

SENATE*Tuesday, June 27, 2017*

The Senate met at 1.30 p.m.

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

Madam President: Hon. Senators, I have granted leave of absence to Sen. The Hon. Paula Gopee-Scoon who is out of the country.

SENATOR'S APPOINTMENT

Madam President: Hon. Senators, I have received the following correspondence from His Excellency the President, Anthony Thomas Aquinas Carmona O.R.T.T., S.C.:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS CARMONA, O.R.T.T., S.C.,
President of the Republic of Trinidad and Tobago and Commander-in-Chief of the Armed Forces.

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.
President.

TO: MR. IMRAN MOHAMMED

WHEREAS Senator the Hon. Paula Gopee-Scoon is incapable of performing her duties as a Senator by reason of her absence from Trinidad and Tobago:

UNREVISED

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(a) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, IMRAN MOHAMMED, to be temporarily a member of the Senate with effect from 27th June, 2017 and continuing during the absence from Trinidad and Tobago of the said Senator Gopee-Scoon.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 23th day of June, 2017."

OATH OF ALLEGIANCE

Senator Imran Mohammed took and subscribed the Oath of Allegiance as required by law.

PAPERS LAID

1. Ministerial Response of the Ministry of Tourism to the Third Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament, on an Examination of the System of Inventory Control within the Public Service. [*The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the National Institute of Higher Education (Research, Science and Technology) for the year ended December 31, 2009. [*Sen. The Hon. F. Khan*]

3. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Mayor's Fund of the San Fernando City Corporation for the year ended September 30, 2011. [*Sen. The Hon. F. Khan*]
4. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Mayor's Fund of the San Fernando City Corporation for the year ended September 30, 2012. [*Sen. The Hon. F. Khan*]
5. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Mayor's Fund of the San Fernando City Corporation for the year ended September 30, 2013. [*Sen. The Hon. F. Khan*]
6. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Mayor's Fund of the San Fernando City Corporation for the year ended September 30, 2014. [*Sen. The Hon. F. Khan*]
7. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statement of the Penal/Debe Regional Corporation for the year ended September 30, 2014. [*Sen. The Hon. F. Khan*]
8. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Chairman's Fund of the Mayaro/Rio Claro Regional Corporation for the year ended September 30, 2012. [*Sen. The Hon. F. Khan*]
9. Annual Report on the Operation of the Interception of Communications Act, Chap. 15:08 for the year 2013. [*Sen. The Hon. F. Khan*]

URGENT QUESTIONS**Theft of Crops after Floods****(Government's Action)**

Sen. Wade Mark: Thank you, Madam President. To the hon. Minister of Agriculture, Land and Fisheries: In light of reports of the theft of crops on farms that were affected by recent floods and the consequent sale of these items to the public, what action does the Ministry intend to take to protect the health of consumers?

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Madam President, as far as I am aware, there is one report which was carried in the *Trinidad Guardian* newspaper last Saturday. The report involved a complaint by one farmer from Tabaquite, Mr. Ramlal, about the loss of about 400 pounds of cabbage on the Friday morning. Madam President, even before that incident, or that report, the Ministry of Health had already issued an advisory to the public dealing with safe use of water and safe consumption of fruits and vegetables. Subsequently, the Ministry of Agriculture, Land and Fisheries issued a media release to the public advising of the risk of purchase and consumption of fruit and vegetables which would have been contaminated during the flood. The Ministry followed it up with specific advisories relating to sweet pepper, cabbage and tomatoes.

The Ministry is also working with NAMDEVCO and the Public Health Division of the Ministry of Health to do periodic inspections at municipal and other markets around the country. And the Praedial Larceny Squad is aware of the risk of stolen vegetables and fruits entering into the marketplace having been affected by flood, and is paying particular attention to market and roadside sales, and we continue to advise the public. At this time, however, Madam President,

with the passage of time, I think the risk of that produce coming into the marketplace has been significantly reduced. So our advice to the farmers, to the consumer, is to buy at the farmers' market where you are dealing directly with bona fide farmers to inspect all produce before purchase and to sanitize before consumption. Thank you.

Sen. Mark: Madam President, could the hon. Minister indicate when were these advisories issued by the Ministry of Health, as well as his Ministry?

Sen. The Hon. C. Rambharat: Madam President, as far as I recall, the Ministry of Health began issuing the advisories last week Monday, which was the date of the passage of Tropical Storm Bret; and as of Wednesday last week, which would be the 21st of June, the Ministry of Agriculture, Land and Fisheries began issuing its advisories on food safety. Thank you.

Sen. Mark: Thank you, Ma'am. Hon. Minister, is there a mechanism or system in existence at the level of the Ministry that would help your Ministry monitor stolen produce in periods like what we have just experienced? And if there is such a system, could you say, outside of the report that you made mention of in the newspaper, have there been any reports, coming through that system to you, as it relates to that issue, Madam President?

Sen. The Hon. C. Rambharat: Madam President, it is an ongoing system which involves a combination of the Praedial Larceny Squad which conducts patrols and interfaces with vendors across the country, seeking the appropriate documentation from vendors in relation to what they are offering for sale, and also to the work that they do at municipal markets. Also, in addition to that, municipal markets are required to look for documentation from vendors in relation to the ownership or the purchase of produce for resale. So this is ongoing work that takes place, of course, increased in the current environment.

Madam President: Sen. Ameen, no more.

Sen. Ameen: Oh.

**Closure of Four Outpatient Clinics
(Government's Action)**

Sen. Wade Mark: Thank you, Madam President. To the hon. Minister of Health: In light of the closure of four outpatient clinics at the Port of Spain General Hospital today, what action is being taken to ensure that affected patients are not inconvenienced with delays to their appointments?

Madam President: Minister of Health, you have two minutes. [*Desk thumping*]

The Minister of Health (Hon. Terrence Deyalsingh): Thank you. Thank you very much, Madam President. Good afternoon to all, and I thank hon. Sen. Mark for the question. The closure of four outpatient clinics was due to the fact that, with the passage of Tropical Storm Bret and attendant rains after, there was some leakage in the roof to the records section, which led to parts of the ceiling falling down.

Outpatient clinics, by their very definition, are not to treat emergency cases. These are appointments that would have been made for routine check-ups months ago, weeks ago. All patients will be rescheduled. What we have done in the interim is, and I just spoke to one of the doctors, especially for the medical outpatient clinics, prescriptions have been written so that patients do not run out of their drug supply. So what we are doing, the works on the roofs, the inspection is taking place today. I will have a better idea by this afternoon by when the works will be completed.

There is going to be some short-term inconvenience, maybe in terms of days, but, as I said, these were appointments that were made weeks ago, months ago, and outpatient clinics by their very nature are not to treat emergency cases.

Urgent Questions (cont'd)
Hon. T. Deyalsingh (cont'd)

2017.06.27

All emergency cases go to the A&E either at Port of Spain, St. James, or patients have been advised to make use of other health centres in their areas. Let me just reiterate, outpatient clinics by their very nature are not emergency clinics. These are clinics for routine investigations after people have been discharged from hospital and they have joined an outpatient clinic. So I hope that clarifies the position. Thank you very much.

Sen. Ameen: Thank you, Madam President. To the Minister, can you indicate a time frame by which these repairs will be done for the advice of the citizens?

Hon. T. Deyalsingh: Sure. As I said, in the completeness of my answer I did say that I will be in a better position by this afternoon after the inspection is done today. I cannot stand here right now and give you a time frame when the repairs will be completed. I will have that answer hopefully by this afternoon. The inspection is taking place today. But let me reiterate, these are not patients in need of urgent emergency care, these are outpatient clinics for appointments which were made long time ago for their routine check-ups. So no patient is being disadvantaged. There is no crisis. There is no emergency. We have advised these patients in case of an emergency to present yourself to the Port of Spain A&E, St. James A&E, or any one of the health centres that they see fit. Thank you, Madam President.

Sen. Mark: Madam President, may I ask my hon. colleague, what system is in place to deal with new patients who may be entering the system given the circumstances that you have just outlined? Is there a system that you have established in an area of the hospital to facilitate those new patients?

Hon. T. Deyalsingh: Thank you, Madam President. Sen. Mark—well, through you, Madam President, new patients when they join the clinic will be given, after they are discharged, will be sent to the clinic to join and then be given a date in the

future. I do not know if you understand where I am coming from. So they may be given a date six weeks from now, two months from now, so those new patients are not going to be disadvantaged.

Outpatient clinics, let me just reiterate, are not emergency clinics. These are clinics for people who have been discharged and need to return for their check-ups to make sure everything is okay: their blood work is good, their high blood pressure is good, all their clinical symptoms are good. So neither new patients nor existing patients are in any danger. All patients know in the event of an emergency they present to the Port of Spain A&E, the St. James A&E, or any other health facility of their choosing. I thank you for the opportunity, Madam President.

**UNACCEPTABLE LEVELS OF VIOLENT CRIME
(GOVERNMENT STEPS TO DEAL WITH)**

[Fourth Day]

Order read for resuming adjourned debate on question [February 14, 2017]:

Be it resolved that this Senate take note of the increasing and unacceptable levels of violent crimes in Trinidad and Tobago.

And be it further resolved that this Senate call on the Government to take all immediate and necessary steps in the shortest possible time to deal with the unacceptable crime level facing the citizenry of Trinidad and Tobago.

Question again proposed.

Madam President: Some 12 Senators have already spoken on this Motion, including the mover of the Motion, Sen. Sturge. Minister of Labour and Small Enterprise Development, you have 35 minutes of speaking time. [*Desk thumping*]

The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus): Thank you very much, Madam President, for this further opportunity to complete my participation in this Motion raised by Sen.

Sturge concerning the responsibility of the Government to ensure public safety and security through the maintenance of law and order. Madam President, this is a situation where we as Government will continue to take all the immediate and necessary steps in the shortest possible time to deal with what is generally well known as the unacceptable levels of crime among the citizenry of Trinidad and Tobago.

Madam President, this Government is a Government that is wedded to the whole-government approach to the treatment of crime in this country. But, Madam President, when it comes to crime we will all agree that it affects all of us. It affects us to the very core of our relative existence, and, actually, undermines the quality of life that we would all want to live. I think, if you all want to be honest, we would all agree with that. You know, Madam President, in a twist of irony we find ourselves as law-abiding citizens, we build burglar proofing—I mean, for many years we have built burglar proof. We have burglar-proofed our houses. We have spent significant sums on security systems, security cameras, security lights so that at the flick of a switch the lights go on, on our property, and even when we are not there we put security systems in place so that when it begins to get dark the security lights would come on automatically.

We spend a lot of money in order to protect ourselves, and to keep those who are intent on creating evil and havoc in the society—thankfully, Madam President, those belong to a small group of persons in Trinidad and Tobago. Madam President, what we see happening today is the effects of crime impacting in terms of the fear factor, but we must never be afraid, so fearful, Madam President, to give up our right to correct what clearly has gone wrong among that small group of persons. Because, you see, Madam President, crime has the

potential to limit us, to limit our productive capabilities.

As citizens, we should not allow criminals to dictate how we live, and, therefore, Madam President, it is important that we look at crime in a holistic way. All of us who are parents, Madam President, we have a responsibility, and we do, most of us, we are decent law-abiding citizens. We have tried our best to bring up our children in the correct way, instilling in them the core values, you know, but, Madam President, there are those who do not pay the same level of attention that we do.

Our Constitution at section 4 provides for the fundamental rights of citizens, of all the citizens. It guarantees us the right to life, to liberty, the security of the person, and, also, to the enjoyment of our property. It, therefore, not only allows us for protection but allows us to live freely within the context of the current laws and regulations that are in place.

Madam President, undoubtedly, the high levels of crime pose a serious threat to the very existence of our democracy. Violent crimes often lead to a tragic loss of life and injury. There are crimes, Madam President, that no Government, no Government can put any systems in place to prevent. I mean, Madam President, you have a love triangle gone wrong, a man decides that this woman is my possession, not a human being but someone that I possess, and if I cannot have her, nobody else will and decides to take the law into his hands and take the life of a sister, a woman, a mother, a grandmother; a Government cannot prevent those crimes, those crimes of passion. So we have a segregate crime, Madam President, but, nonetheless, notwithstanding the segregation of the crimes that are committed those violent crimes lead to loss of lives. It leads to disruption in family lives. More importantly, however, crime results in the deprivation of the rights and the

dignity of citizens.

Madam President, there is a need for a comprehensive strategy in combating this very disturbing trend. For these reasons this Government considers the prevention of crime as a national priority. We want a crime-free society. We want to be able not to have to place ourselves, literally, behind bars, because when we burglar-proof our homes that is what we do. We owe it to our people. We owe it to our children. We owe it to ourselves, Madam President. We also recognize that the causes of crime are deep rooted and multidimensional. It is not as simple that you go out there and you jail criminals and you implement the death penalty; there is a holistic approach that is necessary under these circumstances. It requires a comprehensive strategy and the mobilization and the participation of civil society in all the planning and implementation.

Madam President, there is also a need for a systematic approach to addressing crime in Trinidad and Tobago which involves paying attention to crime prevention, crime detection, arrests, conviction, sentencing, imprisonment; and, more importantly, the rehabilitation of these persons, these criminals so that they can be reintegrated into society. Madam President, this Government, in its official policy framework, has clearly articulated the importance of a whole-of-government approach to national security, where all the Ministries, all the Departments and agencies share the responsibilities and are accountable for the security and safety of the State.

Madam President, committing a crime is really a choice, the choice that someone makes to do good or to do evil. Someone sets out to commit a crime. Crime is committed for various reasons, Madam President, some of which are not under the control of any Government. I mean, we look back over the years,

Madam President, people take a decision.

Recently, young citizens of a particular place literally hog-tied one of our beloved persons of the cloth. They were the same persons he has been helping over the years, Madam President, over the years, and it is not that there is not a recognition of the work he has been doing in that community, it is another factor, A factor that no Government, I will argue, that no Government can put a mechanism in place. It has do with our humanity. It has to do with our decency. It has to do with our ability to detect right from wrong, and taking a decision that we will do the right thing. There are those in all societies, Madam President, who—I mean, and I have known one or two of them, and I have known them as children, and I look at them today and, you know, I ask myself, but these are children from upstanding citizens, people that I knew, who I grew up with. These children were brought up in good homes but they made a choice, Madam President. They made a choice not to do good but to engage in depriving the citizens of Trinidad and Tobago.

Madam President, that is why the primary proper response to crime is not really we should not involve in too much admonishment, blaming this one, blaming that one, excuses, what we need to do; those who commit crimes must know that they will be caught and they would be punished. In order to do that, Madam President, you have to look at the whole, not one segment of a plan in order to reduce the crime rate in Trinidad and Tobago. While we continue to mount tough actions against the criminals, Madam President, we must simultaneously attend with equal vigour to assisting these victims of crime, to preventing crime, and to eradicating the underlying social causes of crime. We have to look at poverty. We have to look at unemployment, inequality.

But, you know, Madam President, you look at all the programmes that Government has put in place to empower young people, and when you look at those who are committing the crimes in the society, Madam President, they are not interested in empowering themselves you know. They are not. Madam President, we need to weave a new social fabric, yes, and also we cannot expect it to happen too quickly. We need to understand the need for proper planning and the construction of a robust criminal justice system.

2.00 p.m.

Madam President, in the Ministry of Labour and Small Enterprise Development, there is the On-the-Job Training Programme where young persons from age 16 to age 18 to 35, can allow themselves to be placed at various work sites, consistent with what they want out of life, and to receive at least two years training to prepare them for work life.

Madam President, let us look at Vision 2030. In our draft National Development Strategy 2016 to 2030, what we popularly call “Vision 2030”, Government plans for future Trinidad and Tobago in which, and I quote:

“All citizens enjoy a high quality of life, where quality health care is available to all and where safe, peaceful, connected and environmentally friendly communities are maintained.”

But to achieve our vision for Trinidad and Tobago, we recognize that it is important for us to create the conditions and the opportunities so that the motivation for crime will be reduced, as well as transforming those into productive citizens. That is not an overnight process. It is a process that would take time.

While this Government is finalizing its plans, the Attorney General has commenced the process of laying several pieces of legislation, not only before this

honourable House but in the other place, which addresses some of the challenges faced in the criminal justice system, because all of that forms part of the whole-of-government approach. Let me assure this honourable House and the people of Trinidad and Tobago that the Government of this country continues to remain committed to improving the quality of life of all the people in the country, in a manner that would ensure all of us enjoy a comfortable level of safety and harmony.

But I want to make it quite clear in this honourable House that crime prevention is not the sole obligation of the police or for that matter the Government, it is an obligation for every single citizen. This is one issue that must cut across politics, race, religion, ethnicity, because we all have a role to play. Because all of us in our individual capacity must pass on that baton to the next generation that we are providing for.

I would argue that we need to revisit some of what certain people call the “values of yesteryear”. We have to bring back those old values which served us well. Most of us who are over age 50 would remember those days. When I see a child, I see my daughter. How could we as adults see young people engaging in inappropriate behaviour and not intervene? I stand here, and I can say as one parent, as a grandparent, anywhere I go and I see children behaving in what I term to be inappropriate conduct, I intervene—I intervene. But in intervening, you have to intervene in a way that you do not aggravate the situation. How often do we as adults see children even fighting, and we leave them to let them battle it out. We have to intervene, we have to talk to the children because those children are our children. They are our children, they are our grandchildren.

I remember, Madam President, in times gone by, if any adults saw us as

children doing something wrong, they had full authority to deal with us then and there. I have gotten many a licking from my neighbours. And let me tell you this, Madam President, race had nothing to do with it, because our neighbours were Indians and Africans living in harmony, and any one of the neighbours “ketch” you outside, when you should not be outside, you know you are going to get it, and you cannot even go home and complain, because if you go home and complain you have a next set of “licking” to get. That is where it took a village to raise a child, because the village, the villagers, looked after each other’s children. We have to return to those olden golden values.

Today that respect only exists among a handful of persons. The religious institutions, parents and families, as well as schools and other institutions all have that vital role to play in instilling in children a strong appreciation for what is right and what is wrong. I remember too, going to school and coming home with a pencil that was not yours, you used to get a “ring ears” and with a strict instruction, “Do not come back in the house with that pencil”, and you could not next day come back home. How many parents search their children’s school bags—how many on a consistent basis? As parents we have to take responsibility, both male and female. We have to ensure how well our children do in school. We have to participate in activities at the school, so that the continuation of the value system is displayed.

It is evident that we need a change in mindset, to one that engenders positivity and growth, especially among our youth. We have youths who are model youths. Often on the Independent Bench we see a young man, Nikoli Edwards, who represents young people. There are other young people who are making a valid and invaluable contribution to the growth and development of this

country. But there are those who are not, and it is those that we have to pay attention to. We need to return to be our neighbour's keeper. In this way, we all have that critical role and to display it, to help prevent those young ones from being attracted to the life of crime. Because when you look around, the gains from illegal activities, from criminal activities, is a strong stimulant and it is a strong attractor for those who do not have enough.

Madam President, I would also like to underscore the importance of rehabilitation of incarcerated persons. It is critical that we make every effort to support programmes and projects that afford persons who are incarcerated, and may have been previously convicted, and allow those persons to have a second chance in life. We see organizations as Vision on Mission that Mr. Wayne Chance and others like him, have really put a lot of sacrifices and energies into. This Government is prepared to work closely with those civil society organizations. It is critical that we make every effort to support programmes and projects. We have to look at helping them, at rebuilding their family lives, rebuilding their lives in the community and empowering them to regain control of their lives so that they can make a positive contribution. That is part and parcel of what our grandmothers, our grandparents used to say, being our brothers' and sisters' keepers.

As I indicated earlier, at the Ministry of Labour and Small Enterprise Development, we are doing our part in providing an alternative path, and that is through decent and sustainable employment and enterprise development. I would have shared with this honourable House on previous occasions about the 10-point plan on employment, which is a comprehensive plan to assist unemployed and retrenched persons in our labour market. The plan is being implemented through our Turning Adversity into Opportunity Programme, where we have established a

national unemployment register, where persons who are looking for jobs can register and be provided with a range of services such as counselling, assistance in business start-up and job placement through our National Employment Service, which is a unit under the Ministry of Labour and Small Enterprise Development.

I would have shared with you a short while ago about our On-the-Job Training Programme, and this is how we at the Ministry contribute, and these are some of the measures how we will defeat the actions of a small percentage of the population who seek to hold us literally at ransom. We will provide them with the opportunity to earn an honest bread, to earn an honest day's wage through legitimate enterprise, once they are so willing to do. I believe that people do not want to turn to a life of crime, but with the kind of support that is necessary, those who are willing not to go in that direction but may be pushed by their peers, they have an alternative.

Madam President, in closing, my Government is unshakable in its resolve to fight crime. In areas where there have been positive inroads, we will continue to work hard and smart to entrench these successes. Accordingly, in areas where more work is necessary, we shall work together to find the solutions. Whilst the problem of crime is not an easy one to solve, this Government remains committed to fighting it and doing so locally and with our regional and international partners, and with collaborated efforts to do our part.

Madam President, I thank you for the opportunity of participating.

Sen. Daniel Solomon: Thank you, Madam President. I am extremely humbled and honoured to be making this contribution, and I want to commend my colleague—although he is not here at this point in time—Sen. Sturge, for creating this Motion and bringing it to this august Chamber.

In particular, I want to commend him for the urgency aspect of it, so that this august Chamber can agree that something needs to be done urgently and quickly to arrest this situation. Pardon the pun. It is a sort of call to arms, which I want to commend and acknowledge, and I hope that this august Chamber will follow and call to arms, so that we can stop crime in this country which is spiralling totally out of control.

The number one responsibility of a government—and I hear what my friend, Sen. Baptiste-Primus has said—that it is not the sole responsibility of the Government, but I do take issue. I think that the Government is responsible. The hon. Prime Minister had said himself that if the Government cannot solve the problem of crime then they are part of the problem and should be removed. [*Desk thumping*] Unfortunately, the situation is that this present Government has failed in their efforts to curb crime, and crime is unfortunately spiralling way out of control. If something drastic is not done, then certainly all is lost, and this Government needs to consider whether they should continue in office under these circumstances.

I do not see a plan. I do not hear a plan. I see no implementation of a plan. I understand what the learned Senator has said in relation to weaving a social fabric and the days when she was younger how any adult would be able to discipline any child, but that is not good enough. We need clear implementation plans and social programmes.

A lot has been said in the past about, in particular, interdiction, arrest and prosecution. We have been told that there is a suite of legislation which is going to assist the courts in prosecutions, so I am not going to go too much into that part of it. I think I want to get more into the causes of crime, what actually creates

criminals in our society. That is where we need to start with a plan. But let us first begin by all agreeing that it is the Government's sole responsibility and it is their responsibility to guarantee the safety and security of its citizens. [*Desk thumping*]

Section 4 of the Constitution goes into great detail about that, and I do not need to speak about that. If they have failed to do that, then they have failed in their Constitution obligations to the citizens and should be removed.

Building a police station in Enterprise to curb crime in Enterprise or to curb crime on the whole is not a crime plan. That is a Band-Aid, a short-term solution for a massive cultural and national problem. I agree with the Senator saying that things need to be taken in a holistic approach, but I am not hearing from the Government what those particular holistic approaches are. If there is no approach and there is no plan, how can we actualize and operationalize any sort of solution? The criminals will continue to attack and the situation will spiral even further out of control. How can you expect to do the same thing over and over and expect a different result? That is the definition of insanity, and that is what we have here, except it is even worse because nothing is actually being done as it was before.

As of today, I think we have 243 murders and we are not even halfway through the year. In 2014, we had 403 murders, in 2015, 420, and in 2016, 462. If we go the rate that we are going now, we will probably cross 486 murders, and that will surpass even the worst scenarios, and it is not something that any of us want, but it is a fact that nothing is actually being done to arrest the situation.

Madam President, if I can refer to a United States Department of State's assessment of Trinidad and Tobago 2017 Crime and Safety Report. It states that:

“The U.S. Department of State has assessed Port of Spain as being a critical threat location for crime directed at or affecting official U.S. Government

interests.”—critical, that is serious.

It also goes on to say that the:

“Trinidad and Tobago Police Service (TTPS) 2016 crime statistics show a 1.4% increase in overall serious criminal activity, as compared to 2015. Violent crime remains a major concern for local security services and the general population.”

That is from the Crime and Safety Report that I just mentioned.

Madam President, it goes on to state that:

“In Trinidad, the majority of violent crimes (homicides, kidnappings, assaults, robberies, sexual assaults) are gang/drug-related or domestic in nature.”

And I hear what my colleague says, that domestic crime is something that perhaps, the Government or the State cannot prevent. I disagree. I have heard the comments of the hon. Prime Minister stating that you should choose your man more carefully, I find that is offensive and ridiculous, [*Desk thumping*] to put that burden onto women.

So we have two definite, distinctive types of crimes as is defined in this report. It says:

“Most reported crimes occur within the metropolitan areas of Port of Spain and San Fernando, with the areas of Arima and central Trinidad contributing heavily to the 2016 crime statistics. While there were 157 more reported serious crimes in 2016...the overall percent of crimes that resulted in an arrest remain relatively unchanged at 24%.”

Now, Madam President, it would not be so bad, but the PNM Government had promised that they were “red and ready” and they were here to make a difference,

and they sold the population that they would solve the crime problem in Trinidad and Tobago, and they have failed miserably to do so. What I think reeks the worst and sits the most uncomfortably with the population, is the way that the weak and the vulnerable in our society are treated or mistreated as the State may wish to avoid saying. But, in fact, we are seeing more and more heinous crimes being committed against children, against the women in our society, against the aged, the elderly, and now we are even seeing crimes against the mentally ill, abuses by our own police service, although it may be due to a lack of training as they themselves state.

So these are the areas that I was hoping I would have heard from the Government saying, “We have a plan to assist with the weak and vulnerable in the society, and this is how we are going to tackle it, and this is the rollout plan and this will take X amount of dollars over X amount of time”, and at least we would have some sort of shining light and a path to follow to say that we are moving towards solving the problem. No one is saying that it is an overnight solve or a quick fix, but it certainly requires the first step to be taken, and that is the demonstrating of a plan, and we do not have one. We hear about a 10-point plan, Sen. Sturge has already dealt with that part of it.

We hear the Children’s Authority, which I think is one of the key players and institutions in assisting in remedying the situation in relation to children in our society and the at-risk children. They say that they have a backlog of some 5,000 odd cases, and nothing seems to be done to support the Children’s Authority in solving and helping with these matters. So what happens is you have 5,000 children who have been reported on or at risk and nothing is happening? What happens to those children? What happens when they grow up, when they become

teenagers, when they become adults? It is a vicious cycle of being abused and then becoming the abuser, and if it is not arrested at the early stages—which is another failure that is happening now—then what is naturally going to happen is that you are going to have generation upon generation of violent, abusive criminals that are going to be inflicted on our society.

So I am not here prepared to listen to hear that, oh, it is just a matter that is not the Government's problem and it is a family problem and it is a bad choice of lover. No, that is not acceptable. These institutions need the support and the resources to tackle the problem frontally.

Madam President, there was a report—a very depressing report—in the *Trinidad Guardian* on June 20th:

“Death at Valsayn children's home

Homicide detectives are investigating the death of a 17-year-old boy who died at a children's home in Valsayn supervised by the Children's Authority.”

So again, here we have another victim. He has actually been rescued, is being kept at a home. We understand that he is at risk and he is troubled, but yet still there is not sufficient protection or care to prevent him from committing suicide. That to me is a tragedy. So he is one of the lucky ones who is ahead of the pack among the 5,000 who are not yet rescued, and he is taken into the care of the home, but still suffers the tragic fate of suicide. That situation is unacceptable.

Then we can go to an article on June 16th in the *Trinidad Express*:

“Eleven boys escaped the St. Michael's Interim Rehabilitation Centre in Diego Martin.”

So 11 young men have escaped from St. Michael's Home. It reads:

“St. Michael’s, which also houses young offenders, has had its doors darkened over the years by allegations of abuse, including sexual abuse, and general maltreatment of boys sent there to be rehabilitated.

In 2014, 14-year-old Brandon Hargreaves died after hitting his head on the concrete floor of his dormitory, during what some administrators claim was an attempt to drop-kick another child. He had been sent to the school by the court.”

So we have situations where we have 11 boys now who are at large, not getting the care that they need or the rehabilitation. But these boys are also—and according to the *Newsday* article on June 27th, have been involved in some fairly serious offences and are therefore also a risk to society:

“Police believe the missing nine are hiding in Santa Cruz and San Juan. Police believe the inmates may have contacted relatives who have been asked to encourage the boys to return to the home. The boys, who are in their late teens, were placed at the home for a range of offences including robbery, while one escapee is at the institution for his alleged involvement in the robbing and murder of former soldier Calvert Dexter James during J’Ouvert.”

So you have a backlog of cases of 5,000 in the Children’s Authority, then at one level above where you have the juveniles at St. Michael’s Home not being cared for, some dying under their care and then 11 of them escaping, some of them for fairly serious offences. You have a young man who was rescued, committing suicide in a home supervised by the Children’s Authority. What is going on in this society? What is going on in these institutions? Where is the support? Where are the resources? Where is the accountability for what is happening? Because clearly

this is unacceptable. This is not red and ready. This is dreadful and unacceptable, and the people of Trinidad and Tobago deserve much better than what is being provided at this point in time.

What is even more worrying at St. Michael's Home, the hon. Prime Minister had said that it would be one of his personal interest to ensure, and he undertook to give it special care and attention, yet still we see it failing. If the hon. Prime Minister cannot do it and it is not sufficient for he himself to actually say this—and I commend him for identifying that those are the institutions that need to be worked at, yet still it collapses. Something has to be done to improve it. You cannot just say that it is a holistic approach or it is a multi-pronged approach, or it takes time, you need to get in there, get reports, organize a plan and implement that plan to solve these problems.

Madam President, we heard about Father Harvey, that tragic situation. What is even more tragic is that this is a man who has dedicated his life to the service of God and to try to help people, particularly in these crime-ridden areas, and for his efforts, he himself became a victim—a tragic victim. You have to look at it and say, “Well why are these things happening?” Is it that we have lost our way? Fear of God is no longer enough to keep these young men from perpetrating crimes against a priest in a church, in an area of a man who is helping them? There needs to be a proper social intervention, not only to arrest the situation but to help and to try and understand what the causes of these crimes are and to try and solve them.

Unfortunately, now we have lost Father Harvey to Grenada, and sometimes we wonder what the religious leaders in this country are doing when they are arguing amongst themselves over what I would deem just irrelevancies, when the real battle is to fight crime, and the way that this country has fallen from grace.

Madam President, I want to turn your attention to a *Newsday* article, when we talk about the vulnerable in society and we say that you can always measure how civilized a society is by how it treats its weak and vulnerable. This article reports on a police officer who is stabbed by a mentally ill man. What is noteworthy is that it says over the past three months four mentally ill men, Paul Marchan, Raymond Joseph, Daniel Paul and Eddison Thompson have been shot dead by police prompting criticism from certain quarters. So four mentally ill men were shot dead by police and now there is an outrage to say that the police have not been trained to deal with mentally ill suspects. Four lives lost. Is that because the police were not properly trained to identify and handle the situation? Perhaps it is, perhaps it is not, but it is a tragedy that our police are at a stage where they cannot handle mentally ill suspects, because a large amount of the people who the police would come into contact with will actually be suffering from some sort of mental illness or disorder.

You have persons who may have developed mental illness over time through alcohol or drug abuse. You may have naturally occurring genetic problems of depression, schizophrenia and it is inevitable that the police would engage with such troubled souls. But what protections are given to them and what protections and training are given to the police to help to deal with these situations? These sorts of incidents clearly, in three months four men shot dead, who properly should have been arrested, taken into care and given mental psychiatric support, perhaps in St. Ann's are now dead. That also has, not only the traumatic effect on them and their families, but the police officers themselves. And it is ironic, because it is the police officers themselves that are crying out for the training. How can we not as a country and a Government give the police that support? And you want to say

that we are doing a good job in fighting crime? That seems to me a fundamental flaw in the system.

It also echoes the point that a lot of these psychiatric illnesses or behavioural disorders could be caught at an earlier stage in the school system. I want to support what Sen. Sturge was proposing in terms of proper psychiatric support, identifying children at a young age and giving them counselling and proper psychiatric treatment if they are early identified. A lot of that type of antisocial behaviour can be easily cured through counselling, perhaps medication and therapy, but if it is not caught, it can develop into serious psychotic and criminal behaviour. So that is something that needs to be addressed and looked at and a proper plan put in place.

2.30 p.m.

Madam President, we have all seen the videos on social media where elderly people were being abused by their carers, another illustration of how the weak and vulnerable in society have been treated.

I want to go now to one of the more disturbing articles and that involved a man who is arrested by the police in a vehicle with two young girls, and it was published on May 18, 2016. And what was so troubling about this story is that this 36-year-old man in Princes Town was in a car with a nine-year-old girl and a 14-year-old girl, both sisters and they were intoxicated—

Madam President: Yeah. Sen. Solomon, I just want to ask you: Is that a matter that is currently engaging the courts, this particular matter?

Sen. D. Solomon: Madam President, it was in the papers and I believe that there was a no-case submission—

Madam President: Yeah. Just one sec. Why I am cautioning you, because it

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is—[*Interruption*]

Sen. D. Solomon: Agreed, Madam.

Madam President:—so I am cautioning you to tailor, I am not saying that you cannot make reference, but to go into the details if it is before the court, just exercise some caution, please.

Sen. D. Solomon: Much obliged, Madam President. As I understand it, the only point that I wanted to make was that it seemed—with situations like this, again, is where the social services, the Children's Authority, the persons who should have identified these children at risk, because it turned out that it was a friend of the family as well. And there are so many situations like this in our country where, if arrested earlier or proper psychiatric intervention or social services with the family could have identified the risk to these children, then perhaps these crimes, alleged crimes, could have been avoided, but I will take it no further, Madam President, I think that I have made my point in relation to that.

Madam President, we have another situation and I have to say that my concern in particular is with the children and the women in society who are vulnerable. On the front of *Newsday* we have a pregnant woman was shot dead leaving behind—this was Monday, June 26th, which was just yesterday.

A "...pregnant mother of a disabled girl was shot and killed in Gasparillo early yesterday...the killer"—again, must—"have been someone she knew." And this is what is so glaring is that it appears that it is often people who know the victims or are close to the victims. And what she has left behind, she has left behind:

"...an eight-year-old autistic pupil of the Lady Hochoy Home and the child uses a wheelchair to..."—get—"around."

What happens to the child? Who is going to take care of that child now that the mother is gone? So, it is not good enough to say that it is not the Government's responsibility, it is the Government's responsibility and they need to do something about the situation urgently.

Madam President, the same *Newsday*, they even go ahead and speak about an article. I mean, it is just fraught with articles. The *Guardian* yesterday—apologies, yes, *Guardian* news A5, talks about “Gang Gunplay at Maloney”, where:

“Opposing gang members squared off in Maloney Gardens yesterday trading a volley of gun shots to each other.”

While a social video is circulating in the social media, children are seen looking out of the windows while the gunplay is going on, fortunately nobody was hurt.

This sort of thing is an everyday occurrence in the newspapers, it is an everyday occurrence in Trinidad and it just seems as though nothing is being done about it. Children are dying, women are dying, mentally ill people are being killed. The institutions that are supposed to be protecting, incarcerating, rehabilitating, seem to be failing. Where are we going, Madam President?

And if matters cannot seem to get any worse, we have ISIS, and ISIS is now—Trinidad once again is featuring in the international media for all the wrong reasons. “Terror expert warns: ISIS has a foothold in T&T” *Trinidad Guardian*, 21 August, 2016:

“T&T has a major problem with homegrown terrorism and the terrorist group ISIS has a foothold in the country, says Professor W. Andy Knight, former director of the Institute of International Relations...ISIS recruiters paint a picture of a well-run caliphate, a just and fair society governed by

Shariah law...”

Madam President, the entire article goes on to talk about Trinidad and Tobago and that Trinidad and Tobago now is the most fertile ground for ISIS terrorist recruitment in the western hemisphere.

The *Daily Mail* out the United Kingdom also does an article published:

“The Caribbean island of Trinidad has been revealed as the country with the highest rate of ISIS recruits in the western hemisphere.

More than 400 of its citizens are feared to have left to join the terror group in Syria and Iraq since 2013.

It puts Trinidad and Tobago—a country of 1.3 million, including more than 100,000 Muslims—top of the list of Western nations when it comes to the rate of foreign-fighter radicalisation.”

Madam President, once again I say that these matters are urgent, and my colleague, Sen. Sturge has put in the Motion and needs urgent attention, because it is only a matter of time before some attack happens in Trinidad and Tobago, and the articles that I have talked about go into that risk because ISIS terrorists are encouraged to make attacks by any means necessary and anywhere necessary and we have a lot of exposures and vulnerabilities and it has been identified as a high-risk proposition.

Madam President, there are other, there is much more fallout than just the local society. There is also the economics of crime and the fallout and the effects that it may have or it does have on certain aspects of foreign investment and in particular, Madam President, on tourism.

In the *Guardian* UK, there is an article on 23rd October, 2015 where Peter Green:

“A British man who narrowly escaped death at the hands of machete-wielding attacker on Tobago has said he believes the murders of a British couple on the island this week...”

And he speaks about how other foreigners have been attacked.

“Richard Wheeler, 73, and his wife, Grace, 67 who were original from Sheffield, were found dead at their home on Tuesday.”

He goes on to talk about how he is convinced that the killings are of a serial killer and he has been targeted as a foreigner.

“Last year Hubertus and Birgid Keil, a German couple in their 70s, were found hacked to death on a beach near their vacation home on Tobago’s southern coast. The attack happened a short distance away from the Green’s villa, which is a few doors away from where a German engineer was murdered in 2009.

Seven miles away,...a Swedish couple, Anna Sundsval and Ake Olson, were killed in their villa.”

And it all seems to be with a cutlass-type attack.

Madam President, the Government UK Advisory as of 27 June, 2017, said that there are high levels of violent crime in Trinidad including murder especially in parts of Port of Spain:

“A British national was murdered after being robbed at gunpoint in the Mt D’Or area of Mt Hope in...April 2016.”

It says, safety and security, it warns it citizens, there is:

“...a high level of gang related violent crime in Trinidad, particularly in the inner city neighbourhoods east of Port of Spain’s city centre, Laventille, Morvant and Barataria.”

Madam President, it goes on and on about the warnings and the violence in our society.

It is not limited to the UK though, the US also warns citizens about T&T's high crime rate. The United States Department of State has warned that violent crime remains high in Trinidad and Tobago.

“You should exercise caution and good judgment.”

And it warns and restricts its citizens from visiting certain parts of Trinidad.

Madam President, it goes on, I mean, there is the awful tragic case of Asami, and I hope I can pronounce this right, Nagakiya, from Japan who was murdered and found in the Savannah, a steel player.

Madam President, what I am trying to say, and I hope I am getting the message across, is that our international image is tragically tarnished because of the scourge of crime, and this Government appears to be doing nothing about it. There is a social media video going around and it was a programme that was done recently, it aired on Sunday night by Anthony Bourdain called *Parts Unknown*, some of you may know about it. He is a world-renowned chef and an author of several best sellers and he does a travel guide programme very widely respected, internationally renowned. It showed on CNN, he did an interview with Anderson Cooper on CNN, and he did an episode, episode nine on Trinidad and Tobago.

Now, while as this should have been an opportunity to showcase our foods, our culture as it did in part, but unfortunately a lot of it tended to focus on crime and, in fact, it turned out to be more of a crime documentary. And at the end of it one has to ask ourselves, you know, would we—had we not been Trinidadian looking at that video—would we have wanted to come and visit Trinidad under those conditions? It was a sad indictment of Trinidad. Anthony Bourdain himself

said that there was a murder rate of 460 last year and Port of Spain had a higher murder rate than Detroit and Oakland and Chicago. There was a part of the episode that spoke about the gang warfare, drugs, the Dana Seetahal murder, the recruitment of ISIS fighters.

The tragic part of it is that a lot of the documentary was accurate, but it overshadowed everything beautiful about our country. It overshadowed the doubles; it overshadowed Carnival; it overshadowed the food; our culture; the beauty of our nation. And that is where we are at today, Madam President, and that is truly what is a sad indictment. And we have to look at what is the message that we are sending out on behalf of Trinidad and Tobago.

Madam President, I think I have said enough. I think that the message is clear. I want, again, to commend my colleague Sen. Sturge and I urge this august chamber to urgently agree with this Motion. Thank you, Madam President. [*Desk thumping*]

Sen. Melissa Ramkissoon: [*Desk thumping*] Thank you, Madam President. We are here to debate a Motion brought forward by the Opposition Senator, Wayne Sturge:

“Be it resolved that this Senate take note of the increasing and unacceptable levels of violent crimes in Trinidad and Tobago;

And be it further resolved that this Senate call on the Government to take all immediate and necessary steps in the shortest possible time to deal with the unacceptable crime level facing the citizenry of Trinidad and Tobago.”

Madam President, crime affects all, poor and rich. We have criminals who care not who you are. If they think—well, they believe that everybody has a cell phone nowadays, so if you are stopped and asked for your cell phone and you are not

handing it over because you have left it at home, they think you are lying and they pull out a gun to shoot you. This is something that happens a lot when you are on campus at the University of the West Indies, a place where education should be of utmost importance. Unfortunately, crime happens on a daily basis there. I think every student's prayer used to be, "Please, God do not let anybody steal my laptop", because you have all your notes, you have all your labs, everything, and especially when exam time is around that is your biggest prayer.

And that is the level of crime. We have petty crime and then we have the more violent crimes and serious crimes that we are ashamed of. And I have to say, I do not think any Government wants to say that the crime rate is high. Crime did not happen yesterday, it did not happen 2015, it did not happen in 2000, crime has been building up in our country over the years. It is quite unfortunate that we are at this level now where we could read on the newspapers that six have been killed, four wounded. That is every single day you would see a murder. It is almost like we have adapted a culture now that is accepting. We would expect to see that in the papers. Before, you remember the day when you hear of a murder the night before and you rush to the papers stand and all of the papers are sold out. Now that is normal.

How have we reached here or why have we reached here? Speaking about it here, unfortunately, is not really something that citizens believe will really solve it. They want action now and as the Motion says, it needs immediate and necessary steps. We understand that things did not happen overnight and it will take time, but when you are seeing your family members being lost just like that, Madam President, and not from natural causes, it really hurts.

I have lost a family member due to crime where no one has ever been

convicted for the murder, justice has never been served. It was my oldest uncle and he was very close to me, and one day you hear he is missing, where everybody is praying, they are calling neighbours, everybody is holding prayer meetings and then, all of a sudden you hear the car was recovered and there was no body, and then days later, weeks later you hear the body has been recovered in a very deteriorated state so you have a closed-casket funeral. And these things last with you a lifetime. So to say that it has not affected anyone, it has affected every single home in Trinidad and Tobago one way or the other.

The hon. Sen. Baptiste-Primus spoke about every home has burglar proofing and now dogs. I have two pit bulls so I love them dearly, but we have to have security cameras, burglar proofing, dogs to live in Trinidad and Tobago safely or have a sense of security. Because now when you open your gate you no longer could come out of your vehicle to open your gate, now you have to have remote-controlled gates because when you step out your door they are coming at you. How did criminals become so brave? These are a minority in our country and they are so brave because they have weapons that could hurt us.

I have thought a lot about the gun policy and I have seen in states like Texas where it has worked, where it has reduced the number of rape in this particular area because that was something that was happening, a lot of nurses were being affected to late-night rapes and they found that the guns protected them.

I was thinking what it would do to our country if we legalized guns. Would it reduce; would it increase? It really does not say because there are so many illegal weapons on the streets that, Madam President, if you really want one, it is not difficult to obtain.

And someone was making mention recently, if you go on a regular day in

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Port of Spain and just have a city block and just check random citizens, you would find a lot of illegal weapons coming up. And then I was thinking about our police service and the kind of ammunition and guns that they carry, and then you think of social media of what you are seeing that these people carrying machines guns, and I am wondering, are they in the same class?

And, Madam President, we are really at an unfortunate case here to say that crime is in our country, it is everywhere. We have our budget allocation, one of the highest to fight crime or try to reduce the effects of crime. Unfortunately, many, and myself included, are not seeing that impact. I am not really seeing a reduction to say, okay well we really did not need this Motion today, we could have spoken something about the number of brilliant minds we have our country and the beauty of our country. Because like Sen. Solomon said, the beauty of our country, the blessings that we have in our country are so surpassed because of the level of crime and brutality that we see on our nation's roadways.

Madam President, unfortunately these young minds or these criminals are not looking at the Parliament Channel. They do not know what we are doing here, they only know of earning a quick living or having a lifestyle that they are accustomed to. And I say that because this may have happened because of where they have been brought up, what they have been exposed to.

As children, Madam President, I saw a video recently posted online where this father was walking into the store, had two girls no older than six years old, and he is pointing to them, he is distracting the owner of the store, pointing at them to pick up things and put into the bag, no more than six years old. Do they know how to count; do they know how to read? But they know how to have a quick hand and steal. And this is a reality, Madam President, that we have to deal with.

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I know the hon. Senators spoke family life and bringing it back, but family life is no more where it was because parents are now teaching their children the trade. We heard in the introduction introduced by Sen. Sturge because he is a lawyer and he spoke of many cases of criminal law where he spoke about names of gangs and ISIS bravely and boldly because it is before us so we readily know who the criminals are, but yet we are still in the situation that we are in.

So knowing who are our threats is not helping us because we are not giving them a fear that they need to change, they need to stop or what they are doing is wrong. So again, Madam President, the psychological advancement I must say of these young minds or these minds is something that we really cannot comprehend. The same way that we knew that you have to study hard; you have to sacrifice; you have to do work; you have to read in order to pass your exams, it the same way they have to learn how hold a knife; how to walk up to somebody and take their wallet; how to affect somebody in a negative way. Madam President, these are not nice things to say, but this is the truth and the reality of that what goes on.

For example, when you are shopping during Christmastime and I believe there is another holiday, there are always bulletins that keep your handbag in front or do not walk with a handbag if you are going shopping in Port of Spain or San Fernando or High Street. These little bulletins are to share with you, Madam President, what really is taking place and the fearlessness of these persons who are committing the crimes.

So, Madam President, there is so much negativity and pain that surrounds crime in our country. We really need to do something about it now. A lot of money is being spent to build up the police systems, all the surrounding anti-crime systems, also we have the SSA, all these things that we are paying money for and I

am not really seeing fruits. I am not seeing, okay we have all these agencies, they are performing and now crime has reduced by what?—1 per cent. No. [Interruption] It feels like none, as my colleague is saying, it really feels.

Madam President, to walk out this building, police have to escort us and why is that? Because some Senators in the past were affected by some citizens while they were going to their cars. We are here to serve the public and yet they cannot see that. I think I read recently in a newspaper an MP was robbed at gunpoint. Again, we are Members of Parliament sacrificing our time to serve our country because we love our country, we love the people in our country, we want our country to go forward, but yet the citizens, some of the citizens, you know, they would always say “the one bad apple spoils the barrel”, and that is what is happening with our country. One or two bad apples are spoiling the barrel.

Madam President, I pass on the bus route to come to Parliament and every time, well sometimes I would pass like 11 o'clock in the day or sometimes lunchtime or 1.00 p.m., and these times when I look out the window, so I am passing Laventille and these areas, I would see many persons on the roadways standing, sitting, a lot of cars parked up and I always wonder, how come they are there? Because normally on a Tuesday around that time I would be at work. And I think, and they are always young people or all ages, not only young people, all ages, persons standing in these areas, and a lot. I always look to see if there is some kind of function or something that is going on with these persons who are there, but no, there is nothing. So they are not working, well not during the working hours or the typical working hours, but yet they have cars, they have clothing, they have everything. And I wonder: how is this? Are we encouraging this lifestyle?

And then we would see the drain way overflow and then these residents would come out and complain and they are right there sitting next to it, and I am always confused, because we are speaking about gone are the good days. Because the days that we would try to help one another, we would come together as a community and build up one another. We would try to, if we see a pothole, we would try to fill it or we would get somebody who has gravel building up their home and these things like that. Those days are no longer. So it is sometimes, you know, the communities cry out, you know, they have low-income families and they need assistance. But how are we assisting them? What are we teaching them and what are we instilling?

Madam President, we heard a lot about turf wars or gang wars in our country and it is real. Again, they “doh” listen to Parliament Channel, they do not know what really could happen to them. They believe that their life is hard because they have to run for a living.

They, for example, my brother is building his home in Gasparillo and the beginning of the street is a good street, but as you go in it is a different lifestyle. And they sell drugs, they have little children riding bicycles so they are the lookouts when police is coming. And so again, training children into this habit. It is not like the children, teenagers start to become in a lifetime of crime. It is a very young age that they are nurtured into this lifestyle. Anyways, and they are so brave, Madam President. There are two streets and they have turf wars. My brother is not part of any gang, but he purchased land as a law-abiding citizen, went through the whole ways of the process of attaining land legally and going through the lawyer to do searches and these things like that. And when he cast his driveway they went in the driveway and carved their blood brothers or one of those

names of gangs. And we are thinking, why? Why are these people doing these things?

Well, I have to say, thank God for the Gasparillo police so not all are bad, that they really did assist and they helped clean up the street and it is no longer an issue where the gang members have now moved to another street. So the situation has not revolved, but that particular incident was resolved because of the good work of the police service in Gasparillo and particular some inspectors and officers who went beyond the call of duty in terms of rain or sun they went and they really tried to clean up the street.

But again, Madam President, it was years of creating this, and to change, Madam President, people like to resist change, good change, bad change is still resisted, and the good change of cleaning up the neighbourhood was met with resistance initially, and then eventually they realized, okay this is better for their community and they started to cooperate with the police officers.

But it does not happen overnight because many citizens are afraid to say what they know to police officers of fear that it comes back to haunt them, meaning that they can be hurt, threatened, abused because they have given up information to the police.

And again, these things happen, and it really is something that it is not to boast about, but it is things that we need to address head-on.

3.00 p.m.

Madam President, we spoke about parents: I do not know how many—when you go to the prisons—many convicted prisoners know who their parents are? That is one of our biggest issues, the breakdown of family life in our country. I agree with the Senator that parents need to be held responsible, and I want to go a

step further, parents or guardians need to be charged when their children are found in crimes or performing criminal activities, be it minor, or major, or serious, whichever level. Parents need to be held accountable. Yes they say that you make the child, you did not make their mind, but I am saying you are housing them. You are housing your child that you have created. If you know that they are being a menace, then seek counselling, seek assistance, send them to a rehabilitation programme, do something, do not just have them there, “oh” it is my son and I love him. We understand that you love them, but do something if you really love them, and this is why I say that parents should be charged. I hope that I would see a Bill with that someday, very soon, where parents would, or guardian. So, we could cut out where they are teaching them the trade.

Madam President, we heard in this very said Senate where it is better to join a gang than to join a family or to have a family, and those statements and systems really need to not be tolerated at any level. Also, Madam President, we need to understand that victims of crime should always be our principal priority, and really bring in justice. We have been debating over the past couple weeks, different legislation brought forward to reduce crime, or to address crime, or to deal with criminal activity in our country, and to say the—how it would impact, we have to wait to see when they are implemented and operationalized, but we need to see the justice system working efficiently and quickly. You cannot be charged for an offence and waiting 10 years to go before a court system, and you cannot have this in and out system where you are held for a minor case of drugs, or meaning just for having—what do they call it?—these petty crimes, and released the next day or two days after with bail and then appear again a month after. If you keep appearing something is wrong, and it should be flagged. And something should be

done with that person. It should not be that that person is allowed to go in multiple times and not really be corrected, because many of them have addictions. I remember one time this person was sharing with me that for Christmas time he likes to go into prison so he gets meals, because he is just unfortunate.

So, Madam President, these things are there, unfortunately maybe we do not hear about these stories, we do not see these people living amongst us, but they are there. They have serious addictions that they battle with, be it alcohol, drug abuse, being psychologically damaged as a young person in their family home, be it battered, abused, feeling helpless to assist the situation. All of these create criminal minds. It really is something that is hard as a legislator to really touch on, because it is such a variety of reasons people act the way they act, and to say that what we as legislators could do is very difficult. And, I also thought of Members of Parliament who represent constituents. For example, my area—do Members of Parliament who are voted in, or councillors, do they know how many youths are in their constituent? Do you know how many are aspiring to attend university? Do they know how many persons are employed? Do they know how big are families? But they always know who is over 18 to vote on the voting time.

But, other than that, Madam President, they could use the same lists and see how many are unemployed but want to be employed. This is how you could address poverty. This is how you could assist communities to not go to a lifestyle of crime, because you are hitting the points on the dot, because you know what are the needs of every area, because not every area may need a new stadium, or a new ground, or a church. They have different needs, and only the Members of Parliament who represent these areas would know the needs of the people, and the councillors are the ones who go out and meet, and discuss what the needs are. And

that is one of the ways, Madam President, that you could definitely be spending taxpayers' dollars in a more organized manner, one, and really to impact positively with the people who are the taxpayers.

Madam President, I did look at the different areas that we have in our country, and one of the areas that we have that we are doing a lot of, and we are spending a lot on, is the reformation and the building up of our enforcement, and the Trinidad and Tobago Police Service is one of them, and their motto is:

“To Protect and Serve with PRIDE”

And the “PRIDE” actually is broken down to:

“Professionalism, Respect, Integrity, Dignity, Excellence”.

And, if you go to the Trinidad and Tobago Police Service website, you would see that there is a mandate for the TTPS, and that is:

- “1. Maintain law and order;
2. Preserve peace;
3. Protect life and property;
4. Prevent and detect crime;
5. Apprehend offenders; and
6. Enforce all laws and regulations with which it is charged.”

Six areas, Madam President. All of these areas we could say they are not performing 100 per cent. And:

“With over 6,500 police officers in varying ranks and Special Reserve Police support the mandate of the Service. The TTPS is organized into nine Divisions which covers Trinidad and Tobago as well as 18 Branches, Squads and Units. These include:

Community Police

Police Complaints

Special Branch

Guard and Emergency Branch...”

—oh my goodness, there are so many different divisions that cover or fall under the remit of the Trinidad and Tobago Police Service.

As I said, one bad apple spoils the barrel, unfortunately, and there is a lot of corruption within the police system that needs to be addressed, and I think that is where the Government definitely can do something to really weed out that. It is not an easy task. As I said, change is never always welcomed, you would have naysayers, but this is where the action can be felt and would be appreciated. We must understand that Trinidad and Tobago is an island, and the issues that we face are not unique. We were, in 2000, compared to Barbados, and they did have a workshop where Trinidad and Tobago proposed—well, Barbados, when it compared to Barbados, Trinidad and Tobago had strategies for reducing crime and how it would affect us positively. Also, I did some reading and I saw that the UK is developing a new corruption preventative strategy to deal with the small number of corrupt staff who allow contraband in our prisons, and that is definitely something that we could look at because we have found contrabands in our prison system.

I also heard that we have the issue where citizens who are on the outside throw things over the prison walls for their friends on the inside. So, to prevent all of this, they have things in place that other countries are doing that we can do, or we can learn from. Also, we need to look at our administration in terms of working with it, and how we would treat with disorder and serious crimes in our country. Madam President, I did speak of a new generation of crime prone youths

who push crime rates even higher in today's world, or in our country today.

Madam President, it is not something that we have not heard of. We have all heard of the different types of crimes, the different impacts, and we all have our own idea of what could be done differently, or better, to improve our present situation. I do believe we have had a lot of consultations in our country of different ideas and solutions. What next? What I am saying, actually, because I could speak for myself, is that we are not seeing enough from those actions, solutions, suggestions. We want more, and in this case we really want more, Madam President. The newspapers, I honestly do not like to read them anymore because it is such a negative thing to pick up in the morning. You want to start your day with positivity not negativity. When you look at the seven o'clock news—thank God I do not always be home to see it—the first thing in the headline is death, murder, a missing person, kidnapping, rape. It is so ridiculous to see where our country, our very, very small country where everyone knows everyone, have reached. I do not think people willingly hide or harvest, or protect criminals, sometimes it is due to fear and uncomfortable situations that they are faced with this.

And I understand that the police service has to be placed in situations that is not something that we could ever imagine. It is very dirty and it is not a nice job. We understand that, but it does not give them the choice nowadays. We like to say, "Well, we could breach traffic light because you ever see how much littering it have, and how much drains have clogged." We always like to compare our present situation to what else is going on in the country. We never say, "Okay, that is enough", and we need to say "That is enough." Bringing this Motion here is just to say, it is enough, enough is enough, let us do something. We always say work

together here, I do not know if we really understand what that means, but we really need to come together, every single mind. I tell you everybody has ideas and solutions of how their community can improve, because that is where they live. That is where they grow up. That is where they spend all their time. Even your work environment you could see areas for improvement. So, we need to understand the impact of drugs, the impact of illegal weapons in our country. We also need to understand that violence is going viral. Nowadays cybercrime, cyber-bullying is a hot thing in the markets. I do not know if the schoolchildren are rehearsing these fights, but every school now has it, and they are posting it up online, and the amount of views; they have like a million views. I am sure Parliament never gets that much views for their debates. But these children attacking one another is getting such high ratings and rankings on these cyber-platforms.

So, Madam President, it is really an evolving mechanism—crime—and to say that the police service—because I know they have a Cyber Crime Unit—really is equipped with all of these things, may not be so, and they really need to get the youths on board. I believe they have a youth camp that really has seen positive things where children or youths have done a 360, or a 180, because they did the opposite of what they were before, and really became positive impacts in our country, and really contributed positively after going through such programmes and reform programmes. And I have read a lot of programmes that really—bring in sports, they bring in music, they bring in different aspects to give children a reason to live, give them a reason to express themselves, because sometimes just talking to them, it does not really give them that meaning of life. And these programmes that I see a lot of NGOs are doing, I have to say they are very, very

commendable, because we are seeing positive impacts about them.

I hope we do not have to wait 10 years for them to become adults for us to see a change in crime. I do hope we can affect the adults now and we could reduce crime today. We do need to understand the treating of male and female violence as the same issues and how they may be connected, may be an avenue which needs to be explored more and to say how we regulate with them. If we do not legislate in terms of laws we definitely need to build stronger regulations or hold persons in charge accountable for the correction or the improvement of these issues that we are plagued with in our country.

Madam President, I did look at how countries have moved the perception of corruption away from themselves, and I read this article that was published from the magazine, “cityjournal.org” how New York became safe, and it has the full story about it, and this was published in 2009. And the article really shared how one superintendent who was very, very strong—or the person had backbone as we locally like to say—was able to transform the entire system in New York, because he was very headstrong, and he believed that disorderly conditions needed to be handled head-on. He understood they had aggressive—

Madam President: Sen. Ramkissoo, you have five more minutes.

Sen. M. Ramkissoo: Thank you, Madam President. He understood that they had prostitution camps, drugs, he had understand the threats that were affecting the New York community, and he urged police to develop high vigilance, low arrest tactics, and attempted to measure police performance. And he found a way to drive his police officers, and drive the system to change. So, we had not like a bounty hunter, but he had a different spirit, as we like to say, and a different outlook on how it could be corrected, and he was able to correct it.

Madam President, a lot of the things the article went on to say was about hot spot policing, we do that. We spoke about focus deterrence of policing that research shows that they need to change the policing strategies. I know we have done that. Education, we have been trying that. Behavioural intervention programmes. All of these things, Madam President, are there. It may not be reaching the persons who are performing the acts, or maybe they do not want to be reached. So, again, as legislators, we need to know our role. We are not enforcers, even though sometimes you feel the urge to say, why are you being like this, or behaving like this? Why? There is so much positive, there is so much good in our country, why do you insist on being evil or doing wrong? And that is something that I do not have the answer to, the psychologists and the different persons would have that answer.

But, Madam President, we really have to understand that something that happens today was due to something that happened a month, two months ago. It is a building effect. It is not something that has happened overnight. You do not wake up just like that and decide to commit suicide. You do not wake up one morning and decide, okay, I am going to be a terrorist. It does not happen. It is years and years of different thinking, training, a kind of different nurturing, just like how you will take care of a baby. Madam President, the crimes that we are seeing that is happening to children, babies, it is unexplainable, and it is really something that should not be treated so nicely or lightly. Madam President, I support the hanging of criminals. I understand there are two sides of that. It really is a difficult one where you have to instil the death penalty, but if it is needed in our country for persons to wake up and change, then so be it.

Madam President, thank you for allowing me to join this debate to talk about

measures and where we are at today. There are measures that we are doing and it is just not seeming to be enough. And I hope that more can be done, and I am available to share my own experiences and lessons that I have learnt, and recommendations in another forum, if so be it. I do thank you, Madam President.

[Desk thumping]

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Madam President, thank you very much for allowing me to enter the debate at this stage on this Motion.

Madam President, you may recall that the Motion was introduced on Valentine's Day, a few months ago. So, we have spent four months on the Motion. And it being the day of love, I am on record as saying how much I listened to and enjoyed Sen. Sturge's Motion, and some of what he put forward. Of course, but Sen. Sturge you cannot like all, but you could like some. It is a very important Motion, of course, and there are some things that I agree with, and even in the phrasing of the Motion, there are parts that I agree with and there are parts that I disagree with.

Because, even when I listened to Sen. Solomon, and in order to refresh my own recollection, I went through all the contributions in preparation, and I listened to Sen. Solomon and Sen. Ramkissoon, and I heard Sen. Solomon say on more than one occasion that the issue of crime is a matter for the Government. I think that we are all experienced enough to know that the issue of crime is really a matter for the society, it is something to be addressed at all levels of society, including, as Sen. Ramkissoon has said, within the family. What I agree with him is that the issue of leadership on crime is a matter for the Government, and it is a matter for which we have been elected.

Where I disagree with Sen. Sturge in the framing of his Motion is the notion

that crime has suddenly increased from September 07, 2015, and became out of control or grew to an unacceptable level as soon as the PNM came into Government. And it is along the lines of a statement I have heard made from time to time, that when the PNM is in Government crime tends to increase, murders tend to increase, and I do not want to regale the Senate with the statistics, except to say, that that is not something borne out by the data. The data has shown a consistent increase in crimes of all types since we got past 1999. The last time we had a budget allocation for national security under a billion dollars was 1999, and thereafter both the allocation and crimes in every category have increased over that period of time.

And just to put it in context, because sometimes it helps us to think of it in terms of the money that is exiting the pockets of the taxpayers in order to deal with, what even in my own writing I have characterized as this beast called crime. And in 2005, for example, just to put it in context, 2005 was the first year that murders averaged one a day. That was the first time we got to that point of one a day. And in 2005, the taxpayers were allocating on average \$8 million a day towards the Ministry of National Security. At that same time we were allocating as taxpayers an average of \$5 million a day towards what I categorized as the social services in the country. By 2005/2006, the allocation to social services more than doubled, reaching \$13 million a day on average while national security maintained its allocation. By 2011, national security got up to \$13 million a day, and by 2015 the allocation to national security reached \$29 million a day. And that is to match the consistent increase in all categories of crime, particularly murders.

But, it was not only that murders were increasing and crimes were increasing as we have discussed in this Senate recently. This issue of the judicial system, and

the failure of the judicial system to dispose of criminal matters in a manner in which we could avoid a backlog, in a manner in which we could really induce a threat of fear in the minds of criminals so that they would not be keen or interested in committing crimes, and in a matter in which we could reduce the amount of money we spend in the Judiciary and outside the Judiciary on this issue of crime. And the fact is, Madam President, successive governments have found very little success which is why we are in the position we are today. We have found very little success. We have found that the numbers in the prisons, particularly Remand Yard, have gone up. We have found that the cost of maintaining people in the prison system has gone up. We have found that the cost of the criminal justice system has consistently gone up and not down. We have found that more and more resources have had to be directed to national security in all forms in order to deal with national security and crime in particular. And, Madam President, we have found that the police, notwithstanding the resource allocations, has gotten more and more inefficient.

And, Madam President, let me on that point just go back to a point I made on the last occasion when I was speaking on crime, and when I talked about my own view in relation to the performance of the police service. Madam President, I recognized that there are some people in our society who interpreted that as an attack on the men and women in the police service, and I was very clear in what I said. I spoke about the institutions outside this Parliament, and I spoke about those independent institutions, and I said to the country, through this Senate, that I am no fan of the Trinidad and Tobago Police Service. I was saying that in the context of the rate of detection. I was saying that in the context of the structure of the police service in a way that it continues to be structured and operate along a colonial

model, and it has not adjusted to the needs of our modern society, and that is a fundamental issue identified by Sen. Sturge himself in relation to the structure of the service, the manner and method of recruitment, and the way in which issues like promotion are handled within the police service. And it was not an attack.

In fact, I am able to say that there are significant numbers of police officers in this country who work hard and are dedicated to their duties. But, as Sen. Ramdeen himself said in a contribution, we have too many within the police service who are not working in the interest of the police service, and the police service needs to be modernized. And I made the point that at the heart of the problem a vital failure in the system has been the inability of the police service to increase the level of detection, in particular murders, in order to create an environment in which criminals are not likely to commit that particular offence.

Madam President, as it turns out, it may have been a good thing if we could find some light in that area of darkness. The fact is that if with a 10 per cent detection rate we still have problems of matters moving efficiently through the criminal justice system, if the detection rate was any higher than that we would have been in an even worse problem. And that is the only bright spot, if there is a bright spot to be found in that area of darkness as it relates to detection.

Madam President, let me go back to the work of the Finance and Legal Affairs Committee of the Parliament, and to an enquiry conducted by the committee into the criminal case flow management system. This report was laid in the House on November 09, 2016, and in the Senate on November 15, 2016, and I just want to quickly refer to some of the things addressed by the committee, and some of the findings and recommendations of the committee as I talk about the criminal justice system, and the way in which we have struggled in order to deal

with criminal matters in terms of the efficiency with which we dispose of matters, in terms of the use of the resources and the availability of the resources. And, Madam President, nothing, as far as I know, that came to the knowledge of or the attention of the committee through the various groups interviewed was really news to us, and it falls to something as a country we continuously fail at, and that is implementation and getting things done. So, for example, one of the things—and consistently, all the reports have pointed to this small pool of criminal law practitioners that the criminal accused draw on, in order to have their matters dealt with, and that was one of the findings, of course, of the Finance and Legal Affairs Committee.

3.30 p.m.

The committee also heard from the Director of Public Prosecutions on several matters, including something that had been around since I left law school and that is the issue of the slow pace of recruitment of attorneys into the Director of Public Prosecutions office, the issue of promotion or lack of promotion and the inability to fill positions, particularly, in the higher levels of the DPP. The issues of the security risks faced by prosecutors and I must say the people who work in the DPP's office and the people who work in that environment must really be congratulated for working in what must be one of the most challenging work places to be in in Trinidad and Tobago.

Matters like the police officers and the delays and in some cases the non-disclosure of evidence and matters relating to the Legal Aid Authority in terms of the resources that are available, the time it takes to allocate attorneys to represent those criminal accused who wish to be represented and one particular matter that I continuously raise, Madam President, this issue of access to justice by

people who live in the rural communities.

I come from a rural community. I see the difficulties that young people in particular encounter in my community and the difficulties of accessing representation through the Legal Aid Authority. And those were some of the findings of the committee. Then the committee made a series of recommendations in its report. Following the committee's report, Madam President, as is the norm, the Ministry of the Attorney General and Legal Affairs submitted a response to the report. And I just want to spend a little time going through that response because it helps us to understand some of the things which have been done by the Government, so far, in dealing with this issue of criminal case flow management and some of the things that are in train, some of which have reached us in the Senate.

So on the issue of the recruitment by the DPP, the Ministry of the Attorney General and Legal Affairs responded to say that the Judicial and Legal Service Commission was in the process of conducting interviews for 33 State Counsel I positions and had advertised positions of State Counsel III and some appointments were anticipated. And that is to fill vacant positions within the office of the DPP, because one of the things that struck the committee as being very important data is the caseload allocation per attorney compared to other jurisdictions and, in particular, in this case, there was a comparison with Jamaica which showed that the prosecutors in Trinidad and Tobago carry a significantly higher caseload per attorney than comparable jurisdictions even in the region. And recognizing the catch-22 situation of having few attorneys and an increasing caseload and increasing number of potential cases coming through the pipeline and, as I said before, it might be a good thing that the detection rate is not as high as we would

like it to be.

Madam President, the AG also indicated on the issue of the safety of prosecutors that there were discussions that were ongoing with the Trinidad and Tobago Police Service and other security agency in the country to ensure that there is appropriate security risk assessment with the resources to support where there are risks which were identified and for the police service to do an ongoing assessment of risk and to provide the resources.

Madam President, in relation to the small pool of criminal defence attorneys and that is something that the Chief Justice and the Judiciary has identified, one of the things that has appeared consistently in the annual report of the Judiciary is the fact that the pace of trials and the number of criminal trials that are completed is affected by the fact that you have so many criminal defence attorneys who are working on a few—you have so few that are working on many matters and when you have a case like the Vindra Naipaul-Coolman and Sen. Sturge is here now and he was part of that defence team, when you have so many criminal defence attorneys from a small pool working on one matter, you have adjournments across the country when that matter is being heard. And, in response, the Attorney General has pointed to something that has been advocated for a long time in the country, the public defenders department which will provide competent counsel for the defendants, a sort of reformed version of the Legal Aid Authority and also a national prosecution system which would involve the recruitment of more senior attorneys from within the legal profession to get involve in a criminal defense.

[MR. VICE-PRESIDENT *in the Chair*]

The fourth area identified in the response of the Ministry of the Attorney General and Legal Affairs dealt with this matter of the jury and we have in this

Senate, we have just completed a debate on the Bill to provide an option and even as that Bill has made its way into the other place and it is up for debate, I believe tomorrow, we still have this misconception or misinformation it might be that this Bill seeks to abolish trial by jury in Trinidad and Tobago. And I think some of us were at pains in this Senate and in the debate, which recently closed, to make the point that this Bill does not remove the opportunity for criminal trials to be conducted with a jury, but gives the option of the accused up to a certain point in the process to select a trial without jury, a trial by judge alone. And that was one of the areas that the office of the Attorney General pointed to in relation to the criminal justice system as it relates to the jury system, the fact that the AG intended to bring this legislation and it has gone through and passed in this Senate and it is now before in the other place.

Again, in relation, the fifth point made by the Attorney General in that response is again, working with a number of regional and international partners to develop this public defender system which would assist in providing the much needed representation for criminal accused and also provide for an element of fairness and equity and give greater access to justice.

The sixth thing, Mr. Vice-President, in the area of, the introduction of a ticketing system. And when the hon. Attorney General put this forward in his response he was referring to two forms of ticketing, the system involving fixed penalty ticketing system as it relates to motor vehicle offences and also as it relates to certain types of summary offences. And, Mr. Vice-President, I think we are all happy to know that on Friday, having made its way through this Senate where we had very wide and intense debate on the motor vehicles legislation to introduce the ticketing system, the Bill passed in the other place with, I would say, less debate

taking place, but it passed nonetheless and that was one element of what the hon. Attorney General put forward in his response in relation to the fixed penalty ticketing system.

It is left to be seen, Mr. Vice-President. I think, given the debate that went into that Bill and the item by item in the Schedule in relation to the points and so on, it remains now that the Bill has been passed. Of course, it has to be assented. It remains now on a point that I always talk about in this Senate and that is the implementation, because notwithstanding what we have passed here, as I have said before, everything now depends on the ability of the system. The system at the Licensing Office, the police service and those who must enforce this new system that has been brought in and also the Judiciary, because if you recall, Mr. Vice-President, all of us who spoke in favour of the Bill and all of us who have been advocating that, appointed to the importance of removing those motor vehicle offences from the Magistracy. And I myself made the point that on average, about 60,000 new traffic matters enter the system on an annual basis, but far less than that number are removed from the system having been disposed in some way. And once you are adding more in anything you are doing, if you are adding more than you are removing, you are going to end up with a situation where there will be a backlog.

So if this motor vehicle legislation that has just been passed in the other place, if this motor vehicle legislation fails to achieve what I see as a primary objective of removing matters from the Magistracy then we would have failed on that initiative, because the key to it is that those matters become matters for which there are tickets to be paid as a form of penalty. The matters do not go to the Magistrates' Court, except in exceptional circumstances, and it should reduce the

number that is going and also we have to deal with those that are existing there already and that is a very important piece of legislation.

But, Mr. Vice-President, the Attorney General also spoke, in his response, to a draft Bill called the summary offences fixed penalty Bill that has been developed in order to deal with, outside of the motor vehicle traffic offences, summary offences which he believes we could have a system of ticketing and those matters because, of course, Mr. Vice-President, I do not know if you have ever used obscene language in public, but we have those offences, summary offences that attract a charge for which you must appear in the Magistrates' Court. And [*Crosstalk*] you have all these other offences—

Sen. Sturge: Frivolous.

Sen. The Hon. C. Rambharat: I would not say frivolous. I would say there are many offences that end up in the Summary Courts that should not be there if we have a system of ticketing persons for committing those offences and giving them the option of paying a fixed penalty and that is the second part of what the hon. Attorney General has put forward and I think all of us look forward to the day when the Bill lands here and we could debate it and we could have it implemented.

The next area is in the area of electronic monitoring that the Attorney General responded on and we know that in 2011, this Parliament passed legislation dealing with electronic monitoring. And again, that relates to the main objective as I see it of reducing the population at the prison. The need for people to be incarcerated and allowing persons to be outside and monitored and the delay in that like so many other things that happened, so many things that when they exit these Houses we then encounter issues with implementation. Because while the legislation was being drafted issues of identification of personnel, recruitment,

training, housing, resource allocation, those things have not been addressed and I am on record as demonstrating that with the DNA legislation, brought to the House, to the Parliament in 1999, passed in 2000, passed in another form in 2007, passed in another form in 2011 or 2014 and still the subject of an article by Ria Taitt in the *Express* demonstrating that a lot of things which should have been done to give effect to the DNA legislation still remains to be done.

And the electronic monitoring suffered the same faith. And the AG reported to the committee that work started by way of a committee on the 11th August, 2016 to deal essentially with the recruitment of personnel to deal with that Electronic Management Monitoring Unit set up to ensure that the law is enforced, the location for the unit to be housed and some support from the High Commissions out of Canada and the UK in getting it implemented. And again the other pain we suffer, Mr. Vice-President, as legislators, of having passed legislation and still having to develop regulations and this is another piece of legislation that has fallen victim to that in the sense that the regulations are now being developed and the AG reported that that work is under way.

Mr. Vice-President, number nine in this response is something that I know Sen. Sturge raised in promoting his Motion and it is something that even though I do not practise in the criminal court, I know it is something from an academic point of view, has been around for a very long time. It has been dealt with in many countries; it has been dealt with in countries, in jurisdictions that I have practised in, preliminary enquiries still remain with us at a time when it should have long been abolished. And the point the Attorney General made in his response is that there are three laws governing preliminary enquiries in Trinidad and Tobago.

It was the subject of the Privy Council decision in *Steve Ferguson v the*

Attorney General of Trinidad and Tobago. That case, of course as we know, dealt with the issue of section 34 and the Attorney General indicated that the Indictable Offences (Pre-Trial Procedure) Bill, 2017 had been prepared and it was going to solve the many problems that criminal accused and criminal law practitioners face of having a two-tiered system, of having a system in which evidence when exposed, witnesses when made known, fall prey to further criminal elements. There are delays, there are unnecessary delays and a lot of issues relating to the efficiency of the justice system or the inefficiency when you have a two-tiered system of a preliminary enquiry and a trial later on. And the Attorney General responded at the time indicating that the Bill had been prepared and was ready for consideration by these Houses of Parliament.

Mr. Vice-President, the last thing I would refer to, in relation to what the AG reported on, was the issue of plea bargaining. And of course, this Senate has had the opportunity to have a very robust debate and discussion on plea bargaining. Our views differ. I mean, we all recognized that plea bargaining is important. I think where we have a difference of opinion is in relation to the impact plea bargaining will have on the criminal justice system in Trinidad and Tobago and I take the position on plea bargaining, as I have taken on trial by judge alone, that it is one element of what we would like to do, what we would like to achieve, that successive governments have advocated it. It is a product of Ramesh Lawrence Maharaj in 1999 and it is a modernization of the piece of legislation that already exists and, as we know, Mr. Vice-President, that Bill is before this Senate at the committee stage on what I hope will be a sitting that comes very shortly.

So, Mr. Vice-President, Sen. Sturge is here and I am sure he remembered when I referred to his contribution in promoting his Motion, I referred favourably

on that day and I intend to close by referring semi-favourably to the rest of his contribution. Just quickly to say, Mr. Vice President, on that day, Valentine's Day 2017, Sen. Sturge suggested a few short-term, medium-term and long-term solutions. In fact, he said if time permits long term and unfortunately his time ran out, but he could have saved himself some time if he had not proposed his first short-term solution which was to fire all three Ministers of National Security. I think Sen. Sturge and his party know for sure that the removal and the rotation of Ministers of Government does not make an impact on crime and the criminal justice system. I think he knows that and let me place on record that I disagree with that proposal. [*Laughter*]

His second area was to ask that the Attorney General bring legislation dealing with the complexities brought in by *Pratt and Morgan*. Sen. Ramkissoon has gone on record, as brave as she is, of supporting the hanging and the Attorney General I am sure has taken notice of it. There has been much public discussion we know for a long time on this issue and the implementation of the law. The law as it is permits hanging and that was the second recommendation.

The third one talks about the suite of crime legislation, and going back to Sen. Solomon and a lot of us, a lot of us when we on this side we say everything is being done and when we are on that side we say nothing is being done. Even though we stand here and debate all of this and all of that we still sit back and saying nothing is being done. We know that there is a suite of legislation, we know that for a fact.

[MADAM PRESIDENT *in the Chair*]

We have dealt with some of that here. We have dealt with some of that in the way that previous administrations have dealt with them. We recognize as a

Senate that there are problems in implementation, there are problems in measuring, attracting and ensuring that what we say the legislation would do, actually gets done. But there is an important part of Sen. Sturge's contribution that we must take note of and that is his suggestion that the Attorney General brings legislation to speed up the hearing of firearm related cases. And, Madam President, that is something that I do not think anybody would take objection to. I think we recognize that firearms, there are ways to deal with firearms that are legislative and some of them relate to policing and most importantly, some of them relate to the protection of the borders.

Madam President, we had a scenario recently, you know, not many of us may have been thinking that these barrels would have been used to import weapons into the country and not simple weapons. So we have packed in dog food and flour, we have some serious weapons, weapons that could do significant damage and it tells us that it is not just the legislation dealing with firearms and the suggestions Sen. Sturge has made based on his own experience of simplifying the way in which these offences can be prosecuted so we do not need this bundle of evidence and all these complexities as it relates to dealing with firearm offences. And one thing I picked up in his contribution was his confidence that with the changes in the law we could have firearms offences disposed of in a day and it has to do with the trial procedure.

I also agree with his fourth short-term point, which is that, he made a statement that crime does not take place in the police stations and I agree. I mean, this is something that has been long discussed about taking these officers who are trained for policing work and putting them out onto the field and making use of civilians in many of those positions within police stations that should be performed

by trained civilians and allowing as many police officers to be available.

Madam President, we know if you look at, currently the Government has appointed a team headed by Professor Ramesh Deosaran to finally conduct a manpower audit into the Trinidad and Tobago Police Service. *[Interruption]*

Madam President: Minister, you have five more minutes.

Sen. The Hon. C. Rambharat: Thank you very much, Madam President. When you look at the service, you see a significant number of officers who are not available for duty because they are on sick leave, they are on some form of leave, they are on study leave or they are out there as they are entitled to, doing things other than policing, and he has made the recommendation that we look at the use of the resources of police officers in a more efficient way.

He has talked about the capacity of the court, talking about using the facilities for long days and not just having short use of it by starting at 8.30 or nine o'clock in the morning and finishing at 1.30. He has talked about using courts in the afternoon where we would have less security required for persons who are on bail and are attending trial, compared to having people who are, you know, all forms of criminal accused attending in the morning and having heavy security presence and not necessarily efficient use of the court.

He has talked about a database on existing firearms belonging to the police and I am not going to make any allegations except to say I have heard, like other people, about the rental of firearms and firearms being lodged at the police station and being used in manners for which it was not designated. And I want to make one additional point on that matter, Madam President, that we look at the current staffing in the armoury of the Trinidad and Tobago Police Service to determine if the staffing is in place, if we have what is required, because the trained officers in

the armoury of the police service are very critical to the proper identification of weapons, the proper chain of custody and the proper presentation of evidence before the courts.

As I close, Sen. Sturge referred to license plates and the need to modernize the system and again, Madam President, that forms part of what the Government intends to do, but as I do on so many occasions I want to say that in July 2010 the then Minister of Works, Jack Warner spoke about RFID. In 2014, the then Minister Stacy Roopnarine in contributing to a motor vehicles Bill in the Parliament spoke about RFID and then we had, in 2015, we had Minister Cadiz, the then Minister of Transport speaking at the Queen's Park Savannah at an event about RFID for license plates and so on. And in 2017, we are now talking about RFID and hopefully, finally bringing a modern form of licensing for motor vehicles to Trinidad and Tobago because again we recognize that motor vehicles are principal accessory, something that is required in the commission of crime in the country.

Madam President, as I close I say that—I thank Sen. Sturge for bringing the Motion. There are parts of the Motion that I disagree with and that deal with the fact that crime has consistently increased. It did not start in September 2015. It is something that has burdened successive administration. I agree with some of what he has put forward in terms of the short-term measures. I violently disagree with his call for the removal of the Ministers and, you know, I think as a Senate we are all completely committed to getting this legislation through and when we sit in our select committees, joint select committees, that we are equally committed in ensuring that what our legislation is supposed to do is being done when it gets into the hands of the implementers who are outside of this Senate. Thank you very

much. [*Desk thumping*]

Sen. David Small: Good afternoon, Madam President. I want to thank you for the opportunity to join in the debate on the Motion brought by Sen. Sturge. I want to start, Madam President, by saying that the Motion is a Motion that is very timely. We live in a place where every day every person has challenges. I just want to take off on the last points made by Sen. Rambharat. Crime did not begin last week or these issues have been with us for some time. And I want to share the current Minister of Labour and Small Enterprise Development may not have been able to go as comfortably to the offices, where the office was previously located in that building called Riverside Plaza.

I was an employee at that building, Madam President, and I could tell you about everyday coming down to City Gate and having to take a maxi and then the walk from Abattoir Road to get to the building, on a daily basis, staff were robbed. It got so bad that the MTS security used to post an officer by the abattoir to walk the staff from Abattoir Road to the building. People did not understand and, Madam President, this is not now, this is 1996, 1995, this is not something that has been going on—this has been something that has been going on for a long time. As an employee in that building you would look out where we were, on the ninth and tenth floors, where I was working, you would look out and you could clearly see Besson Street Police Station. But on a daily basis in the development next to it, running going, gunfights. And I mean, unless you were there—

4.00 p.m.

The thing is, you hear gunshots, and instead of getting away from the glass, the spectacle plays out and people run to the glass to see the crime going on. Unless you can stand as a citizen of Trinidad and Tobago, looking through a glass

window and see a man running for his life, with a guy with a shotgun chasing him down at 10 o'clock in the morning, you do not know how bad it is. And again, this is circa the mid-1990s. This is not now. It is real stuff. I remember one morning we were in the office and we heard a “ping”, and it is because a bullet came through the window, 10 o'clock in morning, and when we look outside is a gun—at least you can see it. You are transfixed. Your logical brain tells you you should move away from the glass, but you are transfixed by the human drama playing out in front of you.

The same way we are looking, you almost could not blame the officers in the station for not coming out, because as someone suggested, or tried to help us understand, when the officer has done duty and he hands in his weapon, he has to walk from the Besson Street Police Station to City Gate to get to go home. And while that may not necessarily be something that we should encourage, it is a fact of life, and crime, Madam President, is something that has continued to get worse and worse and we do not seem to have been able to have put a handle on it.

I recall in the hon. Minister of Labour and Small Enterprise Development's contribution, she indicated that when we were younger—certainly in my generation, you know I got licks for everything. Certainly walking down the street, passing Miss Mary and not saying good morning, you get a good “wring ears”, and you definitely better not go back home and tell Mommy about anything because you get another one. But that generation has passed.

Madam President, in the previous Parliament the then Attorney General, during a debate on, I believe it was the Bail Bill, indicated that criminals own the night. The former Attorney General indicated that criminals own the night. It is unfortunate that I could probably jump in now and say that criminals seem to own

the day as well.

Sen. Baptiste-Primus: True.

Sen. D. Small: That criminals seem to own Trinidad and Tobago day and night. They will be able to do things brazenly without fear of either being captured, or caught, or anything. So our country is bleeding, Madam President. Our country is bleeding. You know, also, Minister Rambharat in his contribution indicated that because of the recent find by the Customs authorities of arms and ammunition in a barrel, this is not something—that was probably a lucky find. That was very likely a standard route for those things to come in because there is certainly no gun or ammunition factory in Trinidad and Tobago. It is all imported. So the arms and ammunition are finding their way in. We have not been able to be successful in finding a way to staunch the flow of arms and ammunition.

Madam President, I would not be too very long because I have a particular view I want to share on crime, and while we live here—I have a Trinidad and Tobago passport. It is the only one I have and I will continue to have that. I think that often—I think that there was a lot of talk about the Anthony Bourdain view, and it is interesting to me because during that time I was actually overseas—as some of us would have been aware—and, Madam President, this is the challenge I have. I am outside overseas in a different place and I do my business during the day. Myself and a business colleague, we go out to dinner, wrap up at 11 o'clock and then we decided to take a 10-block walk back to the hotel and we are unconcerned. Walking through the city blocks, it is late, coming up to midnight, and we are walking back but we have zero personal concerns, and that element of being able to move around Trinidad and Tobago unconcerned, we have been robbed of that. We have been robbed of that in our home country to be able to

walk around Trinidad and Tobago whenever you feel to. Without having a concern for your personal safety is something we have lost, and we have to work hard to try and get that back because that is probably the only time I can actually enjoy that, being able to stroll around and walk around a place without worrying about who is lurking around the corner.

Madam President, last week I had the privilege of being invited to speak at some events in Washington DC, at Capitol Hill, and I want to share this view because we have to always understand that Trinidad and Tobago does not exist in a vacuum. We always have to be sensitive to understand how others see Trinidad and Tobago. At one of those sessions where I participated, Sen. Marco Rubio, who is a member of the United States Senate Committee on Foreign Affairs—he is a member of the Sub-committee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights and Global Warming Issues—and this committee specifically looks at matters regarding the western hemisphere which includes Canada, Mexico, Central American and the Caribbean. This subcommittee looks at particular issues, one, terrorism and non-proliferation, crime and illicit narcotics, US foreign assistance and the promotion of trade and exports.

Sen. Rubio in his remarks—and you can find all of this on his Facebook page. You can find the text—when he spoke about Trinidad and Tobago, my ears perked up because it was not in a positive context. The US Government seems to be a bit nervous about the state of crime in Trinidad and Tobago. Okay? Sometimes, you know, we take things for granted, but it is always important to understand how others view us. So when I am sitting in that space and he is making his comments—like I say, this is freely available. You can see the video and get the text from his Facebook, his Senate page. He said there is a concern

about the issues regarding the level of crime in Trinidad, the obvious issue regarding the amount of alleged ISIS fighters, IS fighters from Trinidad and Tobago, and then the general level of illicit drugs and transnational crime either to or through Trinidad and Tobago. Now these are serious things.

This is a person who is very high up in the Republican current system and is making these comments. So much so, that I engaged him in a discussion after because I am trying to understand that where we are here we see it as a problem, but we have to understand that we have to demonstrably—and I spoke to him about some of the initiatives that the current administration is pursuing to try to deal with the crime. It is not that we are sitting on our hands, but what happens, Madam President, is that other persons want to see results. They want to see the results. I am in Capitol Hill, I am in the US Senate and a ranking member of the US system is essentially saying, “The US Government has concerns about crime in Trinidad and Tobago”. I paused when I hear that. Me personally, as a citizen of Trinidad and Tobago, I paused and I tried to do whatever I felt I could do in terms of damage control, but these are real issues. So as much as we are here thinking about dealing with crime, we always have to take that into concern.

One other thing I want to mention, Madam President, the day before that, the day after that, forgive me, I was in the US Congress and Congressman Eliot Engel who is actually the representative for one of the areas in the Bronx, but is a long-time supporter of Caribbean issues; he is actually the sponsor of a Bill that was passed in the last administration, Bill H.R. 4939, which essentially says US policy—let me not try to paraphrase.

The “bill declares that it is U.S. policy to increase engagement to the governments of the Caribbean region”—including—“the private sector and

the civil society in both the United States and the Caribbean.”

And it speaks to several issues and one of those includes crime.

Congressman Engel, again, addressed the audience and he spoke in good terms about how his view of the Caribbean is. He has a positive view of the Caribbean, where he recognizes—and understand my dynamic here, Madam President. I was speaking with a Republican person one day, a Democrat the next day, and they have different views. I do not get involved in the politics. Luckily, I am just a single person, but he spoke to his concern.

There is something call the CBSI—the Caribbean Basin Security Initiative—and under the current budget appropriation, based on the current proposal by the current US administration, the allocation for CBSI funding has been cut by nearly 40 per cent, by 37 per cent down from \$57 million to \$36 million, and his concern is that because a lot of the countries in the Caribbean do not have the capacity to really deal with some of the issues that they are dealing with, some of the security issues, when you cut the funding it likely exacerbates some of the problems. So that is just his overview, but, Madam President, I share that because I am in a space where I am interacting with people and these people are looking at us from a distance. So it is always important that people are looking at us. As much as we think that we are fine, or we are managing here, other people are looking at us and they are making judgments. Whether those judgments are good or bad, it is almost irrelevant. They only work with what they have.

The night when they had the Anthony Bourdain interview, I was sitting in a spot looking at it with other people, and I was very—I try to be as low-key as possible to gauge people’s reactions. It was interesting to me, being in another place, and watching people looking at Bourdain and they were like— Some

people were like, some parts of it were good, and then some parts, you know, they were surprised, and I am just looking at, probably as we say in Trinidad, I was being “farse”, I was “macoing” people. Pardon me, Madam President, that is an unparliamentary term and I withdraw.

Sen. Dr. Mahabir: “Macoing” is observing.

Sen. D. Small: But I was observing the reactions of normal other citizens of another space to this interview and it was just interesting for me. I was literally a fly on the wall. It was just information for me. I am blessed to have these interactions, Madam President, and I weave it into what I am saying here because we are trying to address crime and I think that the current administration is actually doing something about it.

I think that the suite of measures that they have started to roll out that are included inside of the legislative agenda, it represents a noble effort to try to institutionalize systems and improve the systems to fix some of the major problems with crime in Trinidad and Tobago, which is why I support a lot of it. I am really excited to see the proposed Bill, or the plan for the Bill that is going to come to deal with asset forfeiture. I recall a recent former United States Attorney General famously quoted that, she said when you are going after people is a simple process. You follow the money. You just follow the money, and then when you find the money ask them how they acquired the things that the money was able to provide, and if they cannot get it take it from them.

In the United Kingdom, Madam President, there is a programme on BBC about a targeted police unit and their whole job, they turn up, they do investigations on parties. They knock on your door, “Good morning, we are from this department, could you tell us how you paid for the cars in your driveway, all

the things in your house, all the bling around your neck? Could you tell us?" If you cannot provide evidence of how you paid for it legally, they say, "Thank you very much. This is now being seized by the British Government and will be auctioned and the proceeds will be given to charity." These are things that it requires a multipronged strategy to deal with crime. There is no one particular plank that you can put out there and say that is going to fix crime, but I believe asset forfeiture is one of the strongest elements of it.

I am on the record here, Madam President, as saying that people get involved in crime not because they like crime. They often get in crimes for the proceeds of crime, the things that they can earn from crime, the things that they flash or do with the proceeds of crime. So those are some of the things that I wanted to share because the world is small. It is literally tiny. Again, and I will share one more experience. I am just sitting in the departure lounge and again I am just a fly on the wall and two guys come in to Trinidad, two business people, and I am there having my coffee, or my tea in the morning, and the guys say, listen—he is a frequent visitor, the other guy is a first-time visitor. And the first-time visitor is telling him, "Listen, my company is arranging a car for me because I heard there are some issues". But I am just listening, again, and the reason why I share that is perhaps because we go around our daily lives because we have to, we live here and we navigate in a particular way, but Trinidad is a place where a lot of people visit Trinidad on a daily basis. You try to get a flight into Trinidad on any given day it is sold out, and that people are coming here and then they are starting to see, or take positions, about their personal safety coming to Trinidad and Tobago.

We may not be feeding that in the way that we are operating, but it is a very real thing. It is a very, very real thing and a big part of that is the current situation

with crime in the country. Crime is out of control. It is out of control. I think my good colleague, Sen. Ramdeen, spoke about the fact— I live in a regular people area, Madam President, and as I say, you have to have dogs, you have to have multiple locks, electric gates, lights, cameras, and you have invest thousands of dollars in infrastructure to just kind of feel safe. You are behind double-steel doors. I do not want to have double-steel doors in my house, but I want to try to keep whoever is out if they decide to come my way. At least give me some reaction time to be able to make a call. I do not want to do it, but we do it because we are trying to protect ourselves and our loved ones because every day, as the good Senator says, you pick up the newspapers, bad things are happening. Bad things are happening.

Now, that is an issue I want to talk about, Madam President. I go to other places and these other places have crime as well. When I pick up the *Washington Post* in the morning that is not on the front. That is on page 9 or 10. There is a lot of crime in that city but it is down on page 9 or 10. It is not on the front page unless it is something particularly egregious. The way in which crime is reported here, sensationalize it to the point that it seems that that is the only news—that is the only news there is in the country. Is there no good news? I am sure there is good news.

I was at another meeting earlier today and I saw a whole series of maxis and buses with a whole bunch of young athletes, I think coming for some type of sporting event. I have no idea. You will see it, but I am saying that there are good positive things happening. Let us try to target those positive things because putting crime on the front page every day, every day, and I think one of my colleagues said—it is probably not a good statement about—“if it bleeds it leads”, and it

should not be that way. I think that enough of us here have a devotion to Trinidad and Tobago and want to see Trinidad and Tobago to be a better place. I certainly want to be in a space where I can move about my own country and feel comfortable again. I can say safely now that I am moving around Trinidad and I am not always comfortable.

Madam President, I have had too many of these experiences. I go to a neighbourhood outlet to pick up something for my kids to eat and then two guys walk in in hoodies and everyone gets nervous in the store. As it turns out, the guys just came are just customers, but you can see the response of people change. Eight o'clock at night, two guys walk in the store in hoodies and short pants, walk in the store like this, I am in the store as well and I get nervous too. The security guard—*[Interruption]*—I hear you. You can say it is profiling but here is the issue. Mentally, you probably need to go on Facebook and see some of the crimes that are happening. I have seen a lot of it and it is bad stuff. So I am not saying that you profile, but I am saying what happens, the paranoia gets to a stage where people start to get scared and you cannot deny it. Do not deny it. So I hear and I am not saying that anybody in a hoodie is somebody who is likely to commit crime.

All I am saying is, the paranoia about crime in the country has gotten people very nervous to the point where anything that looks askance they start to get nervous, and if you want to blame people for that, well so be it, but that is my reality. As I say, I live in a normal people area. Sen. Mahabir and I had one experience here. One night we were leaving here very late—I think we were the cause now that the officers escort us from the door to the car park, because we were leaving here alone, probably amongst the last to leave, and we were accosted

by a gentleman there trying to have a conversation with us at midnight, right in front of the car park there. He wanted money and we were like, what money? Subsequent to that now, we are escorted from the door to the car park. The reason for that is, I am standing here still, thank God nothing askew occurred, but this is life.

A guy is approaching us at nearly midnight, on a Tuesday night, asking us for money, both Sen. Mahabir and I get—we say “Listen, chief we”—[*Laughter*] So perhaps we should not be scared then. If I go with some logic, we should not be scared that someone is approaching us, they just want money, looking for a help. But you do not know. Someone turns up at my house Sunday morning, 10 o'clock in the morning, looking for some food stuff on the same day it is reported that some young gentlemen, young chaps, who broke out of the home for the boys. The day after that, or a couple days after that, a teenager, it turns out that he is honestly looking for help. So we gave him something, but in your mind, you are starting to wonder and this is the problem I am having with Trinidad and Tobago now. You are wondering if you are really trying to help somebody, if it is somebody up to something that is no good, and that is part of the problem because it is in your psyche, because every day you read the newspaper, you look at all the news, it is always about—you are being constantly bombarded with the negative news, negative news, and we have to try to have some meeting of the minds. Is there nothing positive in Trinidad and Tobago that we can talk about? Is there nothing?

Madam President, I have one or two more points. We have to understand that crime for some people is a lifestyle. I have said this on more than one occasion, so probably you can go back in the *Hansard* because I am on record.

Unacceptable Levels of Violent Crime
(Government Steps to Deal With)
Sen. Small (cont'd)

2017.06.27

The same way myself and Sen. Mahabir get up in the morning and have coffee, look at the news, try to find out what is going on in the world, follow up with the BBC and CNN, read economics, everything, and then get dressed and go about our business, there are people who get up every morning and their whole intention is about what crime they are going to commit today. That is the whole plan for the entire day. They have no other activity other than crime. That is it. Their whole life revolves around crime. They do not do anything. The same way we get up, do what we have to do, get dressed, come here; their plan, get up, get dressed, get my arms, get my weapons, whatever, I am going to do harm to someone, or commit some other kind of crime.

So those are things that we have to accept with what is going on in Trinidad. Something has gone fundamentally wrong. We have lost a generation. I am working hard. I have two teenagers and I am working hard with them to try to keep them on track. Someone mentioned earlier, I could not remember who, but check in their school bags, but now it is check in their phones because, (a), in the time we are living now I cannot afford to have my children be traipsing around Port of Spain aimlessly. Have a phone, but you have to be checking their phones now because of all kinds of stuff. So every week I am scrolling through what is this about. You would be shocked to see some of the things that are going around in the circles—but let me leave that—but as a parent you have to be actively engaged. You have to, otherwise you easily lose track.

Now, we talk about crime. All crime is not violent crime. There are other types of crime. There is financial crime and there is corruption. And again, Madam President, I want to share with you, to this group again, I had a tremendous week last week. I want to say on the record that, as an independent person, there

on my own devices, the level of respect accorded to me, given my status, is what I was expecting, and I want to say that it was a normalizing experience for me. Not that I am not given that respect here, but I was totally not surprised because that is what I was expecting.

There is a congresswoman called Maxine Waters, again a long-time supporter of the Caribbean. She is a ranking member on the House Committee for financial services. She again addressed the group to talk about their concerns about financial crime happening, in particular, in the Caribbean region—I tell people we have to understand that other places are looking at us, financial crime, money laundering—about the amount of financial crime generated within the Caribbean region, which, of course, includes Trinidad and Tobago, and she was very specific. Again, this is information. You go on Maxine Waters' Facebook page, or congressional page, you will find her comments on the video. This is not stuff I am making up.

Again, I am sitting in the room and when I hear Trinidad's name called, it is not in a positive context and I am concerned. I am deeply, deeply, deeply concerned that when people are talking about the country that I live in and no member could have anything positive to say, it hurts me. It hurts me as a citizen of Trinidad and Tobago to have to do that, and I did all the interaction that I could do to say, "Listen, we recognize it is an issue, but financial crime does not exist in Trinidad and Tobago." According to the SEC there has never been any—

Sen. Dr. Mahabir: No prosecution.

Sen. D. Small: No prosecutions. There have been zero prosecutions, zero convictions for white-collar crime in Trinidad and Tobago, but other people are saying in other places, looking at us and saying there is financial crime. It exists,

so why is it not being detected in Trinidad and Tobago? Why? Is it that we are such a small society that everyone is protecting everyone? I do not understand it. And these are the things that if we want to really deal with crime we have to deal with guys who are actually performing the heinous crimes on the ground, but then you have to graduate to those who are in the white collars, those who are the kingpins, the guys and them who are calling the shots, those who are doing things that destabilize our economy, destabilize our country, reduce people's confidence in the financial system. When you had the FCB IPO and it is as if it never occurred.

Madam President, the FCB IPO scandal never occurred. There is not a prosecution that I am aware of going on. The file is wherever it is, the investigation is never-ending, and then the silence is deafening and it will be that it never occurred. The HCU debacle, nobody—a man was paying himself a million dollars a month and, then us, each one of us, every single person here, taxpayers, had to fund the bailout of the HCU members. We had to fund it. I participated in the Bill and I made my views on that completely clear. According to the current Attorney General, pellucidly clear. We have a situation where people are committing financial crimes and there seems to be no penalty being applied. I think the penalties exist on the books but it does not seem that the investigations move quickly enough, and it certainly do not come to fruition to get to the point where somebody is in front of the Assizes, or the Magistrates' Court, or whatever it is, to face the charges, and this is part of the problem with Trinidad and Tobago.

I think earlier on one of the speakers—Madam President, I want to say this. I cannot accept—I have a simple brain and I have an analytical brain, but I have a simple brain. I cannot accept any logic that suggests to me that there is any

positive from having a low detection rate because a low detection rate sends a signal to those who are doing the crime that they could do it again, and they could do it again, and it encourages others to do it. I understand that if we had a higher detection rate it would have probably overburdened and completely destroyed our system, but I cannot accept any logic that suggests that having a low detection rate there is any positive. There are zero positives in that as far I am concerned, with the greatest of respect, Madam President. I am coming up to time.

So I ask, Madam President, is this situation in Trinidad and Tobago the new normal? I started off by talking about the 1990s where I was working as a public officer in a building which was deleterious to your health. You parked in the car park, and if you have to go for your car—like me, I used to work late almost every day—MTS had to walk you across the street, just across the street to go to the car park to get your car, to bring it in the front of the building, and if you finish work late—many times I meet seven/eight o'clock—MTS have to walk you to your car, make sure you get into the car, make sure you drive out.

This is the 1990s, we are in 2017. So that crime has gotten progressively worse. It has seemed to have outstripped the capability of the system to bring it under control, it has gotten to a stage where we almost take it for granted that crime is okay, and that is wrong. Madam President, I reject that argument. I reject that completely. Trinidad and Tobago is the country of my birth, I love it with a passion. I was fortunate, or unfortunate, depending on where you are, to sit and hear people say—not that they were negative, they were just stating facts that they see crime and Trinidad and Tobago as an issue.

One last bit of sharing, Madam President. A couple trips ago, I arrived at a particular airport—because I do not want to get anybody in trouble—and the CBP

officer stops me now and asked me, “What is really going on in Trinidad and Tobago?” The CBP officer is a Trinidadian by birth but he is a US Customs and Border Protection Officer and he is asking me what is going on in Trinidad and Tobago; why is the crime so out of control, and I am stumped to give him answers. I am at the immigration desk in the airport and these are the things that I think that I share this for people to understand, and this has been the thrust of my contribution today, Madam President, that we do not exist in a vacuum.

Crime requires a multipronged strategy to fix. We should be sensitive to the fact that other parties, other countries are looking at us and the look is not necessarily the most positive look, and it up to us to try to fix and address the problem in the best way that we can. I think that the current administration has put on the table a series of measures to start to try to fix the administration of the system. I look forward again to seeing the legislation that the Government is bringing regarding asset forfeiture because if that comes, I can state for now, I do not want to predict the future. So let me leave that. But it is something that I believe, in my respectful view, it would cut the legs off of those who are profiting from crime, from those who allegedly have whole floors in HDC apartments knocked out to make a penthouse. So I have heard through the wonderful grapevine. Yeah.

Things are happening in Trinidad and Tobago that should not be happening where a small idyllic country, we have a generally good nature, we all get along with one another, why are we allowing a few, or some criminals to run our country and dictate the pace of life in our country? It is time for us to get up, stand up and say no. We have had enough, and here is what, Madam President, I am out of time. I am wrapping up, Madam President.

I think that it is important for us, as a people, to say enough is enough. We want to take back our country and here is what, simple. The Government, the administration in control now, could say, “Listen, we will pay all the overtime.” Have the courts work through the court holiday on two-shift system, 8.00 a.m. to 4.00 p.m., 4.00 p.m. to 12.00, and deal with all—pick up everybody. Tell the police to pick up everybody, and let us run a day court and a night court for two months and start to weed through the system. Get a building and turn it into a temporary prison to hold people because we need to send the message out there that crime is not going to be tolerated and we are going to do something about it.

Thank you very much, Madam President. [*Desk thumping*]

Madam President: I recognize Sen. Samuel. We will take the suspension at this time. We will come back at 5.05 p.m. and Sen. Samuel will resume the debate. So we are suspended until 5.05 p.m.

4.31 p.m.: *Sitting suspended.*

5.05 p.m.: *Sitting resumed.*

[MR. VICE-PRESIDENT *in the Chair*]

Sen. Rodger Samuel: Mr. Vice-President, once again, I want to, as usual, first thank Almighty God for the opportunity to be alive and the strength and grace to exist and live in a land that is affected and infected by much crime and much lawlessness. I also want to thank you for allowing me the opportunity to join in this Motion laid by my colleague or moved by my colleague, Sen. Wayne Sturge, as we deal with crime and the impact and the effects of crime in our society. And as most would have said previously, it affects every and any individual because crime does not have a particular target, but that every individual and every person who lives in our society are subject to the impact and the effects of crime, whether

it is be first hand or second hand, whether it happens to they themselves or to their families. We all have some kind of experience, Mr. Vice-President, with crime. But I have heard if not all of the speakers prior, reiterate the urgency of this country dealing with crime. Every speaker has talked about the impact and the last speaker spoke about not just the local impact but the international impact on crime, and how people view us. And I found it very strange because when, on my way here, I got a call and I was asked what are we going to debate today and I said there is a Motion on crime, and the person says that is not the same Motion since February or March? Do you not think that is an urgent situation? And I said to him that I, too, am baffled by the fact that something that is so urgent could not be debated in one affair, one sitting, totally as an urgent matter, but that it had to be spread out for long periods, and then the true essence and the potency of such a debate is lost because though we say it is an urgent situation and we must deal with it, I am not too sure we all saw the urgency of it from the same standpoint, Mr. Vice-President.

And at the end of the day, what we find is that this serious and dangerous and life-threatening time of our life, this period that is so dangerous, all that may turn out is that we have a record on *Hansard* that would say in history that we would have spoken about it, but really no results would come out of it because of how it is being spread out and allowed elasticity, and it loses its potency because of how we approach such an urgent matter and I wanted to put that on the record.

Mr. Vice-President, when we look at how we have approached dealing with the crime situation in this House, it is left for us to wonder what a mess we could find ourselves in, and a mess because we look at urgent things so casually, we look at urgent matters so sparingly that it is no longer urgent at all. [*Crosstalk*] And I

know my colleague Sen. Khan has good source and I respect him for that. Some years ago, a calypsonian wrote a calypso and part of it says, “Put we in jail and set the bandits free”. And based on that calypso, he was really saying that it appears as if it is better—you are safer if you are a citizen inside the prison and if you let all of the bandits free, you might end up safer than living today the way we live.

Not only that, Mr. Vice-President, but our experience, and it must be reiterated, I think it was Sen. Rambharat who began speaking about crime and he disagreed with Sen. Sturge’s argument that it is the PNM when they are in power, crime rises and whatever. I am not going to deal with that but reality tends to strike us because, Mr. Vice-President, we are now faced with a scenario, a reality and it is not just when we talk about crime, we are not just talking about murders. We are talking about crime across the board and too often when we talk and speak about crime in our country, we actually sort of zero in on crime based upon murders and not the general crime situation in our country.

When I went up on the TTPS website and we looked at murders for 20 years was somewhere around 6,300 or 6,400 persons got murdered for 20 years, but then, all crimes in 2016, we had 3,926 crimes in Trinidad and Tobago—that is in 2017. In 2016, we had some 11,000 general crimes committed and that tells us that the crime situation is far worse than we are thought to believe because we kind of focus only on how much people die as opposed to how many people are affected based upon crime. [*Desk thumping*] Mr. Vice-President, and that tells us a great deal.

As a matter of fact, Mr. Vice-President, when you think about it, a simple thing like the larceny of motor vehicles in 2015, 2016, 2017, and so far, there are 1,709 vehicles stolen, reported stolen in Trinidad and Tobago. Now where are

these vehicles going? In a small country which we could traverse in an hour, an hour and a half from west to deep south, 1,709 motor vehicles were stolen. I am not too sure how many were recovered. And the big question is when we talk about crime, we do not ever look at things of this nature, and there are a lot of CCTVs. As a matter of fact, it was the Minister of Labour and then before that Sen. Ramkisson who talked about how, you know, we have to be behind bars in our own houses and cameras, and then she says she has to have two pit bulls and stuff like that. [*Crosstalk*] No, no, I am going to talk about that.

And that says that when we talk about freedom, Mr. Vice-President, and the idea was that it is the responsibility of Government to protect the freedom of people, and if people are living in fear, it is not the people's responsibility because if the people's responsibility is to alleviate their fears, they can retaliate and then it can get worse. So it is the Government's responsibility to protect the freedom of people, the freedom to life. It is the Government's responsibility. [*Desk thumping*] It is not just talking about murders and crime, it is talking about freedom is at stake, freedom, and people are elected to protect the freedom and the rights of people.

As a matter of fact, Mr. Vice-President, one year, a calypsonian and if I read the calypso, it would appear as if it is a calypso that is written for now. It was written by the deceased Penguin where he says "We living in jail" and this is to reiterate—and his lyrics are so modern, it is a shame:

"Everybody talking 'bout freedom, but is like everybody blind

If you think we living in freedom, the freedom only in your mind"

And then he says:

"Everywhere I look, criminals and crooks terrorize as they run amok

While poor you and me behind lock and key, moving 'round like if we in shock.”

Those lyrics are very pertinent, Mr. Vice-President.

There was another aspect of his song that says:

“Costume jewellery is the fashion 'cause...criminals get so bold”

I mean, when you think about it:

“They will choke you without compassion and take 'way your silver and gold”

“Yuh understand?”

“But to avoid lash, always have some cash because when they commit their crime

And don't get enough, is chop, kick and cuff for making big men waste their time.”

And it tells you that the song really talks about reality because there are so many people that are burglarized and robbed and when criminals do not get enough, they suffer physical abuse and they are totally beaten and destroyed because of the mentality of mind.

Mr. Vice-President, so crime is not just something people do, it is a spirit. It is a spirit of absolute disobedience. It is a spirit that says that I will not abide by law. It is a spirit that says, you know, to hell with everybody, I alone must survive. So really for a country to be—its citizens living in jail, it says that the Government has not done what is necessary to protect them from those elements and protection from the elements is important.

Mr. Vice-President, so when we think about it, Sen. Small talked about how people are doing it in broad daylight. Yes, even when I was a child and we went to

see these western movies, the bandits used to wear scarfs and masks and all kinds of stuff. Today, that is all gone. Not only that, in those days the bandits used to move around in the night. Now, it is not like that, in broad daylight, it is happening before our eyes with all kind of CCTVs and cameras and all kinds of stuff. And, Mr. Vice-President, you know something? That has not helped us in our psyche to make us feel as if we are better off, we are safer. All of the CCTV cameras, all of those things have not left us feeling that we are far more secured. All of the SSAs and all of these anti-gang this—and I was reading the Minister of National Security's response to this and he was talking about, you know, upping the anti-gang this and the crime this and the this and the that, and then it was blaming for the disbanding of an illegal entity called SAUTT. All of these kinds of stuff have not helped us to feel safer in this country. [*Desk thumping*] Have not.

Mr. Vice-President, when you think about it, social media has not helped. If you want to know anything going on, go up on social media. Somebody just get murdered, boom, social media, as if people are walking around with their phone cameras and are waiting for something to happen, and then boom, uploaded. I mean, now for now, “Chinese get killed”, five minutes after, social media; people get robbed, now for now—and it is a glorified kind of situation. So when a country could glorify—do you realize, Mr. Vice-President, “nobody eh stopping no fight no more”? Schoolchildren fighting. In my days, two of my friends fighting, “we run in there, part them”. Now, two guys fighting, “yuh pick up yuh phone, yuh videotape it and you sent it up live”. That is where we are in this—it is a sickening spiritual—“ah” dilemma we have found ourselves in, where no longer people care. In other words, it is “ah big hurrah, yuh know”, people are fighting and people applauding them and it is a big scene now and then we are talking

about wanting to deal with crime. It tells us what is going on, Mr. Vice-President.

I remember when the Minister was dealing with the entire Motion by Sen. Sturge, he talked about—at that time, there was a situation taking place in Enterprise and then he started to talk about long-range vessels and OPVs as if OPVs will float into Enterprise and stop the thing that is going on in Enterprise. [*Desk thumping*] I mean, relevant matters. So the OPVs “woulda” leave and go down Central and then sail through Enterprise where all those guys are and that “woulda” help and that kind of situation. Listen to this, because it is a spirit and it is an attitude and in the midst of that attitude, up on social media, with some 2,500 hits within an hour. Mr. Vice-President, listen to these lyrics by the same youth, same youth in Enterprise. Same youth who had been experiencing killings and stuff like that and all kinds of bacchanal and police and meetings and the police down in Enterprise in one of the housing developments down in—where they call it? Lions Gate and big sand bags blocking all the doors. “Dais what is going on down there, yuh know”. “Is not ah normal police situation down there”.

What is happening down there is where they occupy one of the national housing buildings, they have barricaded it with sand bags in front of all the doors and windows like down, you know, military camps like Beirut. “Da’is what is going on down there.” The average citizen does not realise what is going on down there. “They feel well police just set up shop in ah lil building and stuff.” No, it is war and police have barricaded themselves behind sandbags, and that is what is taking place but the citizens do not know. But hear the lyrics. Hear the lyrics and I pay attention to these things because it tells you the psyche, what is going on inside, the inner disposition of human beings. Hear the lyrics of a youth living inside there, facing all of that every day:

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One shot, two shot, three shot, four
 Heart stop, brain split, brain pour on the floor
 Five shot, six shot, seven shot, eight
 Crisis, drive-by, shoot up de place
 Nine shot, 10 short, 11—

“Da’is in the midst in it, you know.”

Eleven shot, twelve
 You diss my crew and yuh murder yourself.

Listen to this:

And if yuh friends dem want to defend.
 Man, we load up the clip all over again.

Listen to that. This in the midst of all the bacchanal and I pay attention because normally in my days, you know, things like that, “you gone and hide, you doh wah no part ah”. They, in the midst of it, rapping. They, in the midst of it, talking about people’s brain on the floor and part of thing was a man, you know—people will get amnesia immediately as they see things. Mr. Vice-President, this is more dangerous than we talk about it here, and for something that is as dangerous to take four months, five months in private Motions day, and it could not be brought as urgent matters and stuff, it tells us how we look at things here, you know. We really have to look at this thing.

Mr. Vice-President, countries with the highest crime rate, 2017 listing, the *Gazette Review*, 10 countries. First one, listen to how we are rated. First one, Venezuela; second one, South Sudan; third, Honduras; fourth, Nigeria. “We going ahead eh.” “Yuh know where are rated?” I think I missed out one or two. Yeah, I missed out. Sorry, Mr. Vice-President. Third, South Africa; fourth, Papua New

Guinea. “Watch meh.” Fifth, Honduras; sixth, Nigeria; seventh, the land of calypso, Trinidad and Tobago. Right after that is El Salvador. “Look who we rated with.” Then Brazil and then Kenya. We are ranking. The 10 countries with the highest crime rate, we are ranking and it tells us a great deal. And, Mr. Vice-President, I mean, they gave us “ah nice lil write up”. [*Laughter*] “Ah lil write up yuh know.” Oh my goodness. And then they had to kind of deal with it from the standpoint, murder rate, 30 per 100,000. “So they tell you ah lil thing about wa’is going on Trinidad.” That is a serious matter, you know. That is a serious matter that demands beyond this Motion for us to seriously debate. That is a serious matter that should not have been left up to a Private Members’ Day Motion which is limited in capacity, that demands more, that demands urgent attention. [*Desk thumping and interruption*]

So, Mr. Vice-President, when you think about it, we have violence across the board because when you think about statistics of crime, it also involves—where did I have that figure? Mr. Vice-President, if you see the statistics for shootings and woundings and each of those shootings and woundings could have been a murder and those are in the thousands. Or, yeah, look it. In 2015, besides the 400 and something murders, shootings and woundings were 600. Each of those could have been a murder. Okay? In 2016, besides the high crime rate, you had 522 shootings and woundings. Serious stuff that it was reported to the station. This is not casual stuff, this is serious stuff that involved the police. And then in 2017, so far, besides the 200 and I think 50 murders from January to now—I think we are about 250—we have had 206 shootings and woundings. So it tells you that the entire crime situation is far more dangerous and far more than we feel it is. So we will say, “but it is only 250 murders”, what about those people that have been shot

but did not die? What about those people who have been wounded but did not die and could have died? You know what would have happened if these people had died? This place would have been in absolute chaos if this had happened.

So, Mr. Vice-President, when we think about it and I said it before and I have to keep reiterating it, the responsibility for the protection of the freedom of the society falls in the laps of the Government. [*Desk thumping*] Responsibility. And if that responsibility is not held up to, then something is seriously wrong, and if people are beginning to say, “Well, is not the Government”, then something is wrong. Something is absolutely wrong.

Mr. Vice-President, I mean, what is the cause of crime? We have found ourselves in today’s situation, not only do we have murders and all these shootings and woundings but people are missing. “Da’is ah crime.” People are missing. In the *Daily Express*, three Trinidad nationals held in Venezuela for human trafficking. People are missing. Every time you are seeing, you drive past the streets, on billboards: help us find this child; help us find this youth, help us find this girl. Have you seen that? Help us find this lady; help us find this person. People are going missing. Is it that we have people selling people for organs? I do not know. [*Interruption*] Could be. Mr. Vice-President, *Trinidad Express*, April 18th:

“Couple charged with human trafficking...”

So really, the crime situation, if addressed and looked at seriously, is not only zeroed in on murders, it is zeroed in on everything that causes us to live in fear and our freedom is jeopardized. And just now, like the calypsonian say—I am responding to Sen. Ramkissoon—it is not only two Pitbulls, he said “in dem days, is 10 Doberman in yuh yard”. You will have to get some more. Because, in his

days, when it was not so bad, he say “is 10 Doberman in yuh yard, it is Pitbull now”. She has two. You will have to find some more. So, Mr. Vice-President, this is serious, this is very serious stuff.

And to add insult to injury, crime is not isolated. Crime has its residual—it is the result of things. Crime is a result of something. Things that are not working well, things that are not happening. One, we have a broken-down judicial system. [*Desk thumping*] They have one, there is no arguments about that: a broken-down system. Two, a broken-down police system; three, a broken-down prison system. How are we going to deal with crime? They are broken. [*Interruption*] When you think about it, our justice system works so badly that for too many citizens, it serves neither justice nor reform. It serves nothing.

And then, if we are to lock up violators and put them in overcrowded prisons, all that guarantees is that they will come out worse off than they enter. “Is ah guarantee.” So one person said to me in a visit to our reform system or prisons that “this here helps nobody, when I come out of here, I am worse or I am mad with the world because I am here for 10 years for something that I could have only been sentenced for two years for and I am mad with the world”. So you have a broken-down judicial system, a broken-down police system, a broken-down prison system, a broken-down safety system. What do we have that could bring safety here? How do you feel safe in a country like ours? How do you deal with all of that when everything is broken, when there is no protection to the right to life and the right to liberty and the right of security of person? That is what the Constitution says. That is what the enshrined rights are: right to life, right to liberty, right to security of person, and that is a guarantee for any Government that takes over the country.

I do not want to hear about past, I want to deal with present. It is time for us to live in the present. [*Desk thumping*] If I bought a house from Sen. Mark, if the house was run-down, it is not my problem, I must fix it now because I live in it now. [*Desk thumping*] I cannot be grumbling over what Sen. Mark did in the house, I must fix it now because I have to live in it. So things are not just worse, but as one writer says, “It’s worserer”. [*Laughter*] It is “worserer” and it is as if we have jumped from the proverbial frying pan into the fire. But because we are afraid to institute what is already there or apply what is already there, we find ourselves in difficulty.

Mr. Vice-President, I am an individual, like Sen. Ramkisson, that believes in the system that says if a man sheds man blood—Genesis, chapter 9 in verse 6—so shall his blood be shed by men. Not only that, but that—and that is creation law. There are different aspects of law. There is creation law, there is Mosaic Law. There are other types of law. Creation law supersedes every other law and that is why murder found itself in the Mosaic Law because it was in creation law, Genesis, chapter 9. And the *Bible* is very clear that when the person murders somebody, they are interfering with the image of God because man was created in the image of God. I want you to understand this. So you are not just interfering with the man, you are interfering with the Creator. Genesis, chapter 9 in verse 6. It is important for us to see it from that perspective and that is why it has found itself in subsequent laws, in the Old Testament, because they understood the ramifications of murder, so it came across as a direct law under another covenant but because it was there as a creation law.

And then, Mr. Vice-President, it was very clear that the principles are there.

“Because sentence against an evil work is not executed speedily, therefore

the heart of the sons of men is fully set in them to do evil.”

I want to read that again.

“Because sentence against an evil work is not executed speedily, therefore the heart of the sons of men is fully set in them to do evil.”

That is very clear and because we have deviated from certain principles and lifestyles that we were accustomed to since we were small, we have found ourselves in this situation. So our justice system fails to work and now we have done this in the past and I do not want to mention it but we are coming up with all kinds of legislation to kind of cover up the flaws in the system and it is just not working.

And not only that, but we have in the situation of people’s bodies being found and people being—there is always the idea of the police says that the cause of death is inconclusive.

5.35 p.m.

And inconclusive could mean that we have nothing to go by. In other words, we cannot further investigate this because it is inconclusive. We do not know how to approach this because the cause of death is inconclusive, and quite a number of bodies that are found, the cause of death is inconclusive, so the police have nothing to go by. Besides all the detection rates being so low, the police further have nothing to go by, and as a result of that, a lot of those inconclusive deaths, Sen. Solomon, could have been murders. So they have “nutten”. So that it is worse off than we think. It is worse off than we think, Mr. Vice-President.

It is a deception, because what we are dealing with is just figures and numbers, but we are not hearing about how many of those deaths were inconclusive, how many of those deaths they could not find the cause, but the

person just died under circumstances; it is masked.

Dangerous times, Mr. Vice-President, we are living in, and because we are living in those dangerous times, in the *Trinidad Guardian*, I smiled, Wednesday, April 12, 2017, when it says the crime woes troubling the Prime Minister. When I read it, I said: “Wow. This is good. This is good. This is great.” But then I—he said the decision is stuck somewhere between the Director and they were asking him questions on CNC3 on the *Morning Brew*. And it says in the newspaper that he said that they had established the Security Services Agency as a more well-organized information-gathering unit to help the police. Has it helped? What has been done since the SSA? We fight here and we argue over the SSA. Are things better, Mr. Vice-President? Absolutely not. [*Desk thumping*] He said it is a more well-organized one—is it better? Are police more organized? Is information coming better? Absolutely not. But he said having information does not mean that information would be used in the best way.

In other words, immediately after saying that we have established the SSA to have well-organized information gathering to help the police, he further went to say, that “doh mean de information go be used in de best way”. But the PM admitted that corruption in the police service was the issue; the Prime Minister. The Prime Minister. So that is why, with all the SSA and all the stuff, we still have Chinese couple found dead, witnesses afraid to testify.

[MADAM PRESIDENT *in the Chair*]

We still have all of these scenarios that cause people, Madam President, to live in a state of one, physical fear, mental fear, psychological fear, and now before long it will be spiritual fear, because Father Harvey.

And that is not the first, I remember some months ago, while the Anglican

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Church, I think, in Arouca, was having service and they just picked up the collection when the people were walking in the back to go in the back, they robbed them in between the church buildings.

Hon. Senator: What?

Sen. R. Samuel: Yeah, they did, in Arouca, just beyond Lopinot there. They robbed them inside. So really, not even—and that is why I say maybe just now it is a spiritual situation, that people run to their mosques and their churches and their temples for a sense of peace, and inside of those places just now it may have no peace, because the news headlines was: It is time to rob God. That is what the news headlines was in the papers: It is time to rob God.

Madam President, so today we are here, some four months since this Motion was moved by Sen. Sturge, and though Sen. Sturge, in my mind, expected to get some traction nationally from the standpoint of this is an urgent matter, this is important. Because this thing has been given an elastic lifespan, where it is stretched across the board—

Madam President: Sen. Samuel, you have five more minutes.

Sen. R. Samuel: Much obliged. An elastic lifespan, the potency of this is lost. It will just go down that we debated this on a Motion. The *Hansard* record will tell who spoke, but the end result will not make Trinidad and Tobago safer. It will not make people far more peaceful in their minds. People will not be afraid anymore. It no longer makes the citizens feel that their rights and their freedoms are unprotected in this country.

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

[*Sen. Creese rises*]

Madam President: Sen. Creese, am I mistaken? But I think you have

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participated in this debate already.

Hon. Senator: Yes.

Sen. Creese: [*Nods head in agreement*]

Madam President: That is what I am seeing from my notes. Yeah? On the 28th of March. Okay? Sen. Henry.

Sen. Dr. Lester Henry: Thank you, Madam President, for clarifying that situation, and allowing me to speak on this Motion at a fairly late stage in the game. This Motion has been around for a while and I want to thank Sen. Samuel for making the point that we have a crime problem in the country, although all of us and the whole national population did not know that. Apart from that, I do not think he contributed significantly to our understanding or appreciation of any of this serious problem, you know.

But before I do address some of the other issues raised by Sen. Samuel, and my own points, I want to start by going back to Sen. Melissa Ramkissoon. I have to defend my turf on this case. You said that, the hon. Senator said that crime was a daily problem at the university, and I beg to differ. I work there. I am there almost every day and I have to speak out on behalf of the university. We do not have a serious crime problem on a daily basis at the university. Okay?

Sen. Ameen: What? [*Crosstalk*]

Sen. Dr. L. Henry: No, no, no. No, no, no. Please. Please. I mean, it is all and well good to make your point that there has been crime, even on the campus. But to say that the university is some den of criminal activity or so on, is really an exaggeration. No, no. I find it a bit disingenuous. [*Crosstalk*]

Madam President: Hon. Members, could we please allow Sen. Henry his time to make his contribution? Sen. Henry, continue.

Sen. Dr. L. Henry: Yes. I am not sure what was that disturbance about. But the point is that we do not have a serious daily crime situation at the university. I am quite aware of what is going on there and I think it is not proper for the national community to have gone away with the impression that that is the case at the university. It is clearly not so, and we are not saying there is no crime in and around the institution, but that exaggeration could not go unchallenged. Okay?

Now, I want to deal with some of the issues raised by Sen. Samuel, first of all, in the sense that we are facing a well-known problem, which he went at great lengths to point out. And one of the things I heard him imply, with his biblical quotes, was this whole issue of taking one life and, therefore, your life should be taken in return.

But I want to remind the country about something that happened in 1999. I was here. I was at a retreat with the faculty at the University of the West Indies. At the time of the execution of the Dole Chadee gang, it was 1999 I believe, right, and many people thought that this was somehow going to bring permanent relief to our crime situation because it was a demonstration of the power of the State to take lives. It was the demonstration of the power of the State to take lives, and surely enough, for a few weeks after that, there were no alarming reports of murders in the papers.

And then we also—but what has happened since 1999? What has happened in the country? And then we are faced—I am not arguing necessarily against the death penalty, eh; do not get me wrong. Right? But I am just saying that based on our own experience, when you think you have the answer to solve the crime problem, to bring everything under control, generally you may not. And that is the problem. We end up in situations thinking that this is going to be the panacea for

this problem and then look at what happens. So, it is not a simple thing that we are dealing with.

And when Sen. Samuel talked about the broken-down Judiciary, the broken-down this, the broken-down that, well all of that happened only last week or last month? What about all the lack of implementation that took place in the previous five years before that? I was on the other side in that same seat over there when the Government of the day brought something called, what they called the hanging Bill, which was supposed to clear the way to implement the death penalty in this country, which is the law of the land. And when that was brought, we saw all kinds of shenanigans going back and forth accusing the then Opposition of not supporting the Bill and all kind of up and down stories. But then, what happened? The Bill never went anywhere, and that Government had the requisite majority to push the Bill through.

At the peak of that Government, you had what, 29 seats. You had a special majority. You had no excuse about the Opposition. The Opposition could not block it. Right? You had the special majority that you said you would need. Right? So, in terms of the approach of the previous Government into the crime situation, there is nothing to be proud of. There is nothing that you should be beating your chest over there about. Right? Because—

Another issue that came up and has always come up, when you talk to people involved in the crime-fighting initiatives, which I do every so often, I do have a few friends, and they talk about the number of guns on the streets. And, if go back to many of the big cities in the US like New York, Detroit, Chicago and all these places, one of the first ways they try to get hold of the crime situation is by limiting the amount of guns on the streets. And in that regard, our police service

has been doing a somewhat reasonable job in retrieving firearms and getting firearms off the streets in the last few years, which they normally brief us about in their police briefings on a weekly basis.

So one of the things we needed to do, from the beginning, was to stop the proliferation of guns in the society. And in many ways, this was attempted by the previous incarnation of the PNM Government and the plan with OPVs was not just to fight crime on the seas, as the former Prime Minister said, that crime is on the streets, it is not in the sea. But of course, the guns come from outside. And one of the big pillars of the crime-fighting initiative, under the previous PNM, was to get these OPVs that could intercept the weapons before they reach Trinidad and Tobago.

We do not have a major gun-manufacturing facility in Trinidad and Tobago. I know and I am pretty sure that almost all of the guns are coming from outside. There might be a few handmade locally produced guns, but most of them come from outside, and once you have such a drastic proliferation of guns, you will have serious crimes being committed because the intention of people who are going to commit crime has been the same for thousands of years. As a good friend of mine used to say: "Man and cockroach have not changed in thousands of years".

The idea that people will have a grievance, and they will try to settle it and sometimes by the most violent way possible is something that we have faced as human beings going back in a long history. And, the fact now that the youths, what makes the youth different now, as opposed to my time, and most of us in here who are slightly older, that time, it used to be sticks and stones and knives and now it is access to firearms much easier, as was noted by many of the speakers before. But the intention of the crime, especially crimes of passion and crimes of rage are

there that if these people get hold of these firearms, they are going to use it.

Going back to when I was growing up in some rough areas, people also had the intention of carrying out vicious activities, but if, at the time, they had no guns, they could not carry through with it. They had to settle for a fist fight. And we as country went wrong when we allowed the permanent infiltration of all these firearms into the country. [*Interruption*] And one of the first things we will have to do is—Madam President, can I ask for your protection? I am getting lot of unnecessary—[*Crosstalk*]

Madam President: Senators, please, could we listen to Sen. Henry in silence, please? Continue, Sen. Henry.

Sen. Dr. L. Henry: Yes, I am getting a lot of verbiage, chatter and unnecessary noise. Okay. Very insidious noise at that. So, yes, we had the proliferation of guns in this country going back from perhaps, about 15/20 years now in a large scale. We recognize the problem and, therefore, we need to beef up our security in our external borders to stop this from happening. And that would be the first step.

And, perhaps, what we could also work on is the notion of very stiff penalties for possession of illegal guns and also for trade or distribution of guns in the same way it is done with other dangerous drugs like cocaine, and so on, where the penalty significantly increases when you are a distributor rather than just a possessor of the gun. And, we know this is happening and we have to try to put an end to this in a serious way.

Now, at a border level, the rising crime rate that we are experiencing in Trinidad and Tobago, as Sen. Small had alerted us to, is something that is not totally unique, of course, to Trinidad and Tobago. We see a lot of crime, rising crime, in many countries, especially throughout Latin America and the Caribbean,

and right next door we have the problem of Venezuela and the social disintegration of that society that is taking place right before our very eyes. And we see that it is very difficult to escape some kind of neighbourhood effect of that phenomenon going on there, because of how serious the matter is tending to be. And, of course, all of us know that there is a large infiltration, or at least—maybe that might be too harsh a word but at least—a large cross-border flow of Venezuelans into Trinidad and Tobago in recent years.

And that in itself could cause us serious difficulty. And I think a lot of us do not appreciate fully, because you hear the reports of guns being brought into the country through our southern borders in exchange for goods and services that the Venezuelans require—you know, basic goods and services: toilet paper, food, clothing, anything. People would be willing to trade guns to get the basic foodstuffs that they need and that is why we have to keep a close eye on the situation in Venezuela, as it could be affecting us drastically already and from all indications it is going to get worse, in terms of degeneration in that country and the potential spillover effects into Trinidad and Tobago.

And, of course, the sheer numbers of Venezuela being a much larger population and landmass just a little trickle across could make a tremendous difference in our situation here, just a small flow. I mean, Venezuela has other borders, Colombia, and so on where, I am sure, this type of activity is already taking place and having a tremendous effect. But, for example, in Trinidad and Tobago, for some reason some people in Venezuela may find it easier to access this country than it is to access their other borders, in terms of getting contraband back and forth.

So we have to be seriously monitoring that situation and then again it comes

Unacceptable Levels of Violent Crime
(Government Steps to Deal With)
Sen. Dr. L. Henry (cont'd)

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back to the question of, with proper OPVs, we would have taken able to do that. Yes. [*Crosstalk*] No. Seriously. With the proper operational OPVs, that task would have been made a lot easier to intercept vessels coming across the seas from Venezuela and we could have had them stationed out there, especially at a critical time like this, because we have to know—[*Interruption*]

Madam President: Sen. Sturge, please.

Sen. Dr. L. Henry: Come on man. So, we do not need the Opposition to preach to us on crime. You had your chance and you failed miserably. [*Desk thumping*]

So, we do not want any lessons and rhetoric from you. Your time at the helm—you were famous for calling a state of emergency. That was your big crime intervention. And then—and what did it result in? Well, some people got tremendous lawyer fees, and so on, representing people who were charged by the State. And you violated the rights of thousands of citizens, which in itself was a criminal act, by arresting them on phoney grounds and you could not sustain any case against anyone. So, in fact you probably perpetrated the biggest criminal activity in this country in the last six or seven years just by your—[*Interruption*]

Sen. Sturge: Point of order, 46(6). The Opposition does not—the Government does not lock up anyone. It is the police. So stop misleading the House.

Madam President: Sen. Henry, yes, that should be restated. Okay?[*Desk thumping*]

6.05 p.m.

Sen. Dr. L. Henry: No problem. It is the Government policy that led to implementing a state of emergency.

ADJOURNMENT

The Minister of Energy and Energy Industries (Sen. the Hon. Franklin

Adjournment (cont'd)
Sen. The Hon. F. Khan (cont'd)

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Khan): Madam President, I beg to move that this Senate do now adjourn to Thursday, 29th of June, 2017 at 2.30 p.m. During that sitting, we will commence the committee stage on a Bill entitled “An act to establish a system of plea discussions and plea agreements and for matters incidental thereto” and on conclusion of that we hope to begin the debate on a Bill entitled “An Act to amend the Bail Act, Chap. 4:60”.

Madam President: Hon. Senators, before I put the question on the adjournment, leave has been granted for a matter to be raised on the Motion for the adjournment of the Senate. Sen. Mark.

Royal Bank of Canada Workers

(Government’s Failure to Protect)

Sen. Wade Mark: Thank you very much, Madam President. [*Desk thumping*] Madam President, after some 182 years of emancipation from slavery and some 55 years of political independence, the workers of the Royal Bank of Canada are living and working in modern slavery on these new plantations established by Royal Bank of Canada. Madam President, collective bargaining is under attack at the RBC and so too is trade union rights under assault.

Madam President, this is not the first time that big business, the employer class, have sought to deny workers their right to trade union representation. [*Desk thumping*] After going through the normal and legal process to gain trade union recognition by the RRCB which is the Registration Recognition and Certification Board, there are now three instances where big business have now taken the trade union and the recognition board to the courts, which is the High Court, querying their Certificates of Recognition. First to do it was the Desalcott versus the OWTU. Second, it was the Airports Authority under the Minister of Works and Transport involving the Public Services Association and now, Madam President, it

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is the RBC, the Royal Bank of Canada and the Banking, Insurance and General Workers Union. Madam President, this is unprecedented, that kind of assault that I have just outlined.

Before the ISA was introduced into law back in the '60s and to be followed by the IRA, trade unions and their workers had to strike to gain recognition, and it is in an effort to bring some order to the recognition process that this particular legislation called the IRA was introduced. But even in the presence of the IRA, you have modern slave masters purporting to be employers in the 21st Century still whipping workers in this land. Madam President, in the case of the BIGWU, I read in the newspapers where after six years of fighting to be recognized and gaining their Certificate of Recognition from the board of the RRCB, this bank has now sought to punish the workers by taking the union—I dare say the RRCB—to the High Court in order to use the court as a shield against trade union representation. This is what you call industrial relations acrobatics on the part of this particular employer. Madam President, no consultation with the workers.

This particular employer has advertised without any consultation with the workers, where they are maintaining the 37 and a half hours a week, but you know what, Madam President? They have extended it from five days to six days. So instead of the workers working for five days, Monday to Friday, Royal Bank of Canada has now incorporated a sixth day which is Saturday, they have not included, Madam President, overtime payment. They are asking the workers to work at a flat rate on a Saturday in this country. This calls, Madam President, for an intervention on the part of the Government. We cannot allow multinational corporations to come in here and violate our laws like Uber was attempting to do with this illegal taxi service. We have to seek the intervention and the Government

has the responsibility to intervene to save workers.

Madam President, do you know that they have now introduced a system in Royal Bank where they have not allowed workers to continue to be working on a permanent basis, and they have now introduced what is called "fixed term contracts" so that workers are now at the beck and call of the employers at this particular institution, and they continue to decimate, through retrenchment, a number of these workers. Work life has become a nightmare for hundreds of workers at this institution. Female, women, Madam President, they do not know about a work-life balance any longer because of the slave-like conditions existing at that particular institution. There is no job security at this particular organization because there has been a constant wave of retrenchment as they seek to realign jobs.

Madam President, workers are unable even to access their personal days to attend to urgent matters at this bank. Workers who become ill on the job or who request leave to attend to family emergencies are denied that right by the RBC management. Madam President, pregnant women are being chastised for excessive absenteeism with regard to maternity leave and prenatal appointments. These things are occurring at the RBC, right in our backyard. [*Crosstalk*]

Madam President, the time has come for the Government to look into this matter. What it would have taken two and three workers to do in terms of a normal job at that bank is now being given to one worker to do, Madam President. This cannot be right. Newly appointed workers are being asked to function independently, not having received full training. The reality is that when you go to Royal Bank today, the lines are so long, the services are so poor [*Desk thumping*] and the reason for it is because they have retrenched hundreds of workers and they

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have one worker doing three persons' jobs, and they have now introduced Saturday work in this country, and they are not paying overtime. This is not fair, Madam President.

We in this Parliament have to come to the rescue of these workers and I call on the hon. Minister of Labour and Small Enterprise Development, Sen. the hon. Jennifer Baptiste-Primus, to intervene in this matter because, Madam President, you know, people can only take so much and no more. If you continue to exploit and oppress and abuse workers, as is being done at the RBC, there is going to be an explosion at that bank and the consequences are going to be dire.

I am calling on the Government of Trinidad and Tobago, through the Minister of Labour and Small Enterprise Development, to do some intervention in that institution and to stop this bleeding that is taking place at that institution. [*Desk thumping*] Madam President, as I wrap up, we have to get the Government involved in this denial of trade union representation by the exploitation by employers to deny them that right. I thank you very much, Madam President. [*Desk thumping*]

The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus): Thank you very much, Madam President, for allowing me the opportunity to share some points of views on this Motion moved by my colleague, Sen. Wade Mark, regarding the failure of the Government. Let me repeat that, Madam President, because it is very important—the failure of the Government to protect the rights of RBC employees to free collective bargaining and trade union representation.

Now, while I sat here and digested the very passionate presentation by my colleague—and I could share the concern that he is expressing—the manner in

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which this matter is brought before the House, Madam President, is one for serious concern because my senatorial colleague is blaming the Government for the lack of a collective bargaining process, and I would like to disabuse not only his experienced mind, but the inexperienced minds of the rest of population.

Firstly, Madam President, my senatorial colleague is very much aware—he is calling for my intervention—he very well knows that the intervention of the Minister of Labour and Small Enterprise Development is set down in law, what the Minister of Labour and Small Enterprise Development can intervene in and what the Minister of Labour and Small Enterprise Development cannot intervene in. So, I do not know why you are making such a call when you know very well that the law does not give me any authority to intervene in this situation.

But, Madam President, this Motion concerns, as I said earlier, the alleged failure of the Government of Trinidad and Tobago to protect the rights of the RBC workers to free collective bargaining. Madam President, I would beg your forgiveness and also this House, I would be just as passionate as my senatorial colleague, perhaps because of our similar background. But, Madam President, I have fought for over three decades in this country to protect the rights of workers and also to improve their quality of living, their standard of living.

Let me just point out a few facts, Madam President. The rights of freedom of association and free collective bargaining are considered as fundamental rights at work. These fundamental rights are globally recognized. The International Labour Organization, popularly called the ILO, has adopted two core or fundamental conventions, namely: “Freedom of Association and Protection of the Right to Organise Convention”, Convention No. 87. And the “Right to Organise and Collective Bargaining Convention, 1949” which is No. 98, which this country

ratified in the first year of joining the ILO in 1963.

Madam President, our own Constitution provides that all citizens should enjoy fundamental human rights and freedoms including the right of freedom of association and assembly. Moreover, Madam President, the Industrial Relations Act, Chap. 88:01 of 1972, as amended, recognizes and protects workers' rights of freedom of association and collective bargaining. Section 42(1) of the Act stipulates that:

“An employer shall not dismiss a worker, or adversely affect his employment, or alter his position to his prejudice, by reason only of the circumstances that the worker—

(a) is an officer, delegate or member of a trade union;”

Madam President, section 42(2) of the IRA, also prohibits an employer to, and I quote:

“(a) make the employment of a worker subject to the condition that he shall not join a union or shall relinquish trade union membership;”

Part VI, section 71 of the IRA, further elaborates, on the rights of workers to join any trade union of their choice or simply not to join a trade union if he or she so wishes.

Madam President, the IRA also provides for mechanisms to ensure impartiality in the process of ensuring that the fundamental rights of freedom of association and collective bargaining are upheld. The process of trade union recognition through the Registration Recognition and Certification Board, also called the RRCB, is one such important mechanism in upholding the right to freedom of association which connects straight into the right to collective bargaining. It is a process in which the Government of Trinidad and Tobago does

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not get involved or manipulate. Madam President, I wish to repeat that. The process of trade union recognition, through the Registration Recognition and Certification Board also known as the RRCB, is a process in which the Government of Trinidad and Tobago does not get involved or manipulate.

Let us, Madam President, for purposes of discussion, debate or whatever relevant terminology, I were to agree with my good friend, Sen. Mark, and the Government intervene with a big stick over Royal Bank, on the other end of the spectrum, could the Government not intervene with a big stick to prevent certain unions from obtaining recognition in this country? It is a dangerous request that Sen. Mark has made, but I do not think in the passion of the moment he understood the far-reaching implications his request bears.

Let me now deal, Madam President, with the recognition process for the RBC workers based on my understanding. Madam President, it is impossible to understand how this Government could be accused of failing to protect the rights of RBC employees to trade union representation and free collective bargaining. The Ministry of Labour and Small Enterprise Development through its Trade Union Division plays an important role in the registration of unions, while the RRCB is responsible for the determination of recognition status of trade unions as recognized majority unions or otherwise.

So, the role of the Ministry of Labour and Small Enterprise Development, once an organization wants to register as a trade union and meets the criteria, there is a division called the Trade Union Division under the Ministry of Labour and Small Enterprise Development which registers those organizations and issues them a Certificate of Registration.

While I am aware that the recognition process may be lengthy at times, one

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thing I could confidently say is that the process is conducted transparently under the purview of a board comprising a chairman who is selected by the President of the Republic of this country, not by the Government, not by the Opposition, but by His Excellency the President of this country after consulting with the most representative organizations of employers and workers and representatives or workers and employers organizations.

And, Madam President, this Government recognizes that the process for recognition, indeed, is too long a process and we are working towards shortening that process. But, Madam President, Rome was not built in a day. We have been in office just two years. My friend's Government was in office for five years and did nothing.

With regard to RBC, it is my understanding that Banking, Insurance and General Workers Union made an application to the RRCB on the 16th of February, 2011, for recognized majority status for all workers of the bank, and after many exchanges it was determined—this was after RBC determined that more than 50 per cent of the workers collectively decided to select BIGWU as the union of their choice, that it was so identified. I have been advised that subsequent to granting recognized majority union to BIGWU, the employers within their right filed for judicial review against the action. That matter is before the High Court, Madam President, and it is sub judice.

Madam President: Minister, your time is up.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 6.21 p.m.