to get the Member for Diego Martin West involved in “dey kankatang” and wisely, he did not.

They went through the entire State of Emergency and did not arrest one person on detention powers. When I pointed that out, they went and picked up eight people, and the case that the Member for Siparia shamelessly referred to today, that Elie case, is precisely the case where the Court of Appeal dealt with that matter and, as reminded by the Member for Diego Martin West here today, caused the taxpayers exposure to pay damages to every one of those appellants. The Member gets up and quotes from the case here today.

**Mrs. Persad-Bissessar SC:** I will do it again.

**Hon. F. Hinds:** And will do it again, she says.

**Hon. Member:** Who is “she”?

**Hon. F. Hinds:** The Member for Siparia, “nah”.

**Hon. Members:** [*Laughter*]

**Mrs. Persad-Bissessar SC:** “Doh cry”.

**Hon. F. Hinds:** Cry? Where are the real silks? They are asking, “Where are the detainees?”, I am asking, where are the real silks?

Madam Speaker, I am to inform this House that we have identified several persons and at least one, from my knowledge, has been the subject of the detention powers of these regulations—

**Mr. Young SC:** Correct. So far.

**Hon. F. Hinds:**—thus far. And, of course, from the jump, this Government, taking this governmental action, we indicated from the very start that we wanted to ensure that we target the criminal elements, so said by the Member for Port of Spain North/St Ann’s West and Diego Martin West earlier today in another debate, and we wanted the population to carry about their normal activities because we had the experience—we, as Government, had the experience of COVID-19 and what emergency powers and curfews did to the people, their social living, the economy. We have not recovered from those as yet.

We still have cases of children here who were not properly schooled and/or socialized during the COVID-19 experience, and the sociologist and the educationist trying to work them out of the effects of that. So we were very clear that these regulations, this State of Emergency is only for them who have criminal cocoa in the sun, and if you have criminal cocoa in the sun, you have to look out for criminal police reign.

Madam Speaker, the Member for Port of Spain/St Ann’s West was criticized in this House here today about the regulations. I am happy to tell you when, as he

explained, the decision to approach Her Excellency was taken on the 30<sup>th</sup>—the morning of the 30<sup>th</sup>, by 2.30 p.m., I am able to say in truth, the regulations were ready. The Government had done—the Member for Port of Spain/St Ann's West had done his part, as Attorney General, and sent it off to the printers, through the office of the CPC. And therefore, the declaration and the regulations, Legal Notices Nos. 239 and 240, were issued later that evening. Prompt and sober work. And he should be commended and applauded, rather than condemned, castigated and criticized.

I heard the Member for Oropouche East talk about the SSA has collapsed. Everything collapsed as far as they are concerned. Madam Speaker, a lot of the intelligence that is driving the work that is taking place to protect the people of Trinidad and Tobago in this State of Emergency, with these emergency powers, is led by the SSA. The SSA has a director today, it has deputy directors and it has a host of officers working for it as per normal. As Minister of National Security, I am very proud of the fact that we found a problem there, we dealt with it as a government could, and we leave the balance to the police and the courthouse. We dealt with it—

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

**Hon. F. Hinds:**—and we put situations in place to have it run as normal, operationally as normal, and that is happening today. Collapse, what?

**6:30 p.m.**

As for CCTV cameras, it is the very SSA that established, or implemented, or put up 2,500 state-of-the-art cameras within recent months. And I heard the Member for Oropouche East shamelessly tell this House, and it is on the record, I must attend to it. That they cannot get answers as to how many cameras and how many are working. Madam Speaker, you would recall, not bringing you into the

debate, I have come to this House, I have gone to the Senate to answer those questions on a multiplicity of occasions; some questions asked by the Member for Barataria/San Juan. What is wrong with my friends on the other side? But this is serious business.

The Member even foolishly, well not foolishly, that is unparliamentary—the Member for Oropouche East told us that we had expensive crime talks in April, on the 17<sup>th</sup> and 18<sup>th</sup> of April in 2023, and nothing has come of it. What is wrong with my friends? That was an engagement led by the hon. Prime Minister, the Member for Diego Martin West. He encouraged his other CARICOM leaders to come to the Hyatt. Proposed to them, and they all accepted in a declaration on behalf of the region that we approach crime and violence as a public health concern á la COVID-19. That team agreed and engaged in diplomatic conversations with the United States.

They went and saw President Biden in California and spoke to him. He undertook to do certain things in light of that call for a declaration or a war on guns by these very CARICOM leaders from that same Hyatt engagement. A decision was taken to join Mexico in an action against firearms dealers in the United States, and Trinidad and Tobago was one of those who joined in on behalf of the people of the Caribbean. Out of those talks, the Crime Gun Intelligence Unit is now situated in Port of Spain, populated by officers from Barbados, Antigua, Bahamas, St. Vincent, St. Kitts and Nevis, and Trinidad and Tobago. They are all here in Port of Spain sharing intelligence and working on behalf of the region's people because they understood from the Hyatt that we all have a common problem of guns coming in from North America leading to the crisis that we have here today.

And, of course, those talks and the urgings of the CARICOM leaders, led by Dr. Keith Christopher Rowley, the Member for Diego Martin West, the United

States passed what they call the Bipartisan Safer Communities law, making the movement of guns from one State to the other without more—a federal offence because they shared with us the understanding that where you have restrictions for buying guns in the United States, as some States do, a few of them, people would buy guns in those States and take them to other States, including the likes of Miami, for closer shipment through the Caribbean.

Since then, the United States told us they appointed a special prosecutor to prosecute those kinds of offences, and over 500 people have since been prosecuted, including a number of Trinidadians who go in the United States and see it fit to buy automatic weapons without scrutiny and problems there and export it to their friends and family and criminal cohorts in Trinidad and Tobago. All of that came out of the Hyatt talks. And our work continues. We saw the need to have this State of Emergency declared, and we have done so. I heard the Member say, “It eh working.”

Let me share with the Member. Let me share with the Member. Let me just get ahead a little bit here. First of all, the Member for Siparia, I am not surprised at her cheering at ignorance because she too is without a full understanding of a lot of stuff that happens around her, and a Leader of the Opposition, former Prime Minister, ought to understand. The same judgement she read from, the Member for Siparia, I am now quoting from an element of it, Madam Speaker, quoting where Mr. Justice of Appeal Mendonça in his address of the issues in front of him at paragraph 15—well, let me say paragraph 17, is in that judgement quoting a statement made by the Member for Siparia before the declaration of the 2011 State of Emergency. And hear what the court took notice that the Member said. I am quoting:

“The situation cannot continue like this without a response commensurate with the wanton acts of violence and lawlessness; it must be a response as well that will halt the current spike in gang activity and crime in general in the shortest possible time.”

The Member for Siparia goes on; the judge is quoting her, eh:

“After much deliberation with the National Security Council and members of the Cabinet it has been agreed that the government consider the imposition of a limited state of emergency in hot spots...”

**Mr. Young SC:** What is that?

**Hon. F. Hinds:** Good question, what is that?

**Mr. Young SC:** [*Inaudible*] people, so “dey cyah leave.”

**Hon. F. Hinds:** They considered at that time one, maliciously, I suspect—okay, I withdraw that—inexplicably then.

**Mr. Young SC:** Unjustifiably too.

**Hon. F. Hinds:** And unjustifiably in the event, unjustifiably, that this was a Laventille problem. And they were quite prepared. If it were possible, if the Member was not so ignorant of the Constitution and the law to declare a limited State of Emergency for Laventille and environs alone, it was the Member for Siparia speaking and calling it at that late stage a limited State of Emergency in hot spots. The Member went on to say:

“The limited state of emergency will allow us to achieve a number of things in relation to crime reduction which would not be prudent for me to disclose in advance of the action taken.”

Well, I understand why she would not want to disclose it, the Member for Siparia. She said inexplicable. This Government took the position—well, and the Member goes on. I do not want to waste too much more time on that. But the Member

went on to talk about a burden on the people. We ensured on this occasion that there is no burden on the law-abiding citizens of Trinidad and Tobago. And we focus on the criminals, as I have said; if you have criminal cocoa in the sun, you have to look out for the police rain, nothing else. But Member did not even understand that you cannot have a limited State of Emergency in Trinidad and Tobago, unlike Jamaica, which has laws that provide for limited States of Emergency in this parish, or in that parish, and in the other.

And by the way, Madam Speaker, just mentioning Jamaica, they have had, for 2024, I observed, and collaborating with my counterpart, the Minister of National Security in that island, they have had virtually, ongoing States of Emergencies for the entire year in Jamaica, almost. Moving from parish to parish trying to achieve peace, and according to Bob Marley, “safe-ety” for the people of Jamaica.

There is another Caribbean country. Well, there is a Caribbean country that so far, year-to-date, has had 34 murders by today, the 13<sup>th</sup> of January, a 30 per cent increase year-to-date. In Trinidad and Tobago, we in 2023 had 577 murders; in 2024, 624 of them. I might remind us that in 2023, 261 of those 577 murders, or 45 per cent were classified by the police as gang-related, and, of course, in 2024, of the 624 murders, 273 of them, or 44 per cent were classified as gang-related.

The gangs therefore contribute the largest single variable to the murder figure on an annual basis. And this State of Emergency as Her Excellency’s statement and as the statements coming from the Prime Minister, from the then Attorney General, the current Attorney General, and yours truly, as Minister of National Security, is targeted to deal with that. And we expect that coming here today, the Trinidad and Tobago public, who, by the way, Madam Speaker, from all of my observations on social media, in the mainstream media, and in the



conversations on the street, they are in full support of this State of Emergency. The only objectors, as usual, are the Member for Siparia and her minions. I was about to say minions with a “G,” but minions. “Clip, clip, clip.”

And, might I say, Madam Speaker, last year, as the Prime Minister intimated earlier, last year, 93 of those 624 murders, 93 of them were either doubled, tripled, quadrupled, or quintupled. What do we do again? Do we wait? We have heard of the reprisals. We have heard why Her Excellency declared the State of Emergency that we are here now to extend, to continue to get the benefit of it. What do we wait for? Just to get ten at a time.

When the State of Emergency was declared in 2011, I was a Senator at the time. I took good note of it all. In one weekend, 11 murders took place. So when we say this crime thing “eh new, everybody here know” it is not new. In one weekend, in less than 48 hours, 11 murders, and in Arima, close to a panyard, I cannot remember the name of the panyard six went down in one go. I think it is Angel Harps, I think so. And I hear “dem” talking about knee jerk. I thought they should be talking today about weak-kneed. I heard the Member for Oropouche East sitting close to the Member for Siparia talking about knee-jerk, it is not that, weak knees.

Madam Speaker, and 87 per cent of all those horrific murders are with firearms; hence our focus on the gangs and their guns. Our focus is not on public marches and public meetings, as was wrongly and incorrectly stated. Our focus is on 5.56 ammunition and 7.62 ammunition.

**Mr. Young SC:** [*Inaudible*]

**Hon. F. Hinds:** Yeah, agreed. And, therefore, what we have observed developing is a gun culture. It is grabbing a number of our young people, and, of course, we saw recently the phenomenon of the gel blaster guns, some of them looking like

the real McCoy, and the children are running around and mimicking the real McCoy with them. These are the dangers that we see.

So we are here today to speak about an extension. We did not impose curfews in this because the law enforcement platform we provided with this tool has indicated that it is adequate as it is. It is sufficient as it is for the time being to carry on the work that has to be done to put a brake on this mayhem that is taking place in our society, Madam Speaker. So the intelligence backdrop to all of this suggested that there is an escalation in organized home invasions with perpetrators targeting victims where they suspect that there are significant quantities of cash and other valuables.

**6.45 p.m.**

So the intelligence backdrop to all of this suggested that there is an escalation in organized home invasions, with perpetrators targeting victims where they suspect that there are significant quantities of cash and other valuables. The intelligence is suggesting that now that the police are on the move, the criminals are also on the move, and they are looking for places around Trinidad and Tobago where they can hide out to escape the gaze of law enforcement.

This is why, within the last 24 hours, I called on the citizens of Trinidad and Tobago as Minister of National Security, if you observe strangers in your neighbourhood, especially if they are hanging around with guys who you know are not as social as they ought to be, and, in all communities we have a good idea who is who, advise the police. Because, they may very well be a very dangerous clip, running from wherever they were and taking refuge in your neighbourhood, but their desire for jewellery and for money has not stopped. And, if your home happened to be in the zone they are now operating in, you may very well find yourself as a victim.

This is one of the reasons why we treat crime and violence as a public health concern. It recognizes that every single human person, every teacher, every doctor, every NGO, every religious body, all Ministries, all-of-region is a whole-of-region, whole-of-country, whole-of-government, whole-of-everything approach. We all have a role to play in this. So call law enforcement and tell them something, and they will come running. One of the other observations is that they target the vulnerable and elderly in these invasions, and we saw it with that couple. Ms. Baksh, may her soul rest in peace. Tragic. Horrible.

You see, we cannot understand—we have invested, as the Prime Minister said earlier today, so many millions of dollars, and opportunities, and training opportunities for young people in the recently created Ministry of Youth Development and National Service, offering to young people everywhere in Trinidad and Tobago an opportunity to make good, to earn an income. So you do not have to do what you want to do, but there are those who do it as a business, as a job, and therefore, law enforcement is mandated to go with these emergency powers and find them. “Dey eh find all yet”, so that is another good reason why we want this extended. We want to clean it up and make the place clean and safe again. That is all.

There has been an increase in extortion, and we have seen some of that in the St. Augustine area, in the Tunapuna area, in the area of Kelly Village and other parts of the country, but we have seen some concentrations on that—

**Madam Speaker:** Member—

**Hon. F. Hinds:** Sorry—

**Madam Speaker:** Yes. Member, you have two more minutes of ordinary time left. You are entitled to 15 more minutes to wrap up your presentation.

**Hon. F. Hinds:** Thank you very much, Madam Speaker.

**Madam Speaker:** You may proceed.

**Hon. F. Hinds:** I should make use of it.

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

**Hon. F. Hinds:** Of course, the growth and the rootedness of transnational organized crime is also an issue. And, of course, gang leaders and their financiers placing million-dollar bounties on each other's heads. We observe that jewellery is often used to store wealth among the gang members. Trafficking of contraband into the prison, the prison economy is an amazing place. Whatever, if you are making 20 per cent profit out here, in the prison is more like 60 and 70 per cent, and the prison officials understand that.

Madam Speaker, insofar as justification is concerned, the 2024 State of Emergency has provided a timely and thoughtful opportunity to address decisively several principal contributors to the complexity and volatility that characterize our threats. It provides as well an opportunity for law enforcement to regain its strength and its reputation from that which was so severely and adversely affected in 2011—gives them an opportunity. And, as you would have heard earlier today, I have the benefit of Senior Counsel advising me as Minister of National Security.

**Mr. Young S.C.:** “Two inno.”

**Hon. F. Hinds:** Two, actually. The police has Senior Counsel, two as well, advising to ensure that we follow the law and follow the Constitution and do not stumble our way through, as led by the Member for Siparia back in 2011. We follow the very case this Member for Siparia spoke from. It was studied by law enforcement, studied by them so that we will not walk that unfortunate path and expose the people of Trinidad and Tobago again. So when we act in this State of Emergency, we act on the basis of proper legal advice from real silk and not somebody who thinks you can have a limited State of Emergency, when in fact

there was none, right?

So, Madam Speaker, I understand that time is ticking on. So far the police have had 688 intelligence-led operations, resulting in 569 arrests for drugs over gang turf. Thirteen per cent of the murders last year were over drugs, so they are paying particular attention to that. Possession of army-type camouflage, that is what they use in some home invasions to mislead the occupants that is police and soldier coming. Shooting and robbery, firearms and ammunition, all of those are some of the things. Assaulting police officers, gang activities, larceny, those are some of the things that persons have been arrested for in this.

Madam Speaker, 3,915 searches, 32 firearms found so far, 1,030 rounds of assorted ammunition, cocaine and marijuana secured, found, recovered. Kush marijuana, which sells at \$25,000 a kilogram. “Creepy marijuana” from Colombia, which sells at \$27,000 per kilogram and sells at about \$250 per gram out on the street. If that gets into the jail, they sell a pinch, because it is sold by the pinch, I am told, in the prisons, at \$200 a pinch. So you could imagine the kind of money that turns over in the prison.

And this is why, unfortunately—and this shows the complexity of managing crime, because sometimes the people who are supposed to be paid and sworn to protect us, find themselves victims of the virus of crime, if we take a public health approach. And so, only a couple days ago, they arrested a prison officer going into the prison, one of many, with a cell phone and a quantity of drugs. It might be a small amount, you think, but by the pinch, it is worth one hell of a lot of money in the prison economy.

The traffic police are on the road, 571 traffic operations. They have detected and charged for 1,470 traffic offences. The Highway Patrol Branch in particular, Traffic and Highway Patrol, 621 patrols, all of this adding up to serious police

presence. So I did hear the Member for Oropouche East ask some of his customers, maybe in a bar somewhere, his constituents, maybe in a bar somewhere, they may have been inebriated, as you know how it is, and they did not see any patrol. I do not know.

*[Madam Speaker stands]*

**Hon. F. Hinds:** All right, I withdraw that. But they did not see, Madam Speaker, they did not see any of that. But I can tell you, I take time as Minister of National Security to traverse the land and to look, and I get feedback from my constituents, and I get feedback from people around the country, and yes, there is heightened presence and patrols out there.

The SoE so far has been a success. Year to date so far, we would have had about 24 murders as compared to last year. Today, we have 12. That is a 50 per cent, if I extrapolate, that is a 50 per cent reduction, and if it were one, as the Member for Siparia slipped and managed to say truthfully one murder, and if we saved one, we would have done very well. So far, we have a 50 per cent reduction in murders year to date. I told you about the Caribbean country that has had a 30 per cent increase in their year to date figure, with 34 murders year to date.

**Mr. Young S.C.:** Correct.

**Hon. F. Hinds:** And of those 12 murders we have had, the police classify five as gang-related, one domestic, three robberies gone bad, and three unknown. I want to take the opportunity, for the benefit of the Member for Siparia and her team, different types of crime require different types of policing, and the police have to be subtle enough, professional enough on the basis of their experience to be able to tackle every one of those different crimes, applying resources differently. Because while you are doing all these patrols and all of that, it does not stop the gang member from the street over the road to come through a back track with his gun,

and that is why they are focusing on searches and to find firearms too; a very complex issue.

There are many other things, along of course with our focus on our border security. On that matter I want to say very quickly, we had three OPVs, Member for Siparia, and they cancelled and scuttled them. When we came, there are now two Cape Class vessels which they shamelessly ask, "Where are the vessels, where are the vessels?" They were not there in 2015, they are there now, and I am happy to say today, both are in the water patrolling in defence of the people of Trinidad and Tobago.

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

**Hon. F. Hinds:** The Damen vessels, I heard the Member for Barataria/San Juan speak about them. They are in a repair programme, three have gone to Suriname and they are back, and we are working hard to get all of them back in the water in service of the people of Trinidad and Tobago. Madam Speaker, I am saying that this State of Emergency is doing well for us; there has been an 83 per cent drop in shootings and woundings, 23 year to date in 2024, year to date in 2025 only four. There has been a 75 per cent drop in robberies; year to date in 2024 it would have been 67, and year to date today it is only 17.

Madam Speaker, 50 robberies less. In terms of larceny motor vehicles, a 59 per cent drop, 27 year to date in 2024, 11 in 2025. We have about 137 people in custody now because of the 500-and-something I told you about. They would have been charged, some of them they go up, you know, and different things because as the law that the Member quoted from today says, you are not going to pick up somebody on emergency powers if it is for some trifling offence, obscene language or something else. The law says that. So even though you arrest, you charge, they go about their normal business and you maintain your focus on the gang operators

to deal with the gang problem. Do you understand? Good.

So Madam Speaker, as I conclude, given the fact that time would have run, I just want to conclude by saying the Trinidad and Tobago Defence Force is in the theatre of conflict, and the regulations are there to support their presence in the theatre of conflict. They have conducted 104 patrols to date in this State of Emergency, designed to ensure safety and security in the communities, visible and active presence. They operate in Malabar, Maloney, Carapo, Arima, Bon Air, Tacarigua, Five Rivers, Trincity. All these patrols taking place in those areas, St. Helena, Caroni, Cunupia, Las Lomas, Carenage, Diego Martin, West End, Maraval, and St. James, and in Tobago, Shirvan Road, Crown Point, and Plymouth. The Trinidad and Tobago Defence Force is out there doing the business, and I can assure you in a matter of days, you will even see more of that for reasons that I must now hold to myself.

I just have to report that the police service has called out all the police officers who are available, and they are out. The Defence Force, equally, from all of the formations, whether it is the Regiment, whether it is the Coast Guard, whether it is the Air Guard, whether it is the Reserves. They have all come out, and they are on the job, available for service in defence of the people of Trinidad and Tobago.

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

**Hon. F. Hinds:** And a parent on the way—Just before I close, a parent made contact with me and suggested that we consider, and this is probably not the best place to say it, but I think it is worthy of mention, that we should consider—a parent, you know, supporting this effort, that we should consider a curfew for children, persons under the age of 17. You would have heard Senior Superintendent in charge of Tobago and the ACP say, “Children are being drawn



in to this.” From 2022 to now, 52 youngsters below the age of 17 lost their lives in this country, 52. This parent is saying this is a good opportunity. In light of all the achievements you all have had so far, in two weeks into the State of Emergency, bring it on for the youngsters, keep them indoors.

That parent thinks the measure will serve to reduce the risk of exposure to homicide. We saw in Tobago recently, two youngsters, one filming the other one, carrying another one, 15 years old to his death.

**7.00 p.m.**

The measure should assist in reducing the level of distraction of our country’s juveniles from their attention—and focus on their education and a number of other reasons. I just thought I would share it coming from a concerned citizen. I do not think it is an unworthy call but I said it in order to demonstrate that there are people in Trinidad and Tobago whose position is at variance with that of the Opposition, who welcomed the State of Emergency and would like to see us extend it for the next three months. As indeed as Member of Parliament for Laventille West, I so commend this State of Emergency for its continuation for the next three months on behalf of the people of Laventille West and all of the people of Trinidad and Tobago. Madam Speaker, I thank you.

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

**Madam Speaker:** Member for Tabaquite.

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

**Mrs. Anita Haynes-Alleyne (Tabaquite):** Thank you, Madam Speaker.

**Hon Member:** Island scholarship winner.

**Mrs. A. Haynes-Alleyne:** And as I enter the debate it would be remiss of me not to wish the Members of this House a happy New Year entering—

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

**Mrs. A. Haynes-Alleyne:**—late as I may be. Madam Speaker, I am entering the debate as a Member of the House of Representatives hoping to be a voice for the constituents of Tabaquite, duly elected as I am. This Motion, this matter of extension of the State of Emergency is something that should capture the attention of all of our citizens in the great Republic of Trinidad and Tobago.

You see, Madam Speaker, when you are discussing a State of Emergency—and it is unfortunate for the people of Trinidad and Tobago that we have had to have this discussion so many times because it means that our State for one reason or another is in some space of unrest. At this time, we are talking about a State of Emergency with respect to a particular problem that has plagued our nation and that is the problem of crime.

Madam Speaker, in the discussion of a State of Emergency, the Government is saying or asking the population for an increase in its power which means a decrease in the power of the citizens or the rights of the citizens—a temporary increase in its power to solve a particular problem.

And I think that we have to cut beyond the rhetoric for today's debate on the three months extension as to what is really the question facing parliamentarians now. So if on one hand, you have accepted that a State of Emergency is required for the safety and security of the people of Trinidad and Tobago at this time—if you have accepted that which my understanding is that the debate before, we have accepted that as a reality—

**Hon. Member:** Well said.

**Mrs. A. Haynes-Alleyne:**—and if you have accepted that the crime problem requires some sort of increased attention, some increased focus and that a State of Emergency, and by all accounts looking on at the press statements made by the business community, statements by citizens, something that is welcomed by the

citizens, the question facing us is whether or not a three months extension is justified. That is the simple question facing us here today. And so if you have already accepted that the State of Emergency is required at this time, the question of the three months extension in my mind, must be put under clear focus as to how at the end of the three-month extension are you determining the success of this extreme action?

The Member for Port of Spain North/St. Ann's West stated that a State of Emergency is not an action that should be taken lightly. It is not something that the Government will put into force lightly. So therefore, if you are saying that it is some unorthodox and urgent action, and you are saying to the population that you need three more months to make it a success, you have to tell us what you are using to measure the success.

Now, I waited for the Minister of National Security to enter the debate because I was hoping that the Minister of National Security would give us the clarifying point as to how we are going to determine whether this increased state power has indeed benefited the citizens in the manner in which the Government intended. If you are looking at murder numbers for example, because the Minister of National Security listed that the State of Emergency has been a success thus far, because the murder numbers thus far have been reduced. So if you are looking at murder numbers then you are saying to the citizens that for this time period from December 31<sup>st</sup> until 3 months from today, that we are looking at the number of murders as a success or failure of this increased state power via a State of Emergency, or if you are looking for a reduction in crime in its totality, you have to say that to us. More importantly what you have to say to us is that if you are taking this increased state power as you are for three months, in that time period, what you ought to be doing is fixing all of the other problems so that at the end of

the three months, we are not facing the same problem as we are today.

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

**Mrs. A. Haynes-Alleyne:** So that the population, I think, will be very comfortable with the idea that we can temporarily reduce our rights. Those of us who are law-abiding citizens are very comfortable, I believe, to say that we are willing to temporarily, conditionally, increase state power so that we can have maximum benefit to the public—the people of Trinidad and Tobago.

And so my intervention here today, Madam Speaker, it is really to say that if you are asking for three months, in the wind up, in the communication in the coming months, you have to tell us what the plan is so that at the end of the three months we have not wasted our time and we have not wasted our confidence as citizens in extending the power of the State for a brief time period.

The Minister of National Security raised as well that the State of Emergency will increase the powers of the police and so we are expecting more from the TTPS, as well as members of the defence force during this State of Emergency as it is. There is an opportunity here as well for the Government to understand that increasing powers alone will not give you the solution that you are looking for. Because if you are increasing powers, you are increasing workload, and you are increasing a space. You also have to increase your support for the members of the Trinidad and Tobago Police Service as well as the defence force, or you will not reap the rewards that you are seeking.

You cannot simply say you can act faster. You can act without the warrants, et cetera, but if you do not have the manpower on hand or the equipment required, if you do not have things like bullet proof vests, you are not going to be able to act in the manner that you are hoping to get the results that you are. So again, the citizens of Trinidad and Tobago will be willing to say, “You may have three more

months of extended power, but in that three more months, you must give us extended service”.

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

**Mrs. A. Haynes-Alleyne:** You must show us with this increased power that you have equipped those necessary to execute the power that you are giving them, that you are giving them the tools necessary. Madam Speaker, in the context of a State of Emergency and in a context of putting a stopgap in this rampant crime that we are seeing—because citizens are fearful. There is no doubt in my mind. I as a citizen, am also afraid because when you are going from point A to point B, you are not even certain that you are going to make it home, and when you are home, you are not sure that you are safe. So that you want the success of any administration when it comes to a crime situation.

Madam Speaker, there will be no success in crime if there are no consequences for action. So that you can lock up how many people you want under the State of Emergency, if you are not leading to convictions and if there are no consequences for committing crime in Trinidad and Tobago, you would have accomplished nothing in 15 days or in three months, and that will remain a fact.

Madam Speaker, I have entered this debate very briefly to say two things: I have no difficulty stating that you may have increased power for up to three months, but it is a conditional acceptance on what you deliver to the people of Trinidad and Tobago. That our job and our role as parliamentarians is to form a check on executive power. That check on executive power requires us to pay close attention to not just what you say, but also what you do.

So in the announcement of a State of Emergency, in the conclusion of this debate, tell us as the people of Trinidad and Tobago how are we determining the success of increased state power for up to three months from today, and if you can

tell us that clearly, we will then judge you accurately at the end of the State of Emergency as to whether or not you have succeeded for the people of Trinidad and Tobago and I thank you.

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

**Madam Speaker:** Member for Siparia.

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

**Mrs. Kamla Persad-Bissessar SC (Siparia):** Thank you very much, Madam Speaker, and I am very happy today to extend happy birthday greetings to the Member for Tabaquite

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

**Mr. Lee:** Team UNC.

**Mrs. K. Persad-Bissessar SC:** Madam Speaker, I will not delay the House much longer but there are just a few points I would like to raise in response to issues raised by Port of Spain North/St. Ann's West, and also by the Member for Laventille West. Madam Speaker, what we are here doing now as opposed to the first Motion—and this Motion reads—Motion 2 on our Order Paper for today:

*“Whereas* it is enacted by section 8(1) of the Constitution of the Republic of Trinidad and Tobago that the President may from time to time make a Proclamation declaring that a state of public emergency exists;

*And whereas* the President has by Proclamation made on the 30th day of December 2024, declared that a state of public emergency exists in the Republic of Trinidad and Tobago;

*And whereas* it is enacted by section 9(2) of the Constitution that a Proclamation made by the President for the purposes of and in accordance with section 8 shall, unless previously revoked, remain in force for fifteen days;

*And whereas* it is enacted by section 10(1) of the Constitution that before its expiration the Proclamation may be extended from time to time by resolution supported by a simple majority vote of the House of Representatives, so however that no extension exceeds three months and the extensions do not in the aggregate exceed six months;

*And whereas* it is necessary and expedient that the Proclamation made by the President on the 30<sup>th</sup> day of December, 2024 declaring that a state of public emergency exists in the Republic of Trinidad and Tobago, should be extended for a further period, not exceeding three months:

*Now, therefore, be it resolved* that the Proclamation made by the President on the 30<sup>th</sup> day of December, 2024 declaring that a state of public emergency exists in the Republic of Trinidad and Tobago be extended for a further period of three months.”

Madam, my understanding of this Motion is that we are now engaged in agreeing or not agreeing to the three-month extension and the question will arise, “Why should we agree to a three-month extension”? Before I get into that, there are some issues that Port of Spain North/St. Ann’s West—and let me commend the Member for Barataria/San Juan and the Member for Oropouche East for their contributions.

The Member for Port of Spain North/St. Ann’s West in this debate spent a lot of time attempting to naysay or bely comments made by the Member for Barataria/San Juan, and I really want to set the record straight, because the Member for Port of Spain North/St. Ann’s West insisted when Member for Barataria/San Juan raised the point about amendment to the Regulations under the 2011 State of Emergency, when the Member said that we had never amended the regulation given the error that was made. And they proceeded as Barataria/San

Juan said, to copy that first error—but we did amend it, and I have the legal notice in front of me so Port of Spain North/St Ann's West was misleading the Parliament—

*[Madam Speaker gestures to Opposition Leader]*

**Mrs. K. Persad-Bissessar SC:** Thank you, Ma'am—was misleading the Parliament when he said we did not amend.

**7.15 p.m.**

So I have here Legal Notice No. 171, the Constitution of Republic of Trinidad and Tobago, Chap. 1:01, dated the 27 August, 2011, under the hand of His Excellency then, the late President, George M. Richards. And what it says—this was made under section 7 of the Constitution Republic of Trinidad and Tobago:

“THE EMERGENCY POWERS (AMENDMENT) REGULATIONS, 2011

1. These Regulations may be cited as Emergency Powers (Amendment) Regulations, 2011.
2. The Emergency Powers Regulations (herein after referred to as ‘the Regulations’ are amended by inserting after regulation 4(2) the following sub-regulations...”

So we amended and we corrected what we had picked up almost immediately. This was made on the 27<sup>th</sup> day of August, 2011, and the SOE was declared a couple of days before that.

What it does now, it says that amendment, which they have also now amended but first they copied—and as MP for Barataria said, they could not even copy properly. They copied the one that was existing prior to this on the 27<sup>th</sup> and then only thereafter, amended in the same way that we did.

“(...‘the Regulations’ are amended by inserting after regulation 4(2) the following sub-regulation:

**UNREVISED**



‘(3) a person contravenes sub-regulation 1(c) commits an offence and is liable on summary conviction to a fine of three thousand dollars and imprisonment for six months.’.

3. The Regulations are amended by inserting after regulation 9(3) the following sub-regulation:

‘(4) a person who contravenes sub-regulation (2) commits an offence and is liable on summary conviction to a fine of five thousand dollars and imprisonment for one year.’.”

So we did amend it and the Member—maybe not deliberately, but the Member probably did not read this and was, therefore, misleading the House when attacking the comments of the Member for Barataria/San Juan.

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

**Mrs. K. Persad-Bissessar SC:** That is the first thing I would like to deal with. And I have this serious concern, Madam, what we are doing here, when we say we want to extend the SOE, we are saying that these Emergency Powers Regulations will also be extended during that three-month period. So what we are looking at is, what it is going forward after this debate has ended and been decided upon.

I have a very serious concern about regulation 11, Madam Speaker, which is being commonly referred to as a “gun amnesty”. In these 15 days, Government has faced serious legal challenge, push-back, over this regulation 11. Several attorneys have already done the push-back and sent pre-action letters. One has been sent by Attorney Gerald Ramdeen, issued to the Government, and this is why we said, you know, this SOE is by “vaps”, “vaille-que-vaille”, for political gimmickry, no proper planning.

Let us look at regulation 11. And the person who was overseeing these Regulations then, 30<sup>th</sup> December, was none other than the anointed one whose

coronation is yet to take place, the Member for Port of Spain North/St. Ann's West, who was the Acting AG. So the substantive Attorney General will be given a "bligh" on this occasion because it was the Port of Spain North/St. Ann's West, who was Acting Attorney General, when putting forward this regulation 11. This is what it reads:

"No person who surrenders any firearm, ammunition or explosive during any period that is prescribed, and otherwise in accordance with an Order to surrender, shall be prosecuted under the Firearms Act or regulation for illegally purchasing, acquiring or possessing such firearm, ammunition or explosive prior to the time of such surrender or at that time."

This is the Regulation 11 now before us. Regulation 11 is unconstitutional.

Now, it is true that under a State of Emergency, laws that breach the Constitution, certain rights and freedoms under the Constitution, are suspended and overtaken by regulations then proclaimed or promulgated. However, the law in the Constitution gives us that right for breaches of sections 4 and 5. So certain draconian powers given to the police and other law enforcement officers can override sections 4 and 5, which are the freedoms we are dealing with, not to be deprived of liberty, not to be deprived of certain—

**Mr. Hosein:** Bail and habeas.

**Mrs. K. Persad-Bissessar SC:**—bail, habeas corpus laws. Those can be overridden by Emergency Powers Regulations. That is fine. But you cannot go on now to interfere with—you cannot go and trespass upon powers given constitutionally to certain office-holders. You cannot do it, Madam Speaker, with the greatest of respect. And no one on that side has helped us with dealing with regulation 11, which seeks to do exactly that, to trespass upon the powers of the independent Office of the DPP, and that is the whole business in our laws of the

separation of powers. So the DPP holds an independent office and has certain roles and functions to perform. That cannot be taken away by mere regulations, which is not even a simple majority or no majority, just by regulations put forward through the Office of the President of the Republic.

The DPP has the exclusive authority to institute, continue or discontinue criminal proceedings under section 90 of the Constitution. What does section 90 tell us, Madam, out of the Constitution? It says, and I read, quote:

“(3) The Director of Public Prosecution shall have power in any case in which he consists it proper to do so—

(a) to institute and undertake criminal proceedings against any person before any Court in respect of any offence against the law of Trinidad and Tobago;”

The DPP then has that exclusive jurisdiction, Madam Speaker.

“(b) to take over and continue any such criminal proceedings that may have been instituted by any other person or authority;

(b) to discontinue at any stage before judgment is delivered any such criminal procedures instituted or undertaken by himself or any other person or authority.”

Section 90, Madam Speaker.

Regulation 11 purports to grant immunity from prosecution. This unlawfully interferes with the DPP’s constitutional powers, as I said before. This is very concerning, Madam Speaker, because section 90 is not just a provision in our Constitution, it is a deeply entrenched provision of our Constitution. It cannot be taken away by way of a simple majority, if you want to pass legislation, nor can it be taken away, trespassed upon by Emergency Powers Regulations. That cannot happen if you do so. It is totally unconstitutional.

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

**Mrs. K. Persad-Bissessar SC:** So I am saying, again, this regulation, granting immunity from prosecution, unlawfully interferes with the DPP's powers. As I said before, I am very concerned because under section 54 of our Constitution, which entrenches provisions, the sections 4 and 5 rights, the right to bail, the right to move about, freedom of expression and so on, they are section 4 and 5 rights, and the Constitution gives the power to use regulations to override those rights, because it is a special state to deal with crime.

However, section 90, as I said, is deeply entrenched. You can only amend that, you can only change that by a special majority vote of the Parliament. And that vote is not a three-fifths, it is a three-quarters majority, so it is heavily entrenched. Three-quarters majority for the House, and in the Senate, a two-thirds majority is required to change, or to interfere with, or trespass upon, or in any way derogate from the powers given to the DPP under section 90.

So it is clear from that deeply entrenched provision, the DPP has the sole power to initiate, continue or discontinue criminal proceedings. So by granting immunity by regulation 11, the Government is overstepping its bounds and interfering with the DPP's independent powers. Now, this raises serious concerns about the separation of powers, and our Constitution very much deals with separation of powers, so you do not have overreach by the Executive branch of Government.

This regulation 11 undermines public safety by granting immunity to individuals who possess illegal firearms, because that is what it purports to do. Regulation 11 jeopardizes national security, it contradicts the public interest in prosecuting offenders. This could lead to an increase in gun violence and create a climate of impunity for those who violate firearm laws. This measure could serve

to weaken efforts to combat gun violence, which is the exact opposite of what we are hoping to solve and to deal with it. It could create a sense of impunity, potentially leading to an increase in gun-related crimes. This amnesty could be seen as contradicting the public's interest in holding individuals accountable for illegal firearm possession. This Regulation 11 is not yet operational and may be very misleading to the public.

Astonishingly, the Office of the Attorney General and Ministry of Legal Affairs has stated that no period has been prescribed for the gun amnesty and only responds to a potential legal challenge, so Regulation 11 is not yet in effect. Since the Proclamation, news reports have been suggesting that a gun amnesty is enforced. You can see, for example, *Express* article published on 31 December, 2024, headline:

“Gun amnesty included in Emergency Powers Regulations”

There is a CNC3 article published on 31 December, 2024, headline:

“SoE offers gun amnesty clause to criminal element”

There is also a CNC3 article published on January 04, 2025, headline:

“Gun amnesty in place”

So these are all in the reports and in the public domain. The Government has made no effort to dispel this notion, until a pre-action protocol letter was sent by Attorney Gerald Ramdeen, challenging this gun amnesty.

Madam Speaker, I raised this issue last week at a public meeting and my concerns were reported in the *Guardian*, published 08 January, 2025, headline:

“Gun amnesty needs parliamentary majority, says...”—the Member for Siparia.

And that article says:

“Opposition Leader...is claiming...the gun amnesty offered during the ongoing State of Emergency...is not valid, as a gun amnesty cannot be implemented by regulation only...Government must come to...get a special majority...”

—as I said, in the House, of three-quarters, and in the Senate, of two-thirds. That has not happened. It has not come to this House. These:

“...regulations were largely a copy-and-paste...from the SoE regulations...”—previously, 2011.

“Taking issue with SoE regulations...”—Member for Siparia—“...added, ‘The High Court’s habeas corpus jurisdiction...’”—can and may—“...be suspended...”

As I say, those matters with bail, access to bail, and with respect to habeas corpus is under review by the Privy Council.

“Regulation 11 regarding a gun amnesty has the effect”—therefore—“of unlawfully fettering and trespassing upon the discretion of the DPP under section 90...”

This is a very important role and function of the DPP, that where it is that you can have influences and undue—illegal influences on who to lock up and not to lock up, and where it is that you have an illegal firearm and you are given an amnesty and immunity, should someone bring that firearm in, then there is very serious cause for concern. The National Security Minister—the present Minister—did not reply to the *Guardian’s* concerns.

In that meeting then, when I raised this for the first time, I asked whether:

“...any senior government officials were under investigation for possessing...”—a prohibited firearm—“...who from the TTPS approved the

permit for this, and who was a dealer who imported this...firearm and sold it to the official.”

And is there any investigation with respect to any senior government official? If this is so, then this proposed gun amnesty aimed at helping senior government officials, senior TTPS officials and the dealer, this will be a way for them to escape prosecution for possession of a prohibited firearm.

Now, we see the AG under legal threat, has been forced to capitulate on this matter, as detailed in the daily newspapers last week, *Express*, 10<sup>th</sup> January, story by Anna Ramdass:

“AG’s Office: Gun amnesty not in place  
Challenge to Regulation 11...”

There is no operational gun amnesty...”—that article tells us—“...under the SoE...

This was articulated by the Office of the Attorney General in response to a pre-action...letter initiated against the AG and National Security Minister, challenging legality of Regulation 11 under the...”—recent—“...Emergency Powers Regulations...”

*Guardian*, 10 January, 2025, Derek Achong:

“AG’s Office admits: Gun amnesty not in effect under SoE”

And then the quotation there, *Newsday*, 09 January, 2025, Jada Loutoo:

AG—“...admits: SoE gun amnesty not in place”

And the quotations of what the story carries are:

“The chamber director of the Attorney General’s Secretariat...gave this assurance on January 7 to attorney Gerald Ramdeen.

Ramdeen issued a pre-action...letter challenging Regulation 11, which provides immunity from prosecution for individuals surrendering firearms, ammunition or explosives during a prescribed amnesty period.”

**7.30 p.m.**

So you see, Madam Speaker, this entire fiasco is the norm for this Government and the AG. As I said, we gave the AG a bligh, because this was done under Acting Attorney General, Port of Spain North/St. Ann's West, who today came to say he wanted to educate us and read law. Well go back and read the law and tell us how you got this into place—

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

**Mrs. K. Persad-Bissessar SC:**—and why did you put this into place when this is clearly a trespass, a fettering of the roles and functions of the DPP? So, as it stands, if you surrender a firearm, you can face prosecution under the Firearms Act. There is no amnesty. Regulation 8 of the regulations—although the regulation is part of the Emergency Powers Regulation, it is in not yet active, according to the Office of the AG. The amnesty can only be triggered when the Government prescribes a period for surrendering a firearm. However, the Office of the AG confirmed that no such period has been defined.

Now the media reports suggested an active gun amnesty. All its rewards are therefore misleading and could be detrimental to public safety. Individuals might believe they are immune from prosecution, to come in, to surrender a firearm. This is not the case. Let us make that very clear. Anyone surrendering a firearm could still face prosecution under the Firearms Act or Regulation 8 of the Emergency Powers Regulations.

Now after all of this, the Minister of National Security was forced to comment.



Guardian, January 13<sup>th</sup>, 2025, Jensen La Vende, today's paper:

“Hinds”—Well, the Minister— “says Govt won't be pursuing gun amnesty policy.

Despite having a gun amnesty as part of...regulations, National Security Minister Fitzgerald Hinds says it was never Government policy.”

So, how did it get in there?

**Hon. Member:** “Hmm.”

**Mrs. K. Persad-Bissessar SC:** Port of Spain North/St. Ann's West, how did you put this regulation there, which is so clearly, clearly, in breach of everything? I ask again, is there any serious investigation into any government official holding a prohibited weapon illegally? Or, is it a bligh to allow such an official to come and hand it in and disappear? I think there is some story recently about some official who handed in a gun. Is that still under investigation? I cannot say. A prohibited weapon.

**Hon. Member:** Some young man.

**Mrs. K. Persad-Bissessar SC:** Someone—might have been a young man. Yes, it might have been a young man, who handed in a weapon at some venue. But there was no amnesty then. I ask again, is there any investigation into any senior government official who would fall into circumstances envisaged by this Regulation 11?

Madam Speaker, what are we extending? Yes, we are extending these regulations. I dealt with Regulation 11. And just like that pensions Bill or so, which is still on the Order Paper, even though the Government say withdrawn, withdrawn, it is still on today's Order Paper. No attempt has been made to withdraw it in accordance with the process. I am asking that this regulation be amended and remove this there, because you are giving powers that do not belong

to whom roles and functions do not constitutionally belong, and further you are setting up people for prosecution.

Notwithstanding, Madam, we have several other regulations that we are now attempting to extend into this three months. I recall the last time we were here in 2011, with extending states of emergency and so on—I think it was the Member for Diego Martin North/East, who was adamant that the extension should not be for three months, that is should be—come back in one month and give us a review. Let there be a review. You are taking away several very strong powerful constitutional rights for three months forward, and there is no review. Member for Diego Martin North/East, spent a lot of time saying, “Look, take one month, come back. Let us review it. Let us see what is working, what is not working, what we need to amend, and what we would take away, and what we need to had”.

Today astonishingly, the Member for Laventille West, 14 days later, he now comes to tell us—They all spent time here and elsewhere, supporting their policy position, no curfew, no curfew. Hey, this thing is great. No curfew. We are not restricting people. No curfew. And then, the Member for Laventille West comes to tell us, to consider putting in the regulations matters relating to curfews. What is the position of this Government on that? What is his own position? Has it been discussed or is that just pelted out here today? As a parent calling—great, we love parents, many of us are parents. What is the thinking of the Cabinet? Has it been discussed with the Cabinet? Does any other Member of the Government—is any Government Member aware that the Minister of National Security is now proposing a curfew? After you all stringently, adamantly—

**Hon. Member:** [*Laughter*]

**Mrs. K. Persad-Bissessar SC:**—said no curfew. No curfew. So I would like to hear some answers on that.

As we move along, again the Member for Diego Martin, North/East—one of the regulations here that we are extending, is to give defence force persons to help in this period of State of Emergency and again—

**Mr. Lee:** To help the police.

**Mrs. K. Persad-Bissessar SC:** “Um hmm”, to help the police. Yes, so this regulation here now was there in the 2011, regulations, repeated here. The Minister of Finance, then and now, whilst he was in Opposition, he had a problem with Members of the Defence Force being given powers of arrest. I quote from the *Hansard*, 3<sup>rd</sup> September, 2011. You know they say be careful what you say, it will come back to haunt you.

**Hon. Members:** [*Laughter*]

**Mrs. K. Persad-Bissessar SC:** So, Minister, Diego Martin North/East, this is what you said. Very strong. Very adamant.

“Mr. Speaker, military men are trained to kill and that is the difficulty when you put the defence force on the streets and you give them powers of arrest.

“Nowhere in the training of someone who is a member of the armed forces in Trinidad and Tobago is there any training with respect to the whole concept of service. You see”—the Member said—”when you look at the motto of the police service, the motto is to protect and serve, and when policemen are trained, they are given basic training on how to interact with our citizens and how to respect the fundamental rights and freedoms of citizens, but army men are not trained in any such way.”

So, yes that was their position then. In 2025, they have no problem whatsoever for this.

**Hon. Member:** “Um hmm.”

**Mrs. K. Persad-Bissessar SC:** The Member for Diego Martin North/East, on an issue with the impact of travel advisories against T&T, when he said again *Hansard* 3<sup>rd</sup> September.

“What the Minister of National Security does not understand or pretends not to understand is that a number of countries have issued travel advisories on Trinidad and Tobago...”

Are you not concerned about that now, in 2024/2025, hon. Member?

**Hon. Member:** All of a sudden.

**Mrs. K. Persad-Bissessar SC:** All the travel advisories are out there. In fact, we made international news across the globe. Even when we won Miss World and Miss Universe, we did not feature in all places across the globe. As a country—we are being the seventh highest murder rate.

**Hon. Member:** “Um hmm”

**Mrs. K. Persad-Bissessar SC:** So, we become famous around the world, due to the State of Emergency. One article in the United Kingdom talked about heaven and hell. Trinidad placed heaven and hell, seventh, when we come to most dangerous places for national securities.

So, now we have a number of countries who issued travel advisories against us. The difference is that, now we are—as Member for Oropouche East, shared with us, election season and we are also in Carnival mode.

**Hon. Member:** Carnival.

**Mrs. K. Persad-Bissessar SC:** Carnival mode. And concerns have been raised by stakeholders as to how this SOE will impact.

**Hon. Member:** “Um hmm”

**Mrs. K. Persad-Bissessar SC:** Already there are stories coming out of Tobago, two cruise ships, they are not docking, because of this SOE. At this time, you

know, Minister of Finance and the country needs forex. How is this going to impact on those other matters? That is why you see we can probably review this in a month's time and see where we are going.

**Madam Speaker:** Member for Siparia, you have two more minutes of original speaking time left. You are entitled to 15 more minutes to wind up your presentation. Are you going to take the extended time?

**Mrs. K. Persad-Bissessar SC:** Yes, Ma'am. I thank you very much.

**Madam Speaker:** Yes. Okay. May I just call on the Leader of the House?

### PROCEDURAL MOTION

**The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis):** Thank you very much, Madam Speaker. Madam Speaker, in accordance with Standing Order 15(5), I beg to move that this House continue to sit until the completion of all the business before it.

*Question put and agreed to.*

### Extension of State of Public Emergency

#### (Period of Three Months)

**Madam Speaker:** Member for Siparia.

**Mrs. K. Persad-Bissessar SC:** Thank you, Madam Speaker and Members of the House. I return to a point I had raised a bit earlier, but just to expand on it a little more. It deals with Regulation 22, which gives the Defence Force, the same power as a police officer, regarding search arrest and detention. In 2013—I think mentioned was made of it before. The then Government, which I led, introduced a Miscellaneous Provisions (Defence and Police Complaints) Bill, 2013, to give the Defence Force powers of arrest. Then, in Opposition, the Member for Diego Martin West, rejected the Bill and it quoted in the Trinidad *Express* on the 11<sup>th</sup>

March, 2013 as follows. Then Opposition Leader, present Member for Diego Martin West, said:

“...the Government has come with a one-clause bill to create ‘soldier police’. He said PNM said ‘no way’. He said the act was not about giving precept powers to soldiers. ‘Under the current law the Commissioner of Police can precept anybody he thinks is fit.’”

Still quoting from this story.

“‘The law as it stands, can allow that precepting,’ the PNM leader stated. He said the Government which started out with the argument that the bill would precept 1,000 soldiers had now brought to Parliament a law which gives soldiers the entire powers of the police. He said soldiers will have the right to detain persons, to search them etc, with that power being directed by the Minister.”

Continuing from the hon. Member’s words:

“‘Soldiers will now have police powers without the protection...’—existing—“...in the Police Act, because soldiers fall under the Defence Act’, he said. He said while the police powers are accompanied by serious responsibilities on the part of the Police ‘that you the people can challenge in any court of law’, it was not so with the soldiers in the Defence Act”.

So what has changed?

**Hon. Member:** “Hmm”.

**Mrs. K. Persad-Bissessar SC:** Now you are giving these defence force persons the same powers as the police. What has changed? Why was it bad then, and why is it good now? How will you give the protections that you were so concerned about in 2011, how will those operate now, under your Emergency Powers Regulations? We have given also by regulation power to stop and search.

Regulation 9 gives police the power to stop and search any person on the street or public place. Also gives the police the power to cease and detain, firearm, ammunition, explosives. As my colleague pointed out, this is already in the law. This is an existing law under section 27 of the Firearms Act, giving the police officer the power, where he has reasonable cause to suspect any persons carrying firearm, ammunition and so on. The officer may search that person, may cease and retain any firearm, ammunition or pepper spray carried by that person, until such time as legal proceedings.

Now, this is not the only regulation that mimics or replicates matters found in existing law under the Firearms Act and others. This is not the only provision under the EPR. It is not the only one. There are several. My question will be, what happens then when you detain someone? Would you charge them under the EPR, the regulations? Would you charge them under the existing substantive laws, which were passed with the requisite majorities in this Parliament? Therefore there could be some level of confusion from the law enforcement officers who have to put into effect or carry out powers given to them under other law, the Firearms Act for example and under the regulations.

**Hon. Member:** [*Inaudible*]

**Mrs. K. Persad-Bissessar SC:** 57. Thank you. So, I asked that question—again, we have preventative detention under regulation—sorry. Preventive Detention, this year the regulations provide for the Minister of National Security to make an order for Preventive Detention, directing a person to be detained and the grounds of his detention—but this detention is not automatic detention for an indeterminate period.

**Mrs. K. Persad-Bissessar SC:** Here the tribunal now will be supervisory to review detention.

**7.45 p.m.**

If there is any information to justify a detention, it can be reduced into affidavit evidence, submitted to the court and apply for ex parte order.

So, again, there are provisions that we can look at. The one I have a serious problem with is when it comes to bail restrictions, and so on, where it is under the existing law, that famous infamous Anti-Gang Act. You all remember that?

**Hon. Member:** “Um-hmm. Um-hmm.”

**Mrs. K. Persad-Bissessar SC:** We were bullied and we were threatened. We had to pass this, and we did pass it. We gave the special majority to pass it.

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

**Mrs. K. Persad-Bissessar SC:** We gave it and then it lapsed. There was a sunset clause. It lapsed; it had to come back.

At first, on our side, we did not support it, and then, eventually, I wrote to the hon. Prime Minister and I said, “Listen, the crime situation is really bad, let us see if we could find a way. Let us work together and bring it back, even though we would bring it back within a period when it should not have been brought back.” We said, “No, we are willing by consent to bring back that Anti-Gang law and let us pass it.” What we did, is we proposed amendments, which were accepted and we were therefore able to pass that Anti-Gang Act.

But I will never ever forget the words of the hon. Member for San Fernando West when we were debating that Act, that Bill. He said, “We know who they are. We know the gang members. We know their names. We know where to find them. Just pass this and let us get along with it. We would pick them up.” How many have been picked up since then? Tell us. None.

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

**Mrs. K. Persad-Bissessar SC:** So you have stronger powers under the Anti-Gang



Act, but you bring lesser regulations here to deal with bail restrictions, and so on.

If arrested under Regulation 14, charged with an offence, if released will be likely to incite or engage, and so on. The Bail Act, again I say, which we supported—not just the Anti-Gang Bill, the Bail Act we supported with a special majority. You know, if I remember correctly, we supported over 37 pieces of anti-crime fighting legislation in this Parliament.

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

**Mrs. K. Persad-Bissessar SC:** Over 37 pieces of legislation to fight crime. So that Bail Act of 2023 already makes provision for the denial of bail in many circumstances:

Where a person is charged with an offence or possession of firearm, ammunition with a pending charge, or commits an offence with the use of a firearm, they can be denied bail for a period of 180 days—180 days denial or up to one year.

So you already have strong provisions. Under the current Bail Act, again, which we are saying we supported:

A person can be denied bail for a period of 180 days or up to one year where the person has a previous conviction.

I think the words were mentioned of the “revolving door” and the “repeat offenders”, and so on. Yes, those were some of the things that we dealt with. You know, I recall in the 2011 debate, then Opposition Leader, the Member for Diego Martin West, regaled this Parliament as to why we should not have that SOE. We should not have it because, the hon. Member told the House, there was a special committee set up of Members of the House. The vote of this House of Members on each side, a joint select committee, and they recommended to bring the Anti-Gang Act, I believe, and the Bail Act.

Well, you have now passed the Anti-Gang Act, so why are you coming for the SOE? This is what was recommended by Members of this Parliament in a joint select committee, and really spent a lot of time saying, “There is no need for the SOE”, because you have this piece of law already passed, the Anti-Gang Act. But, hon. Prime Minister, you also have that Anti-Gang Act with modifications and amendments over the years, then tell us, why are we not using that Anti-Gang Act? Well, that was the comment. That was the reasoning in 2011.

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

**Mrs. K. Persad-Bissessar SC:** Use the Anti-Gang.

As I close, Madam Speaker, I say in conclusion, I say to the Government, if I were you, I would feel very foolish, having ranted about my proposal, our proposal in 2011, and my proposal at the start of last year, January last year. You know how many lives of those 625 could have been saved if we had taken that step then to come now and admit in effect that we were right all along to call a State of Emergency?

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

**Mrs. K. Persad-Bissessar SC:** You know, the public, some of the public, see you as a joke to be kicked out of office or voted out of office for inflicting nearly a decade of death, destruction and disaster on our country. I say to you, I will not object to these Motions, but I do not believe they will succeed, because nothing this Government touches succeeds.

They are the embodiment and architects of chaos, destruction, death and desolation. I say again, the only way to bring real change and restore safety and security to T&T is to vote the UNC into office. The UNC Government has a comprehensive, actionable plan to combat crime. We will not hide. We will not fail. We will act.

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

**Mrs. K. Persad-Bissessar SC:** Today, I call on all right-thinking, law-abiding citizens to join with us in the upcoming months and ensure we vote out this incompetent Government so that we can give our children a better future. We can give them a sense of hope and we could give them a fair chance. We can give them peace, safety and security.

Many years ago, Madam Speaker, in a budget debate, I said, “Give me the hammer and I will nail up the bandits. I will nail up the criminals. I will nail up the corrupt ones.” When the country gave us this opportunity in 2010, we steered our country through the best period of prosperity,—

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

**Mrs. K. Persad-Bissessar SC:**—success, progress, development and peace, and security in our recent history.

In the next five years, we give citizens the assurance that we in the UNC will banish the blight with darkness, death and despair brought on by this incompetent Government and restore our great nation to a place of peace, progressiveness, prosperity and happiness. I thank you, Madam Speaker.

**Madam Speaker:** Member for San Fernando West.

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

**The Minister of Rural Development and Local Government (Hon. Faris Al-Rawi SC):** Thank you, Madam Speaker. Madam Speaker, I rise to join in supporting this Motion before us. We have just heard from the Leader of the Opposition speaking really, essentially, to the vires, the constitutionality, the legal effect of the regulations. May I remind, Madam Speaker, that we are dealing with Motion No. 2, and Motion No. 2 comes from the supreme law of the land; it is the Constitution. It is specifically that we are considering, after the proclamation of a

State of Emergency, as it happened on the 30<sup>th</sup> of December, that within the constitutional prescription, that 15 days after that, we must now debate whether there should be an extension of the State of Emergency for a period not exceeding three months to be taken by a simple majority vote.

We are not here to debate the regulations which exist. We may be guided by some of the submissions coming from Members opposite, but I wish to address some of those raised by the Leader of the Opposition to present a case as to why those submissions are not relevant. In fact, it was the hon. Member for Tabaquite, whom I pause to wish happy birthday as well.

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

**Hon. F. Al-Rawi SC:** It was the hon. Member for Tabaquite who really said what I consider to be the most material contribution coming from Members opposite. “Show us the reasons why this should be extended. What measurables are to be put into place?”, and the hon. Member said that, “There would be a listening ear and no doubt a vote when it comes.”

So let us focus on why we are here. We are here pursuant to the Constitution. We are here pursuant to the emergency powers, and “emergency powers” are to be found under Part III of the Constitution, “Exceptions for Emergencies”, section 7, section 8, which deals with the “period of public emergency”. “Extension of Proclamation”, that is dealt with under section 10 of the Constitution. Now, Madam Speaker, all of that said and done, the hon. Member for Siparia raised a few interesting points, which I hope to go through quite quickly; not to extend this debate more than it has.

The context of this debate is that we take note of the previous debate. We cannot revive it, but I would just like to say that the hon. Prime Minister, the Member for Diego Martin West, the hon. Member for Port of Spain North/St.

Ann's West, the hon. Attorney General, the Minister of National Security, they have all spoken. I adopt all of their submissions. I commend them to your attention.

The Leader of the Opposition, the Member for Siparia, took issue with Regulation 11 on gun amnesty; took issue with the supposed collision with section 90 of the Constitution, that is the DPP. The hon. Member took issue with Regulation 21, which deals with the powers of the defence force. The hon. Member asked about issues concerning the Anti-Gang law. The hon. Member spoke about the Bail amendments. So permit me to go into a few of these areas. We are very well assisted, Madam Speaker, by the judgement, because the hon. Attorney General put us into the full version of that judgement, following up on the Leader of the Opposition.

But let me, for the purposes of this debate, not in revival, but for the relevance to this debate refer you to Civil Appeal No. S.003 of 2018, Claim No. CV 2015-00892. That is the *Elie, Earl v The Attorney General of Trinidad and Tobago, Mohammed, Ashmeed v The Attorney General of Trinidad and Tobago, Pitilal, Dominic v The Attorney General of Trinidad and Tobago*. This judgement is particularly useful because it traverses what one needs to have on the record to allow a State of Emergency, because the consolidated appeals which came from the judgement that was being considered by Madam Justice Mira Dean-Armorer, as she then was, the court was invited to consider whether the circumstances for the existence of a State of Emergency were satisfied. That is relevant to today.

Why extend the State of Emergency, obviously it is axiomatic. The first reason to extend it is that it is legitimate. In saying that it is legitimate, the President—In a previous Motion, we considered a statement, but today, that Motion having passed, all I need to say, in accordance with the Court of Appeal's

decision, produced by Mr. Justice Mendonça, now retired, backing Madam Justice Mira Dean-Armorer then, was quite simply that you have to look to the evidence prescribed by the President, set out special reasons pursuant to the Constitution that there existed effectively at a particular time. That is in the end of December 2024.

The State of Emergency proclamation has told us in reasons today that there existed a serious situation, addressed by then acting Attorney General, the Minister of Energy and Energy Industries, and the Minister of National Security after a Cabinet meeting, after a National Security Council meeting, where specific evidence was put on record that there was an imminent reprisal circumstance in gang activity, which caused the trigger of a State of Emergency. That is on the back of general crime statistics. That State of Emergency, and the reasons offered by the President, which flow into this debate today, the first reason for its extension is very similar to the circumstances created in 2011, which were the subject of this decision by the High Court and Court of Appeal.

Effectively it said, “You must look at the evidence before the court”, and the evidence before the court that is relevant to today is what is the evidence before the country. There is no inconsistency between the Minister of National Security and then acting Attorney General, because they were both speaking to the very relevant issues as to a State of Emergency. One, the state of the country and where we were and what we are dealing with, and if you look to the reasons of His Excellency George Maxwell Richards back in 2011, it is the exact groundwork that was laid out in the statement of the President then. And two, that there arose from that situation, something which the acting Attorney General had done so commendably in a public press conference, a circumstance of events of reprisal activity that required a proclamation of a State of Emergency. So, first reason, to the hon. Member for Tabaquite, why extend the State of Emergency, is that the

circumstances exists.

We are now 15 days into the State of Emergency. We have been asked by Members across the floor, “Tell us statistics. Tell us particulars.” Madam Speaker, there is something called the law against “tipping off” in a series of laws that says that you cannot, as a Member with knowledge of the prosecution and the investigation of an offence, you cannot speak to certain things unless you trip the law of “tipping off”. Even here in the Parliament, we are bound and constrained by that law.

What we are obliged to do is to continue to act to give law enforcement an opportunity to act and to have the results of it measured by what the Constitution prescribes as safeguards. The safeguard, the second reason for supporting the State of Emergency, is that there are safeguards in the Constitution, one of which we are exercising right here today. We are in a public debate in the people’s Parliament under the privilege of the Constitution, section 55, talking to the reasons for extension.

**8.00 p.m.**

In this particular circumstance, Madam Speaker, the leading judge in the Court of Appeal, the President of that court Acting, Mr. Justice of Appeal Allan Mendonça, set out for us—have a look at the evidence. Now, Madam Speaker, in looking at the evidence today, in seeing that we cannot speak specifically to what the evidence actually is, what we can say is that there have been arrests, that is in the public domain; there are active investigations, that is in the public domain; the people of Trinidad and Tobago have a live conversation about the need to feel safe and the need to have things going. We are seeing those results and that evidence will come, but the safeguard of the Constitution, reason number two to extend the State of Emergency is that, as the hon. Minister of Energy and Energy Industries

put on the record, there is a tribunal established, led by three leading silk, there is in that tribunal, the power to be heard there, Madam Speaker. Justice of Appeal Mendonça mentioned all of those factors in his judgment.

The other safeguard is that you must come with a periodic review in the Parliament. Whilst you can come with simple majority today for an extension beyond 15 days, if you move beyond three months, there is another opportunity by simple majority but at six months, you need two-thirds of both Houses of Parliament to get an extension of any State of Emergency.

Now, it is true, as the Leader of the Opposition put it, that the State of Emergency provisions, if you go to the Constitution, the Constitution specifically reflects upon how a State of Emergency will derogate against section 4 and section 5 rights. Those are the enshrined rights in the Constitution. The judgement in the Earl Elie case very helpfully tells us that there are sections 4 and 5 rights; the right to liberty, the right to your freedom of movement. In section 5 we are talking about being denied bail, et cetera. There are sections 4 and 5 rights but when you look to the Constitution, it specifically allows for a derogation away from those things. The question as to whether you can actually take away or limit those rights is viewed and expressed by the Court of Appeal. They held on to the judgment of Suraj, which held on to the judgment of Suratt. They said you must look to the proportionality of what you are doing; number one, is there a legitimate aim in having a State of Emergency? The President has been satisfied that the State of Emergency gang reprisals of the nature that we are seeing is a legitimate aim, public safety is a legitimate aim. Allowing the effect of it to operate, there is a wide berth given to the Executive for national security, to measure those interests.

Two, is the aim rationally connected with a purpose? And the answer to that is to be found by the very submissions I just made on number one.



Number three, are you going any further than you need to? You look to the Constitution. The Constitution says, three days; 15 days; come to the Parliament and debate it publicly, get a simple majority on it; Members of this House assembled. If you want to go beyond three months you can, on one more occasion, after that, you need two-thirds of both Houses of Parliament to say yes. The Constitution says you have a tribunal to review matters. The judgment of Earl Elie very usefully tells us that you cannot just arrest people on suspicion and if you look to the damages awarded by the Court of Appeal, that aspect which was upheld, the position was, you can have State of Emergency regulations, you do not need to go any further than the evidence put before by the President's Proclamation and in that case, fortunately, there was a decent public servant who became Minister, his name is Minister John Sandy, he gave an affidavit—and let me tell you my personal knowledge of this.

Madam Speaker, I was Attorney General at the time, this case of Earl Elie came up, the Pitilal case, and the Ashmeed case came up as well. Madam Speaker, in defending the State in the civil litigation brought against it, Member for Port of Spain North/St. Ann's West and I, we were together at the Attorney General's office. We were battling with defending the State because we were exposed to damages. The Government had just changed. In December 2015, Senior Counsel Acting for the State, Mr. Russel Martineau said, "We need evidence to defend the State". So, as responsible Ministers because we worked in tandem, the hon. Member and, I, Madam Speaker, we wrote to the two people who spoke publicly and at length, the then Prime Minister in the period of the State of Emergency, the Member for Siparia and the then Attorney General Anand Ramlogan. The sole response we got from the Member for Siparia is on a Leader of the Opposition letterhead, dated November 14, 2015:

Mr. C. Charles

Chief State Solicitor Cabildo Chambers

Dear Sir,

I make reference to your letter dated November 9th, 2015 in the Earl Elie the matter—and citation is given. Please be advised, I have only received your letter on Friday 13<sup>th</sup> November. Therefore, I have not been able to properly peruse the document or seek legal advice. Please be guided accordingly.

Kamla Persad-Bissessar SC

Leader of the Opposition

Despite repeated attempts to get evidence from the hon. Leader of the Opposition, in defending the State in claims for damages, as called in a State of Emergency brought by the Leader, where we were told that this was going to make things look like a Christmas party, it was so bad, it was so severe, the Leader of the Opposition, the hon. Member, Senior Counsel, refused to give evidence in the State's defence; downright refused but that was not all. Listen to the response coming from the Member, who was then the Attorney General and I read from a letter from Anand Ramlogan, SC, 4<sup>th</sup> day of December, 2015, again, written to C. Charles attorney-at-law, Chief State Solicitor Acting at Cabildo Chambers in the same matter, Earl Ellie:

Thank you for your letter dated 9<sup>th</sup> November, 2015. The delay in responding is regretted. However, my court schedule was quite hectic. The intelligence and information which prompted the declaration of the State of Emergency, concerns sensitive matters of national security. Section 30(4) of the State Liability and Proceedings Act authorizes the Attorney General to protect the State and public in such circumstances by issuing the relevant certificate. This is obviously necessary in a case such as this.

**UNREVISED**

Unfortunately, I cannot usefully add to the evidence of the—then—Minister of National Security in this matter. Please be guided accordingly, Anand Ramlogan SC.

Madam Speaker, for the record, the State Liability and Proceedings Act section 30 under Part IV:

“Miscellaneous and Supplemental Miscellaneous”

—section 30 says:

“Without prejudice...”

—I am going to the direct subsection—

“...to subsection (2) any Rules made under for the purpose of this section shall be...as to secure...the existence of a document will not be disclosed, if, in the opinion of the Attorney General, it would be injurious to the public interest to disclose the existence thereof.”

So, the Attorney General at the time of the State of Emergency in 2011, basically said, seal the documents do not tell the public. I am not giving you the evidence. The Leader of the Opposition, then Prime Minister refuses to give evidence and it is a civil case. Thank the Lord God for His mercy in the respectfulness that John Sandy had for this country to stand up and give us evidence because if you read the Court of Appeal judgement in Earl Elie, it is only the statement of the President and the statement of, then Brigadier General John Sandy, as the Minister of National Security, his affidavit evidence, that allowed the State, along with six other affidavits of lesser individuals from the prisons and other bits, to give us a chance to defend the State, as we had partial success in the Court of Appeal and had success in the High Court. It has now gone to the Privy Council.

I am raising this in the context of, why extend the State of Emergency? The law tells us now, in summary, you have the reasons of the President, you have the

specific circumstances, you have the proportionality tests for sections 4 and 5 rights and what are those? Dealing with bail, arrests without bail or immediately being brought before a Magistrate, et cetera. The writ of habeas corpus, for those who do not understand that, the right to go to the High Court, specifically and immediately to challenge why you are there. Bring the body—is what habeas corpus means—to the court.

In those circumstances, Madam Speaker, by way of comparison, I am now addressing the submissions of the person who told us “Doh listen to the Government”. My submission on the character of that contributor is to be judged by the evidence that when in times of need, you cannot rely on the Member for Siparia to give you any assistance at all, in defence of the State. The hon. Member was very forthright, one could say boldfaced, to tell us that the UNC Government would return power and stability to this country. The Member for Oropouche East made a question, “Well, how come you have a State of Emergency in an election year”? Really?

A State of Emergency is confined to whether it is an election year or not? I return the question, after you had your State of Emergency in 2011, how did LifeSport happen? When LifeSport happened and it spawned murder, mayhem, it spawned corruption, I put the country upon notice that there are Members and persons associated with the LifeSport scandal that are now seeking high office in this country and have serious questions to answer to law enforcement authorities. I say no more, lest I am guilty of tipping off but I do not say those things lightly at all, Madam Speaker.

Madam Speaker, when we are looking at the Regulations as a flavour to whether we extend the State of Emergency, as we are doing now, and we come to the Leader of the Opposition’s submissions, let me jump to the other aspect of

submissions that she has made. The hon. Leader of the Opposition says that in effect, an aspect of the Regulations is unconstitutional. It is not the first time I have heard the Leader of the Opposition make submissions on regulations. The Leader of the Opposition, when we were doing life-saving regulations—and let me say this publicly, the hon. Minister Prime Minister chaired us during COVID and we had an SOE and we had regulations, then, during COVID, the Member for Port of Spain North/St. Ann's West, the Member for St. Joseph and me, then acting in the capacity that I was, the three of us spent night, day; night, day; midnight. The hon. Minister of National Security then, the Member, now the Minister of Energy and Energy Industries, we drafted from our heads, line by line, regulations—line by line—novel regulations that did not even exist in this Commonwealth.

We were at each other constantly, debating the propriety of things. We had heated arguments. We had great arguments. We were reflecting on it just the other day. Thank the Lord God for the Member for Port of Spain North/St. Ann's West, the Member for St. Joseph and the hon. Prime Minister who allowed us to do the hard work and backed us all the way with the technocrats. Madam Speaker, I am raising it in the context that it was the Member for Siparia that took us to court. It is now Attorney General Reginald Armour, Sen. Armour, who was retained by the State and worked with a team of competent attorneys to defend this country in attacking the Regulations which were saving lives, Madam Speaker, and the hon. Member wants to tell the nation, "Doh look at this team and their ability"? Madam Speaker, that is what the Member is saying? I am proud to be a Member of this team any day, any time, all the time, every time.

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

**8.15 p.m.**

**Hon. F. Al-Rawi SC:** Because when it is time to do the work, we will do the

work. And on these Regulations, Madam Speaker, the hon. Member came to tell us about regulation 11, gun amnesty. Madam Speaker, first of all, let me read regulation 11:

“No person who surrenders any firearm, ammunition or explosive during any period that...”

**Mr. Deyalsingh:** [*Inaudible*]

**Hon. F. Al-Rawi SC:** Sorry.

**Mr. Deyalsingh:** Twelve.

**Hon. F. Al-Rawi SC:** Eleven here.

**Mr. Deyalsingh:** Okay.

**Hon. F. Al-Rawi SC:**

“...during any period that is prescribed, and otherwise in accordance with an Order to surrender, shall be prosecuted under the Firearms Act or regulation for illegally purchasing, acquiring or possessing such firearm, ammunition or explosive prior to the time of such surrender or at that time.”

So it must be a prescribed period, meaning there is another step to bring this to life. You have to prescribe the period and it must be under an Order, and an Order is defined in the Regulations as something to be put on and in effect. And if you look at the context of an Order, it is defined, it is operationalized, it is Orders made under these Regulations, and the Commissioner of Police, the President must activate certain Orders. The Commissioner the Police has certain powers that flow.

So, Madam Speaker, let me just translate what I have just said into plain English. Regulation 11 is not an active, turned-on, operational regulation, Madam Speaker, it is, in fact, quite correctly a regulation which has not been applied and

put into effect. But, Madam Speaker, I would like to point out to you something else.

Regulation 11 is, in fact, a regulation which has a precedent, and the precedent for regulation 11, Madam Speaker, is to be found in an Instrument, Emergency Powers Regulations, 2011. It is, in fact, something which is Legal Notice No. 163, published 21 August, 2011, and listen to what regulation 12 of that 2011 Regulations says:

“No person who surrenders any firearm, ammunition or explosive during any period that is prescribed, and otherwise in accordance with an Order to surrender, shall be prosecuted under the Firearms Act or regulation for illegally purchasing, acquiring or possessing such firearm, ammunition or explosive prior to the time of such surrender or at that time.”

In other words, Madam Speaker, the precedent comes from the then Prime Minister of the Republic of Trinidad and Tobago, the Senior Counsel occupying the seat of Siparia in this House today, as that Member occupied the seat in 2011, under Attorney General, Anand Ramlogan, Senior Counsel, with esteemed lawyers from the State, paid high money for plenty briefs, including one Gerald Ramdeen who is now quoted today as the person prosecuting the constitutionality of the same regulation 11, which is not even in effect, so clarified by our Attorney General, Sen. Armour SC. Really, Madam Speaker?

And, Madam Speaker, the argument is—it is quite an interesting legal argument, you know. Effectively, the hon. Member is saying that regulation 11 offends section 90 of the Constitution. Section 90 of the Constitution is the discretion that the DPP has. It is entrenched by section 54 of the Constitution that says, you cannot amend section 90, but we are not amending section 90. The question is whether the regulation itself could survive in the face of section 90 and

that, in fact, is a legal debate, yet to be explored. There are parameters to be considered in that, there are arguments to be considered. I feel comfortable that our Attorney General, the Attorney General of the Republic of Trinidad and Tobago, has the ability, and capacity, and expertise to guide us very capably as a nation on that. But, Madam Speaker, in this country, how many of us received, repeatedly, the WhatsApp BBC link to El Salvador? We need to do like El Salvador, we need to go house to house and just lock up people like El Salvador, the inside view of the precedent of El Salvador creating a campus to detain people, Madam Speaker. You know who would be the first people in Trinidad and Tobago marching against the El Salvador precedent?

**Madam Speaker:** Hon. Member, you have two more minutes left of ordinary speaking time. You are entitled to an additional 15 minutes to complete your contribution.

**Hon. F. Al-Rawi SC:** Madam Speaker, I will take it.

**Madam Speaker:** Please continue.

**Hon. F. Al-Rawi SC:** Madam Speaker, so we are being given the entreaty to have El Salvador as the precedent. But, Madam Speaker, what if, and when—and perhaps when the Attorney General looks at this provision, taken quickly as he returned to the jurisdiction—I support the then Acting Attorney General, including this, on the advice of the CPC, on the advice of precedent, there are other precedents for it in 1990, et cetera, et cetera, Madam Speaker. It is there, it is elsewhere in the world, Madam Speaker, it could be activated after we amend the law, we could go and amend the Firearms Act. We can do lots of things, Madam Speaker, lots of things, but you mean to tell me in calling El Salvador as an example, Madam Speaker, that people in this country would not be very happy if a TIPS hotline was put on and money was given for information for the return of



weapons?

We are telling people to stop hiding firearms for people, because people are getting killed with them, Madam Speaker. Stop hiding—but what are you going to do with the firearms? Give it to a bandit, so it is safe there? Let the bandit come and collect it? Madam Speaker, common sense must prevail in this country, you know. At some point, we are going to have to agree, how to make the country work better.

Madam Speaker, I heard the Leader of the Opposition make some underhanded comment about some senior Government Minister handing over a prohibited weapon. We know none of that. But in case the hon. Member is talking about a Member of the Government returning a firearm that he lawfully possessed under the Firearms Act, with a FUL permit, and lodging it in a station, do not try to play smart today and confuse people that we are hiding anything for anybody, because everybody on this side of the House could defend themselves with the truth and with the law, Madam Speaker; all of us. So, Madam Speaker, there is no merit in saying that we cannot extend the State of Emergency Regulations today because one regulation, section 11, is not in effect.

Madam Speaker, the Leader of the Opposition jumped to regulation 20, which is the power to assist. Madam Speaker, one more reason for the Member for Tabaquite to support this. We are allowing the manpower of the State to be multiplied. Look at what and who can assist. The definition of police includes supplemental police, Municipal Police, SRPs, Madam Speaker, Special Reserve Police. Madam Speaker, regulation 20, which the Leader of the Opposition condemns—which, again, has exact precedent in the 2011 SOE Regulations, produced by the hon. Member for Siparia, then as Prime Minister, regulation 20, the hon. Member poured scorn on it, referring to the contribution of the Prime

Minister then, as the Leader of the Opposition, when we were debating what the country called the “Soldier Police Bill”.

The Members opposite brought law to say, Give the members of the defence force the powers of the police by themselves.” This is not what regulation 20 talks about. Regulation 20 talks about the defence force, if called upon to assist by the Commissioner of Police, can assist in the performance of duties. “Comitas” is well known in law as a concept in the common law since the 1600s. Subsection (2), it gives the members of the defence force certain powers of police but, Madam Speaker, the proportionality of this regulation is circumscribed by the fact that the SOE extension must be debated in Parliament at day 15, at month three, and if at month six, supported by two-thirds majority, all other occasions prior by simple majority. Secondly, the tribunal exists. Thirdly, the court exists.

But another reason for supporting these Regulations is that it strikes a balance between lives and livelihood, a lesson which we learned well under the Prime Minister’s guidance during the COVID pandemic, Madam Speaker, in allowing the freedom without a State of Emergency. And the Minister of National Security never said today, with any purpose or at any point earlier, that there will be a curfew, Madam Speaker. But in the conferences that the Acting Attorney General then and Minister of National Security had on the announcement of the State of Emergency and at all points subsequent, all rights were reserved. If the tempo has to be picked up and heat has to be brought, it will be brought, as is proportionate and measured in the circumstances, Madam Speaker.

Madam Speaker, the hon. Member mentioned the anti-gang law and the bail law and said the Member for San Fernando West—I had said when we were piloting that law, “We know who the gangs are.” Yes, Madam Speaker, but you need evidence to deal with them and the same Members of the Opposition blocked

the evidence amendments that I brought, that the Government brought, asking for witness anonymity. They say, “If you want to spill the beans on a gang member, stand up and say, I, Member for San Fernando West, I see that man and he is a gang leader.” They would not give the protection for witness anonymity; they would not support the whistleblowing legislation, which deals with crimes and civil offences; they would not support the bail amendments until they collapsed completely.

We had one-strike effectively, charge-charge—if you are on a charge and you come for bail and you get another charge, you cannot have bail. We cascaded back to the 1994 position on bail, with three strikes, and 10 years, and 20 years, Madam Speaker, they feel that nobody remembers the truth. Madam Speaker, applying the words of the hon. Member for Diego Martin West on another Bill to say it was a State of Emergency, Madam Speaker, it is just wrong, it is untruthful and it is deceiving the population, I believe, by intent.

So, Madam Speaker, we are in a battle against crime. The month of January has not been anything other than an epically different month. It is a month, just coming off of the back of December, that demonstrated a lot of courage to call a State of Emergency; to face the issues on the deck; to give the citizens of this country, literally, a fighting chance; to witness, unprecedented in Trinidad and Tobago, certain decisions of our Prime Minister, who I salute publically as being one of the most courageous people in certain decisions that he has made.

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

**Hon. F. Al-Rawi SC:** We have witnessed in month, the democratic process of this Parliament and the democratic process of political institutions, where glass ceilings have been broken that people said could never be broken in this country, and the Members opposite want to throw scorn and throw shade upon the democracy of

our party and our country?

Madam Speaker, in this debate on a Motion to extend the state of emergency for a period of three months from its date, you are witnessing a Government that has the courage to stand up and be counted, you are witnessing history in its making, Madam Speaker, and you are witnessing proportionate law brought before you, well within the Constitution. I fully support and endorse the extension of the State of Emergency. I am confident that the Regulations will be applied and that the police will go to work. We stand up today in extending, and supporting the extension of this State of Emergency, with a simple purpose: Let us give the people of Trinidad and Tobago a fighting chance at a better society because, Madam Speaker, there is still a lot for us to do and this is a good country with good people in it. We cannot allow a minority of criminals to take advantage of the majority of God-fearing, decent people in this country. I thank you for the opportunity to contribute, Madam Speaker.

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

**8.30 p.m.**

**Madam Speaker:** So just before I call on the Member for Couva South, I just want to remind all Members in case they have forgotten about the use of their phones and their phone cameras in this Chamber. Okay? Some Members may have forgotten that we have circulated a procedural bulletin about the use of cameras in the Chamber, and I want warn any Member whose has been abusing that today, that it will be dealt with severely if I find any pictures in circulation, it will be dealt with very severely. Member for Couva South.

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

**Mr. Rudranath Indarsingh (Couva South):** Thank you very much, Madam Speaker. The Member for San Fernando West ended his contribution or in

summing up his contribution he said that, there is the need for all hands to be on deck, and that the Government was in a battle against crime on behalf of the people of Trinidad and Tobago. In that regard, 10 years ago, we must ask, what did the Government promise? What they have achieved, and why we are here today? The truth be told, Madam Speaker, we are here today because we are in a state of crisis and the crisis is because of a lack of leadership and a lack of direction in tackling the issues that have impacted on the law-abiding citizens of this country for the last nine-plus years. That is the simple fact and that is the reality of where we are today.

This is further exemplified because my colleague during his contribution, the MP for Barataria/San Juan indicated that on the 7<sup>th</sup> of January, 2014, there was a CNC news report and in the 7.00 p.m. news the People's National Movement said and indicated that it had an overnight plan to fix the police service and crime on the whole. Madam Speaker, why have we lost the battle on crime? And not one of them on the other side in attempting to make a case for an extension of the SOE for another three months, has done any sense of introspection and apologized to the over 5,000 persons who have been murdered. Through their families, issued an apology and manned-up from a leadership point of view and admitted a shortcoming on the part of the Government as it relates to where they were, what they promised and where we are today and what they hope to achieve in the couple months before the next general election, which is due sometime before the end of the calendar year.

Madam Speaker, it is important from this side to put on the record because there seems to be a continued narrative to attempt to convince the population that the Opposition has been irresponsible in this Parliament. The Member for Siparia and all of my colleagues have not been responsible in understanding our duty

inside of the Parliament from a law-making point of view.

I want to, again, put on the record because the Member for San Fernando West in a subtle manner when he attempted to speak and focus his contribution on getting the level of support from the Opposition as it relates to crime fighting Bills and other pieces of legislation, the Member for San Fernando West attempted to create that sense of feeling to those who may be looking on, who may be listening that the Opposition has never given its support to this Government as it relates to crime fighting and the measures that are needed from a legislative point of view.

I want to remind the population again, that the Opposition through the Member for Siparia supported the Bail (Amdt.) Bill, 2017, and we made extensive amendments and recommendations. We supported the Government in the Miscellaneous Provisions (Mutual Assistance in Criminal Matters), the Miscellaneous Provisions (Proceeds of Crime, Anti-Terrorism and Financial Intelligence Unit of Trinidad and Tobago); Customs Control and Management (Amdt.) Bill, 2017, and again through our Bench we suggested and made numerous amendments in committee stage. The amendment to Administration of Justice (Indictable Proceedings) Bill, 2019; the Firearms (Amdt.) Bill, 2019. The Opposition support was not needed, but we still gave our support to it. Again, we gave support to the Civil Asset Recovery and Management and Unexplained Wealth Bill, 2019. Again, the Opposition support was not needed, but again in displaying our sense of responsibility in wanting to assist the Government in fighting crime, we supported the legislation that was before the House.

So, I want to put on the record for the umpteenth time that indeed the Member for Siparia and all Members of the Opposition will be responsible in discharging our responsibilities in this House whichever piece of legislation. Whether it is from a crime-fighting point of view, once it is in the interest of the

people of Trinidad and Tobago and it is good legislation, the United National Congress will indeed be on board.

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

**Mr. R. Indarsingh:** I want to make that absolutely clear here, Madam Speaker. In addition to that because we have reached the stage in the debate that I just want to clear up some positions that have been adopted by the Government during their respective contributions which is their right to attempt to put forward their case, but it is our right to rebut, and it is our right to correct what needs to be corrected, Madam Speaker. In this regard the Member for San Fernando West attempted to go to regulation 20 of the Emergency Powers Regulations, 2024 and he indicated which points to and it states:

“20(1) Notwithstanding any rule of law to the contrary, the Commander of the Defence Force established under the Defence Act, shall hold his forces in readiness to assist, and if called upon by the Commissioner of Police shall co-operate with and assist, and the Commissioner of Police in the performance of his duties under these Regulations.”—and so on, Madam Speaker.

The Member for San Fernando West, again, in his subtle way tried to point in the direction, “well, this was the solution for the manpower requirement in the fight against crime.” I think that was really being disingenuous, and the question which really has to be answered from the Government is, why has the Government failed in its duty and responsibility to recruit police officers in terms of the requirements that are needed? We have all heard about a manpower audit that was conducted into the Police Service of Trinidad and Tobago, Madam Speaker. And I have to ask, why in nine years, why in nine-plus years, we have not been able to get the necessary manpower requirements that are needed to fill the vacancies in

relation to ensuring that law-abiding citizens indeed will feel satisfied that we have the appropriate boots on the ground in relation to crime fighting.

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

**Mr. R. Indarsingh:** In addition, I have heard that joint police/army patrols are part and parcel of what has been unfolded through the emergency regulations and so on. I heard from the Member for Laventille West during his contribution about these joint operations taking place all over the country. I am the Member for Couva South and I have publicly made a call for joint police/army patrols that goes back even to 2016 and '17 in relation to the fight against crime. At one point in time I was told by the hon. Prime Minister and the Member for Diego Martin West that if I look in the constituency of Couva South between 2016 and '17, joint police/army patrols were indeed taking place and a number of streets were called out. Well, I want to tell the Government, up until today, I continue to look with a microscope through the streets of Couva South and indeed I cannot see any joint police/army patrols taking place in the constituency. Or by extension, I have colleagues with surrounding constituencies and so on, Caroni Central, Pointe-a-Pierre, Couva North and so on and they can bear me out indeed that there are no police/army patrols, joint police/army patrols taking place, Madam Speaker.

Madam Speaker, again we have been regaled by the Member for Laventille West about the successes of the SOE, and indeed that has been probably his main platform to advance the cause for the extension of the SOE here this evening. Madam Speaker, the Member for Laventille West during his contribution in attempting to focus us on the successes of the SOE, indicated that murders have been reduced by approximately 50 per cent. In addition to murders being reduced by 50 per cent, he indicated that serious crimes have also been impacted upon and so on.



**8. 45 p.m.**

Madam Speaker, from the *Newsday* article Monday 13 January, 2025, and I will paraphrase for the benefit of—

The Member for Laventille West praises SOE ahead of the Parliament debate, criminals on the run.

I want to tell the Member for Laventille West that indeed, if the statistics that he presented to the Parliament today gives him the impression that criminals are on the run, he must look at the statistics which prevailed in the comparative period of January 2023, and indeed criminals are not on the run. Probably, it is because criminals have gone underground, because of the SOE, and this is why their statistics can be pointed in that particular direction.

Madam Speaker if we—and I will not display in keeping with your continued ruling and guidance and so on. This Government has been on the run from criminals since 2015, and consistently over the last nine-plus years, and I will just refer to a couple of headlines, which will indeed tell me, and should tell all of them that an SOE should have been called way before, given what has unfolded in Trinidad and Tobago. Madam Speaker, the *Daily Express* Monday 15 July, 2024:

14 killed in bloody weekend—“Gunmen Run Amok”

And the sub-headline

Erla—“seven...gang...”—related—“...two drug-related, two robbery-related, three...”—no motive.

Again, Tuesday 9 July 2024:

“BLOODY MONDAY”—“triple murder...rock...Tobago”—

Carlsen Field home invasion: Son killed, father critical

And a sub-headline again:

Erla fails again on crime.

On 24 July 2024:

Mayhem in the city

A *Guardian* headline. The 9<sup>th</sup> July, Trinidad *Guardian*:

Tobago tragedy, four men gun down in revenge killing spree

And the sub-headline

Police are eyeing criminal sleeper cells.

And again, another headline from the *Newsday*, Tuesday 23 July, 2024

“Mother of murdered pregnant teen: Police scared of criminals.”

That leads me to the point, Madam Speaker, because we have heard from the Prime Minister during his presentation, during the course of today’s session, that criminals were indeed not criminal, but law enforcement officers, and specifically police officers were “afraid of criminals”, in terms of how they conduct themselves within the precincts, or within the compound of police stations and so on.

Madam Speaker, when a Government is elected, it is elected of the people for the people, and by the people, and it is supposed to reflect the will, and one of the things that I am sure that we can all recollect, in their respective manifestos, whether it was in 2010 or 2015, the then Leader of the Opposition went to the people, the Member for Diego Martin West.

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

**Mr. R. Indarsingh:** And all Members of the PNM sold themselves or marketed themselves, as the saviours to the people of Trinidad and Tobago. Whether it was crime fighting, law enforcement, employment issues, growing the economy, health, education, we could go on and on, Madam Speaker. Part of that being the saviour of the citizens of Trinidad and Tobago was to ensure protection for all law abiding citizens, and that protection extends itself to all law enforcement officers throughout Trinidad and Tobago. Whether you are off duty or you are on duty.

Today police officers, if they are indeed scared, and if they are locking up police stations, and they are taking their lights and so on, it is because of the lack of leadership that has not been provided, and at the end of day all of them, every Member of the Government has to take the responsibility for the sad state of its affairs, as it relates not only to crime fighting—

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

**Mr. R. Indarsingh:**—but the crisis, the overall crisis, that we are involved in.

When we stand to speak in a debate like this it is not that we take any sense of joy, we do not take any sense of joy, Madam Speaker, but we have to call a spade, a spade. And it is our responsibility as the loyal Opposition in the context of the constitutional framework of this country, to point out the shortcomings that we have observed in Trinidad and Tobago over the last nine years. Madam Speaker, I have not heard from any Member of the Government what has been, or what benchmarks have they used to guide us. Today is what? The 14<sup>th</sup> day and what benchmarks they have used as it relates to evaluating really the success—

**Madam Speaker:** Okay, so what I want to say is Member for Couva South, part of the challenge is when you come late in a debate, so that tedious repetition becomes a greater issue, when you come late in a debate. That ground has been traversed, already. So, let us get on to something else. Please.

**Mr. R. Indarsingh:** Thank you, Madam Speaker, and I am guided as it relates to your ruling, and I will move towards to the next point about the whole issue of the focus. The focus of the SOE has been on gang activity, or dismantling gangs, and we heard about the use of high calibre weapons and the threat that it would have posed to public safety, and so on, all good in its intent and so on. The Member for San Fernando West, in his contribution attempted to point in a direction that the Opposition was not forthcoming in its support, as it relates to assisting the

Government in relation to dismantling gangs, and addressing this issue of gang membership. And he pointed or he attempted to create, again, the perception that we did want to play our role, as it relates to supporting legislation when persons—

**Madam Speaker:** Been there, done that. You started off on that ground, and you listed several pieces of legislation. So, let us get on to another point. Please.

**Dr. Rowley:** [*Inaudible*]

**Mr. R. Indarsingh:** Yes, but I was going in the direction of dealing with the very fact that the Member for San Fernando West indicated during a presentation in 2017, that the Government had identified or was aware of 2,459 confirmed gang members, and indeed, the Opposition in some way would not have wanted persons to stand and give evidence against members of established gangs in Trinidad and Tobago. The point I wanted to make Madam Speaker.

**Madam Speaker:** I think you had better make that point very quickly because I do not recall it as much as you said, but maybe if you make the point very quickly, it might get me there. I do not recall hearing what you have said.

**Mr. R. Indarsingh:** Madam Speaker, I was relating to the whole question of the Witness Protection Programme, that was raised by the Member for San Fernando West during his contribution. That was the point.

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

**Mr. R. Indarsingh:** That is the point I was making in relation to the Witness Protection Programme because he attempted to berate Members of the Opposition for that. All I am saying that persons, it is not a non-issue because the Witness Protection Programme has collapsed under your Government. That is the issue.

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

**Madam Speaker:** Alright. Okay. Can I have a little silence please? Now, Member for Couva South, I am sure I was here for the entire contribution by the

Member for San Fernando West. I do not think I rose then. I am positive I did not rise then. I did not here any talk about the Witness Protection Programme. I am not going to allow you at this stage to widen the debate at all. There was no mention about the Witness Protection Programme.

**Hon. Members:** [*Crosstalk*]

**Madam Speaker:** If you want to respond to certain things of course, you are entitled to. If you want to make other points on the reason for the extension or not, you are entitled to, but we are not going onto the Witness Protection Programme. Yes?

**Mr. R. Indarsingh:** Thank you very much.

**Madam Speaker:** I have stopped you, so while I am on my legs let me just tell you. You have five more minutes of ordinary speaking time left, you are entitled—

**Hon. Members:** [*Crosstalk*]

**Madam Speaker:**—I really cannot hear myself. You are entitled to 15 more minutes to wind up your contribution, if you so wish, extended time. Yes? Are you availing yourself?

**Mr. R. Indarsingh:** Yes, Madam Speaker.

**Madam Speaker:** Please proceed.

**Mr. R. Indarsingh:** Madam Speaker, the issue at hand continues to be where we are in relation to assessing the SOE, and taking into consideration that an SOE indeed, cannot exist in isolation. What seems to be the Government's modus operandi in relation to seeking an extension has not being clearly brought out, or has not being clearly articulated here this evening. This is why we will continue to make the point that an SOE indeed, cannot exist in isolation—

**Hon. Member:** “In a vacuum.”

**Mr. R. Indarsingh:**—and in a vacuum. Because at the end of the day, we have to ask and will continue to ask, what will happen post-SOE in the context of the law abiding citizens of Trinidad and Tobago?

**Mr. Deyalsingh:** Madam Speaker, respectfully Standing Order 55(1)(b) that has been asked over and over.

**Dr. Rowley:** Tedious repetition.

**Madam Speaker:** In fact, again, that is part of the whole measurement argument that you were going along, that I said tedious repetition. So as I, say, that is the challenge of coming late in the debate, and I am sure if you look hard enough, you will find another angle to use your other 17 minutes.

**9.00 p.m.**

**Mr. R. Indarsingh:** Thank you, Madam Speaker, and as I said that where we are today is as a result of a neglect on the part of the people of Trinidad and Tobago, and, Madam Speaker, I am not in any way suggesting that it is easy to conquer or address the issue of crime, but in reality when you look very hard and fast and you do the appropriate measurements the PNM Government has clearly failed to address or to deliver on the issues that are affecting the people of this country, more so from when we look at the police service and the issue of vehicles.

**Madam Speaker:** All right, let us go on to something else, please.

**Mr. R. Indarsingh:** Well, Madam Speaker, I know that you have pointed in that but I know that issue was raised, and as the Member of Parliament for Couva South that is something that the police officers of the constituency in the context of the Freeport Police Station and also the Couva Police Station have continuously sought to engage me and ask me to address in the context of the parliamentary framework of Trinidad and Tobago.

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

**Mr. R. Indarsingh:** Because—

**Madam Speaker:** But you having admitted that it has been raised and having put the two police stations in your constituency on record, I will ask you to move on to another point.

**Mr. R. Indarsingh:** Thank you, Madam Speaker. Madam Speaker, the important issue again is that the way people feel as it relates to how the SOE exists in Trinidad and Tobago, and the jury who will be the final arbiter as it relates to this particular issue indeed will be the people of Trinidad and Tobago, and I simply want in my final minute or two to indicate what reflects the will of the people of this country, and in fact a letter to the editor from one Modicia Martin, and I just want to get the source right, the 30<sup>th</sup> December, 2024, was written to the *Trinidad Express*, “They should hang their heads in shame”, and it reads:

“These bright-eyed and bushy-tailed people waited until five people were murdered and one on Besson Street to have a news conference and to call a state of emergency—six people in two days and these people come now to do what they should have done months ago.

Our murders are over 620 in our little country, and the worst thing about it they knew what to do about the crime, but they refused to take action about the situation before it get out of hand. These people are so deceptive, they have no shame. Imagine Chicago, with a population of over two million people, is under 600 murders. They should hang their heads in shame. Everyone of them should just resign. Now when the horse is out the stable they have the audacity to talk. All the time people had been murdered, families in mourning in this country and not a word from them. Like cat got their tongues. Well, too late.”

I thank you, Madam Speaker.

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

**Madam Speaker:** Member for Naparima.

**Mr. Rodney Charles** (*Naparima*): Thank you very much, Madam Speaker. I know it is late in the evening. I see some representatives from Pan Trinbago, and we will be discussing an important item afterwards, so that I will be brief, very brief.

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

**Mr. R. Charles:** I would like to operate in a mood of assisting Trinidad and Tobago to pass the best legislation.

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

**Mr. R. Charles:** So as we consider the State of Emergency and the extension, we have already accepted, the Parliament has already accepted a State of Emergency, so we want to look at the reasons for the extension and how we can make it work better for Trinidad and Tobago. Madam Speaker, and I just want to say that there is no need to reinvent the wheel, that we could look at experiences globally and in the region. If we must have an SOE, then there are lessons to be learnt from our CARICOM neighbours. Jamaica for instance has faced similar security challenges and has implemented States of Emergencies in response. However, their approach has included clear timelines, included robust accountability measures and targeted community initiatives.

Madam Speaker, it is possible that we could look at whether we could have a national State of Emergency but target specific communities in a holistic approach. Jamaica Government has paired States of Emergency with comprehensive social programmes aimed at reducing poverty, creating employment opportunities and fostering community engagement. So we do not see this as a one-step-stand-alone, a crime suppression, a focus, but a focus that—I am using the term that they have



used, the question of an all-of-government approach to solving crime.

**Mr. Rambally:** A whole-of-government.

**Mr. R. Charles:** A whole-of-government. Their focus on improving police/community relations and investing in youth development programmes has showed measurable success in addressing the root causes of crime. Trinidad and Tobago must adapt to a similar multifaceted approach if we are to achieve lasting peace and security. I do not want this to be a one-step, a one-solution, and at the end of the day we revert back to the status quo ante. Madam Speaker, the question and how we could make this work for us? Why can we not examine what worked? And this speaks to a point raised by my colleague from Tabaquite, the question to have measurable indices to point out whether we succeed or not. If we succeed. If we succeed.

**Madam Speaker:** I was giving you some leeway because I thought you were going to try and craft it a bit differently, but from the time you made that reference you have committed the very infraction, but I was trying to see how much leeway, and that is tedious repetition. Okay.

**Mr. R. Charles:** [*Inaudible*]

**Madam Speaker:** Wait, we are not talking about measures again. We heard it from several people. You heard me stand up several times with Couva South. Okay, we are not going back there, and you have admitted it. You came late in the day, so.

**Mr. R. Charles:** The point, Madam Speaker, is you could use the successes in this State of Emergency, identify them and see how legislatively we can come to Parliament to prolong the benefit over a period of time—

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

**Mr. R. Charles:**—rather than it being for a specific three-month period or

whatever we agree to. The other question I want to raise, and let us be careful because I am hearing talk about the need for more police officers, and this flies in the face of the data. Trinidad and Tobago currently has 6,491 Trinidad and Tobago police officers, approximately 1,000, we heard that some recruited, some not, officers, 3,000 Special Reserve Police officers and many thousands of defence force officers to assist. Maybe we are looking at a total of over 15,000 persons involved in Trinidad and Tobago in dealing with crime. This is eight times more personnel per capita than the city of Toronto, and, Madam Speaker, this does not make sense. So when I hear the talk I want to warn my friends opposite, do not fall for the talk, the panacea, the false hope that if we get more officers that we will solve crime.

The city of Toronto with 3.5 million citizens has a police service of only 5,000 officers and their crime detection rate exceeds ours by over 500 per cent, and police are seen walking the streets, driving in cars, and even on bicycles, and therefore the question we have to ask is, what do we need more police officers for, is it a question of management? And I want as we get into the State of Emergency—

**Madam Speaker:** Again, I will ask you to move on, we dealt with resources, and remember while crime is part of this, this is not a crime debate, this is about extending the State of Emergency for three months. Okay? And not everything that is tangential is a matter of relevance for the debate. Okay? So I think we dealt about resources and making full use of resources, et cetera, et cetera, let us get on to something really novel at this stage, please.

**Mr. R. Charles:** Yes. Thank you very much, Madam Speaker, and the last point I wish to raise is the question of the SSA and the better utilization of it in the State of Emergency. Not only should we have it working but we should be monitoring

carefully to see whether we are getting value for money with the SSA. The question of the cause, the reason why we are here today is because they say that there are gangs and there is the possibility of retaliation, and my view is that if we had a properly functioning SSA they would have been able to monitor it. It is not 10,000 people. Monitor the communications, infiltrate and know what plans they have to retaliate, and if we knew the plans they have to retaliate, perhaps we might not have to be here today because that is the reason.

Now, the question I want to re-emphasize, I have said repeatedly on 43 occasions, 23 in this Parliament, that we need to review the SSA, and as I close I want to make the point very carefully that we are spending \$300 million a year, plus, on an agency and I do not think we are getting value for money. So, we could have a State of Emergency and if we do not do the things, and I know we do not want to be tangentially involved, as you say, but the question is we do not look at these things, we are wasting money, “spinning top in mud”, and at the end of the three months we will be back to square one. I thank you.

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

**Madam Speaker:** Prime Minister.

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

**The Prime Minister (Hon. Dr. Keith Rowley):** Madam Speaker, this has been, as expected, a very detailed debate on a subject which is of great interest. The one thing that has been missing, Madam Speaker, is the clear logic of many of the positions taken by my colleagues on the other side. The temptation was just too great for my colleagues to stick to any consistent logic. There were so many contradictions that I am not sure which side I should take to say that that is the side of the Opposition because they argued on all sides of the octahedron. But I want to, just for the record, touch on one or two points, and one is, I heard one of my

colleagues, I think it was Barataria/San Juan, make the categorical statement, or was it Oropouche East, but it was one who was speaking as a Member of Parliament of Trinidad and Tobago, put on the record of this Parliament and for the consumption of the world that one of the reasons why we are having a difficulty with the number of murders as part of our crime problem is that the intelligence gathering agency at the Government of Trinidad and Tobago is used instead to collect information about the political opponents of the Government.

Madam Speaker, I want tonight to categorically deny that, and to ask my colleagues on the other side to point to one instance that anyone of them can get up in this Parliament and say, this is what has happened involving any member of the SSA in abusing the authority of the SSA against any political opponent in Trinidad and Tobago. It is a blatant truth. And like much of what they have said tonight, said to sound good, but at variance with the fact. That has been their objective, hoping that, of course, it will sound like something the Government is accountable for and the normal situation, go on to call on the Government to apologize for people murdering people.

**9.15 p.m.**

Madam Speaker, my colleagues on the other side, especially the leader from Siparia, went on to tell us how much they have embraced and supported legislation to fight crime. This is not a debate about crime, but it was said by them and again, I have to reply. Madam Speaker, you would recall that as they claimed today to be the great supporters of the anti-gang legislation—which is still problematic, because it is still being identified as having flaws when matters go to the court and they have the police saying that they are having difficulty applying it because of interpretation issues. But it was not a matter of supporting, it was voting against it or refusing to give the support. And it was a public outcry in this country against

the position that they have been taking of not providing support, which caused them to come back and ask the Government, “Bring it back, bring it back and we will support it,” in response to public outrage that they could have been so uncooperative. And as they attempted to give their support, it was against amendments to the Bill that, in fact, watered it down and make it problematic in application. So we are not here to discover that, we lived it; we lived it. I need not mention the Bail Bill, because that is not what this debate is about.

The illogic of the whole proceeding here, keeping us until nine o'clock tonight—my colleague from Barataria/San Juan—there are 21 clauses in the Regulations. My colleague cherry-picked nine of them under the heading that this provision exists somewhere else in the law. Well, Madam Speaker, we knew that all along. What the State of Emergency has done is to relax some of these restrictions of the existing law, or to take note of them and to make changes. But he very carefully did not mention the 21, picked nine to refer to, to make a political sound bite that the State of Emergency is election gimmickry. But the other 14, he did not touch, because the other 14 were clear changes required, brought about by the effecting of the State of Emergency. But I had to sit down here and be tortured into sleep by hearing that it is political gimmickry.

And while the Member for Barataria/San Juan is saying that the coming into being of the political—of the State of Emergency, in response to incidents that were threatening to accelerate beyond what we were prepared to tolerate, political gimmickry. But Siparia, “I was telling you do that since January.” So what do I do? One is saying, “Do it since January,” the other one is saying, “You have done it for elections, January of the next year.” But, Madam Speaker, everything the Government has done, as far as they are concerned, it is for elections. You pave a road, it is for elections. You declare a State of Emergency in a murderous climate,

it is for elections. Because all they are concerned about is elections. As they make their illogical complains today, it ends on the note, “Call the election.” And one would think that was something that bodes well for them.

Madam Speaker, the elections would be called, and we are going to beat them in the east, we are going to beat them in west, we are going to beat them in the north, we are going to beat them in the south, and we are going to beat them under their foot sole.

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

**Hon. Dr. K. Rowley:** Because, Madam Speaker, you hear them talk today about the respect for law and order. You would not believe that they are the architect of section 34.

**Mr. Young SC:** And LifeSport.

**Hon. Dr. K. Rowley:** Madam Speaker, you would not believe that they are the owners of LifeSport and the nurturers of parliamentarians who have questions to answer before the court—

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

**Hon. Dr. K. Rowley:**—and talking about, if you call the elections, they have some benefit to get. Madam Speaker—

**Mr. Hinds:** “Gih dem, gih dem”.

**Hon. Dr. K. Rowley:**—we have a problem. The problem is engaged by the Government. The one aspect of logic that they are not prepared to engage, as they say that the Government has done nothing and that we have been, you know, intransigent in dealing with the whole challenge of the criminal element, is that, had we not done what we have been doing, is there any concept of what might have been taking place in Trinidad and Tobago today? When the police takes over 1,000 guns off the street and tens of thousands of rounds of ammunition, some of

them getting wounded and killed in the process, being engaged by violent people across the community, if we were not doing that, what would have been the outcome? It is easy for them to get up and say that the Government is doing nothing.

But, Madam Speaker, it took the Member for Naparima, in his very brief intervention, to point out that we are saturated with police officers. If the Minister of National Security had drifted off from the main subject today, he might have been able to go into the amount of effort we are placing in training and exposure and cooperation with other entities in the region and outside, all of it as part of the crime fighting. If the Member for La Horquetta/Talparo had entered the debate today, he could have spoken for two hours on the tens of millions of dollars we are spending behind young people—

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

**Hon. Dr. K. Rowley:**—in a plethora of programmes of all kinds to guide young people away from crime and criminality, into being citizens who can, in fact, contribute in a lawful way while improving themselves. And if the Minister of Education had entered the debate today, she could have spoken about what is happening in the schools.

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

**Hon. Dr. K. Rowley:** So, Madam Speaker, when our colleagues get up and make it look as if nothing is going on, and “The Government just watched everything fall apart,” and as far as they are concerned, every difficulty we face is, “The Government collapsed.” Nothing is further from the truth. Trinidad and Tobago has an engaged Government on this matter of crime, which is across the Caribbean, and we have taken a leadership role in it at home and abroad.

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

**Hon. Dr. K. Rowley:** We have gone to the source of the gun manufacturing. In fact, when we associated ourselves with the Government of Mexico to go to court, to take issue with the American gun manufacturers who are making and selling guns and taking no responsibility for their product in our nation, they accused us of what?—I do not know, telling us that we are exposing Trinidad and Tobago to legal liabilities because we have joined Mexico and other countries in dealing with gun manufacturers, or attempting to force the American Government to make American companies be responsible for pushing guns at our nation. I do not know how many of you all know that it has been a deliberate policy in the American Department of Commerce to export arms and ammunition, putting pressure on little countries like us, and we make that an argument to the Americans in Washington, and in Texas, and in Florida. So to get up and say, “The Government is doing nothing,” it was by our agitation and representation that caused the American Government to make illegal gun trafficking across States to be a federal crime—

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

**Hon. Dr. K. Rowley:**—to bring to bear resources that we do not have on to people who are doing that. It is our own people doing that. I spoke about crime as commerce. There are people in our society who believe, you get up in the morning you go to your job, you go to your work, you wait for a fortnight to get paid, others wait for a month, they decide that they are going to get paid by menacing the people and taking away what they have on the streets, and if they cannot get it on the streets, they are coming into the home to do that. That is their decision.

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

**Hon. Dr. K. Rowley:** And you are coming to tell us that all you are interested in is elections, talk as much confounding nonsense, obstruct as much as you can and



feel very happy—elated, in fact, when something goes wrong and crime in the country escalates, as it has been escalating since you were in government.

During your term of office, almost 3,000 people were killed. I did not hear you taking responsibility personally for it and apologizing for it. You had a State of Emergency, 379 people died that same year and after that, it has been higher every year going up. We, as a people, have to engage—you do not make excuses for criminals and you do not give yourself a pass, especially when you take up so much police time yourself, investigating trafficking, investigating fraud, investigating misconduct by people who were supposed to be honourable in this House.

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

**Hon. Dr. K. Rowley:** But at the same time, the Member for Naparima is saying, “We are numerically over policed,” another one is saying, “You said you want to hire a thousand police officers and you have not hired any.” Madam Speaker, I do not have the exact figures in front of me. I am sure, recently, I saw in the public domain that of the thousand recruits that—I think it was the Commissioner of Police who spoke about that.

**Mr. Hinds:** Yes.

**Hon. Dr. K. Rowley:** We had a target of a thousand, I think about 800 is going through and, in fact, there was a point being made that while we had the numbers coming to go in, as we examine them and we are being more careful as to who is going into the police service, we are finding that a number of young people who have expressed an interest of going into the police service are, in fact, not qualifying for a number of reasons, which I would not go into, not the least of which is being found to be not suited, even though they had the ambition of going in. But you would not believe that the halting of people at the Barracks had taken

place when? It is this Government that ramped up the training of officers at the Barracks. We have done a significant amount of improved training. And, of course, attacked the Commissioner of Police, as though the Government hand-picked a Commissioner of Police that is incompetent.

It is you all who put that arrangement in place, where the Police Service Commission had to select, by detailed process, and put before us their findings, and it is from that we have to choose. This Government does not have the option to go and choose a Commissioner of Police that is our choice. The law hamstrings us into accepting what comes to us from the Police Service Commission. And as we may be dissatisfied, as you are making a case of it, with the performance of our current Commissioner of Police, if that is what you are saying, the Government cannot jump in and rectify that.

Madam Speaker, you would not believe that the interpretation from the Police Service Commission, at a time when there is dissatisfaction with respect to the police effectiveness and the demand for a new Commissioner, the Police Service Commission takes the position that we are not going to begin the search for a substantive Commissioner during a period when an officer on extension—a retired officer on extension is there because there is no vacancy. Try and explain that to me. Because an officer is there on a year's extension, a retired officer, in logic house that would mean that while that year is going on, the Commission is searching for an—no, no, no. It is only when a vacancy occurs and, of course, when the vacancy occurs, we have no Commissioner, so we extend the—we use the Commissioner who is there again. That is a mad house. And the Government does not have it within its power in the law to intervene in that.

My friend talks about Chicago. Chicago has, what?—about 3,000 people and 5,000—Toronto. But you are comparing apples and oranges.

**9.30 p.m.**

Recently, I heard somebody comparing us to El Salvador, that the President in El Salvador “coming and lock up everybody who smell or look like ah criminal.” We cannot do that because at the same time today, one or two of them spoke about the rights that the Government is breaching. And you are so concerned about the semblance and even the misrepresentation of the Government’s actions because citizens’ fundamental rights are being destroyed by a very carefully tailored State of Emergency that stays away, so far, from the law-abiding citizens to be minimally disruptive of the law-abiding—

**Hon. Members:** Proportionate.

**Hon. Dr. K. Rowley:** Proportionate you call it?

**Mr. Hinds.:** Yea.

**Hon. Dr. K. Rowley:** Proportionate.

**Mr. Hinds.:** Proportionate.

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

**Hon. Dr. K. Rowley:** What an appropriate word because that is what we have done. But the senior counsel self-appointed spent the whole evening telling us that we are breaching the rights. There is no greater breach of the right of a citizen than to be having to lose their life to an unlawful action.

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

**Hon. Dr. K. Rowley:** It is precisely that which caused us to intervene to protect the right of the life of the law-abiding. And you are making a big to-do about the Government acting whimsically, capriciously in violating the rights of citizens by attempting—because when you make law, the reason why law is amended is because the original version has been found not to be totally all-embracing so you have provision for amendment. And even as you have done so and you think you

have done the work, you go to the court and another arm of the state can make an interpretation that the law is deficient in certain ways as they interpret it. Law is an evolving thing, it is a living thing. “You want to believe that if you make—you know know you all yuh kno. When I was growing up, there was some people like you around yuh kno. You know, young boys, you meet a girl and the girl is interested in another fella and the only way you can through is to come and bad talk the man yuh kno.”

**Hon. Members:** [*Laughter*]

**Hon. Dr. K. Rowley:** That is what it used to be. You come here as parliamentarians, you know you spent all your time in here being obstructionists, but you come here today to come and tell me and read out to me a whole list that you support. “Mas ah kno yuh.”

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

**Hon. Dr. K. Rowley:** We were here with you. We were here with you. The question is, today’s issue, we have a State of Emergency in place. One siding to saying it is a waste of time. The other one is saying it is for election because crime will go down and you will take credit for the crime going down. What is your story? It clearly cannot be both. So you suspect that crime will go down.

Another one spent the whole evening talking about measurement. The most obvious measurement is whether the number of instances of outrageous action would have been reduced. Obviously in the siege—you can count it every day. Madam Speaker, 11 people have been murdered for the year. The coming into being that this State of Emergency was aimed at the criminals who have not given up, who will not give up. You have to in fact extract them from their enterprise.

Nobody said that by declaring a State of Emergency there would be no murder. As I am speaking to you now, there is some imp out there who is thinking

about who he might kill tonight. Total disregard for what we have done and said here today, total disregard. “There is some man who out dey waiting to kill his wife because somebody tell him about something the woman do.” They are all there. You cannot pretend to know what the man is going to do. What you could do is to put things in place as far as you are able to, one, to dissuade upfront if you are able to. Two, to detect if they committed the crime and three, to so respond that they will think twice.

The bottom line is much of that succour and comfort, provided in a number of variety of ways, encourages the outcome that we are trying to prevent. And as long as you decide that you know, this is about this side of the Parliament versus that side of the Parliament and it is all about election. Call the election because you have the solution. You had no solution when you were in Government and you have worse when you are in Opposition.

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

**Hon. Dr. K. Rowley:** What we as a people have to do is to draw a line between the law-abiding and the lawless and rigorously enforce the regulations against unlawful conduct in this country.

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

**Hon. Dr. K. Rowley:** That is all we had to do. I take no pleasure in hearing you reporting that you not seeing patrols, right. But we initially have the defence force backing up police, in what you call joint patrols. It is impossible to put a patrol on every street for 24 hours a day. It is impossible to police every doorway for 24 hours a day. It is an instant, and sometimes reactive, arrangement. And because of the resolute attack from the criminal element, you see that it appears that we do not have enough police officers and as we allocate larger amounts in the budget to safety and security, get the impression that we are not spending enough money

because we need to spend more, because the criminals are resolutely going after the law-abiding citizens.

The best thing we can do to them is to tell them that we are all together against their actions and of course, acknowledge—it will not hurt. It will help the morale. Acknowledge that something good is happening. There is a lot more to happen. We are expecting more from more police officers. We are expecting more from our intelligent agencies. We are expecting more from our—but all of us have a responsibility. As far as you are concerned it is only about the Government and as long as you can target the Government for elections, the matter fixed.

Madam Speaker, that is myopic, and it will get us nowhere and I would not want to detain you any longer except to say that we are seeing some additional action by the police. We are seeing more activity by the defence force because the leader of the defence force, Chief of Defence Staff, the Commissioner of Police and senior officers they driving the junior officers and we are seeing some improvement in the short order and for another three months, we believe if we keep than on, we will prune the spike. The question arises and it arose in some of the contributions, what happens after the State of Emergency? And the answer is simple. We will remain engaged and we will try to improve our response to the criminal element and we expect that it is not only the Government but all aspects of the State's responsibility, we will take it out as a responsibility to respond to the criminal element because at. There is no point in the police doing the work and when they get to the courthouse, the criminals are happier than the police. Right, rights, no responsibility, no responsibility.

**Mr. Hinds.:** Bail, bail, bail.

**Hon. Dr. K. Rowley:** Revolving door operating in the bail system. Leniency from the magistrates and the judges. I mean we all have to tell the criminals, we

see you, we hear you, we know you, we will catch you, we will convict you and we will restrict you. That is what it has to be. Very frequently, I understand the difficulty of working in the prison. I understand the difficulty in having a population of criminals as your day work but we have to also say that some of the problems in the prison are assisted by some of the behaviour of the very prison officers themselves. “But doh say that because de Government shirking its responsibility.” You have difficulty in the prison.

I mentioned today that guns are coming into the country, and I said that if you are a customs officer and you turn a blind eye to allow a barrel to come into the country you might have facilitated—

**Mr. Hinds.:** Right.

**Hon. Dr. K. Rowley:** “—and I am not speaking here hypothetical yuh kno. We have done serious work from national security along with some of the best police officers to make sure that a barrel of guns did not come in here, yuh kno.” And sometimes it takes serious work to watch and wait and when you ask yourself who is this citizen that is attempting to facilitate? There is one barrel of guns—how much it was, 15?

**Mr. Hinds.:** Yea.

**Hon. Dr. K. Rowley:** Fifteen—

**Mr. Young SC:** High powered.

**Hon. Dr. K. Rowley:**—assault weapons persons trying to bring through the system and the system attempting to assist. Suppose—

**Madam Speaker:** Prime Minister, you have two more minutes of ordinary time left.

**Hon. Dr. K. Rowley:** I would not take the full.

**Madam Speaker:** You are entitled to a 15-minute extension if you wish, eh.

**Hon. Dr. K. Rowley:** I think enough has been said and I think the law is reasonable. The political arguments have been heard. We need to extend the State of Emergency as tailored as it is, as unobtrusive as it is for the law-abiding citizens. Let us extend it for another three months and hopefully at the end of that three months we can tell you that we have made some significant progress. Madam Speaker, I beg to move.

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

*Question put and agreed to:*

*Resolved:*

That the Proclamation made by the President on the 30<sup>th</sup> day of December, 2024 declaring that a state of public emergency exists in the Republic of Trinidad and Tobago be extended for a further period of three months.

**Madam Speaker:** The Minister of Tourism, Culture and the Arts.

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

**NATIONAL EMBLEMS OF TRINIDAD AND TOBAGO (REGULATION)  
 (AMDT.) BILL, 2025**

**The Minister of Tourism, Culture and the Arts (Sen. The Hon. R. Mitchell):**

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

An Bill to amend the National Emblems of Trinidad and Tobago (Regulation) Act, Chap. 19:04 to provide for a new Coat of Arms and other related matters be now read a second time.

Madam Speaker, I thank you for recognizing me make this contribution in pilot in this House and I want to take the opportunity to wish you a Happy New Year as well as my colleagues in this House and I also wish at the outset to join with my colleague from Naparima in acknowledging the President and executive



members of Pan Trinbago—

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

**Sen. The Hon. R. Mitchell:**—and I welcome them as they sit in the public gallery, always interested and supportive of the steelpan and the steelpan movement. Madam Speaker, this Bill, although short and simple, is a very significant and consequential piece of legislation. The Bill seeks to bring into force the Government's position and intention to modify our country's Coat of Arms established in 1962, by replacing the representation of Columbus' ships with our national treasure, our very own national musical instrument, the steelpan.

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

**Sen. The Hon. R. Mitchell:** Madam Speaker, for the benefit of *Hansard* it is helpful to describe what a country's Coat of Arms is and its importance. A Coat of Arms is a symbol that represents the identity, history, values and sovereignty of a nation. It serves as an official emblem. It encapsulates the core identity of a country and seeks to represent the nation's culture, heritage and values in a single cohesive image.

In summary, Madam Speaker, a Coat of Arms holds great significance because it represents the soul of a country weaving together its history, values, sovereignty and unity in a powerful emblem that communicates pride strength and identity. It is a cornerstone of our national identity, a seal of authority and its importance goes far beyond mere decoration. It is a symbol of what the nation is, where it has come from and where it hopes to go.

Trinidad and Tobago's Coat of Arms as we know it today also called back then as an "Achievement of Arms" was designed by a committee formed in May of 1962. To select the symbols that would be our own, symbol representative of a new independent nation and its people ushering the dawn of a new era. The

committee included the late noteworthy master artist Carlisle Chang and Carnival designer the late George Bailey. In July of 1962, the Coat of Arms was approved by the College of Arms and came into force on Independence Day, August 31<sup>st</sup> 1962, along with our national flag.

**9.45 p.m.**

In the words of our then hon. Prime Minister Dr. Eric Williams in his broadcast to the nation on that day, he described the importance of our new national emblems when he said:

“Our National Flag belongs to all our citizens. Our National Coat of Arms, with our National Birds inscribed therein, is the sacred thrust of”—all—“our citizens. So it is today, please...let it always be so. Let us always be able to say with the Psalmist, behold, how good and how pleasant it is for brethren to dwell together in unity.”

Since the introduction of our national emblems and over the five-year period from 1962 to 1967, the Cabinet managed and regulated the use and management of the country’s national emblems until the coming into force of the parent legislation to this Bill in 1967, the National Emblems of Trinidad and Tobago (Regulation 9 Act. This National Emblems of Trinidad and Tobago (Regulation) Act that came into effect in 1967 sought to, among other things, vest the copyright in the national flag and Coat of Arms in the Government to the exclusion of all else, set up a committee of standards, make provisions for the granting and revocation of licences and penalize the misuse, mutilation or defacing of our national emblems.

There is a Schedule to the Act with three Parts that properly described the Coat of Arms in Part I, the National Flag in Part II and the National Flower of Trinidad and Tobago in Part III. Our main business here today is primarily to make adjustments to the Coat of Arms as described in Part I of the Schedule to the

parent Act.

[MR. DEPUTY SPEAKER *in the Chair*]

So how did we get here, Mr. Deputy Speaker? In August 2024, the hon. Prime Minister announced the Government's position that they would bring to Parliament a proposal to remove the depiction of three ships which represent the Italian explorer Christopher Columbus on the national Coat of Arms and replace them with the depiction of our national musical instrument, the steelpan, along with its iconic playing sticks. Government's proposal, as espoused by the hon. Prime Minister, was made in direct response to the loud and decades-long clarion calls of our citizens clamping for the removal of painful colonial vestiges of our past. There was and still is a loud cry for those in authority to decolonize national symbols and narratives.

Not to attempt to completely erase our history, Mr. Deputy Speaker, notwithstanding how painful that history might be, but to decolonize, to change those national symbols that serve to represent our national identity in this modern day and what better way to achieve this replacement and renewal by removing and replacing Columbus' ships on our Coat of Arms with a most important unifying symbol of our excellence, the steelpan?

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

**Sen. The Hon. R. Mitchell:** Placing the steelpan on our Coat of Arms can only be seen as a powerful way to honour Trinidad and Tobago's national identity and history. Mr. Deputy Speaker, not that I have to remind us in this House, but as we know, the steelpan is an indigenous invention of Trinidad and Tobago and the only percussive and acoustic musical instrument invented and developed in the 20<sup>th</sup> Century and is a global symbol of our country's contribution to global musical excellence.

While the depiction of Columbus' ships reflect our colonial past tied to European exploration, colonization and domination, the depiction of the steelpan shifts our focus to our people's achievement and our own pride as an independent nation.

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

**Sen. The Hon. R. Mitchell:** The steelpan is a symbol of the creativity and resilience of Trinbagonians and our experience and endeavour in creating beauty and excellence from adversity.

Furthermore, the steelpan is already a globally recognized emblem of Trinidad and Tobago and to include it on our Coat of Arms could only enhance our global brand and image emphasizing the steelpan's cultural uniqueness, innovation and its ability to symbolize unity across all the people of Trinidad and Tobago. Therefore, the steelpan's depiction on the Coat of Arms remains relevant to our nation's present and future identity, making it a more authentic representation of our people.

Since the announcement, Mr. Deputy Speaker, this proposal has received widespread commentary and support in numerous editorials, articles and public contributions. For example, in an article from the *Daily Express* by Khamarie Rodriguez entitled:

“Ship-Shape

Historians welcome move to change coat of arms”

—on the August 20<sup>th</sup>, 2024, Dr. Claudius Fergus, Chairman of the National Committee on Reparations explained that:

“The placement of the Columbus ships was an error from the very beginning; it should never have been placed there...”

And:

**UNREVISED**

“Its removal is really long overdue, and I commend the Government for taking action to remove and replace...” it.

In an article by Rhondor Dowlat in the *Trinidad Guardian* on the 24<sup>th</sup> of August 2024, historian Bridget Brereton articulates that:

“The ships should never have been there in the first place but it was perhaps understandable in 1962. Now, in 2024, it is clearly inappropriate. Replacing them with the steelpan, our national instrument, is a progressive change reflecting our times...”

Additionally, Marina Salandy-Brown, journalist, cultural activist and founder and director of the Bocas Lit Fest explained in a *Guardian* article titled:

“The coat of arms debate”

—on 8<sup>th</sup> September, 2024, that the three ships that we know them today were not the creators, Mr. Chang.

Mr. “Chang’s original design”—Mr. Chang originally had—“a copy of a ship from the Genoese coat of arms (Columbus’s birthplace), but...”—only on registration with—“the College of Arms in London...”—did they change Chang’s design—“to the Santa Maria...”. Thus there are—“three Santa Marias, not the Pinta, Niña and Santa Maria.

Swapping that historical inaccuracy out for the pan would be a more correct representation of an idea and much more meaningful, as it turns out, notwithstanding the symbolism of the arrival of the old world in the new.”

Shabaka Kambon, Caribbean freedom project leader, the late historian Brinsley Samaroo, Reginald Dumas, and others, have long supported the removal of colonist imagery in Trinidad and Tobago. For example, in 2020, the group petitioned for the removal of colonist statues and monuments which was submitted to the national committee to review and report on the placement of statues,

monuments and other historical signage in Trinidad and Tobago.

Mr. Deputy Speaker, Government's proposal was formalized and agreed by Cabinet in August of 2024. Cabinet also agreed that the Office of the Prime Minister engage the services of an individual to develop the design and make recommendations for the consideration of Cabinet. Subsequently, local artist designer and jeweller Ms. Gillian Bishop was asked to prepare renderings of the Coat of Arms to be then considered by the Cabinet and taken to Parliament, which is what we are here to do. Ms. Bishop is a highly acclaimed artist with over 50 years' experience, part of which has been in creating national awards as she notably designed the Order of the Republic of Trinidad and Tobago and the Medal for the Development of Women. Following the recommendations on the design made by the designer, the consideration endorsement of steelpan's world governing body Pan Trinbago was sought on the said design and received by them in November 2024.

Mr. Deputy Speaker, the Bill before us today seeks to provide for a new Coat of Arms and has five clauses. Clause 1 provides for the short title of the Act. Clause 2 provides for the commencement of the Act to be on such date as is fixed by the President by proclamation. Clause 3 provides for the Interpretation section and importantly introduces an interpretation for the former Coat of Arms which refers to the present Coat of Arms depicting the Columbus ships and this interpretation helps with giving mean to clause 5(2).

Clause 4 amends Part I of the Schedule of the parent Act to modify the Coat of Arms to remove Columbus ships and replace them with the steelpan. Part I is amended by deleting the words:

“Arms: Per chevron enhanced sable and gules a chevrenel enhanced argent between a chief two Hummingbirds respectant gold and in base three ships

of the period of Christopher Columbus also gold the sails set proper.”

And substituting those words with:

Arms: Per chevron enhanced sable and gules a chevrenel enhanced argent between a chief two Hummingbirds respectant gold and in base a gold steelpan and its iconic two pan sticks also gold.

Clause 5 provides for savings and transitional arrangements. Clause 5(1) makes provision for licences granted under the parent Act that are valid prior to the commencement of this Bill to continue once this Bill is approved and proclaimed and these licences, as we know, Mr. Deputy Speaker, are granted by the National Emblem Committee of Trinidad and Tobago.

Clause 5(2) makes provision for a period of transition once this Bill is passed. It provides for the current Coat of Arms, the Coat of Arms that precedes the passage of this Bill, that is the Coat of Arms with the depiction of Columbus ships, to be used until January 01, 2026 or such date as the Minister may by order prescribe. This is very important, Mr. Deputy Speaker, because once this Bill is approved by this clause, there will be no great or disruptive urgency to change out the old Coat of Arms for the new Coat of Arms. There will be no mad scramble and there will be no need for citizens to desperately line up at government offices to replace the old Coat of Arms. There simply will be no disruption to citizens.

Of course, in a case where the Coat of Arms is in digital format and online, the new Coat of Arms can be reproduced on documents such as official correspondence or on other paraphernalia and those can be done with immediate effect easily and at minimal cost. But where the Coat of Arms are in the form of physical installations, for example on government buildings, clause 5(2) provides for a period of transition where all government agencies can now plan and budget in the upcoming Appropriation Bill in the coming months for changes that will be

needed to be put into effect by January 01, 2026.

Further, Mr. Deputy Speaker, where for example, certain documents such as passports, ID cards and driver's licences, money bills, currency, legal tender are issued and are issued to subsist for a number of years, the Minister in this case, Minister of National Security, can by order prescribe a later date that the former Coat of Arms on these documents will be valid in respect of those documents until they expire so that Government is able to minimize cost and reduce wasted cost.

**10.00 p.m.**

This is a very important point, Mr. Deputy Speaker, because it is one of the main criticisms of this measure that there will be some onerous and unbearable cost to taxpayers. There will be no need, no mad scramble, for citizens to go to government agencies to have their documents renewed, and any suggestion to the contrary is simply false.

While there will be some costs to change physical signage at government offices and on government vehicles, et cetera, and to change our physical reproductions, the thing this argument about having to change our entire money supply and that it would cost hundreds of millions of dollars is simply not true. Bills of currency, as we know, are taken out of circulation, from time to time, and new bills are injected into the system, and those new bills will contain the new Coat of Arms. Passports, for example, that are already in stock may still be used and issued for shorter periods so as not to suffer undue wastage in costs, the cost used to procure them in the first place.

The Minister may, by order, again, I repeat, ensure the validity of those documents as he may prescribe a later date by order in accordance with clause 5(2). Our birth certificates, for example, may also continue to validly subsist, and that would be a strategy up to the Minister of National Security and, of course, the



Attorney General and the Minister of Legal Affairs to treat with that in other pieces of legislation or in this legislation.

So, Mr. Deputy Speaker, there will be no undue financial burden to the taxpayer once these measures are accepted and passed. And neither will there be the need, and I repeat, for any disruption for citizens to be lining up in government offices seeking to have their documents changed, and I hope this is clear and puts an end to that misinformation. Another criticism is that the Government should only focus on pressing matters only and that this amendment to modify our Coat of Arms to remove the Columbus ships ought not to be Government's priority at this time when there are more pressing matters that deserve our attention, and this is a common fallacious argument, Mr. Deputy Speaker, that is used in the public space all the time.

The argument's premise wrongly presumes that governments must only treat with pressing matters at any given time. And further, that a government does not have a wide sphere of responsibility that must be addressed at all times. It is true that there are pressing matters, such as crime, and we were in this House for the last nine hours dealing with those matters. But it does not mean that Government must not get on with other matters under its remit and responsibility, and that is what we are doing here today with this Bill.

Mr. Deputy Speaker, there is also another argument out there that accepting that the Columbus ships should be removed but suggesting that other musical instruments representing all ethnicities should be included, such as the tassa drum. The tassa, like the multitude of African drums, was brought here by our ancestors and, in some cases, adapted, continued to be used in Trinidad and Tobago, and continue to be built and manufactured here. But to accept this argument would probably result in musical instruments brought here from Africa, India, China, and

the Middle East all need to find some place on the Coat of Arms, and I simply cannot accept that argument.

It is an undisputed fact that the steelpan, the only percussive musical instrument, developed in the 20<sup>th</sup> Century was invented and developed here in Trinidad and Tobago. And is therefore the only symbol, the best symbol, that ought to be included on our new Coat of Arms. So, Mr. Deputy Speaker, today is undoubtedly a landmark day for Trinidad and Tobago. A day of renewal and resolve. We have clearly identified where we as a country would like to go. So the time is now in 2025 for us to take a truly proactive, strategic, and meaningful measure necessary to enhance our national identity and brand.

Given the remarkable strides and achievements we have made as a nation, it is time to reinvigorate, to update the message we communicate not only to the international community but also to ourselves with a renewed energy, ingenuity, and spirit. Mr. Deputy Speaker, what we are recreating here is a dynamic and powerful heraldry to last for generations of Trinbagonians to come, the continuation of a new national consciousness. With the passing of this amendment Bill, Trinidad and Tobago will imbue itself with a strengthened state dignity, build a stronger and more modern state that is able to secure itself in the modern and ever-changing world. Mr. Deputy Speaker, with those few words, I beg to move.

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

*Question proposed*

**Mr. Deputy Speaker:** I will recognize the Member for Moruga/Tableland

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

**Ms. Michelle Benjamin** (*Moruga/Tableland*): Thank you, Mr. Deputy Speaker, for allowing me to join this debate. Firstly, Mr. Deputy Speaker, I would like to acknowledge the members of Pan Trinbago that are in the gallery.

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

**Ms. M. Benjamin:** And also let me apologize to the members of Pan Trinbago because we on this side would have understood the significance of this Bill that is put before us here today. We were only notified of this at 2.40 p.m. on Friday. And as of today, we were told that it is being added to the Order Paper, and we were only given the Bill Essentials and necessary documents via e-mail. I believe, four o'clock this afternoon, I got that e-mail. So, I do apologize because the Members on this side were vested in the SOE debate, and rightfully so, as it affects the entire country. This Bill, in itself, affects everyone in Trinidad and Tobago. So I apologize that pan, again, is not being treated, Mr. Deputy Speaker, with the significance that it ought to be treated.

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

**Ms. M. Benjamin:** Mr. Deputy Speaker, before I begin, I would like to take this opportunity to congratulate, again, we had a young pannist that took on a mammoth feat, and that is pannist Joshua Regrello.

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

**Ms. M. Benjamin:** On his record-setting accomplishment, Mr. Deputy Speaker, he played for 30 continuous hours.

**Hon. Members:** Thirty-one.

**Ms. M. Benjamin:** Thirty-one, I stand corrected. He played for 31 consecutive—

**Hon. Members:** [*Crosstalk*]

**Mr. Deputy Speaker:** Members, please. Members, please. Members—

**Ms. M. Benjamin:** Joshua's amazing feat—my apologies.

**Mr. Deputy Speaker:** Proceed, proceed.

**Ms. M. Benjamin:** Joshua's amazing feat has instilled pride in every Trinidad and Tobago national across the world, Mr. Deputy Speaker. He has also helped

showcase our national instrument to those beyond our nation's borders. So, again, I say congratulations. This Bill is really about the symbolism of placing the steelpan on the Coat of Arms, and what it means, Mr. Deputy Speaker. And whether it is the best way, again, to honour our national instrument. I love the steelpan.

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

**Ms. M. Benjamin:** But I love many things. I love my country.

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

**Ms. M. Benjamin:** I love the people of Moruga/Tableland, Mr. Deputy Speaker. I love my family. And how I show my love is by doing all I can do for my community, my family, and my country. Symbolism alone does not show love, your actions demonstrate your love. And if you judge the Government's actions here today, Mr. Deputy Speaker, you need to really ask if they indeed love the steelpan as much as they claim. Year after year, I am disheartened to see this Government sideline the pressing issues affecting our panmen and women, and, Mr. Deputy Speaker, this is in context.

So while the Minister would have given us the history about the Coat of Arms and when it was formed and the committee, when I received the Bill Essentials today, 4.00 p.m. to be exact, part 4 of the Bill Essentials states that, apart from, I think, part 2, where we are here because of the announcement made by the Prime Minister, part 4 would indicate that we are also here based on recommendations by the Constitutional Reform Committee that would have recommended that the Government put more emphasis on our national instrument.

So that is the backdrop of why we are here today. And, Mr. Deputy Speaker, I have to say, disheartened, because this Government keeps sidelining our national instrument and the issues affecting panmen and women. While choosing

to focus, again, on symbolic gestures that do little to improve the lives of panmen and women and our citizens, Mr. Deputy Speaker, I must ask, how does this decision before us today, improve the lives of our people? How does it address the struggles of our pan players who continue to fight for survival in a system that overlooks their contributions? Symbolism cannot replace substance, Mr. Deputy Speaker.

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

**Ms. M. Benjamin:** Mr. Deputy Speaker, this proposal to change the Coat of Arms comes with a cost, and we would have heard the hon. Minister try to clarify, but there is still—Mr. Deputy Speaker, I sat here and I listened to the hon. Minister, and I know the average citizen is still perplexed as to the cost. What would be that overall cost to taxpayers? Now, we heard that there would be no haste, but, Mr. Deputy Speaker, there still is a cost.

Mr. Deputy Speaker, the beautiful chair that you sit in currently, if we look over your head, we see our national Coat of Arms in its current state, and after this Bill passes, it will change. Mr. Deputy Speaker, there will be a cost attached to changing—

**Mrs. Robinson-Regis:** It is not real gold, you know.

**Hon. Members:** [*Laughter*]

**Ms. M. Benjamin:** Whether it is real gold or false gold, it is still a cost attached to the taxpayers of Trinidad and Tobago.

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

**Ms. M. Benjamin:** As simple as this stationery, it is a cost attached to the taxpayers of Trinidad and Tobago—[*Member displays document*]—

**Mr. Deputy Speaker:** No displaying of—yeah. No displaying, yes. Proceed, proceed.

**Ms. M. Benjamin:** So, Mr. Deputy Speaker, in the Minister's windup, I would like some commitment that documents would come to this hon. Chamber or be placed in the public domain where we would see the actual cost of changing out the Coat of Arms. Mr. Deputy Speaker, the cost of redesigning and reproducing official seals, currencies, documents, uniforms, and signage, as the Minister rightfully itemized, we need to know at—

**Hon. Members:** [*Crosstalk*]

**Mrs. Persad-Bissessar SC:** I really want to listen to the hon. Member, if they stop muttering and mumbling. They will have their turn, Sir, on a point of order.

**Mr. Deputy Speaker:** Again, okay, okay, fine Members, again, and Members, again, MP for Siparia, I heard you, but again, on both sides, there has been discourse taking place, alright? But I will protect every individual that is willing to enter the debate this evening, proceed.

**10.15 p.m.**

**Ms. M. Benjamin:** Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, I have to stress with regard to the cost because when this announcement was made in the public domain, that was one of the main issues, as the Minister rightfully stated, that the general public was concerned about.

Also, although the Minister would have given his contribution, it was vague and we still do not have a figure. For a country already struggling to address key economic issues, we need to know the cost, Mr. Deputy Speaker. I heard the Minister speak of the time frame, but for the average man, that time frame is a year, which is basically January 2026. And yes, the Minister would say that that is sufficient time to conduct the business of changing out, whether it be your licence, and he said that the Minister of National Security would later give us a date. That still puts the country in limbo because we do not know that date. So in the

Ms. Benjamin (cont'd)

Minister's winding up, or later on in the public domain, these things have to be clarified. Mr. Deputy Speaker—

**Hon. Members:** [*Interruption*]

**Ms. M. Benjamin:** Mr. Deputy Speaker, I know the Members on the other side, they are not concerned about the public purse because they do things ad hoc—

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

**Ms. M. Benjamin:**—but the public would like to know these things.

**Hon. Members:** [*Interruption*]

**Mr. Deputy Speaker:** Members, please, please. It is late in the evening. Please.

**Ms. M. Benjamin:** Mr. Deputy Speaker, would this money not be better spent on tangible programmes and initiatives that would uplift our steelpan community? For hundreds of millions of dollars, we could create meaningful, sustainable opportunities for panmen and women across the country, opportunities that would directly improve their lives and livelihoods, Mr. Deputy Speaker.

Mr. Deputy Speaker, let me examine the reality of the day. Economic insecurity: Pan players remain trapped in a cycle of uncertainty. They are celebrated only during the Carnival season but left without support for the rest of the year. This seasonal recognition cannot sustain livelihoods or nurture long-term cultural growth. Mr. Deputy Speaker, the Government could focus on improving this. The lack of institutional support, as recommended by the Constitutional Reform Committee, the Government could have come here today and itemize how they intend to improve such.

Missed global opportunities: Mr. Deputy Speaker, that was also mentioned by the Constitutional Reform Committee. The Government did not come here today—

**Mrs. Robinson-Regis:** Mr. Deputy Speaker, Standing Order 48(1), please. This

is totally irrelevant.

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

**Mrs. Robinson-Regis:** Totally irrelevant.

**Mr. Deputy Speaker:** All right. Okay. So, Member, I will give you a little leeway. Tie in your point quickly. Tie in your point very quickly, and then I will make a decision.

**Ms. M. Benjamin:** Thank you, Mr. Deputy Speaker. Pan has the potential to be a global ambassador for Trinidad and Tobago, yet we leave our pan players struggling. More to tie in on that, Mr. Deputy Speaker, while we focus on symbolism, if the Government truly values pan, it must go beyond the rhetoric and take tangible action. Here are the steps, Mr. Deputy Speaker, if this Government was serious. It would look to address sustainable livelihoods for our pan players, Mr. Deputy Speaker—

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

**Ms. M. Benjamin:**—by creating year-round opportunities for pan players.

Mr. Deputy Speaker, more institutional support: The launch of global-led Government initiatives, this is needed. We cannot afford to let another generation of pan players struggle under this Government's indifference. If we truly cherish our culture, we must prove it through action. The steelpan deserves more than token acknowledgement, done here today, that will cost the taxpayers of Trinidad and Tobago. Let us stop looking backwards and start investing in the future of our youth, and our pan players, and our cultural legacy. Symbolic gestures will not put food on the table or provide opportunities for growth.

Mr. Deputy Speaker, I promise every single steelpan orchestra and the officials of Pan Trinbago seated in the gallery, in mere months, when the UNC—and this will get a rise out of them, Mr. Deputy Speaker—in mere months, when



the UNC returns to government, under the leadership of the Member for Siparia, we will listen to the voices of steelpan community with urgency and purpose, and give more than symbolic gestures.

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

**Ms. M. Benjamin:** We will show how we love the steelpan on this side and will improve the lives of everyone involved in the industry, Mr. Deputy Speaker. The future of pan, and by extension, the future of Trinidad and Tobago, depends on it. I would not keep the House any further because we know that this Bill was a mere gesture, and we know that it is an election year, but the people will soon have their way. Thank you, Mr. Deputy Speaker.

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

**Mr. Deputy Speaker:** I recognize the hon. Prime Minister.

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

**The Prime Minister (Hon. Dr. Keith Rowley):** Mr. Deputy Speaker, it is clear that some people's talents are not about pan, but burning tyres is their forte.

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

**Hon. Dr. K. Rowley:** Mr. Deputy Speaker, the first thing I observed is that, not even in a matter that is so unifying to the people of Trinidad and Tobago, can we count on the support of our colleagues on the other side.

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

**Hon. Dr. K. Rowley:** Because any Member of Parliament coming here and saying that they needed extended notice to be able to decide whether they will support the modernization of our emblem, really could not be serious, especially since this issue has been around since last year August. And to come and say that you are ambushed and therefore, you have nothing useful to say is, really, Mr. Deputy Speaker, not a serious contribution.

**Ms. Ameen:** [*Interruption*]

**Hon. Dr. K. Rowley:** I would like to speak in silence and not be disturbed by my colleague from St. Augustine.

**Mr. Deputy Speaker:** Again, Members on both sides, please.

**Hon. Dr. K. Rowley:** Mr. Deputy Speaker, it has been raised as to why we are doing this now and why we are in a hurry. So in one breath, we did not do it all the time. Now we are doing it, we are in a hurry. But let me tell you why we are doing it now. Over the years, as we pay attention to ourselves, who we are, what we have become, and what we are engaged in, we have come to realize that symbols matter and symbolism is important.

So this Government, in responding to the concerns of us glorifying, innocently, inadvertently, those who oppressed us under the guise of superiority, that the representation among us of those people as part of our history requires to be revisited, and their emblems and symbols be replaced by what is of us. And that is why, as I speak to you now, there is a committee close to the conclusion of this work, only delayed by some additional work in Tobago, and some consultation in Tobago, before that committee puts its report to the country on the ongoing vexing issue of what do we do about colonial symbols and emblems in our country. That is a fact.

Last year was a particularly special year for us, Mr. Deputy Speaker, because, you know, there was a time when we acknowledged that we were on to something good because skilled persons had used the refuse, the oil drum, and had discovered that they could create music out of it, music that has evolved, and a skill that has evolved that today, chrome steelpan in any venue in the world, as a performing art of music, is something that the world is thrilled by, and the people who invented it should be impressed with and feel good about themselves.

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

**Hon. Dr. K. Rowley:** It is not for me to tell you the role that steelpan has played over the last how many years, to the point where there was clamour that we should acknowledge this instrument among us and claim its ownership, get a patent for it and, in fact, ensure that it is known to be of the people of Trinidad and Tobago—not some people, you know, the people of Trinidad and Tobago, all the people of Trinidad and Tobago. And if you say that symbolism does not matter, then, Mr. Deputy Speaker, you clearly do not know what you are talking about, because there is no greater symbol than that piece of cloth behind your head there, painted red, white and black.

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

**Hon. Dr. K. Rowley:** That is us. That is the people. Look above your head, you see in that—at the back of your chair, there is a symbol there of the scales equally balanced. That is justice. Mr. Deputy Speaker, symbolism matters.

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

**Hon. Dr. K. Rowley:** It is not a question of either or, we can have it all. We can have the symbols, we can have jobs, we can have food, but at the end of the day, symbolism matters. And that is why—if I may acknowledge the presence of the Executive of Pan Trinbago in this House—

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

**Hon. Dr. K. Rowley:**—it is not to be trivialized, as my colleague from Moruga/Tableland said, because it is elections. Nobody called elections. Last year, this country took the step to make the steelpan the national instrument of the people of Trinidad and Tobago; acknowledged it as the national instrument. You know how many years, Mr. Deputy Speaker, the pan-playing fraternity and others have been saying that we should do that?

And, of course, as we got the United Nations to acknowledge World Steelpan Day, the 11<sup>th</sup> of August—so every August 11<sup>th</sup>, at the United Nations and those who care to look around the world, it is an acknowledgement of an instrument invented in the 20<sup>th</sup> Century in the island of Trinidad and Tobago.

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

**Hon. Dr. K. Rowley:** And, Mr. Deputy Speaker, I would have thought anybody who would have heard the calypso by Cro Cro about where pan has reached, and seeing today in this Parliament, that the Parliament has taken the step to remove the misrepresentation of Columbus' ships on our national Coat of Arms and replace it with the steelpan, would know that pan has reached the highest heights in Trinidad and Tobago.

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

**Hon. Dr. K. Rowley:** But you want to belittle that. "It is symbolism and it is for elections," and you cannot see what the symbol is. Let me tell you what the symbol is.

As a black man, as a Trinidad and Tobago citizen, when I went to Cape Coast in Ghana and I visited the fort in which slaves were kept before they were shipped to the Caribbean and other parts of the world in the west here, there is a courtyard, there is a gate, a door and a walkway down to where the ships used to be, and it is called, "The Door of No Return". It means once you have gone through that door, you will never set foot back in Africa again.

**10.30 p.m.**

And to think that after 400 years, I was able to go back there and say to whoever labelled that door, the door of no return, "I have returned."

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

**Hon. Dr. K. Rowley:** And the symbol on that coat of arms of Trinidad and

Hon. Dr. K. Rowley (cont'd)

Tobago, those ships of Columbus, that genuine invader who came into these parts, disregarded the lives of the indigenous people and treated them worse than animals. And as late as the 1860s, 1870s, and the 1960s in America, a man was what, three-quarters of a person?

**Hon. Member:** Quarter of a human.

**Hon. Dr. K. Rowley:** Quarter of a human?

**Hon. Member:** Yes.

**Hon. Dr. K. Rowley:** And of course, all of that is at the root of a lot of the racism that exists in the world today and the hardship and the pain that followed. Yes, many of us here in the region are doing better than some persons in Africa, but the symbol says that we do not accept what you think of us. And if when we came here, we picked up the pan that used to carry oil and hit it in a way that we discovered that we could make music and we now make the magic as it comes out of the steelband, then we should be proud to say that we claim that on our Coat of Arms and not the misrepresentation of Columbus'—

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

**Hon. Dr. K. Rowley:**—Santa Maria, Pinta and Niña. And the ships were the link between the take and the break. Because after they abused the indigenous people—there is a place in Martinique, a cliff, where the local people who refused to be enslaved, went there all at once behind their leader and jumped over the cliff committing mass suicide.

And then, as if it was a good thing, the Bartolomé de las Casas said to the oppressors, “Well, the local people cannot take the pressure of slavery and oppression. Go to Africa and get Africans.” They did that, and those ships symbolize that; bringing Africans here like animals, treating them like animals, and then you symbolize that as a great success of the colonial master on your Coat of

Arms. It should never have been there in the first place.

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

**Hon. Dr. K. Rowley:** And I am particularly pleased today as Prime Minister of Trinidad and Tobago to be standing in this debate supported by my colleagues because we are going to take it off and put the pan on there.

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

**Hon. Dr. K. Rowley:** Madam Speaker, to hear my colleagues say that pan is only played at carnival time—“Wey you live?” Who do you represent? Late last year, I had the pleasure of being the patron of pan classics at Jean Pierre Complex, way beyond carnival.

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

**Hon. Dr. K. Rowley:** Way beyond carnival, we were down there in the national stadium, I think it was, for the finals. We had pan at Queen’s Hall, small ensembles and of course, we had the major ones. Where do you live? And coming here to talk about symbolism is not enough. You cannot even pay attention to what is going on in the pan fraternity and I am supposed to waste time talking to you?

Madam Speaker, the steelpan has been struggling, yes, but it is not just that every day you have carnival. Carnival is a big event in Trinidad and Tobago. And the pan is an integral part of that economic and social well-being. As a matter of fact, it is interesting that today, the day that we are talking about a State of Emergency because of violent crime in our society, is the same day we are paying this honour to our steelband because if there is any discipline and production and tolerance in this country, it is during carnival time when young people—

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

**Hon. Dr. K. Rowley:**—old people, our nation, come out and make music and

attract the world to us and display that skill that we invented here in Trinidad and Tobago. And you come here talking about symbolism is not enough. As for government support, government should do more. Maybe you are implying that government should employ every steelband man and give him “ah wuk”.

That is not what this is about. Nobody is saying that. And as for saying that the Government is not doing anything, you have no idea what the allocation is to support steelband business. And of course, you did not hear that the Government has taken steps to put Pan Trinbago on a solid economic footing. We are just about to build a headquarters here on Wrightson Road.

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

**Hon. Dr. K. Rowley:** And that would allow Pan Trinbago to have a steady revenue by renting in that building and using the building for commercial activities, a museum and other things. So the intention is whenever a cruise ship pulls up in port, one of the things that can be done is that people on board can book a short concert in Port of Spain, in walking distance from the ship and no other city in the world offers that.

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

**Hon. Dr. K. Rowley:** Our steelband in many instances with government support, travel all over the world to festivals. The defence force goes all over the world and when they go, they carry that pan and that red, white and black. They carry the soul of the people of Trinidad and Tobago. The soul, not symbol—

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

**Hon. Dr. K. Rowley:**—the soul of the people of Trinidad and Tobago. And if you cannot support that, then you are not worthy of the title of hon. Member of being in this House. Mr. Deputy Speaker—

**Mrs. Robinson-Regis:** Madam Speaker.

**Hon. Dr. K. Rowley:** Sorry, Madam Speaker. Today is a great day in Trinidad and Tobago and I look forward to the embrace of the pan fraternity. The same way they have embraced the Government \$15 million pan theatre built in Port of Spain for Despers—

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

**Hon. Dr. K. Rowley:**—the same way the Government has assisted Invaders to own the property on which the mother of steelbands exists—

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

**Hon. Dr. K. Rowley:**—for Invaders on Tragarete Road. And to have encouraged the corporate entity to improve on it by preparing and owning the parcel next door because we are supporting the steelband in a way that it has not been supported before.

**Mr. Young SC:** There is Renegades on Charlotte Street too, eh.

**Hon. Dr. K. Rowley:** Corporate entities have come in—

**Hon. Members:** [*Laughter*]

**Hon. Dr. K. Rowley:** We are not talking about pan judging here today. We are not talking about judging, we are talking about the pan as a generic entity and we all lay claim to all the steelbands in the country. It warms my heart, Madam Speaker, when I see the Junior Panorama and the bands come with the school children from all over the country.

There is a group from Sangre Grande that has laid hold to the trophy so far—the city pans. It is something that we should all be proud of and encourage. It is so much of us. It is one of the success stories of Trinidad and Tobago. Not every one of them will live by playing pan but playing pan will contribute to the development of every one—

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



**Hon. Dr. K. Rowley:**—of them who take part in it. So, what is it that we are objecting to? The cost. And to make it sound ridiculous, my colleague from Moruga/Tableland comes here and talks about hundreds of millions of dollars to remove the three ships.

How many times do we have to explain that it is not going to be any huge cost? Because insofar as the arrangements are made for what is in use, remains in use until it is replaced in the normal cycle of replacement. For example, if you have a box of paper in a Ministry, and the emblem is on it, you use it until you have used up that stock.

**Mr. Young SC:** 31st of January, 2026.

**Hon. Dr. K. Rowley:** And when you are ordering new stock, instead of ordering the old emblem, you order the new emblem. So, in other words, you incur virtually no cost. It is the same thing with the money. As soon as this idea came up, somebody—one of these loudmouths—jumped up in the country, “You know how much it going to cost? Hundreds of millions of dollars to change the billions of dollars.” Rubbish! Because once the Parliament approves this, as fast as they do the frequent reordering of new bills, the new bills will come with the new logo, and there will be a period of time when you will have the old one and the new one, and the old one just gets phased out.

“Way it come from?” I remember since I was in primary school, when we used to have penny and cent, ten cents and five cents, every so often, they will print new ones. And there was a time when we used to be in school, exchanging old ones for new ones, because they make changes, and eventually all the old ones disappear in the normal scheme of replacement, and the new ones become what it is.

**Hon. Member:** Penny gone.

**Hon. Dr. K. Rowley:** So, why is it that you are refusing to accept, and raising the fact of cost? You want to know the cost and you want to know the cost, and you are giving the impression that we are irresponsibly running up some big cost. The cost is minimal. Minimal, because you are not wasting anything to replace it with something new.

The passports that we have will be used up but when you come to change it, you are going to get a new one with a new logo. Why is that so difficult to understand? As a matter of fact, the only real cost is the cost of actually changing the template from the old to the new, and in today's technology, that is minimal.

Hundreds of millions of dollars. And I think you know better, but you decide that you are going to throw water on it. You must throw cold water on it. You must talk about elections on it. You cannot embrace it as something. This is a moment that we all should embrace and feel good. Let us leave here tonight feeling good, all of us, that when I see that Coat of Arms again, I want to see the gold emblazoned pan on it. I cannot wait to see it—

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

**Hon. Dr. K. Rowley:**—that I would feel proud. As a matter of fact, Pan Trinbago—by the time we are finished here in the Parliament—for Panorama—this historic year, let it be the year when you tell all our children that this is a new step forward. We claim our independence. We claim our heritage not only here in the country, but worldwide. Because as we go forward, the golden pan on our emblem says something about us, which Christopher Columbus and his Santa Maria and his Pinta and his Niña could never say for us.

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

**Hon. Dr. K. Rowley:** This should not be a difficult decision for us. It should be a moment of triumph. Whether you play pan, whether you do not play pan or

whether you take part in Carnival —because pan is not only about Carnival. I mean, you listen to the pan play classical music and play locally choreographed music. You listen to that. It is music. Music is not only for Carnival. There is Carnival music, yes but there is also chamber music.

Have you ever spent any time listening to the National Symphony Orchestra and the steelpan? Have you ever heard a soloist play some of the classical music, tunes that we know here being played on the pan? Did you listen to Joshua play for 31 hours? Have you seen the guy who plays about six pans using both feet and both hands? Have you seen those things? They say something about us. Today, we are exporting steelpan to universities abroad; pan made at a factory in Diego Martin. Of course, Diego Martin is Diego Martin West that I am talking about.

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

**Hon. Dr. K. Rowley:** I think only last week, the Minister of Trade and Industry opened the chroming business where the pans are chromed. People are placing orders in the factory. People are there employed making those pans. The tuners are there tuning them. They are packaging them and shipping them off, filling orders.

That is happening right now in our country. And the same way a Stradivarius violin can only be had from a certain place, and the best saxophone can only come from a certain place in Germany, the best steelpan in the world can and should only come from Trinidad and Tobago—

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

**Hon. Dr. K. Rowley:**—because we are in Government. We are not done yet. We have only just begun because the future is bright. The future is large. And today, given the economy and the technology, where people from anywhere in the world can stay home on their computer and place an order for a pan or for a whole

orchestra in Diego Martin. It is happening.

It was not happening 20 years ago or 40 years ago. It is happening now. And maybe 20 years from today, more container loads of pans will be leaving this country carrying that same symbol that you are poo-pooing now.

**10.45 p.m.**

That emblem of a country that you are not giving the recognition that you want to give now, simply because you want to oppose for opposing sake. But I know that that is not really the point of your heart. I know genuinely, you all believe it is something good. Well support it “nah”. Do not come here and talk about hundreds of millions of dollars for symbolism, right. And, come here and talk about you were not given notice to support it. What notice do you need?

Madam Speaker, it is with a particular sense of pride and satisfaction that whatever else we want to change, road sign, street sign, signs on buildings, whatever else you want to change, do that on your own time. But right now, in this time, I want to stand with all my colleagues here, and all of Pan Trinbago and the pan fraternity and say that nothing happens before its time and this is the time for the pan to be on the good path. Thank you.

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

**Madam Speaker:** Member for Siparia.

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

**Mrs. Kamla Persad-Bissessar SC (Siparia):** Thank you very much, Madam Speaker. We really did not intend to prolong this debate, but the honourable—

**Hon. Member:** [*Inaudible*]

**Mrs. K. Persad-Bissessar SC:**—I will, that is my right in this Parliament—

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

**Mrs. K. Persad-Bissessar SC:**—and I will speak. This Bill, Madam Speaker, laid on the Order—

**Mr. Hinds:** [*Inaudible*]

**Mrs. K. Persad-Bissessar SC:** You know, just be quiet. You will have your turn. But you are leaving the Parliament, you will not have another chance to speak.

**Mr. Hinds:** You should leave too.

**Hon. Members:** [*Crosstalk*]

**Mrs. K. Persad-Bissessar SC:** No, you should go first.

**Madam Speaker:** All right. Member for Siparia, Member for Siparia, Member for Siparia, kindly have a seat. Kindly have a seat. Kindly have a seat. Kindly have a seat. Kindly have a seat.

**Hon. Members:** [*Interruption*]

**Madam Speaker:** Members?

**Hon. Members:** [*Interruption*]

**Madam Speaker:** Members. Minister of Finance, I actually thought you were ill today.

**Hon. Members:** [*Laughter*]

**Madam Speaker:** Actually thought you were ill; was such great demeanor. But alright, it is very, very late. We are debating something that I think we all need to respect. Let us do not disrespect it. All right. So one way we will not disrespect is by disrespecting each other, if we saying that it represents us. So, Standing Order 53 is now in effect.

**Mrs. K. Persad-Bissessar SC:** Thank you, Madam Speaker.

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

**Mrs. K. Persad-Bissessar SC:** Thank you very much. So before us is a Bill for:

“An Act to amend the National Emblems of Trinidad and Tobago (Regulation) Act, Chap. 19:04 to provide for a new Coat of Arms and other related matters...”

“This Act may be cited as the National Emblems of Trinidad Tobago (Regulation) (Amendment) Act, 2025...”

“The Act...”—will come—“into operation on such date as is fixed by the President by Proclamation”.

Madam Speaker, all that is fine. We have seen this before where Bills passed will come by way of assent or by way of proclamation and we ask, we ask without being subversive or in any way contradictory, do we have any idea of when this may be by way of proclamation? We have passed many Bills in this Parliament to come into effect on proclamation and up to today, many of those Bills still have not been proclaimed.

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

**Mrs. K. Persad-Bissessar SC:** So can we get an idea of what is in mind from the goodly Government.

“In this Act —

‘former coat of arms’ means the Coat of Arms of Trinidad Tobago formally described in Part 1 of the Schedule of the Act immediately preceding the coming into operation of this Act; and

‘the Act’ means the National Emblems of Trinidad and Tobago...Act”.

So, Madam Speaker, I would like to see that one on top there go first. That Coat of Arms up there should go first. [*Member gestures to Coat of Arms hung behind Presiding Officer’s Chair*] Give us an idea. That one is not going to be on

printed bills or printed passports or identity cards, whatever it is. That can be gone once we have passed this and replaced with the new Coat of Arms.

**Hon Member:** [*Inaudible*]

**Mrs. K. Persad-Bissessar SC:** You really want me to point to you Sir?

**Ms. Ameen:** You are not a national emblem, relax.

**Mrs. K. Persad-Bissessar SC:**

“The Schedule to the Act is amended in Part 1...”

And then the descriptions are given as to what is to replace the existing one. Then in clause:

“5 (1) A licence granted under section 5 of the Act, which is valid immediately...”—before—“the commencement of this Act, continues to be valid after the commencement...to the extent that...would have been valid had this Act not come into operation”

So we have savings and transitional provisions which will take us through the one year, I think that is now been envisaged for this to be fully into effect. The former Coat of Arms may be used on 1<sup>st</sup> January 2026, or such a later date as the Minister may, by order, prescribe. I note, there is no restriction on making of the orders, wherefore, subject to negative resolution of Parliament or subject to affirmative resolution. So, the Minister has free reign under this provision to keep by order, extending time to get the job done.

So, Madam Speaker, I was very, very disappointed today, and in fact, very saddened that there is a senior Member of this House would stand in this Parliament to chastise a junior Member, the Member for Moruga/Tableland, by putting words into the mouth of the Member for Moruga/Tableland.

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

**Mrs. K. Persad-Bissessar SC:** At no time did the Member for Moruga/Tableland say that we were not supporting it.

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

**Mrs. K. Persad-Bissessar SC:** I want to place on record that we fully support this amendment Bill. We fully support this amendment Bill, long in coming, but just come and the day has come and we welcome that day. But I think, it was most unfortunate that a senior Member of this House used time to berate the Member who was saying: Listen, the symbolism is great, you change the Coat of Arms, you take off these ships, you take all these foreign ships, you put the national instrument, you put the steel pan, yes, all this is fine but we need more. We need in addition to the symbolism, we need substance.

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

**Mrs. K. Persad-Bissessar SC:** This is all that the Member was saying. And again, I say it is very, very unfortunate the time this House was used to berate the Member who was really saying: Let us do more for our panmen, let us do more for our panwomen. Can we have more than just the changing of the Coat of Arms?

When the Prime Minister responded, he did mention a few things that were being done and are being done. But, let us remember you have been in office going on 10 years now, and when the Member says it is an election year, let us be real, it is an election year—

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

**Mrs. K. Persad-Bissessar SC:**—and for 10 years, this was not important, but suddenly in an election year it is now exceedingly important. I could hear the passion, I can hear the passion in the voices from the Members on the other side. But do not take down the words of the Member for Moruga/Tableland. I will defend her words, if she knows—



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

**Mrs. K. Persad-Bissessar SC:** We discussed this matter, caucused on this matter, we said yes we were going forward, but then the Prime Minister creates windmills, or sees windmills and is fighting windmills.

**Mr. Hosein:** Correct.

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

**Mrs. K. Persad-Bissessar SC:** Creates an enemy to fight. Saying those who are objecting, but those sitting on this side never objected to this at any point in time. I remember when the first pronouncements were made last year, I did issue releases. We did, and at no point did we say we would not support it, Madam Speaker. It is a national instrument. We are all proud of that national instrument. As the Minister said, the only instrument of its kind invented in this most recent times in the last century so, it is something to be proud of. I really just stood up to say we place on the record that we fully support this move. But, I also endorse the comments of my colleague from Moruga/Tableland that we need to do more and go further than just a symbolic changing of those foreign ships and so on. The birds—put on the Hummingbirds, all that we fully support, but it is unfair for a senior Member to say that this Member was not supporting or misrepresenting what the Member said in this honourable Chamber. With that I say Madam, I thank you for the time.

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

**Madam Speaker:** Minister of Tourism, Culture and the Arts.

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

**The Minister of Tourism, Culture and the Arts (Sen. The Hon. Randall Mitchell):** Thank you, thank you very much, Madam Speaker, and in my wind up, allow me to thank each Member who contributed to this very important

amendment Bill, this very important initiative. So I thank the Member for Moruga/Tableland—

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

**Sen. The Hon. R. Mitchell:**—and I thank the Member for Siparia, but I especially thank the Member for Diego Martin West, the Prime Minister.

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

**Sen. The Hon. R. Mitchell:** The Prime Minister very expertly dealt with all of the arguments and the rebuttals to the Member for Moruga/Tableland. Because I would confess, Madam Speaker, I myself did not want to be uncharitable to the Member for Moruga/Tableland. I think I have turned over a new leaf this year and that is not something I would want to do. Because Madam Speaker, while the Member for Moruga/Tableland was making entreaties to the executive of Pan Trinbago, indicating that once they get into office, they would do this and they would do that for Pan Trinbago, I think it was a little insulting that for the past five years, the Member, and the Member for Siparia, had not taken notice of all the things that this Government has been doing for the steel pan movement in Trinidad and Tobago.

You call for more. This Government increased our support for steelbands, the unsponsored steel pans. Just this year, we have increased the amount of money that we give in remittances to steel pan players, we have done that this year.

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

**Sen. The Hon. R. Mitchell:** The Prime Minister touched on one of the competitions but when you have in the steel pan movement, in the steel pan world, you talk about having more, more competitions, more events throughout the year. But over the last two years, you have the Carnival season, which occurs in the first quarter of the year, then you go into festivals under the Prime Minister. August,

just last year, in August, we had the World Steel Pan Festival in August, which is steel pan month. You had events throughout the month of August, July into August and then, in October, November, competition again starts and practice starts for the very next year, not to mention the Tobago Carnival, where events also take place.

So, it is entirely incorrect to say that we have not created, along with Pan Trinbago, an enabling environment to have steel pan throughout the calendar year. Pan Trinbago themselves have said they are moving away from this idea that steel pan is a seasonal thing. It is an annual thing, it is a yearly thing. So perhaps you may not have noticed that.

Perhaps you may not have also noticed that over the last two years, it is this Government in 2023 that went and moved a Motion asking the United Nations to declare World Steel Pan Day on August the 11<sup>th</sup>. This Government did that, bringing international recognition to the steel pan and to Trinidad and Tobago. It is this Government that passed the National Musical Instruments Act in 2024, formally declaring the steel pan the national musical instrument of Trinidad and Tobago.

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

**Sen. The Hon. R. Mitchell:** It is this Government, last but not least, Madam Speaker, that worked for over two years along with Pan Trinbago, along with the steel pan movement, to acquire intellectual property rights in the steel pan in the form of a geographical indicator, something that they said could never be done.

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

**Sen. The Hon. R. Mitchell:** It is this Government that has done that. So you know, the Member for Siparia talks about when will this thing be proclaimed? There is a proclamation section, and there is a proclamation section for good

measure, because now, as the Bill is passed, those who are charged with causing this change, must now plan, must now budget to effect this change and bring it into effect. That is sensible.

**11.00 p.m.**

The Member for Siparia also talks, and the Member for Moruga/Tableland also talks about the cost. There must be a cost. Of course there is a cost. There is a cost to maintain our present national emblems. Flags are purchased all the time. Flags are changed out all the time as they experience wear and tear, and so to do Coats of Arms. But it is very difficult hearing those arguments coming from the Member for Moruga/Tableland and the Member for Siparia. Because I distinctly remember, between the years 2010 and 2015—perhaps it is capriciousness that almost every quarter new Ministries were created, new Ministers were installed, Ministers were fired and there was a burgeoning of new Ministries. And every time that happened you had to do new signs. You had to do new signs on vehicles. You had to put up physical signs. And those things bore a significant cost to the taxpayers in Trinidad and Tobago. You did not complain then. But it is this Government that condensed the number of Ministries, condensed the number of Ministers, and controlled that cost.

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

**Sen. The Hon. R. Mitchell:** So it is very difficult to listen to those arguments coming forward. Madam Speaker, I think, I should put into the record, the letter coming from Pan Trinbago in support endorsing the change to the National Coat of Arms. And it was sent on November 22, 2024, addressed to Dr. The Hon. Keith Christopher Rowley, Prime Minister of the Republic of Trinidad and Tobago.

Dear Hon. Prime Minister,

Pan Trinbago takes this opportunity to express our heartfelt gratitude for being invited to contribute to the development of the National Coat of Arms. It is both an honour and a privilege for us to participate in this historic process, underscoring the integral role of the Steelpan in shaping Trinidad and Tobago's cultural identity. After a thorough review and thoughtful consideration of all designs, the Pan Trinbago team is pleased to express our enthusiastic agreement with design number 7. We are particularly heartened that this design features the Steelpan alongside its iconic two pan sticks. This inclusion celebrates the steelpan's role, as the National Musical Instrument of Trinidad and Tobago, symbolizing resilience, creativity, and the indomitable spirit of our people.

Pan Trinbago, as the world governing body for steelpan is committed to preserving, promoting and advancing the steelpan as a symbol of national pride and a tool for cultural diplomacy. Our mandate extends to empowering steelbands, fostering youth development and ensuring the steelpan remains a vehicle for social transformation and community building.

The steelpan forged in the fires of ingenuity embodies the rich cultural heritage of our twin island nation and stands as a beacon of Trinidad and Tobago's contribution to global music and innovation. Its journey from the streets of Laventille to the global stage mirrors our nation's evolution, serving as a testament to the creativity and determination of our people. Design number 7, aligns seamlessly with our vision, as it not only elevates the steelpan but also encapsulates the essence of Trinidad and Tobago's identity.

The inclusion of this iconic instrument, alongside other national symbols will inspire pride amongst citizens and resonate deeply with the diaspora and global audiences. We are confident that this design will serve as a fitting representation of our nation's unity, creativity and enduring cultural legacy. Pan Trinbago stands ready to support any further initiatives to enhance and celebrate the prominence of the steelpan and our shared heritage.

Thank you once again, for affording Pan Trinbago the opportunity to contribute to this landmark initiative. We look forward to the unveiling of a National Coat of Arms that reflects the essence of Trinidad and Tobago's rich and diverse cultural tapestry.

Yours respectfully,

Ms. Beverley Ramsey Moore.

President Pan Trinbago.

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

**Sen. The Hon. R. Mitchell:** So, I am very happy and heartened to hear that we will receive the support from members on the other side. We have demonstrated Government's commitment to the renewal and rebirth and prosperity of our national identity through the formal modernization of our Coat of Arms, and this is in direct response to the reverberating call of our own citizens over the decades.

Madam Speaker, I do not think there is much more for me to say. I thank you, and I beg to move.

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

*Question put and agreed to.*

*Bill accordingly read a second time.*

*Bill committed a committee of the whole House.*

*House in committee.*

*Clauses 1 to 5 ordered to stand part of the Bill.*

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

*House resumed.*

**Madam Speaker:** Minister of Tourism, Culture and the Arts.

**The Minister of Tourism, Culture and the Arts (Sen. The Hon. R. Mitchell):**

Madam Speaker , I beg to move that a Bill entitled an Act to amend the National Emblems of Trinidad and Tobago Regulation Act, Chapter 1904 to provide for a new Coat of Arms and other related matters, be now read a third time and passed.

*Question put and agreed to.*

*Bill accordingly read the third time and passed.*

#### **ADJOURNMENT**

**Madam Speaker:** Leader of the House.

**The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis):**

Thank you very much, Madam Speaker. I beg to move that this House do now adjourn to a date to be fixed.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 11.10 p.m.*