



NATIONAL ASSEMBLY
OF THE PARLIAMENT OF
THE CO-OPERATIVE REPUBLIC
OF GUYANA

OFFICIAL REPORT

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2020-2021) OF THE TWELFTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE DOME OF THE ARTHUR CHUNG CONFERENCE CENTRE, LILIENDAAL, GREATER GEORGETOWN

16TH Sitting

Thursday, 28TH January, 2021

**PARLIAMENT OFFICE
HANSARD DIVISION**

The Assembly convened at 10.14 a.m.

Prayers

[Mr. Speaker in the Chair]

MEMBERS OF THE NATIONAL ASSEMBLY (71)

Speaker (1)

*Hon. Manzoor Nadir, M.P.,
*Speaker of the National Assembly,
Parliament Office,
Public Buildings,
Brickdam,
Georgetown.*

MEMBERS OF THE GOVERNMENT (38)

(i) MEMBERS OF THE PEOPLE'S PROGRESSIVE PARTY/CIVIC (PPP/C) (38)

Prime Minister (1)

+ Hon. Brigadier (Ret'd) Mark Anthony Phillips, M.S.S., M.P.,
*Prime Minister,
Prime Minister's Office,
Colgrain House,
205 Camp Street,
Georgetown.*

[Virtual Participation]

Vice-President (1)

+ Hon. Bharrat Jagdeo, M.P.,
*Vice-President,
Office of the President,
New Garden Street,
Georgetown.*

[Virtual Participation]

+ **Cabinet Member**

* **Non-Elected Speaker**

Attorney General and Minister of Legal Affairs (1)

+ Hon. Mohabir Anil Nandlall, M.P.,
Attorney General and Minister of Legal Affairs,
Ministry of Legal Affairs,
Carmichael Street,
Georgetown.

Senior Ministers (17)

+ Hon. Gail Teixeira, M.P.,
(Region No. 7 – Cuyuni/Mazaruni),
Minister of Parliamentary Affairs and Governance,
Ministry of Parliamentary Affairs and Governance.
Government Chief Whip,
Office of the Presidency,
New Garden Street,
Georgetown.

+ Hon. Hugh H. Todd, M.P.,
(Region No. 4 – Demerara/Mahaica),
Minister of Foreign Affairs and International Co-operation,
Ministry of Foreign Affairs,
Lot 254 South Road,
Georgetown.

+*Hon. Dr. Ashni K. Singh, M.P.,
Senior Minister in the Office of the President with Responsibility for Finance
Ministry of Finance,
Main & Urquhart Streets,
Georgetown.

+ Hon. Bishop Juan A. Edghill, M.S., J.P., M.P.,
Minister of Public Works,
Ministry of Public Works,
Wight's Lane,
Kingston,
Georgetown.

+ Hon. Dr. Frank C. S. Anthony, M.P.,
Minister of Health,
Ministry of Health,
Brickdam,
Georgetown.

+ **Cabinet Member**

* **Non-Elected Minister**

+ Hon. Priya D. Manickchand, M.P.,
(Region No. 3 – Essequibo Islands/West Demerara),
Minister of Education,
Ministry of Education,
Lot 26 Brickdam,
Georgetown.

+ *Hon. Brindley H.R. Benn, M.P.,
Minister of Home Affairs,
Ministry of Home Affairs,
Brickdam,
Georgetown.

+ Hon. Zulfikar Mustapha, M.P.,
Region No. 6 – East Berbice/Corentyne),
Minister of Agriculture,
Ministry of Agriculture,
Regent and Vlissengen Road,
Bourda, Georgetown.

+ Hon. Pauline R.A. Campbell-Sukhai, M.P.,
Minister of Amerindian Affairs,
Ministry of Amerindian Affairs,
Lot 251-252 Thomas & Quamina Streets,
South Cummingsburg,
Georgetown.

+ Hon. Joseph L.F. Hamilton, M.P.,
Minister of Labour,
Ministry of Labour,
Brickdam,
Georgetown.

+ **Cabinet Member**

* **Non-Elected Minister**

+ Hon. Vickram Outar Bharrat, M.P.,
Minister of Natural Resources,
Ministry of Natural Resources,
Lot 96 Duke Street,
Kingston,
Georgetown.

+*Hon. Oneidge Walrond, M.P.,
Minister of Tourism, Industry and Commerce,
Ministry of Tourism, Industry and Commerce,
Lot 229 South Road,
Bourda, Georgetown.

+ Hon. Nigel D. Dharamlall, M.P.,
(Region No. 2 – Pomeroon/Supenaam),
Minister of Local Government and Regional Development,
Ministry of Local Government and Regional Development,
DeWinkle Building,
Fort Street,
Kingston,
Georgetown.

[Virtual Participation]

+ Hon. Collin D. Croal, M.P.,
(Region No. 1 – BarimaWaini),
Minister of Housing and Water,
Ministry of Housing and Water,
Brickdam,
Georgetown.

+ Hon. Vindhya V. H. Persaud, M.S., M.P.,
(Region No. 4 – Demerara/Mahaica),
Minister of Human Services and Social Security,
Ministry of Human Services and Social Security,
Lot 357 East and Lamaha Streets
Georgetown.

+ Hon. Charles S. Ramson, M.P.,
Minister of Culture, Youth and Sports,
Ministry of Culture, Youth and Sports,
Main Street,
Georgetown.

+ Hon. Sonia Savitri Parag, M.P.,
Minister of the Public Service,
Ministry of the Public Service,
164 Waterloo Street,
North Cummingsburg,
Georgetown.

+ **Cabinet Member**

* **Non-Elected Minister**

Junior Ministers (4)

Hon. Warren Kwame E. McCoy, M.P.,
Minister within the Office of the Prime Minister,
Office of the Prime Minister,
c/o Colgrain House,
205 Camp Street,
Georgetown.

Hon. Deodat Indar, M.P.,
Minister within the Ministry of Public Works,
Ministry of Public Works,
Wight's Lane,
Kingston,
Georgetown.

Hon. Anand Persaud, M.P.,
Minister within the Ministry of Local Government and Regional Development,
Ministry of Local Government and Regional Development,
Fort Street,
Kingston,
Georgetown.

Hon. Susan M. Rodrigues, M.P.,
(Region No. 4 – Demerara/Mahaica),
Minister within the Ministry of Housing and Water,
Ministry of Housing and Water,
Lot 41 Brickdam & United Place,
Stabroek,
Georgetown.

Other Members (14)

Mr. Dharamkumar Seeraj, M.P.,
Lot 71 BB Eccles,
East Bank Demerara.

Mr. Alister S. Charlie, M.P.,
(Region No. 9 – Upper Takutu/Upper Essequibo),
148 Lethem,
Central Rupununi,
c/o Freedom House,
41 Robb Street,
Georgetown.

Dr. Vishwa D.B. Mahadeo, M.P.,
Region No. 6 – East Berbice/Corentyne),
Lot 4 Public Road,
No. 66 Village,
Corentyne,
Berbice.

Mr. Sanjeev J. Datadin, M.P.,
Lot 60 Section 'K',
John Street,
Campbellville,
Georgetown.

Mr. Seepaul Narine, M.P.,
*Lot 321 BB Seventh Street,
Eccles,
East Bank Demerara.*

Mrs. Yvonne Pearson-Fredericks, M.P.,
*Mainstay Lake/Whyaka Village,
Mainstay Lake, Essequibo Coast,
c/o Freedom House,
41 Robb Street,
Georgetown.*

Dr. Bheri S. Ramsaran, M.P.,
*Lot 340 East Street,
South Cummingsburg,
c/o Freedom House,
41 Robb Street,
Georgetown.*

Dr. Jennifer R.A. Westford, M.P.,
*55 AA Victoria Avenue,
Eccles,
East Bank Demerara.*

Mr. Faizal M. Jaffarally, M.P.,
*(Region No. 5 – Mahaica/Berbice),
Lot 16-30 New Street,
New Amsterdam.
c/o Freedom House,
Robb Street,
Georgetown.*

Dr. Tandika S. Smith, M.P.,
*(Region No. 3 - Essequibo Islands/West Demerara),
Lot 290 Area 'J',
Tuschen, North,
East Bank Essequibo.*

Mr. Lee G.H. Williams, M.P.,
*Paruima Upper Mazaruni,
c/o Freedom House,
Robb Street,
Georgetown.*

*Ms. Sarah Browne, M.P.,
*Parliamentary Secretary,
Ministry of Amerindian Affairs,
Lot 251-252 Thomas & Quamina Streets,
South Cummingsburg,
Georgetown.*

*Mr. Vikash Ramkissoon, M.P.,
*Parliamentary Secretary,
Ministry of Agriculture,
Regent and Vlissengen Road,
Bourda, Georgetown.*

Ms. Bhagmattie Veerasammy, M.P.,
*Lot 32 Crown Dam,
Industry,
East Coast Demerara.*

MEMBERS OF THE OPPOSITION (32)

(i) A Partnership For National Unity/Alliance For Change (APNU/AFC) (31)

Lt. Col. (Ret'd) Joseph F. Harmon, M.S.M., M.P.,
Leader of the Opposition,
Lot 99 Mazaruni Street,
Guyhoc Park,
Georgetown.

Mr. Khemraj Ramjattan, M.P.,
Lot 10 Delph Street,
Campbelville,
Georgetown.

Mr. Roysdale A. Forde, M.P.,
Lot 410 Caneview Avenue,
South Ruimveldt,
Georgetown.

Mr. Raphael G.C. Trotman, M.P.,
Lot 3202 Pricese 3,
Providence,
East Bank Demerara.

[Absent - on Leave]

Ms. Dawn Hastings-Williams, M.P.,
Lot 933 Block 1,
Eccles,
East Bank Demerara.

Dr. Nicolette O. Henry, M.P.,
Lot 2227 Ozama Street, North Ruimveldt,
Georgetown.

Dr. Karen R.V. Cummings, M.P.,
Lot 2 Belfield Housing Scheme,
East Coast Demerara.

Ms. Tabitha J. Sarabo-Halley, M.P.,
Lot 3382 Caneview Avenue,
South Ruimveldt Park,
Georgetown.

Ms. Geeta Chandan-Edmond, M.P.,
Lot 48 Atlantic Ville,
Georgetown.

Mr. Christopher A. Jones, M.P.,
Opposition Chief Whip,
Lot 609 Conciliation Street,
Tucville,
Georgetown.

Ms. Annette N. Ferguson, M.P.,
Lot 842 Eccles,
East Bank Demerara.

[Virtual Participation]

Mr. David A. Patterson, M.P.,
Lot 151 Durbana Square,
Lamaha Gardens,
Georgetown.

Ms. Coretta A. McDonald, M.P.,
Lot 202 N, Fourth Street,
Alexander Village,
Georgetown.

Ms. Catherine A. Hughes, M.P.,
(Region No. 4 – Demerara/Mahaica),
Lot 13 A, New Providence,
East Bank Demerara.

Mr. Haimraj B. Rajkumar, M.P.,
Lot 18 Public Road,
Johanna Cecilia,
(Region # 2 Essequibo Coast).

Ms. Amanza O.R. Walton-Desir, M.P.,
Lot 1285 EE Eccles Sugarcane Field,
East Bank Demerara.

Ms. Natasha Singh-Lewis, M.P.,
Lot 1110 Plot 'B',
Herstelling,
East Bank Demerara.

Mr. Sherod A. Duncan, M.P.,
Lot 590 Good Hope,
East Coast Demerara.

Ms. Juretha V. Fernandes, M.P.,
Lot 1282 Block EE,
Eccles,
East Bank Demerara.

Mr. Vincent P. Henry, M.P.,
(Region No. 9 – Upper Takutu/Upper Essequibo),
Shulidnab Village,
South Central,
Rupununi.

(Culvert City Lethem)

Mr. Ronald Cox, M.P.,
(Region No. 1 – Barima Waini),
Mabaruma Compound.

[Virtual Participation]

Mr. Shurwayne F.K. Holder, M.P.,
(Region No. 2 – Pomeroon/Supenaam),
Lot 55 Henrietta,
Essequibo Coast.

Mr. Ganesh A. Mahipaul, M.P.,
Lot 14 Plantain Walk,
West Bank Demerara.

Ms. Nima N. Flue-Bess, M.P.,
(Region No. 4 – Demerara/Mahaica),
Lot 88 Nelson Street,
Mocha Village,
East Bank Demerara.

Ms. Maureen A. Philadelphia, M.P.,
(Region No. 4 – Demerara/Mahaica),
Lot 17 Block 1, Section F,
Plantation Belfield,
East Coast Demerara.

Mr. Deonarine Ramsaroop, M.P.,
(Region No. 4 – Demerara/Mahaica),
Lot 40 Block 3
Craig Milne,
Cove & John,
East Coast Demerara.

Mr. Vinceroy H. Jordan, M.P.,
(Region No. 5 – Mahaica/Berbice),
Lot 214 Lovely Lass Village,
West Coast Berbice.
C/o Christopher Jones

Mr. Dineshwar N. Jaiprashad, M.P.,
Region No. 6 – East Berbice/Corentyne),
Lot 80 Babu John Road,
Haswell,
Port Mourant, Corentyne Berbice.

Mr. Richard E. Sinclair, M.P.,
(Region No. 8 – Potaro/Siparuni)
Church Street Mahdia.
Lot 4 Public Road,
Stewartville,
West Coast Demerara.

Mr. Jermaine Figueira, M.P.,
(Region No. 10 – Upper Demerara/Upper Berbice),
Lot 136 2nd Street,
Silvertown,
Wismar, Linden.

Mr. Devin L. Sears, M.P.,
(Region No. 10 – Upper Demerara/Upper Berbice),
Lot 90, Section C,
Wismar, Linden.

(ii) A New and United Guyana, Liberty and Justice Party and The New Movement (ANUG, LJP & TNM) (1)

Mr. Lenox R. O'Dell Shuman, M.P.,
Deputy Speaker of the National Assembly,
St. Cuthbert's Mission,
Soesdyke Linden Highway.

Officers (2)

Mr. Sherlock E. Isaacs, A.A.,
Clerk of the National Assembly,
Parliament Office,
Public Buildings,
Brickdam,
Georgetown.

Ms. Hermina Gilgeours,
Deputy Clerk of the National Assembly,
Parliament Office,
Public Buildings,
Brickdam,
Georgetown.

Hansard Division Officers (20)

Ms. Allison Connelly,
Chief Editor

Ms. Marlyn Jeffers-Morrison,
Senior Editor

Ms. Shawnel Cudjoe,
Senior Editor (ag)

Ms. Latoiah Joseph,
Senior Editor (ag)

Ms. Carol Bess,
Editor

Ms. Shevona Telford,
Editor (ag)

Ms. Christina Ramroop,
Editor (ag)

Ms. Tesia Ellis,
Reporter

Ms. Indranie Persaud,
Reporter

Ms. Roseina Singh,
Reporter

Ms. Somna Karen-Muridall,
Reporter

Ms. Eyoka Gibson,
Reporter

Ms. Lushonn Bess,
Reporter

Ms. Bianca Cummings,
Reporter

Mr. Rohan Ramjas,
Reporter

Ms. Nadeila Allen,
Reporter

Ms. Celisa DeFlorimonte,
Reporter

Mr. Parmanand Singh,
Pre –Press Technician

Mr. Saeed Umrao,
Audio Technician

Mr. Daison Horsham,
Audio Technician

TABLE OF CONTENTS

Contents *Page*

16TH Sitting Thursday, 28TH January, 2021

Announcements by the Speaker	1983
Presentation of Papers & Reports	1984
Reports from Committees	1985
Questions on Notice ForWritten Replies	1986-1992
Statements by Ministers Including Policy Statements	1993
Public Business – Private Members’ Business	1994-2040
Motions - Narcotics Drugs & Psychotropic Substances - (Control) (Amt) Bill 2020 – No. 16/2020	1997-2041
Introduction of Bills & 1 st Reading	2042
Appointment of a COI to Investigate Unrest at Lusignan Prison - Subsequent Deaths & Injury of Prisoners on 19 th Sept., 2020	2043-2084
Adjournment -	2085-2086

ANNOUNCEMENTS BY THE SPEAKER**Excuses from Members of Parliament (MPs)**

Mr. Speaker: Hon. Members, for today's sitting, we have an excuse from the Hon. Prime Minister, who is chairing a Caribbean Community (CARICOM) meeting at this moment. We also have an excuse from the Hon. Member, Mr. Raphael Trotman, who is out of the jurisdiction.

Virtual Participation

We have a number of Members who are participating virtually. They include: The Hon. Member, Mr. Nigel Dharamlall; the Hon. Member, Ms. Catherine Hughes; the Hon. Member, Dr. Bharrat Jagdeo; and the Hon. Member, Ms. Annette Ferguson. Those are the names of the Members that I have at this moment who are with us virtually.

Positive COVID-19 Tests for Hon. Speaker and Family

Hon. Members, on 28th December, a month ago, we had a sitting. At the commencement of that sitting, which I presided over virtually, I mentioned that I was not feeling well. Out of an abundance of caution, I decided to Chair that session virtually. The next day, my family – my wife and two grandsons – tested positive for Coronavirus disease (COVID-19). The only person not positive was my younger daughter.

I had a fever, headache, pain in the body, loss of taste, no appetite and a feeling of weakness. The symptoms, they said, were classic COVID-19 symptoms. There was very prompt action by medical personnel. They provided medication and a menu of vitamins and supplements, accompanied by local herbs, which were also among the treatment. I continued to have symptoms and kept getting weaker.

On 6th January, 2021, feeling extremely weak, I called for the ambulance and went to the COVID-19 centre at Liliendaal where I was treated intravenously. I spent a day there.

I raise this today to urge you and your families to follow the COVID-19 protocols and treat, urgently, with the symptoms. I was really sick, and I felt I would never return to any semblance of a near normal life. I express my thanks to the Hon. Minister of Health, Dr. Bux, Dr. Bovell, Dr. Shaw, Dr. Raghunauth, Dr. Baldeo, Dr

Doodnauth and the medical team at the Liliendaal centre for their care and attention. I also want to thank all of you for calling, caring and praying for my good health and well-being.

Statements on Social Media

Hon. Members, I am in receipt of a letter from Mr. Yogieraj Dass, Chairman of the Canal's Polder Neighbourhood Democratic Council (NDC), where he drew attention to social media posts by Hon. Members of this House. These posts, he said, were inaccurate and totally wrong. There has been precedence where, in previous Parliaments, matters pertaining to social media posts were raised. The statements published by Members in their private capacity on their private social media pages, I am of the view that the Speaker or the House cannot compel Members to: one, desist from posting any further inaccurate information on social media; two, delete all inaccurate and inflammatory posts on social media; three, offer an apology in the Parliament.

I, however, urge Hon. Members to be careful with respect to the accuracy of the information they publish, and to take into account the responsibilities of the offices they hold and those they represent. If we are to win hearts and minds, earn respect and reinforce our credibility, we have to be truthful and honest with our facts.

PRESENTATION OF PAPERS AND REPORTS

The following Papers and Reports were laid:

- (1) The Customs (Amendment of First Schedule) (No. 3) Order 2020 – No. 82 of 2020.
- (2) Financing Agreement No. 6786-GY dated December 15, 2020 between the Cooperative Republic of Guyana and the International Development Association (IDA) for an amount of SDR18,400,000.00 for the purpose of providing additional financing for the Flood Risk Management Project Loan No. 5474-GY.
- (3) Financing Agreement No. 6802-GY dated December 15, 2020 between the Cooperative Republic of Guyana and the International Development Association (IDA) for an amount of SDR5,400,000.00 for the purpose of financing the COVID-19 Emergency Response Project.

- (4) The Public Loan (Increasing of Limit) Order 2021 – No. 2 of 2021.
- (5) The External Loan (Increasing of Limit) Order 2021 – No. 3 of 2021.

[Senior Minister in the Office of the President with Responsibility for Finance]

REPORTS FROM COMMITTEES

The following Report was laid:

- (1) Minutes of Proceedings of the 2nd Meeting of the Committee of Selection held on Monday, 28th December, 2020.

[Speaker of the National Assembly - Chairman]

QUESTIONS ON NOTICE

[For Written Replies]

(1) National Procurement Board

Ms. Ferguson:

- (1) The publication of the new appointees to the Public Procurement Board stated the following persons have been nominated and appointed to serve on the board:

- Mr. Tarachand Balgobin as Temporary Chairman
- Mr. Bernard Lord - Member
- Mr. Desmond Mohamed - Member
- Mr. Steve Ninvalle - Member
- Mr. Mark Conway - Member
- Ms. Gloria Beharry -Member

In accordance to Part 111 of the Procurement Act 2003, Section 16, clearly addresses the creation and membership of the National Procurement and Tender Administration Board, Section 16(2) states:

“The administration shall be managed by the National Board which shall consist of seven (7) members appointed by the Minister from among persons of unquestionable integrity who have shown capacity in business, the professions, law, audit, finance and administration”.

Could the Honourable Minister state the following:

(a) Whether the names listed above were appointed in keeping with Section 16 (2) of the National Procurement act?

(b) The current construct is six (6), when will the additional person be appointed?

2. Section 16(3) states:

“the members of the National Board to be appointed by the Minister shall comprise:

- (i) *not more than five persons from the Public Service;*
- (ii) *not more than three persons from the private sector after consultation with their representative organizations”.*

Could the Honourable Minister state the following:

(a) State from the list of appointees, where the persons are employed?

(b) State who are the representatives from the Private Sector?

3. Section 16(4) states:

“Two members of the National Board shall serve on a full-time basis and the remainder shall serve on a part-time basis. The Minister shall appoint as Chairman one of the full-time members”.

Could the Honourable Minister state the following:

(a) Whether there is a conflict of interest in appointing Mr. Tarachand Balgobin as Temporary Chairman, since he is a full time Public Servant and the Act does not allow for this arrangement?

(b) Is there consideration for the appointment of a substantive Chairperson of the Board?

If yes, is there a period for the appoint and when?

Senior Minister in the Office of the President with Responsibility for Finance [Dr. Singh]:

- (1) (a) The appointment of the members of the Board was made in conformity with Section 16(2) of the

Procurement Act, Cap. 73:05 of the Laws of Guyana.

Minister of Public Works [Bishop Edghill]:

(b) The seventh member of the Board was appointed, as reflected in the Official Gazette dated 23rd September 2020.

(2)

Members	Employment
Mr. Tarachand Balgobin	Government
Mr. Omar Narine	Government
Mr. Bernard Lord	Government
Mr. Desmond Mohamed	Government
Mr. Steve Ninvalle	Non-Government
Ms. Gloria Beharry	Non-Government
Mr. Mark Conway	Non-Government

(b) Mr. Steve Ninvalle, Ms. Gloria Beharry and Mark Conway are the three representatives from the private Sector.

(3) (a) There is nothing in the Act that prohibits a public servant from being appointed Temporary Chairman.

(b) The appointment of a Chairman is currently engaging the attention of the Administration.

(c) The appointment of a Chairman will be made in due course.

(2) Contracted Employees

Mr. Patterson:

1. Could the Minister provide the designation of each person employed on contract in the Ministry of Public Works as well as its gazetted umbrella and associated Agencies since August 2, 2020?
2. Could the Minister provide the emoluments (salaries and other benefits) for each of the persons employed on contract since August 2, 2020 as stated above?
3. Could the Honourable Minister advise if allowances for these employments were in Budget 2020, and if so, under which line item are they being paid?

Designation of person employed	Salary of person employed	Other benefits	Remarks
Ministerial Advisor	\$500,000.00 per month	Duty allowance \$10,000 (non-taxable) Entertainment Allowance: \$10,000 (non-taxable) Payment of Telephone Charges for both Cellular and Landline Payment of Internet at place of residence Provision of twenty-four hours Security at the place of Residence Payment of Electricity Charges at place of residence	Paid through warrant sent by the Ministry of Finance.
Health & Safety Officer	\$179,000 per month		
Admin Assistant	\$145,148 per month		Paid by Warrant sent by the Ministry of Finance
Confidential Secretary	\$160,000 per month	Duty Allowance \$20,000 Telephone Allowance \$5,000	
Mechanic	\$99,080 per month		
Driver	\$99,080 per month		
Driver	\$99,080 per month		
Labourer	\$77,789 per month		

(1) 3. Not Applicable

Guyana Civil Aviation Authority

Designation of the person Employed	Salary of person employed	Other Benefits	Remarks
Housekeeper (1)	\$97,332	Nil	Retired and rehired From: 1 December 2020 -30 November 2021
Handyman	97,332	Nil	Retired and rehired (month to month basis) From: 1 September 2020
Driver	147,448	Nil	On contract for one year 1 November 2020 -31 October 2021
Secretary	133,559	Nil	Retired and rehired (Renewal). From: 13 November 2020 - 12 May 2021

Maritime Administration Department

Designations of persons employed	Salary of person employed	Other benefits	Remarks
Deputy River Navigation Officer	\$153,474.00	Commuted overtime - \$27,582.00; telephone - \$4,000.00	
Director General	\$1,000,000.00	Telephone - \$15,000.00; Entertainment - \$15,000.00; Duty allowance -\$100,000.00; Housing -	

		\$15,000.00	
Monitor	\$82,404.00	Commuted overtime - \$27,582.00; telephone - \$3,000.00	

3. These allowances were catered for in the 2020 Budget under line item 6133.

Demerara Harbour Bridge

Designation of person employed	Salary of person employed per month	Other benefits	Remarks
Mechanic	\$125,391 per month	Nil	31st Aug 2020 for 1 year
Cashier	\$5,000 per month	Nil	7 th Sept 2020 for 1 year
Cashier	\$75,000 per month	Nil	19 th Oct 2020 for 1 year
Cashier	\$75,000 per month	Nil	19 th Oct 2020 for 1 year
Radio Operator	\$75,000 per month	Nil	21st Oct 2020 for 1 year

(3) Contracted Employees

Mr. Patterson:

1. Could the Minister provide the designation of each person employed on contract in the Ministry of Natural Resources as well as its gazetted umbrella and associated Agencies since August 2, 2020?
2. Could the Minister provide the emoluments (salaries and other benefits) for each of the persons employed on contract since August 2, 2020 as stated above?
3. Could the Honourable Minister advise if allowances for these employments were in Budget 2020, and if so, under which line item are they being paid?

Minister of Natural Resources [Mr. Bharrat]:

[See appendix]

(4) Trawler Licenses

Mr. Ramjattan:

1. To whom were two new trawler licenses issued to, for years 2020-2021 by the Ministry of Agriculture Fisheries Department?
2. Were they any due diligence conducted on these license(s) to verify a meritorious grant thereof?
3. If there were any such due diligence done, could the Honourable Minister provide copies to this

Honourable House of the said due diligence Report(s)?

4. Was the Guyana Association of Trawler Owners and Seafood Processors Association (GATOSP) consulted in any way prior to this grant of the two trawler licenses?

Minister of Agriculture [Mr. Mustapha]:

1. They were issued to a well-established Guyanese operator in the fishing industry who was duly qualified to receive the said licenses, who complied with the requisite procedures and satisfied all the legal requirements in relation thereto.
2. I know of no requirement for due diligence to be conducted on the "LICENSE". In the Ministry of Agriculture, as indeed, every Ministry in our Government, decisions are based on meritocracy and not on caprice nor extraneous nor irrelevant considerations.
3. As indicated above, this question is misconceived and erroneous as due diligence cannot be done on a "LICENSE".
4. In the same manner that you were not required to consult Licensed Firearm Holders before you handed out hundreds of gun licences, there is equally no requirement to consult with trawler owners and seafood processors for the grant of new licenses. Notwithstanding, the Ministry of Agriculture consults

on a regular basis with each and every sector which falls under the administration of the Ministry. These consultative engagements are publicised regularly in the media and were you attentive you would have so observed.

STATEMENTS BY MINISTERS, INCLUDING POLICY STATEMENTS

Guyanese fishing vessels and crew detained by Government of Bolivarian Republic of Venezuela

Minister of Foreign Affairs and International Co-operation [Mr. Todd]: Mr. Speaker and Colleague Members of Parliament, you are aware that, on 7th January, 2021, the President of the Bolivarian Republic of Venezuela announced, during a meeting of the National Defence Council, that he had established ‘a new maritime territory’ of Venezuela. This territory is called the ‘Territory for the Development of the Atlantic Façade’, in order to provide adequate protection and safeguard the jurisdiction of the Bolivarian Republic of Venezuela.

Following the announcement of President Maduro’s Decree of 7th January, there was increased activity in Guyana’s maritime space by Venezuelan navy vessels and other Venezuelan state assets. Such illegal activity continues to undermine Guyana’s development by threatening Guyana’s sovereign rights of its maritime space and hindering economic activities.

Proving this threat is the unfortunate incident of 21st January, 2021, when two Guyanese fishing vessels, namely Lady Nayera and Sea Wolf, were intercepted by Venezuelan naval vessel, Commandante Hugo Chavez CG24, off the coast of Waini Point. This is well within Guyana’s territory. The crew and both vessels were illegally detained by the Venezuelan Government and are currently still in detention at Port Guiria.

Guyana has strongly condemned the illegal detention of its citizens and the illegal seizure of their fishing vessels by the Venezuelan navy. As I speak, my Ministry continues to engage the international community to resolve this issue in the most peaceful and diplomatic manner.

At his request, I had a virtual meeting with my Venezuelan counterpart, Foreign Minister Jorge Arreaza, on 25th January, 2021, to discuss the detention of the fishing vessels and the crew, as well as the status of their release.

Individual member states of CARICOM and the community as a whole have denounced the actions taken by the

Venezuelans calling upon them to release the crew and vessels. The Organization of American States (OAS) has also issued a statement in which it points out that ‘resolution of the territorial dispute between Venezuela and Guyana is a matter that lies under international jurisdiction and cannot be settled by unilateral action. Any attempt to derail this international legal process such as the decree issued by the Maduro regime, is contrary to international law and standards, and has no legal bearing or significance.

10.29 a.m.

We are encouraged that the international community is seized of this matter and has encouraged Venezuela to release our Guyanese nationals and their fishing vessels, and to desist from actions that violate international law and threaten the peace and stability of the region.

Guyana values, highly, the support which it has received and continues to receive from individual member states of the international community such as Belize, Brazil, Canada, France, Trinidad and Tobago, United Kingdom (UK) and the United States of America (USA) – as well as through regional and international groupings of the CARICOM, the OAS, the Commonwealth, the Organisation of African, Caribbean and Pacific States (OACPS) and the European Union (EU), in its strenuous endeavours to preserve its sovereignty and territorial integrity. I thank you. [*Applause*]

PUBLIC BUSINESS

PRIVATE MEMBERS’ BUSINESS

MOTIONS

(1) NARCOTICS DRUGS AND PSYCHOTROPIC SUBSTANCES (CONTROL) (AMENDMENT) BILL 2020 - No. 16/2020

“BE IT RESOLVED:

That this National Assembly, in accordance with Standing Order No. 52 (1), grant leave for the introduction and first reading of the Narcotics Drugs and Psychotropic Substances (Control) (Amendment) Bill 2020 - No. 16 of 2020.

A Bill intituled:

An Act to amend the Narcotic Drugs and Psychotropic Substances (Control) Act.”

[*Mr. Duncan*]

Mr. Duncan: Mr. Speaker, a very good morning.

“BE IT RESOLVED:

That this National Assembly, in accordance with Standing Order No. 52 (1), grant leave for the introduction and first reading of the Narcotics Drugs and Psychotropic Substances (Control) (Amendment) Bill 2020 - No. 16 of 2020.

A Bill intituled:

An Act to amend the Narcotic Drugs and Psychotropic Substances (Control) Act.”

Mr. Speaker: Hon. Member, you are allowed to make a brief statement because this is a motion you are moving to have the National Assembly entertain your Bill.

Mr. Duncan: Thank you for your leave, Mr. Speaker. Mr. Speaker and Colleagues, as you know, this is a very pervasive issue engaging not only the Guyanese society, but the international community and CARICOM as well, which has done an extensive study and research on the subject matter at hand.

It would seem that, in the initial stages, when this substance, marijuana/weed, was deemed illegal, the Report of the CARICOM Regional Commission on Marijuana showed that it was due to the advent of what we might now call international corporations seeking to introduce other substances in our society, region and country. All of that has now been overtaken by time. It has been overtaken by science and research. What has happened since then is that we have had thousands of our young people who, the research from CARICOM points out, are no better off from incarceration, in terms of curbing their use of marijuana, cannabis, weed – however you describe it. As a matter of fact, the research from CARICOM Regional Commission on Marijuana tells us that they are worst off from being incarcerated. This is the CARICOM Regional Commission on Marijuana. It is an extensive piece of research. I am going to quote a few parts of that.

Again, Mr. Speaker, the issues surrounding the usage of cannabis/marijuana are well known in Guyana. It is the cultivation and importation that were criminalised as early as 1913 in Jamaica and then Guyana naturally followed. The views regarding the use of cannabis/ marijuana have evolved. Again, according to CARICOM Regional Commission on Marijuana, these views are broad.

The Report of the CARICOM Regional Commission on Marijuana states:

“...beyond the narrow constraints of medical marijuana, to embrace notions of social justice, human rights, economics, regional hegemony and their right to health.”

It is multifaceted, again, overtaken by time, research, and the science. If we have followed the thousands of Guyanese incarcerated for the possession of small amounts of a piece of plant, whose lives were altered irrevocably, then this Bill, amending sections of the Narcotic Drugs and Psychotropic Substances (Control) Act of 1988, is a prayer answered for so many citizens and justice done for many others.

Again, the CARICOM Regional Commission on Marijuana is instructive about regional leaders having expressed deep concern that thousands of young people throughout the region have suffered incarceration for marijuana use and consumption, and that, many, after their first experience with the law, resort to continue with crime as a way of life.

It is noteworthy that the draft Bill is intended to repeal custodial sentences for the possession of 30 grams of cannabis and under. It had its first iteration under the A Partnership of National Unity/Alliance For Change (APNU/AFC) Coalition Government.

Mr. Speaker, we must all rise to meet the challenges and the demand of existing international treaties' framework on cannabis. We must tear down, by this simple Bill, as the Report of the CARICOM Regional Commission on Marijuana and international treaties spell out, the draconian, prohibitionist, legal regime that exist. I was privileged to be in some communities in Region 3, such as Uitvlugt, you name them, and we were approached by several young persons, young men, who encouraged us to pursue this legislation because they enjoy the use of cannabis/marijuana, just like persons in other parts of this country and, perhaps, in this House.

Mr. Speaker, I heard some comments attributed to the Minister of Education, just yesterday, concerning our teachers. I had the impression that she had to be using some high grade, so I said *free up the weed*. These are tense times and people might need some kind of recourse to deescalate, decompress and to calm them down. Certainly, the Venezuelans and the Minister of Foreign Relations and International Co-operation there could use some.

Let me get back to the issue. This is an issue that I think reaches across the aisle. We have the opportunity here to be honest interlocutors. A lot of people have been calling for unity and this is an issue that reaches across the aisle into every constituency in this country. We have an opportunity here, I think, to work together in the interest of all Guyanese. We have received serious reports from cancer patients who said that, in many instances, the only mitigating factor to the pains that they feel is the use of marijuana.

Mr. Speaker, we believe the idea of the decriminalisation of marijuana's use in this country is one for which the time has come. There are those in our society who want to ... If one is found with a little piece of plant, one must go to counselling. We could recommend counselling for so many issues that we face in this society. For the possession of a piece of plant one must go to counselling. They want to decriminalise

Mr. Speaker: Hon. Member, just permit me to read the Standing Order with respect to seeking leave for this Bill to be introduced.

Standing Order No. 52(2) states:

“If a motion for leave to introduce a Private Member's Bill is opposed, the Speaker, after permitting a brief explanatory statement by the Member moving for leave and by the Member opposing it, may without further debate or amendment, put the question.”

There are two issues under this Standing Order, a brief statement by the proposer and for those opposing, a brief statement from that side. My interpretation of that is that there should be two speakers. I see a line-up of nine speakers. I am prepared to entertain all of this before we put the motion. So, proceed now, Hon. Member.

Mr. Duncan: Gracious COVID-19 free, Speaker. Thank you for your guidance.

Again, the idea of the decriminalisation of marijuana's/cannabis's usage in our society is an idea for which its time has come. We invite our Colleagues on the Government's side to work with us, practise what you preach, this talk of unity, and let us present a Bill that is workable and acceptable to the Guyanese people. I thank you, Mr. Speaker. [Applause]

Minister of Education [Ms. Manickchand]: Good morning, Mr. Speaker. Sir, to you and Members of the House, your families and the staff of the Parliament Office, a very happy

New Year. We were just exposed to a definition of, the epitome of what Ambassador John Beale called sanctimonious gangsterism. This motion, that is brought here by the Hon. Sherod Duncan, seeks to introduce a Bill to the National Assembly that is identical to a Bill that was drafted by Mr. Mark Waldron and Mr. Nigel Hughes, Attorneys-at-Law and laid before the then National Assembly. It is identical in every regard, except for the amount of cannabis that the Bill seeks to address. It is a lazy attempt at a draft. There was no effort to attempt to examine and interrogate the issue that we are trying to resolve for our fellow Guyanese.

10.44 p.m.

On 11th December, *iNEWS Guyana* reported that Member of Parliament Michael Carrington had laid before the National Assembly a Bill to amend the Narcotics Drug and Psychotropic Substances Act. What the MP sought to do... It was a Government MP. The Government of the day was the APNU/AFC, many of whose members are currently sitting in this National Assembly. What this Hon. MP sought to do was not to decriminalise marijuana. Apparently, the Hon. Member, who laid the Bill, cannot distinguish between sentencing and decriminalisation. They sought to allow the court the discretion of sentencing outside of incarceration for persons who had been found in possession of 200 grams of cannabis.

That Bill was in the National Assembly from the beginning of the APNU/AFC's term to the end of the APNU/AFC's term, including the five months that they stole from this country. This was the position of the then Government, reported on 23rd June, 2017, *Guyana Times* newspaper edition. This was two years after the Bill had been laid.

The Minister of State, Mr. Joseph Harmon, who now enjoys the very honourable seat of Leader of the Opposition and who is in this House today, said recently that, “Sentencing people for possessing small amount of marijuana was a matter for the judiciary to concern” *brush this fly off my back*. Brush this fly of addressing the people who need addressing off my back. On that same date, 20th June, 2017, the then President David Granger had cautioned, I am quoting and let me quote the whole article:

“While the decriminalisation/legalisation of marijuana movement is gaining much momentum worldwide, President David Granger had cautioned against buying into practices being embarked upon by developed countries that have the requisite framework in place to support such legislative reforms.

President Granger made it clear that such reforms were not a current concern of the Government; and, on a more personal note, he declared that he would not subscribe to the usage of marijuana.”

This is his leader. The Gentleman, the Hon. Member who seeks to lay this Bill in the National Assembly today, which is no different from the Bill that came before, except that it is allowing more usage. All of a sudden, his party wants to tell us that they have been reformed.

Sir, in August, 2017, Mr. Carrington, again, in the newspaper, was begging his Colleagues, these same Gentlemen and Women in here, to address this Bill. He said that he believed that if this went to a conscience vote, he would have gotten the support of the Opposition, which was the People's Progressive Party/Civic (PPP/C). This is because the People's Progressive Party/Civic has been consistent in its position on this matter, which I will come to in a minute.

On 24th May, 2018, during an interview with *Newsroom*, Mr. Carrington said:

“He said that in 2016, the Government's Chief Whip, Amna Ally who is also a member of the leading coalition party – the People's National Congress Reform (PNC/R) – told him that the President does not think it was the right time for the Bill to be tabled.”

In that same report:

“Last week, Attorney General, Basil Williams who is also the Chairman of the PNCR was asked about the decriminalization of the substance. In response, he told reporters that he believes the matter should be taken to a referendum.”

On 19th June, 2018, the *Stabroek News* reported that Mr Carrington was hopeful that the Bill would have been addressed before the recess of June because he had mandated his National Executive Committee (NEC).

I think it is their National Executive Committee, comprising all the Alliance for Change (AFC) members who are sitting in this House today – except maybe this one. They had told Mr. Khemraj Ramjattan, then Minister of Public Security, that he must raise this with APNU. At that time they did not know that APNU was laughing at anything there is. Apparently, they did not know. Of course, it was never addressed in that Parliament.

Mr. Speaker, I bring to your attention that, in the run up to the 2015 Elections, the APNU/AFC, in traditional *gangstering* style, had promised in their manifesto that as soon as they entered Office, they would address the issue of possession of marijuana. Ras. Leon Saul...

Mr. Duncan: Mr. Speaker, Point of Order... *[Interruption]*

Mr. Speaker: Please state the Point of Order.

Mr. Duncan: Mr. Speaker, Standing Order Nos. 40 (a) and (b). I stood in this House in the past and quoted from several documents.

Mr. Speaker: Hold on. Firstly, I have to make a ruling before you could proceed.

Mr. Duncan: Thank you, Mr. Speaker.

Mr. Speaker: We have ruled on that particular Standing Order, over and over again. I would seek the permission of the person on the floor if she would give way for you to make this explanation. Hon. Minister, would you... *[Interruption]*.

Ms. Manickchand: Mr. Speaker, on the 19th June, 2018, *Stabroek News* newspaper, four years after, reported that there was a Government MP attempting and begging his Colleagues to address the issue of young persons who use marijuana and was being ignored and rebuffed. Ras Leon Saul, a member of the Guyana Rastafarian Council, said that:

“...no referendum was needed for the use of the ‘herb’ as this is a way of life for Rastafarians. He expressed disappointment that the coalition government had backpedalled from its assurances prior to the 2015 elections and warned that members of the Rastafarian community may not be casting their ballot in favour of the government in the 2020 elections.”

Even that did not move them because they knew that they had their rig plan. He continued:

“I think they will quiver in their boots when they understand we have the potential to become a balance of power ...in the next elections... It takes 5,000 votes for one seat and I am sure right now we have more than 5,000 votes in the Rastafarian community and the ganja using community and that is our leverage really.”

The Rastafarian community and the possession of weed community... People taught you how they felt about you breaching and breaking promises on 2nd March, 2020 and they would teach you...

Mr. Duncan: Mr. Speaker, Point of Order...

Mr. Speaker: Hon. Member, please state the Point of Order, again.

Mr. Duncan: Mr. Speaker, this is Standing Order No. 40 (a).

Mr. Speaker: Right.

Mr. Duncan:

“By rising on a Point of Order, when the Member speaking shall resume his or her seat and the Member interrupting shall simply direct attention to the point which he or she desires to bring to notice and submit it to the Speaker or Chairperson for decision.”

Mr. Speaker: That is why I am asking you, what is the Point of Order that you are trying to make?

Mr. Duncan: The Point of Order is that in the past, I stood and quoted...

Mr. Speaker: So, you are actually seeking leave to elucidate, which is Standing Order No. 40 (b).

Mr. Duncan: No, Sir, that is not Standing Order No. 40 (b). Mr. Speaker, if I am allowed, the Point of Order is that, in the past, I quoted several documents and, Mr. Speaker, you ruled that, unless those documents were circulated, they could not, especially newspapers...

Mr. Speaker: So, again, you are trying to elucidate on something which you think may have not been totally accurate by the current speaker on the floor...

Mr. Duncan: Mr. Speaker, I am referring to your ruling in the past.

Mr. Speaker: I want to draw your attention to the opportunity that you have at the end of this debate to close

the debate. You have a unique opportunity there to close the debate. Thank you.

I do not recognise that as a Point of Order to give you the floor, except if the speaker on the floor at this time, under Standing Order No. 40 (b), is prepared to give you ...

Mr. Duncan: Mr. Speaker, I am only aiming at consistency in your rulings.

Mr. Speaker: Yes, and I have been consistent with that since 1st September.

Ms. Manickchand: Thank you, kindly, Mr. Speaker.

What we see here, for me, is a dangerous attempt by the Opposition, the APNU/AFC, and all of them must take blame for this bit of wildness to derail the process of addressing the possession of marijuana, for small amounts of possession of marijuana.

Let me tell you why I say that. I believe the Opposition fully intended that this issue must not be dealt with by this National Assembly. Hopefully, so that the Government in place would be as blamed as the previous one. They brought something that is so ridiculous and out of place that they knew the people of Guyana would ask us all to vote it down. Sir, but we here in the PPP/C have been very consistent on this matter. We are guided by the Constitution of this country, a foreign document to the people on the other side. Article 13 of the *Constitution of the Co-Operative Republic of Guyana* states:

“the principal objective of the political system of the State is to establish an inclusionary democracy by providing increasing opportunities for the participation of citizens, and their organisations in the management and decision-making processes of the State, with particular emphasis on those areas of decision-making that directly affect their well-being.”

In other words, you must consult with the people that you intend to serve. That is good governance. In the run up to 2020 Election, the People’s Progressive Party/Civic was consistent in their position on the possession of small amounts of marijuana. We said, very clearly, in our manifesto and to the nation that, once we were elected to Office, we would address how we would treat with the issue of the possession of small amounts of marijuana. That position is consistent from 2015 to now. On 19th June, 2018, it was reported by the *Stabroek News* that the then General

Secretary, now Vice-President of this country, Dr. Bharrat Jagdeo, said very clearly that:

“The PPP is rejecting the notion of referendum but believes that people caught with small amounts of marijuana could be sentenced differently.”

10.59 a.m.

And I quote what he said:

“Let us find another set of sentencing. Sentence them to community work – clean up a school compound – to rehabilitation.”

Let us talk to the people this will affect to see what they want. Today, to be laid in this National Assembly is a Bill, which was drafted by the Attorney General (AG), that seeks to address the issue of how we deal with persons who are found with small amounts of marijuana. There seems to have been zero research done by the mover of the motion as to what is required by that cohort of the population. On my way here, I spoke to someone who uses marijuana. Nobody seems to know how the Hon. Member has moved from [*Interruption*] And this behaviour of attempting to shame people who use marijuana speaks to the *gangstering* in the laying of this motion. You are not trying to serve anybody who uses marijuana; you are trying to make sure that this does not *see the light of day* in this Parliament. That is why you can sit there and attempt to shame people who use marijuana. Shame on you. Empty headed.

The previous Bill, drafted by Mr. Nigel Hughes and Mr. Mark Waldron, asked for 200 grams of marijuana to be considered possession that would not automatically attract incarceration or jail sentence. This Hon. Gentleman is asking for 500 grams. We know that they have problems with mathematics and weighing. Five hundred grams would give approximately 30 – could be more – spliffs; 30 joints; 30 blunts; 30 joints the size of a cigarette. [**Mr. Duncan:** (*Inaudible*).] He is saying that it is a small joint. Maybe yours will look like a much bigger one, in which case it will give you 15. [**Mr. Duncan:** You are speaking from experience.] I may be speaking from experience, and if I am speaking from experience, I do so proudly and without apology for making a private decision. Why are you attempting, through me, to shame people who use marijuana? You are dishonest. Thirty joints like this would make everybody in this House high for a few days. [*Ms. Manickchand displayed an object depicting the size of a joint*]. What is the purpose? Let us not get distracted. What is the purpose of the ...?

Mr. Mahipaul: I rise on a Point of Order.

Mr. Speaker: Mr. Mahipaul has risen under Standing Order 40 (a), we understand. What is the Point of Order?

Mr. Mahipaul: It is Standing Order 41 (4). The Hon. Member used the word ‘dishonest’ in the House.

Mr. Speaker: Thank you. Hon. Member, could you withdraw the word ‘dishonest’, please?

Ms. Manickchand: I withdraw the use of the word ‘dishonest’. The Hon. Member of Parliament, Sherod Duncan, is unaware of the concept of truth. He is a stranger to the truth, and that is reflected in this motion and his representations, both from the floor as well as his heckles.

This is a serious matter. Let us not get distracted. What is it that people want us to address? What is it that I, personally, and on behalf of the People’s Progressive Party/ Civic (PPP/C) and the PPP/C as a party would like to see addressed? What is it that Mr. Michael Carrington wanted to see addressed? What is it that the decent Members on the Opposition, if there be any, would like to see addressed? We would like to make sure that persons who are found in possession of small amounts of marijuana are not incarcerated with hardened criminals such as murderers, rapists, and so on. That is the purpose of trying to address this. In trying to do that, I do not know how we can reach the place that 30 cigarette-sized joints would amount to possession. I also do not know how we could reach the place that 15 cigarette-size joints would amount to possession. What we need to do is to speak to the affected community – men and women, young and old, healthy and unhealthy – that use this product and have them tell us what would be a law that would meet their needs. We cannot come here, on a serious issue like this, and grandstand. This is a serious thing for too many persons in this country.

The report that the Hon. Member quoted from, The Caribbean Community (CARICOM) Commission report, did not recommend what he said. It recommended that Member States interrogate the issue – that means ask questions and to find out – to be able to meet the needs of their particular populations. The Bill that will be laid by the AG in this House, this morning, we commit to you now, will be sent to a Special Select Committee with the sole purpose of allowing us to fulfil our responsibility under article 13 of the Constitution, which mandates us to consult the people we swore to serve. The Opposition will be on that committee, if they wish. The people who use and are found in possession

will be invited to present their views to that committee, if they want to come. The lawyers who see their clients incarcerated every day will come to tell that committee their views. The Rastafarian community, which is so eloquently represented by Ras Leon Saul, who said that it is their way of life, will come to that committee to inform us about how we can meet their needs. This is the only sensible and democratic way to go. It is the only way which would actually allow us all to address the issue of the possession of small amounts of marijuana. ‘Small’ is to be determined by that engagement.

Again, I raise with this House that I believe this ridiculous proposition in this Bill was placed here deliberately so that all right-thinking people could throw it out. In that case, the people who use small amounts of marijuana would continue to be unserved and the PPP/C would fail to get the kudos for passing the Bill and addressing the needs of people who use small amounts of marijuana. This Bill masquerades as an attempt to serve, but it is not; it is the opposite. It is a Bill that is intended to make sure that we do not serve this community, and we are rejecting it today.

Today, we are reinforcing our intention, by the laying of a Bill by the AG, to meet and serve the needs of the persons who find themselves using and being in possession of small amounts of marijuana because we care. We care about those people. We care about them not being incarcerated. It is the Bill that is to be laid by the AG, on behalf of the PPP/C Government, that is going to address this issue. The motion, which epitomizes the sanctimonious *gangstering* that the APNU/AFC has become known for, is rejected by the majority of this House.

I thank you. [*Applause*]

Mr. Figueira: Mr. Speaker, I take this opportunity to bid you and all Members of this House a happy and productive 2021. I trust that we will have more civil and impartial dealings in the House for 2021.

I have listened very attentively to the Hon. Priya Manickchand who, in her eloquence, gave us a history lesson on what was, but this is the present. I agree with the Hon. Member that we should have consultations. It is a result of consultations we had that has allowed us to make this presentation here today. The past informs the present. We had such consultations. That is why we are here to debate this very important motion.

I rise to join the debate on an issue that is topical in the world and which has significant bearings on the Guyanese youth.

We continue to live in a time of unequal, and this proposed amendment is a way to seek to address implicit anomalies in the Narcotic Drugs and Psychotropic Substances Act. It is no secret that when one hears of the words ‘marijuana’ and ‘ganja’, one thinks of Rasta, the ghetto youth, poverty and jail.

In an era when the world is increasingly relaxing the use of cannabis, Guyana is behind. Guyana is behind the times by incarcerating our youths for three years of prison life for 15 grams of marijuana. Yes, it is the law, but we have a moral duty, as policy makers and as law makers, to use the same law to save our young people. Jamaica has done it; Barbados and the Republic of Trinidad and Tobago has pledged to do it. Now is Guyana’s time. The jail time for 15 grams of cannabis should not be the same as that for a container of scrap metal with 20 tons of cocaine. Something is fundamentally wrong with this, regardless of who the investor is or who his or her friends are. I know that the learned AG will agree with me that we must fix it.

This Bill is timely, as the country continues to witness an upsurge in the export of cocaine, as is evident in the first 100 days in Office by the PPP/C Government. This Government has overseen the export of over 30,000 pounds of cocaine to Europe between 2nd August, 2020 and 2nd December, 2020. The PPP/C, as the man on the street asserts, is indeed back.

Minister of Parliamentary Affairs and Governance and Government Chief Whip [Ms. Teixeira]: Mr. Speaker, a Point of Order. Under the Standing Orders, on the issue of accusing the Government of exporting so many thousand tons of cocaine, I remind the MP that he cannot impute [*Interruption*]

Mr. Speaker: Hon. Ms. Teixeira, could you just point me to that Standing Order?

[*Interruption*]

Mr. Mahipaul, you can heckle but not shout.

11.14 a.m.

Ms. Teixeira: Under the Standing Orders, the Member spoke about the Government being responsible [*Interruption*]

Mr. Speaker: Thank you, Hon. Member.

[*Interruption*]

Ms. Teixeira: By saying, ‘you’, he meant the Government and, therefore, he should withdraw that.

Mr. Speaker: Thank you, Hon. Minister. Hon. Member, there is a Standing Order – I could quote it – that deals with imputing certain issues with respect to Members. Standing Order 41(6) is about imputing. I am just drawing your attention to that as you speak. Go ahead.

Mr. Figueira: Thank you for your guidance, Mr. Speaker. I put it to the House that, under this Government's tenure, over 30,000 tonnes of cocaine [*Interruption*]

The Opposition Chief Whip stood.

Mr. Figueira: Go ahead.

Opposition Chief Whip [Mr. Jones]: Cde Speaker, I crave your guidance. Is it that a Member could stand up and say, 'under Standing Order', without quoting the specific Standing Order?

Mr. Speaker: I have ruled, Hon. Chief Whip for the Opposition. The Hon. Member stood, there was a lot of shouting and I could not hear her. As order was restored, I asked the same question you are about to ask me, which you would have heard. A particular request was made by the Hon. Minister for it to be withdrawn. I did not recognise that. I just drew to the attention of the Hon. Member, Mr. Figueira, a particular Standing Order and asked him to be mindful of that as he spoke. Thank you.

Mr. Jones: Noted, Cde. Speaker. A similar incident obtained a few minutes ago with the Hon. Member, Mr. Sherod Duncan, when he was unable to quote from the Standing Orders.

Mr. Speaker: Hon. Member, they are two different issues and I could do a lot of research and give it to you in writing. Thank you.

Mr. Figueira: Mr. Speaker, I thank you, again, for your guidance. However, I must reiterate that it was under this Government's tenure that, in less than five months, over 30,000 tonnes of cocaine were exported. To date, no one has been held accountable for this nation's world record-breaking drug export discovery. What is sad and heart breaking is that young people from communities like Buxton, Agricola, Albouystown and Linden are sent to jail for a mere 15 grams of weed. First time offenders are placed with hardcore criminals for \$300 worth of marijuana.

Mr. Jones: On a Point of Order, Standing Order 41 (6) – Imputing improper motive to a Member, the Hon. Member, Mr. Kwame McCoy, is shouting aloud...

Mr. Speaker: Hon. Member Mr. Jones, that is not a Point of Order.

Mr. Jones: It is Standing Order 41 (6), Sir.

Mr. Speaker: The Speaker is recognising one person and listening to the person on the floor. Any other element of decibels that comes out of this House while a person is on the floor, the Speaker does not hear it.

Mr. Jones: I need your guidance, Cde. Speaker. Is it allowed that Members could heckle and call names?

Mr. Speaker: Hon. Member, Mr. Figueira, you have the floor.

[*Interruption*]

[*Mr. Speaker hit the gavel*]

Mr. Figueira: We have a very dire situation in this country where many of our young people, first time offenders, are placed with hardcore criminals for three years for \$300 worth of marijuana.

Correspondingly, could the Hon. Attorney General or the Minister of Home Affairs say to this House when the retrieved images for the scanned containers will be completely analysed and persons made to account for their deeds? We remember vividly that those images were not supposed to have been recovered. Against the aforementioned, I do not know why the Ministers of Finance and Agriculture are continuing to divert scarce resources for it to be wasted on sugar. The PPP/C Government's newest export to Europe is far more profitable than sugar. The estates are full of scrap metal and I wonder if all will be sold and exported to Europe by PPP/C investors.

I would agree that the country may not be prepared, at this juncture, to completely decriminalise the public use of cannabis, but we must make a conscious stand not to punish our youths unnecessarily. While it is true that there are risks associated with relaxing aspects of the law on the usage and possession of a small amount of marijuana beyond 15 grams, this should be contrasted against the public use of alcohol and cigarettes.

I suspect there will always be arguments on the issue of possible challenges to the health sector. However, most countries that choose to decriminalise the public use of cannabis have addressed the projected increase in health expenditure through taxation of the said product. This is a

road Guyana may choose, but to do nothing about cannabis use in the 21st century is to *shoot oneself in the foot*.

I was told that the cost to maintain one prisoner for a day is \$1,500. Three years for a \$300 or a \$500 joint of 15 grams of cannabis is *jumbee* economics. This is equivalent to wasting taxpayers' money on the failed Guyana Sugar Corporation (GuySuCo), where the production cost far supersedes the selling price for a pound of sugar. Guyana can use those resources, expended on prisoners serving jail time for cannabis, to buy a metal scanner to prevent contraband or even to buy a patrol boat for the Army to keep our fishermen safe at the borders because Mr. Michael Pompeo is of no help now.

While successive governments have maintained this law in its original form, the world has changed. Cannabis use is now legally embraced globally with some reservations. Nonetheless, in Guyana, under the PPP/C regime, cocaine distribution and export have astronomically increased. The Narcotic Drugs and Psychotropic Substances (Control) Act, Chapter 10:10, Act 2 of 1988 treats cocaine and cannabis as equals. This anomaly has to be addressed and Bill 16 of 2020, though not perfect, seeks to commence the process.

The principals that export scrap metal and its accompanying cargo to Europe may not be happy with this Bill, and you will see them show their hands. The truth is the law and the system have used small players, small guys with 15 grams of cannabis, as scapegoats of justice, while creating diversions for all the scrap metal containers to get on the ships to Europe.

Today, this House must vote with its collective conscience to free the small man. The youngsters from ghettos and poverty-stricken communities across Guyana and everywhere persons who are stained forever must benefit from the passage of this Bill.

Mr. Speaker, I thank you. *[Applause]*

Minister of Culture, Youth and Sports [Mr. Ramson]: Mr. Speaker, if it pleases you, I rise to make a contribution to this motion that was raised by the Hon. Member, Mr. Sherod Duncan. One would expect that, if a presentation is being made by someone, the person should, at the very least, support a position being advanced in this honourable House, especially when he or she knows that he or she does not have the numbers to support him or her on that side of the House.

The motion, in which a Bill is contained, proposes to move the decriminalisation of possession from 15 grams to 500 grams. It shows exactly why those Members on that side of the House should never be near power in this country ever again. I have two children of my own and many of you have children of your own. I am sure that you do not share the opinion and the view proffered by the Hon. Member that the decriminalisation amount should be moved to 500 grams. It is totally irresponsible and ludicrous to suggest such a dramatic shift. On top of that, you do not represent the majority view in this House and that motion does not represent the majority position of the people in this country.

Gradualism has its place. When persons are a government and are charged with the affairs of the people, you cannot conduct experiments with people's lives, especially young people. I heard the Hon. Member, Mr. Figueira, a moment ago, make a statement that Guyana is behind the times. The original reference which came from a commission's study, under the proposer, was that countries are moving ahead.

11.29 a.m.

By his own admission, Mr. Figueira cited one country in the Region that has passed a legislation. How could it be the case that we are behind the times when there has only been one country in the entire Caribbean that has passed the legislation? By his own admission, his position is illogical. In addition [**An Hon. Member: (Inaudible)**] You had your time to speak, but let me also address the issue because that was the most incoherent presentation I have ever heard anyone make in this House. This is a debate on marijuana. I heard about scrap metal. I heard about sugar. I heard about shipments of cocaine. Just for the sake of reference, so that the Hon. Member understands, it is because of the People's Progressive Party/Civic's collaboration with the international security forces that we were able to achieve the interception of that big drug bust in the United Kingdom (UK). [**An Hon. Member: (Inaudible)**] Listen, do not start with me; do not get personal with me. Ms. McDonald, do not get personal with me because I will have to remind your Members of the House how you used to come to the Leader of the Opposition's Office in Church Street for support. Do not get personal with me. I will have to tell them about how you coordinated the protest in Linden. Be careful. *[Interruption]* [**An Hon. Member:** When *ya'll* were in Opposition, how many of your Members came and asked for help?

[Mr. Speaker hit the gavel]

Mr. Ramson: All I am hearing is a bunch of vacuous noises on the other side. [Interruption]

Mr. Speaker: I did not stop you, Hon. Minister. All I would do is caution you with respect to using people's name without 'Hon.'.

Mr. Ramson: I am most grateful, Mr. Speaker. I do not intend to be long. It is a total waste of time for the Hon. Member to present a Bill that moves the decriminalisation of the possession of cannabis up to 500 grams, which is over a pound. Do you know how much weed you have to get to make over a pound of weed? It is ridiculous. There is no scientific basis for making this presentation; none whatsoever. Show me the number of persons who are in prison for over 300 grams, 200 grams, 100 grams and 400 grams. There is no scientific information at all. There is no information about your consultation. You claimed that you had consultations. What date did you have consultations? With whom did you have consultations? Did you consult with us?

The second thing that I would like to say is – and let me make this point very clear – in addition to the fact that you should never be near political power again, I want you to understand that this is a policy decision. When you now have 31 seats in the Parliament, it is no longer your call. You have to be led on this. You can make contributions, which we can consider as amendments, but you have to be led on this. Nothing can change that; not a single thing can change that.

There is an important point here too. While there was a commission that established particular positions, quite frankly, none of the other countries in CARICOM, for which this commission report was done, has aggressively pursued it. There was actually a study done by Health Policy and Planning in 2020, Volume 35, pages 180-185 in the Oxford University Press, which I will share with Members of the House. It states:

“Worryingly, decriminalization positively correlates with the likelihood of first time and general use for youths.”

There is also some evidence that the legislation results...it is speaking about the legislation in Jamaica, having passed it in 2015. The title of this journal article of this study is, *The impact of decriminalization on marijuana and alcohol consumption in Jamaica*. It is a scientific study on what has happened as a result of decriminalization. Incidentally, they did not do 500 grams, 300 grams, 200 grams or 100 grams;

they did two ounces. What are two ounces? This is a scientific study. If you are coming to make a very important change that will affect all of our lives, including your children's – some of you have children – you would want to know how this legislation or policy position is going to affect your own children. [**An Hon. Member:** (Inaudible)] I just told you. Are you not listening? Let me repeat because it seems like *yah head hard. Old people seh, “easy lesson hard fah dunce”*. It states:

“Worryingly, decriminalization positively correlates with the likelihood of first time and general use for youths.”

It also states:

“There is also some evidence that the legislation results in a substitution away from alcohol towards marijuana consumption for youths.”

If it is the case that you are coming to make a presentation, you cannot come to the House and cite one reference which is a general inquiry. You cannot come to the House and talk about bauxite, sugar and scrap metal.

The final point that I want to make in relation to this issue is there are very different strains of marijuana, one of which is loosely called skunk. It is a more powerful strain that negatively affects young people in a particular way that could be debilitating. Some young people have been known to get seizures. It would be irresponsible for us to have this wholesale change without examining this from a much more scientific and research basis. Simple. It is not that I expect better from the other side, but it is disturbing that I had to come and listen to this type of change that you would like to make, and I now have to take the time to rebuke this.

Since my Hon. Member and Colleague dealt with the issue that was raised about Mr. Michael Carrington's Bill, I took the time to find it. I have the Bill right here. It is Bill No. 17 of 2015, which the Parliament Office very kindly shared with me. This particular Bill is emblematic of the betrayal of the APNU/AFC not only of the people of Guyana but of its own Members. This was laid in the House in 2015 and it never *saw the light of day*. There was not even a consideration for your own Member.

It is very important that Hon. Members on both sides of the House know that this is a very important issue. I would be very disturbed if it turns out to be the case that all Members of the APNU/AFC's side support moving the

decriminalisation of weed to 500 grams. I would be very disturbed about that. What I can say with confidence is that the People's Progressive Party/ Civic will introduce a Bill, which we had promised that we would do. It is a Bill that will amend The Narcotic Drugs and Psychotropic Substances (Control) Act so that persons will face less penalties or different types of penalties. It would be debated fully and sent to the Select Committee. It is something that has to be done in a responsible way.

This is not a time to play games and to experiment with the lives of Guyanese people, especially the young people in this country, whom I speak on behalf of here. I am saying that when you occupy the position of Government and even as Members of the Opposition you hold a seat, you have to be responsible with your positions. It is an absolute disgrace that you have used this opportunity to present a totally untenable and unsupportable situation and position. It is for that reason I will not support the motion. Thank you very much.
[Applause]

11.44 a.m.

Mr. Speaker: Thank you very much, Hon. Minister of Culture, Youth and Sports. I now call on the Hon. Member, Mr. Forde.

Mr. Forde: Mr. Speaker, I rise to support the motion brought by my Friend, the Hon. Member, Mr. Sherod Duncan. What is clear is that we have brought, before the National Assembly for its consideration and passage, a motion that seeks to ameliorate the harsh conditions which currently exist in the law. We have been travailed by the Hon. Members, on the other side, about the history of Bills and measures that would have been introduced. What the record shows, undisputedly, is that the A Partnership for National Unity/Alliance For Change (APNU/AFC) is the first and only political organisation to have recognised the plight and challenges faced by people in this country because of the legislation.

Mr. Speaker, we have to understand that the initial Act that was brought into effect, the substantive Act, which this motion seeks to amend, was brought to this House in 1988, I believe it was. The measures in that Bill recognised, at that time, what the predominant view was, in that it had to be approached in a certain manner. I stand here recognising, also, that the Party that introduced that Bill in 1988 did so, having regard to what existed at that time, what was the scientific knowledge at that time and the use of marijuana that was understood at that time.

As my Learned Friend, Mr. Nandlall, recognises in his Bill, which is being presented to the House today, is that there is a need for change. What the Hon. Member, Mr. Figueira, would have pointed out is that, over the period of time, we have certainly arrived at the point, especially in the Caribbean, where there is a need to change and change rapidly. I do not know what reading the previous speaker, the Hon. Member, Mr. Ramson, would have done when he appeared to have done some reading, but certainly insufficient because a cursory reading would indicate that we are, indeed, behind on these measures.

As far as I know, the Republic of Trinidad & Tobago have enacted similar legislation. I believe other countries in the Caribbean also have enacted, also, apart from Jamaica, other legislation.

We are told that this Bill is irresponsible because it raises or proposes to raise the threshold to 500 grams from the current amount. We do recognise that it is a substantial amendment and change, which we believe accord with the current circumstances and the current thinking facing the country. We do not expect that every person... and I do not believe that every person will acquire 500 grams, but it is an upward threshold that we wish to propose.

For too long the people of this country, having regard to the developments that are taking place internationally, are in a disadvantageous position. For the Rastafarian community, this narcotic substance – marijuana – is a sacrament for them. It is part of its religious observation and its religious ceremonies. Therefore, this measure also seeks to recognise the importance that it plays for that important element or sector in the community. I do not know where the Hon. Member, Ms. Manickchand, would have gotten her information from. She seems not to understand or to have a very cursory knowledge of the operations of the Rastafarian community. The ceremonies that are held and conducted by the Rastafarian community, would necessitate a much greater amount than has been proposed even by the Bill brought by the Hon. Member.

Research would indicate that, even in Jamaica where it has increased it by the amount raised, the Rastafarian community continues to contend that it is an insufficient amount to recognise for their religious observances. This is not a hare-brained situation as the Hon. Members on the other side would wish to indicate to the public. This has come about from mature thinking, liberal thinking and deep thought.

The reference to science and the information provided, so far, by Members on the other side of the House, would indicate a small view, a minority view, in terms of the use of marijuana. It deals with the question of the abuse of marijuana. There is significant research as exemplified in the United States of America (USA) and the liberalisation of this drug and its use in the United States of America for medical treatment. We call on the Members on the other side of this House to recognise that this is an important Bill and to support the motion.

Mr. Speaker, you know, once we are hearing, we are hearing [*Interruption*].

Mr. Speaker: Hon. Member Mr. McCoy, please.

Mr. Forde: Sorry, Mr. Speaker. I am saying that for the decriminalisation of these measures, it is a fact that the law, as it currently stands, has led to the criminalisation of thousands of persons. It has affected young men and women throughout this country.

We have been told that the references made in the presentation by the Hon. Member, Mr. Figueira, are irrelevant. They are completely relevant and critical. The People's Progressive Party/Civic (PPP/C) has brought this Bill to this honourable Assembly after the fact that we would have presented the motion to bring this Bill.

We are hearing the Hon. Member, Mr. McCoy, barking over the other side. The issue is that this is a Bill, a motion, brought by the Hon. Member, Mr. Duncan, which would make a fundamental change in the circumstances of the lives of the ordinary people in this country.

Mr. Speaker, I ask that this House supports it and supports it wholeheartedly. I was saying a few moments ago that the references made by the Hon. Member, Mr. Figueira are important and that they are timely. For too long, for the period prior to 2015 and for the period of the Government of the People's Progressive Party /Civic (PPP/C), it has brought not a single measure to ameliorate the lives of these people in relation to this issue. Has the PPP/C suddenly got an epiphany after the introduction of this measure first by the then Hon. Member, Mr. Carrington?

The PPP/C's proposal in its manifesto and what it has brought here today is subsequent to the APNU/AFC taking a position. Mr. Speaker, you would see that, in the Republic of Trinidad and Tobago, the Hon. Prime Minister in the

National Assembly had indicated that this is a substantial issue and that there were numerous opinions on it.

The debate in the House in Jamaica would indicate that the then Minister of Justice indicated that the process which led to the amelioration of the arrangements in Jamaica took over 50 years. So, to come to this House and to seek to denigrate the inability to complete such an important process in five years is very shallow.

Whilst the PPP/C was in power, prior to 2015, when young men and women were going to jail for small substances, Guyana was recorded and recognised in the international community as a major player in drugs, not in small quantities but substantial amounts of drugs were being transhipped through this country – cocaine – exactly as we see and as my Learned Friend and Member, Mr. Figueira, pointed out, that has occurred since the return of this Government.

What is the relevance of cocaine to an issue for debate on marijuana? Why is it that they do not want us to speak about it, Mr. Speaker? They do not want to speak about it, Your Honour, because what it indicates is that there are two different arrangements. There is an arrangement where persons in this country shipped large amounts of cocaine out of this country, engaged in money laundering and established businesses. That is one sector of this country. Maybe, they support the PPP/C. On the other hand, there is another Guyana where small young person's use small amounts of marijuana. Whilst the PPP/C was in power, it allowed an arrangement to fester to cause great embarrassment to this country.

How many persons have been convicted for major transhipments of cocaine throughout this country? The report shows that Guyana was considered a country incapable of handling that situation and incapable of confronting it. The Hon. Member, Mr. Ramson, pointed out that there is no record and that we have not brought any evidence as to how many young persons would have been convicted. It is clear, Mr. Speaker, all the newspapers and the prison records show the cries of the mothers in this country. They are there. They do not know about those communities. They do not visit them. They have a purely academic understanding of the plight of the people who used these small quantities and whose mothers suffer.

This is an important measure. We understand what the PPP/C and the current Attorney General and Minister of Legal Affairs are up to. The record will show that this is an important Bill.

11.59 a.m.

We have remained faithful to the position adopted and we ask the Hon. Members of this House to support it.

Again, we hear the Hon. Member Mr. McCoy shouting and labouring in the dark.

Thank you. [Applause]

Mr. Speaker: Thank you, Hon. Member Mr. Forde.

Hon. Members, this is a good time to take the suspension for one hour.

Sitting suspended at 11.59 a.m.

Sitting resumed at 1.21 p.m.

Mr. Speaker: Thank you Hon. Members. We shall resume the debate on the motion. I now ask the Hon. Minister of Home Affairs, Brindley Horatio Benn, to make his contribution.

Minister of Home Affairs [Mr. Benn]: Thank you Mr. Speaker and Hon. Members for an opportunity to join in this debate on the motion brought by Mr. Sherod Duncan with respect to the decriminalisation of marijuana.

I have to say that my vision, my perception or circumstances may be fairly limited, but I believe that the very fact that we are debating such a motion and speaking to move the quantities of marijuana which persons could hold and not be criminalised for holding, from 15 grams to 500 grams – 1.102 pounds, which is twenty times what it is today...

For sure, this is a Parliament of still an evolving democratic country. The Parliament has had many storied debates, many interesting discussions, a lot of introspection and serious views have been exchanged in our Parliament in relation to how we govern our country, in a country which we now own and we have the critical responsibility to make sure... As I always like to say to people like myself, at the end of the day, when I am gratefully dead, I want to make sure that we hand over a better life to the next generation, a better life than we ourselves have had. Here it is, Sir, that we are carrying on in a debate which disgraces this Parliament. It disgraces the Parliament. There is no way that this type of debate should be entertained in this Parliament. It should have been struck down the minute it was proposed. I am glad that the Hon. Minister of Education, Ms. Priya Manickchand, reminded us about *sanctimonious gangsterism* in her presentation.

The impulses which give rise to this type of debate can only come from persons who want to continue the issue and to put it at risk, with respect to continuing on a path of gangsterism, still sanctimonious. It could come from nowhere else. I am surprised to sit here and hear young men such as the Hon. Sherod Duncan, the Hon. Jermaine Figueira and, worst yet, the Hon. Roysdale Forde – a lawyer – who will stand up in this Parliament to support such a proposal, and go to lengths, making all types of antics as to why this type of proposal should be carried in this House. It could not be that they have a consideration for the impact of drugs on families, drugs of all kinds.

Let us talk about marijuana. Persons who use marijuana and who are addicts, their behaviour leads to the breakup of families by way of theft. Their disorderly conduct is a constant source of criminal behaviour in the communities. These impact families negatively. Many persons would tell you that, even if someone is in prison for seemingly a small amount of marijuana which is greater than 15 grams, it is not simply that the small amount, for which they were caught, was the issue. It was the repeated behaviour, which was noted in the courts with respect to their behaviour at home and in the communities such as: breaking into houses, stealing televisions, stealing items from their parents' homes, getting into fights, being aggressors of the streets and constantly doing things to get some kind of money to feed their habits. Many persons who are in the prisons for seemingly small amounts, for which they were charged, have a long history of being miscreants and criminals, in respect of the type of behaviour they have conducted in their communities, which negatively impact the family, communities and the wider society.

The discussion which we really want to go into relates to the motion the Hon. Attorney General will bring in respect of this problem and the approach we have to take to the problem. It appears to me that the presentation of persons on the other side, like Mr. Duncan's – Hon. Member of course, so named honourable – wants to run interference on the motion that is being brought by the Hon. Attorney General. They want to confuse the issue. They want to enter to distract and deflect real debate on the issue and the proper approach towards addressing this problem.

The Hon. Minister of Culture, Youth and Sports spoke about the free and decriminalised availability of marijuana and its correlation between the increase in crime and new users of drugs and the wider and generalised use of drugs. I have to point out that, even in the little community which I am from,

some years ago, when I went to the area, I took my wife and daughter to the football ground – nice ground with lights – there were a lot of energetic young men. We could not stay there because people were stomping up and down and smoking marijuana openly, the *spliffs* about which the Hon. Minister of Education spoke. They did not want any normal people around, I suppose, because they thought that their behaviour and the activities that they wanted to continue with would not be accepted by us. We have not gone back there. Sport in the community has suffered. The togetherness, the unity, the development of buildings and the communities are damaged as a result of their criminal networks because they are the users and they are the persons who want to keep people as addicts since all they care about is selling drugs. They have no interest in developing the communities, no interest in developing their families and no interest in developing the country.

I would like to ask the other side if that is the type of behaviour and if that is the type of persons the Bill and the proposal that they have made is intended to relate to? It could only be that demographic that they want to tie into and to lock into with that kind of behaviour. We have had a history in this country, fairly recently, where the Opposition, some time ago while in Government, had elements amongst it joined with criminal persons. We had the ‘slow fire, more fire’, we had criminalised enterprises in Buxton and in other places, we had lots of difficulties, massacres and so forth occurred, a lot of people got hurt and our development was constrained.

This is the type of demographic; this is the type of persons that this Bill would want to foster. This is the type of persons that they want to support and develop. They have had, on the opposite side, five years in Government, five plus years – in the recount process and in their attempts to rig elections in this country to undermine our democracy. I hear them talking, again, that they want to support and develop youths in Buxton, youths in Mocha Arcadia and youths in other places. They have had five years in which they did nothing for those people and now they love them again, having had every opportunity and having done nothing for five years. This is about *sanctimonious gangsterism*. You do not care about people; you care about yourselves. That is who and what you care about.

One of the big problems here is the question of who runs the APNU/AFC Coalition. Why would persons, a lawyer, such as Hon. Member Mr. Harmon and Hon. Member Mr. Ramjattan, who I am hoping will speak, allow any junior Member who

just joined their ranks to bring such a motion on the floor of this House?

1.34 p.m.

It is disgraceful. Sir, the problem we seem to have is that we have people and, particularly worrying, young Parliamentarians, who just joined, who are incapable of rational debate, who are incapable of proper introspection of their country and who should not be in this House, if they bring such a motion to the floor of this House. They should not be in this House.

The bringing of this motion is one which is beyond any rational reason. No family or community in this country will support this motion. No family and community would support that persons could have over one pound of marijuana for themselves and there is no criminalising or holding for those materials. No family, no community and no rational person would. It is only criminals who have an interest in that. Any person who would bring such a motion here has criminal and irrational impulses.

The Hon. Mr. Figueira stood in this House and said that 30,000 tonnes of cocaine were shipped out [**An Hon. Member: (Inaudible)**] Exactly. That is what he implied and that was the implication, that, shortly after we came into Government... Our understanding of this problem is that the accumulation of the cocaine took several months, mostly during the period when the country was in a political impasse. This was created by the persons from APNU/AFC who attempted to rig the elections and undermine our democracy. That was when the oversight was created and was lost. The only thing that I could say, further, on this matter is that the still Hon. Gentleman should, somehow, withdraw his motion. Let us bring back some semblance of rational thought, behaviour and debate on the floor of this honourable House. I would be horrified, or I think any school kid coming up would be horrified to read the *Hansard* of this debate, today, on this subject. We know, we understand and it is shameful and hurtful too that young men who have entered the halls of this Parliament, of this Assembly, would behave in ways in which I have to remind the House of what Martin Carter said in one of his poems:

“...vultures practicing to wait...”

This is the kind of behaviour we have here – criminal impulses. Criminal impulses brought this motion to the floor of this House and it should be denied completely.

Mr. Jones: Cde. Speaker, I stand on a Point of Order. Standing Order 41 (6) states:

“No Member shall impute improper motive to any Member of the Assembly.”

This is exactly what the Hon. Minister just did, and we beg that it be withdrawn.

Mr. Speaker: Hon. Minister, please. If you do not withdraw that statement. We will have to strike it out.

Mr. Benn: Mr. Speaker, I withdraw that remark in the expectation that the gentlemen will modify their behaviour and their debate with respect to this matter and as we go forward into other debates.

Thank you. [*Applause*]

Mr. Speaker: Thank you, Hon. Minister. Hon. Member and Deputy Speaker, Mr. Lenox Shuman, I now invite you.

Deputy Speaker [Mr. Shuman]: Mr. Speaker, thank you. Let me take this opportunity to wish all of my Colleagues, a very happy 2021 and may we never see the likes of 2020 again, going forward in this country.

Six thousand years ago, and before that it was led by a millennium of science, that is how long Indigenous Peoples’ have gifted smoking to this world. Here we stand, and I feel privileged and honoured to be the only Indigenous person speaking on this motion in this Parliament. It is an issue that dates back to over 6000 years for Indigenous Peoples’. While we would have used cannabis, tobacco and a variety of other things for Indigenous spirituality, we walk into the hallowed halls of this Parliament only to see our spirituality getting bastardised, having gifted it to the world. It is science. One may not have recognised, our Colleagues, friends and members of society may not have recognised the science that goes into this. We have always had a science-based approach. That is why it took so long to get to this point. It took this country and the world 6000 years to facilitate debate on what we had known all along and to find ways to ensure that people do not abuse things that have been gifted to this world.

I listened to my Colleagues talk about presenting something in the public’s interest, whatever disguise they wish, and I will say that, at one point, the Rastafarian community was represented in the Liberty and Justice Party (LJP). When they came on board, they said that they wanted to see, to a certain extent, the legalisation of cannabis because it is part of their religious identity. I said that this was something that had been

presented to Parliament before. It was presented, at that time, by an Hon. Member who is no longer in this hall. When it was presented, the Hon. Member asked: What was in it for him?

I find this Bill not only offensive to the public, but also offensive to the people who depend on Parliamentary representatives to address their issues in this House. The whole country should be offended that if they gave it to us and then the first question they asked was: what was in it for them, then I am not here to do the people’s bidding. It is hypocritical to bring such a motion to this floor, today.

We have always had a science-based approach in getting things done in this country and I hope that we continue along that path. Look at what happened for just about every marijuana Bill that has been tabled globally. Canada legalised marijuana but, why? It did because it was science-based driven. Canada worked to first ensure that the people who needed it could utilise it for medical purposes. In Guyana, we do not have such a framework or mechanism. After that, Canada moved to decriminalising it to the point where they moved to legalising it so that the public could now benefit. Marijuana is slated to be a \$20 billion global industry.

There is only one thing that travels at the speed of light and that is light in itself. It takes millions of light years to get anywhere across the galaxy but, we cannot, as a country, go from zero to speed of light just because some disingenuous Members decided that they want the country to go that way. We have to be very circumspect and very reasoned in how we move this country forward.

In this regard, I will be as brief as I possibly can and say that, in order for us to support such a Bill, it has to be done with a science-based approach and it has to be done incrementally to reflect the realities of the Guyanese society. We cannot sit and permit all of our young people and our society to be walking around with one kilogram of marijuana every single day. When we get to that point then all of society descends into chaos [*Interruption*].

Mr. Speaker: Mr. Duncan, I would like to hear the Deputy Speaker. I think he deserves a bit more respect.

Mr. Shuman: Our structures start to deteriorate; our families start to fail; and the entire Guyanese society suffers from a systemic breakdown. This is not the point to come and play showmanship in Parliament. This is not the time to start driving society into a breakdown, as we almost witnessed last year. This is the time that we must sit here and think about

society and how it would benefit the people and not watch society deteriorate and degrade into chaos.

I look forward to supporting a reasonable motion to address the issue of cannabis in Guyana. This Bill, as is presented, will not get my support.

I thank you. *[Applause]*

Mr. Speaker: Thank you very much, Hon. Deputy Speaker Mr. Shuman. I now call on the Hon. Member, Mr. Khemraj Ramjattan, to make his presentation.

Mr. Ramjattan: Thank you very much. Mr. Speaker, unfortunately, I have to say that, although I heard it, I missed what was said by the previous speaker, prior to Mr. Benn and Mr. Shuman because I was not present. I gather from what was said by both of them that, somehow, they want to support the increasing of the amount of marijuana that could be carried in one's possession or be used from what exists.

In the case of Mr. Shuman, more specifically, by mentioning what happens in Canada, he wants to legalise it or that any Bill which would go towards legalising it, would be okay with him. It is important to understand that there is a little showmanship about that argument.

1.49 p.m.

We must not forget what this Bill or motion, which is seeking the amendment of an Act that we have existing as the law, is seeking to do. It is seeking, as best as possible, to ensure that those who are caught with very small amounts... The small amounts are, as in the existing law...for example, Mr. Carl Mangal, who was caught with eight grams and he got three years' jail. That is exactly what I will address here.

First of all, I would like to give a little history. It is important to note that a lot of people are saying that we are *sanctimonious gangsters*. The amendment to this Bill was first brought by one Mr. Michael Carrington, **[Ms. Teixeira: (Inaudible)]** Yes, the Alliance For Change (AFC) Member. He had walked the streets and villages and the people were indicating that, indeed, this was a recommendation. He brought it. We have to be proud of what Mr. Michael Carrington did. He was no sanctimonious gangster.

The Government is now seeking to bring a Bill, *via* the Hon. Member, the Attorney General, which will now seek, in a way, to increase it from 15 grams to 30 grams of marijuana or in that range, to make it legal so that one would not get a

custodial sentence. We must say that it is a development from what we have right now.

In view of the fact, what we also did was...and I want to state this for the record. When the Bill was brought to the National Assembly by Mr. Michael Carrington, we decided that because at a consulate level, that is the Caribbean Institute for Security and Public Safety that deals with matters of public security... They indicated that CARICOM was going to do a major study on marijuana – cannabis sativa – and drugs in general. When CARICOM did the study, its recommendation came out, I think, in the latter part of 2018. They indicated that the recommendation is to legalise marijuana. So, I do not understand what the Hon. Member, Mr. Benn, is indicating.

We also wanted another report, which was from the Pan American Health Organization (PAHO), I think, or the World Health Organization (WHO). We wanted their recommendation. All of these major institutions that deal with these questions had studies done which recommended the legalisation march. That is why, knowing very well what the PPP/C thinks about this, reflected by what Mr. Benn indicated, we have to now work around the situation because they seem not to want to legalise at all. So, we are not going to get the support of the National Assembly.

What is the next closest thing to legalisation? It is increasing it by some such amount, that poor people, especially, little black boys, are not going to be jailed, Mr. Hamilton? Understand that. *[Interruption]*...What did you call us ... You had 23 years, at least, to deal with this issue. You did not deal with it. What do you call that? Do you call it *gangsterism* clothed in sanctity? **[An Hon. Member (Government): (Inaudible)]** Is it sanctimony then?

Whatever we are trying here, I want this entire National Assembly, Government benches and the Opposition benches, to understand what the best and most positive solution is to the problem. If it is not the best, what is it that you propose? Is it to bring it back down to 30 grams? Will the man who is found with 31 grams or 30.5 grams or 32 grams still go to jail? **[An Hon. Member (Government): (Inaudible)]** That is where the subjectivity of the whole thing comes into question. That is why it is the closest thing to legalisation, which is the standard in Canada, as was mentioned by Mr. Shuman, and around the world.

In Colorado...33 states of the United States of America (USA) – I understand that they have 50 States – have legalised it for medicinal purpose – for purposes of medicine. It has been legalised for recreational purposes, I think, in

another 20 States. There was a Special Edition of the *Times Magazine*, International Edition titled: *Marijuana Goes Main Street* that spoke on this issue. A number of very brilliant minds talked about it, that it would become a booming business and that the legalisation march will continue for almost the whole world. There are other countries that have started legalisation.

As best as possible, to work out a scenario, to take away the oppressiveness that happens, especially, with poor young people who are getting custodial penalties, one wants to carry it to such a level that will prevent or preclude that from happening. If the Hon. Member, Mr. Benn, was to do a study as to what were the numbers, generally, of persons who were in jail right now, I think those number might be in the vicinity of about 100 persons – a number of males and females. The number that one would want to prevent a jail term for, that will go into the hundreds of gangs. It is important then to understand what the purpose is behind this whole thing. That is not being seemingly understood.

When we listen to the realities out there... I was a defence counsel and a former Minister of Public Security. I know that the rich people in this country get away with the 500 grams, but the poor man goes to jail. You better believe that. They go to jail for three years and all of that for purposes of having... [**An Hon. Member (Government): Inaudible**] You can ask Mr. Benn. It is all there on record.

The whole point of it is that the rich people will get the best lawyers. They will also get the contacts and the networks to meet some of the senior members of the Guyana Police Force (GPF). They are outside, whereas you have... and I would like to mention this about Indigenous people, Mr. Shuman. When they get held up with eight grams and 10 grams from outside of those regions, they are brought to the coast and remanded. They cannot even meet their family members. They are locked away for days. Why? It is because of the fact that the police will tell you that they do not have anybody to bail them. But they brought out the people.

I indicated to the House that the Bill was brought. Of course, because of certain priorities, we wanted to wait for the 2018 report, and then 2018 had its own problems. The Bill was brought here, and we are now seeing reasons to bring it back. Mr. Duncan has brought it again.

The next point I wish to make is about criminality being the basis of bringing this motion and that a lot of domestic problems occur as a result. Let me tell you something. I do not know if the times have changed since I was a Minister,

but one of the things that created more domestic violence was liquor – alcohol. Oh God, that is the worst. If one goes to the estates area, in the PPP/c strongholds, that is the worst. Persons are drinking the liquor, white and brown rum. Men are beating their wives and cutting their wives' hands and all of that. Would you say that we should ban liquor? [**Mr. Hamilton: Bring the motion.**] Well, that is the whole point of it.

We want to work out a certain set of solutions that would get us to a point where we could deal with these issues in a parliamentary way. Nobody gets custodial penalty for a number of things in relation to alcohol. If one goes to the laws, he/she will see that little children cannot go to the rum shops to buy liquor for their *dadi*. But, in some areas in Guyana, they use their children to buy liquor. The parents are not in any way ...No law is enforced and all of that. The whole thing about it is enforcement.

When one does not have a capacity because of the nature of the culture, one has to then think how he/she gets away or gets around the thing. If up to 15 grams in a person's possession and above is trafficking and the trafficker has to now go to jail for three to five years, let us do something about it to avoid all the oppression that comes with it. That is what the Hon. Member, Mr. Duncan, is getting at. That is basically the point that is absolutely beyond, it seems, the Hon. Members who spoke over here.

To say that no family will support it, I do not know from where that statistic was obtained by Mr. Benn. I know of a lot of families that do not support alcohol, Mr. Benn. If you do a study and a survey, you are going to find that is the statistic. But, do we ban it? I do not know. We must understand all these arguments that surround this point. It is very important. You will come to the realisation that custodial penalties for small amounts is not the way to go. It is always going to be an extremely difficult thing as to what then is the amount that should mean custodial sentence as a consequence.

It is because we know that we are not going to get the support of the Government for legalisation. It is important that we now put what is to be a quantum of 500 grams that will ensure those who deal with this thing, have possession of it, not go to jail. What we are doing is the closest coming to the recommendations made by WHO and CARICOM. I want people to understand it because if one just gets away with the disingenuous argument that there is criminality and that we are supporting criminals...No. It is not as if, when one carries it to this quantum, that everybody... I am certain the family

members of all of us here are not going to deal with this thing, but that does not mean that everybody becomes a criminal and would want to deal with marijuana.

2.04 p.m.

Ninety percent of the country is obviously against this thing. But, what it is, that is the purpose behind it, which is to ensure jail terms are avoided. We have had too many of our young people in jail for terms of three years and more, sometimes, for these small amounts. Some of them are so poor that they cannot pay bail. Even when they have a small amount, for the special circumstance, they cannot get a lawyer to argue the case, so they go to jail. The police sometimes tell them to plead guilty, that they did not get caught with it – more jail time. The custodial penalty has another quantum behind it. When they go to jail, they graduate because of who they meet in there. They graduate to the extent of becoming... The word is recidivism. That is what we are trying to avoid. It has its consequences.

All of them over there understand too that there is a huge cost to this thing. To take care of a prisoner in Guyana, the minimum is \$248,000 a year and that is just basic. That is why you do not want these guys to be an expenditure on the State for something that the entire world is now legalising. Why not increase it so that, whatever is the amounts they are caught with, police cannot lock them up because it does not have jail term? That is what we are doing here.

I want the important points behind this to be understood and not let us take the cheap political points for saying 'X', 'Y' and 'Z' and criminality, and that we deal with criminals and all of that, and also, that it brings domestic violence and this and that. Domestic violence and all that happens as a result of what is very much legal and that is brown rum and white rum.

I think a number of the other points have been well made by my other Colleagues on this side. We have to study the statistics; we have to ensure that there are more robust evidence-based studies about it done in Guyana.

I could understand because if we put 500 grams there, a number of people are going to say that it is too much. Do you see what the APNU/AFC Coalition wants for the country? That is the whole point of it because the fact is, we want to get close to legalisation. One goes now to shops and stores in Canada and one could buy the thing. Investors out of Jamaica are planting marijuana to export to Canada. It is a big business, as Mr. Shuman indicated. When we are trying as

best as possible to work into it by virtue of a motion and an amendment to the Act, what are you rowing about? I do not see the sense about it.

I urge that this motion be supported and that we will have that support from those Members now that they understand some of the arguments that I have made.

Thank you very much, Mr. Speaker. [*Applause*]

Attorney General and Minister of Legal affairs [Mr. Nandlall]: Listening to the debate in this House and examining the Bill that was brought, and then the motion, we are declining in our standards in this House terribly. We owe the people of our country better. We are being paid here and listen to the quality of the debate. Not a single study. Everybody speaks about a study and not a single study was quoted from; not a single statistic provided.

In 2015, for the purpose of the 2015 Elections, when the two parties collated together, the AFC made it a platform promise. Through its Chairman then, Mr. Nigel Hughes, they made it a manifesto promise to legalise marijuana. That was a platform promise made during the 2015 campaign. They made another platform promise, Constitutional Reform. Those were the two major platform promises. The PPP/C never promised, in 2015, anything about legalising marijuana. We never promised that. Not in 2015. In 2015, you won the elections and you occupied the Government. And, as a distinguished Minister of Education explained, in a series of articles referred to in the newspaper, you did not deliver upon that promise.

Mr. Ramjattan wants us to praise Mr. Carrington because, rightfully, the Hon. Member tried, but he was a lone ranger. He brought a Bill and placed it before the House and, with all of that, the Hon. Member just said, he never took a step as leader of that party to prosecute that Bill in the House. He never did that. What did the Governing APNU say about the Bill? They said that they will not put it through the House; they will not put it on the agenda; they will not enact it. That is your record.

Before you want to be taken seriously with your motion, you have to stand in this House and tell the Guyanese people that you promised them, and you failed to deliver on that promise. That is the first thing that you have to do. Now that you are in the Opposition, you now want to piggyback on the PPP/C, and you want us to pass the Bill for you. Well, we are not going to do that for you. We promised the people of this country, during our campaign, that we will reform the law on

marijuana and that we will remove from the law the custodial sentences on small amounts. The PPP/C promised that, and the PPP/C will deliver that to the people of this country. Do not come here and tell us about how bad the situation is and how great is the Bill. You did not pass it. The people put you on that side because of that. That is the first thing that we have to establish.

Secondly, they are in the Opposition. Executive governments, one of their principal functions, one of their constitutional duties, is to pass legislation. In a democratic scenario, the law also allows the Opposition the facility to pass legislation while they are in Opposition. The law and the parliamentary practice state that you have to make a case. It is a power that is highly circumscribed. That is why there is a motion. It is not automaticity. You have to present a motion and you have to convince us and the people by that motion why you should be permitted to exercise a power that the people did not give you in the first place at the elections, which is to pass law. When you stood up, you did not even know how to read the motion. The Speaker had to tell you that you had to say something else, so ill prepared you were.

The position is so strict in England that the Chancery Division of the High Court exercises a special jurisdiction to grant an injunction if a Speaker errs and allows a private members' Bill to proceed. So strict is the procedure. The content of the Bill has to be examined. I went into the *Erskine May* and it has what should be the subject of private members' Bills and what should not be. For example, there was once a Bill to sell intoxicating liquor on Sundays in certain communities in London. That was allowed by the Speaker to be a private members' Bill. Upon the second reading, while the debate was going on, the court granted an injunction to stop the debate on the ground that selling liquor on Sunday is such a public thing that it cannot be the subject of the private member's motion. Legalising marijuana is such an important national thing that should never be the subject of a private person's motion. So, this thing is inherently wrong.

The other important point that I want to make, and this is what *Erskine May* states:

“Private bills have frequently been objected to on the ground that they should have been brought in as public bills. Many of these objections have been sustained by the Speaker and the bills have been withdrawn, or not proceeded with...”

Simply because of the subject of the Bill.

The other point I want to make is, what is the position when there is a Government bill? Once there is a Government bill, as there is in this case, and that subject matter is determined to be of a public nature, once the Government tables a bill, the next step is for that entire private bill to be withdrawn and for the Government Bill to take precedence. That is exactly the position. Even if one follows their debate, they have said repeatedly to us how important this is to Guyana, to all the people of Guyana and to all families. That could never be an issue to be the subject of a private members' bill.

Mr. Speaker, as you are aware, we have a Bill which will be read later on the agenda. That, by itself, in principle, defeats the motion that is being moved by my Friend. Quite apart from that, let us now go to the Bill that they are proposing. This is because we do not want anyone to feel that we are using our majority and our numerical strength to vote down motions or bills or any policy. We are going to show reasons why. That is what every Member on this side has been doing from the beginning of the debate. That is why I am saying that, on the other side, we are not hearing argument of a corresponding calibre and quality to continue and sustain an educational and edifying debate. It is a one-way street, but we are going to continue.

2.19 p.m.

Mr. Speaker, what the Bill does, that my Friend is promulgating... Firstly, the other thing is – the Hon. Minister of Education spoke about it and rightfully so – plagiarism which is an academic wrong and which we should not perpetuate nor perpetrate in this House. The Hon. Member comes here and is reading, word for word. Mr. Carrington spelt one of the words wrong and he, also, spelt it wrong. The only exception was the quantum. Mr. Carrington made 10 mistakes and he made 10 mistakes. If we want to be taken seriously, we have to improve seriously. All joke and heckling aside, you have your dignity to preserve and protect.

Clause 2 of the Narcotic Drugs and Psychotropic Substances (Control) (Amendment) Bill, proposes to amend section 4 (1)a(i) of the Act by deleting the term of imprisonment as a penalty for the:

“...possession of any narcotic, or any narcotic substance represented or held out by him to be a narcotic...”

As it stands, section 4(1)a, which deals with summary conviction carry a penalty of a:

“...fine of not less than thirty thousand dollars, together with imprisonment for not less than three years nor more than five years...”

On the other hand, section 4(1)a(ii) which deals with:

“...conviction on indictment carries a fine of not less than thirty thousand dollars or three times the market value of the narcotic, whichever is greater, together with the imprisonment for not less than five years nor more than ten years....”

The Bill proposes to take out the imprisonment part. That is all. Some of the Hon. Members on that side who have spoken on this debate, do not even understand the Bill that they are proposing. This is because they speak about decriminalisation of the possession of marijuana. That is not what your Bill is doing. Your Bill is simply removing custodial sentence from the offence up to a certain amount. So, they do not even understand. [**An Hon. Member (Opposition):** *(Inaudible)*] Listen to him. He is telling me to talk about my own Bill and he brought a Bill that he is asking me to debate on. This is the level of mediocrity, Mr. Speaker, that you should not tolerate in this House.

He does not understand the difference between the removal of custodial sentence and decriminalisation. Decriminalisation, for your education, means it is no longer a criminal offence. Here, the fine remains and what your Bill does is simply take away the imprisonment.

The difficulty with Clause 2 is that, in the Hon. Member's proposal, the Opposition misses its own policy objective by failing to realise that narcotic in the Act What they did was simply to cut out the sentencing part. What they are doing there is in relation to all narcotic. Narcotic in the Narcotic Drugs and Psychotropic Substances (Control) Act includes more than 100 substances, which includes cocaine, heroin, methamphetamine, and a whole set of things. What they are doing, is not for cannabis/marijuana alone. They are removing custodial sentence in their Bill from cocaine, heroin, and every other narcotic. How can you bring such preposterous work to the highest House in this country? How can you do that? Is that the quality of representation that you offer the people of this country? Have you not read what you have brought? Mr. Speaker, that is the first major blunder as to why this thing has to be rejected as out of hand. It takes off custodial sentence from every narcotic under the Act. [**Ms. Teixeira:** ...up to 500 grams.] And up to 500 grams.

All the cocaine that they were talking about shipping, they are now going to legalise it. They are now going to attach a fine and it is \$10,000. That is what they are doing. The Comrade at the back cannot believe that you did that. He is asking, who is believing that. [**Mr. Holder:** How do you know that?] You cannot believe that he did that. Read it my Friend. Read it my brother. You are young and you have a future, read it. That is the first thing I would like to...the failure to recognise that narcotic means more than ganga/marijuana/cannabis in the Act.

Also, the Opposition failed to address section 4(2) which deals with:

“the possession of any narcotic, or a substance represented or held out by him to be a narcotic... at specified places.”

They never touched that. These places include:

- “(a) ...any premises of any educational institution;
- (b) any public place”

Public place has a wide meaning. It means any road, highway, place and a whole set of things. They have not addressed that section at all. One can be on the highway, gets off under one section and then under the other section, because of the place where one is, one can be convicted. Exactly what Mr. Carrington did, they copied. They have not read the Act as a whole; they just amended one section and left all the consequential mistakes. Amendments that are supposed to be implemented to make the amendment comprehensive and fluid, they omitted to do all of that.

Clause 3 of the Bill seeks to amend section 5(2) of the Act to increase the quantity of cannabis or cannabis resin from 15 grams to 500 grams for which a person may have in their possession to be liable for the offence of trafficking. What they have done here is to turn the entire scheme of the Act upside down. This is because possession is a different offence. Trafficking is a different offence and it carries different policy considerations, principles, penalties and even modes of trials. They have turned the whole thing upside down, by basically treating possession and trafficking as the same. In fact, one can argue that they have abolished the offence of trafficking. If one makes possession of up to 500 grams, a mere offence without the custodial sentence, then the offence of trafficking is almost gone. One has to start from 200 grams going up. Mr. Ramjattan was saying, ‘so

what, if the man is found with 30.5 grams, are you going to jail him? Well if it is 200.5 grams, it is the same jailing too.

Mr. Speaker, were you to insert the amendment in its current form into the Principal Act, the Act would have become inoperable and the defence counsel would have a field day. This is because the whole scheme of the legislation would be gone – *wap* out of sync.

There are other problems with the Bill. Clause, 4 as I said, proposed deleting the word ‘cannabis’ from the provision. That is all that it does, Is that right? There are other offences such as smoking, inhaling, sniffing or otherwise using cannabis. There is a whole set of related offences that they have not amended either. It can be lawful for one to have the cannabis. According to the Hon. Members, it can be lawful to have it, but one cannot smoke, inhale or light it because they did not amend the other sections. It is still an offence to smoke.

There are a whole set of offences that cannot be enforced. The Act, over the years, has been amended and there are provisions that allow a court to take into account if a person, for example, pleads personal use. Over the years, the Act has been ameliorated by small amendments, *et cetera*. Those are in the Act, but they have not been touched. If one amends the major ones, one has to continue right through because it is a running Act. It is a huge Act. This is the size of the Principal Act. [*The Hon. Member displayed a copy of the Act.*] How can you amend this huge Act with two sentences?

Listen to the Hon. Member saying that I am carrying on. The Hon. Member did not read anything. The Hon. Member did not read his Bill, the motion or our Bill. I know he did not read it because I know that he is more intelligent than what he sold us here today. This is a disaster. The easier we wrap it up and take it to Cevons Waste Management...Let the staff from the Parliament Office take all the papers, wrap them up neatly, take them to Cevons Waste Management, then go by Haags Bosch Landfill Site and dump it there. That is where this belongs.

We have a Bill that we do not profess to be perfect. Let me begin by saying so. We promise consultation. Our Bill is going to be the subject of consultation through a process in the National Assembly. We have put out something here. Once it is going to be subjected to consultations, it is not our final position. It is a Bill that we are putting here. In this Bill, we have tried, as far as possible, to follow the position in the Caribbean.

Repeated references have been made to the Caribbean study and I thought that one would have read out excerpts of the report to guide us. In the CARICOM, at the level of the Attorneys General, the committee is called the Legal Affairs Committee (LAC) of CARICOM, and they resolved that, as far as possible, legislation that are going to be considered common in the Caribbean, should go through that kind of process. As Minister Ms. Manickchand said, each country has a facility to deal with the idiosyncrasies of their own jurisdiction, should they be different. The approach adopted at CARICOM was the same.

As a result of that report, countries have begun to implement. In Barbados, the position is no more than 14 grams of cannabis or cannabis resin and three is mandatory counselling. That is the penalty. It is an offence, but it carries mandatory counselling. In St. Vincent and the Grenadines, 56 grams or less cannabis or cannabis resin, is a ticket offence. In Belize, 10 grams or less cannabis or cannabis resin, and it is a ticket offence.

2.34 p.m.

In the Federation of Saint Christopher and Nevis, 56 grams of cannabis or 15 grams of cannabis resin, that is permissible. St. Vincent: Mr. Ralph Gonsalves specifically departed as a campaign promise and that is what he implemented. In Trinidad and Tobago, it is similar. In Dominica, 28 grams or less of cannabis or cannabis resin is also not an offence. In Antigua and Barbuda, 15 grams or less is an offence, but 16 grams to more than 5 pounds is possession and imprisonment. In Jamaica, 56 grams or less is a ticketed offence. That is the theme of the Caribbean and that side is proposing 500 grams. That is completely out of sync. Even Mr. Carrington was more conservative. Where did they get their 500 grams from?

They spoke about consultations. Do we have no care about what we say in this House? Do we just say anything that comes to our minds? This is a small country. We know politics in this county. If they had consulted with one organisation, it would have been on In The Ring, the Breakfast Show, the Afternoon Rush show and the *lampy pampy* show. Not a single consultation was done. Yet, the Hon. Member is here and is telling us that they consulted. That is the contempt they have for our people. They did not consult with anyone, and they are standing here and telling the people that they consulted with them and the people told them to put it at 500 grams. What kind of deception is that?

In our Bill, we have followed the CARICOM guidelines and we have articulated and formulated a position, which is in

keeping with our manifesto, and we still say that it is not our final position. The people of Guyana and those constituencies that may be peculiarly more affected by this issue, we are going to offer them, as well as everyone else, an opportunity to participate. Out of that process will come the most consensual possible Bill since there are competing interests. I have spoken to the pandits; I have spoken to the maulanas; I have spoken to the priests; and I have spoken to the Rastafarians too. They have competing interests. Mr. Ramjattan said that only 10% of the people would be affected. We cannot be as irresponsible as him and pass a law for 10% of the population. We are the Government and I believe that is why they put 500 grams. It is reckless politics. What they want to do is put us on the back foot. So, they have gone ultra-liberal. But that is not liberal, that is insanity; 500 grams are insanity. Out of necessity, we have to reject the motion that is before this House and, at the appropriate time, we would table our Bill.

Thank you very much, Mr. Speaker. *[Applause]*

Mr. Duncan (replying): One would be persuaded, perhaps, by the Attorney General's legal arguments if he did not just lose a case before the High Court to Attorney-at-Law Darren Wade, in which he presented similarly strong legal arguments.

The PPP/C continues to steal APNU/AFC's projects and initiatives, and this is one such initiative. Just last week, they were presenting the road link from Diamond to Ogle project as theirs. Just last week, they were presenting the maternity waiting home at Region 2 as their Coronavirus disease (COVID-19) rehabilitation centre. Similarly, they are stealing this initiative, by the APNU/AFC, to reduce the custodial sentence and *free up the weed* because that is who they are. They steal projects and ideas consistently.

We sat here and we listened to the Hon. Member, Mr. Benn, attempt to lampoon young people on this side of the House because they have led by example, of course, with young people on their side. There is a Member in this House on the other side who is a convict before the courts, a youngster on the PPP/C's side who was convicted of assault. That is the other side's offering of young people. There is a young person, presented by the PPP/C on the other side in this House, who lied to this House that they were not a dual citizen when they took the oath of a Parliamentarian.

Mr. Speaker: Hon. Member, I have had to refer to unparliamentary words in the past and I think you have good retention that 'lied' is one of them.

Mr. Duncan: Thank you, Mr. Speaker. Mr. Speaker, the Hon. Member told the House untruth, as a young person being offered up by the other side. You know that matter had to be litigated before the courts and the Chief Justice sided with this side of the House that the Member was being untruthful when the Member took the oath as a Parliamentarian. So, the Government cannot lecture us on the quality of the young persons on this side. They cannot lecture us; they have no right to lecture us, as a matter of fact.

The Hon. Member, Robeson Benn, spoke about the criminality that we are engaging in, when the Hon. Minister Robeson Benn should know acutely that it is one ethnicity that keeps being captured by the criminality of marijuana. He should understand that acutely, and our young people as well. So, when he comes and he lectures about the quality of young people that we have on our side, he has no right to lecture us.

The Hon. Minister, Priya Manickchand, spoke this morning and I could tell the Hon. Member did not read the *Report of the CARICOM Regional Commission on Marijuana*. In a similar way, she did not read the worksheets for our students that were riddled with mistakes and continue to be riddled with mistakes. She did not read. I could tell that the Hon. Attorney General did not read the report, which is groundbreaking in the research that has been put into it and should form the basis of any legislation.

The learned Attorney General could not even utter the name of the report because he did not read it. That is why he hid between all kinds of legal gymnastics that could not even convince the Chief Justice in the Haitian case against Mr. Darren Wade. He could not even convince the Chief Justice when he sought to bring rigging allegations against Mr. Mingo. He had no evidence, the case fell apart and he withdrew it. He could not convince the law, but he wants to come and convince us with all kinds of legal gymnastics. He did not read the report. Again, this is the CARICOM Regional Commission on Marijuana that has presented a seminal report to this region. The AG was being untruthful when we suggested that it was CARICOM that legislated different amounts of marijuana usage in different territories. Nothing in the report states that. What has happened is that the fraudulent Government wants to be able to use CARICOM and CARICOM's reports conveniently. But when it does not suit their purpose, they do not want to touch the *Report of the CARICOM Regional Commission on Marijuana*.

The Hon. Charles Ramson side-stepped the report. I think he went to Australia – the same place that they did not want to go for experts recently. He went to Australia for an expert on marijuana because he did not read the report. The Hon. Member, Mr. Ramson, came here to ask where we did our consultations.

Mr. Ramson: On a Point of Order, Mr. Speaker, I did not say it was Australia.

Mr. Speaker: Go ahead, Mr. Duncan.

Mr. Duncan: Thank you very much. Wherever it was, the Hon. Member's research did not come from the Caribbean. We maintain that the *Report of the CARICOM Regional Commission on Marijuana* has to be the gold standard for anything that deals with marijuana in the region.

The Hon. Member wants to come and lecture us about whom we consulted so that they can now go and consult with the same people. They accused us of not consulting with anyone and bringing a Bill, but they have done the same thing. They have brought a Bill and announced that they are going to put a committee in place to go and consult. Even if you do not trust who we have consulted, trust the CARICOM Regional Commission on Marijuana.

On 6th November, 2017, the same time we were bringing the first iteration of this Bill, CARICOM was doing consultations in Guyana. They consulted with civil society, focus groups, youth focus groups and they even had town hall meetings in Guyana. If you do not trust our consultation and our research, the base has to be the CARICOM Regional Commission on Marijuana. Again, they consulted, in Guyana, civil society, focus groups, youth focus groups, and they held town hall meetings. So, clearly, I say again that the learned AG did not read this or else he would have never made the arguments he proffered in this honourable House today.

If the other side had taken the time to read the research and the report by CARICOM, they would have known that part of our work, in presenting this Bill, had to do with the 2015 Commission of Inquiry into the Camp Street Prison riot. From that inquiry in 2015, something important was learnt. Clearly, the Hon. Member, Ms. Manickchand, did not read that. The Hon. Member, Robeson Benn, Minister of Home Affairs, did not read the 2015 Commission of Inquiry into the Camp Street Prison riot or else he would have known this recommendation of the Commission: no one should be jailed for the possession of small amount of marijuana for personal use. And that Guyanese authority should avoid remanding

what the Commission called low-level, no-violent drug offenders, but instead look at non-custodial sentences such as community service, treatment and educational opportunities.

2.49 p.m.

The Hon. Minister, Robeson Benn, did not read it or else he would have never made the statements he made this morning in this honourable House.

Mr. Benn: Mr. Speaker...

Mr. Speaker: Hon. Member, what is the Standing Order?

Mr. Benn: I just want to say that I have the report and I have read it.

Mr. Speaker: The Hon. Member would have to give way to you, Sir.

Mr. Duncan: The Minister did not read, as well, the *Comparative Analysis of Drug use Among Secondary School Students in 13 Caribbean Countries*. These included Antigua and Barbuda, Barbados, Dominica, Grenada, Guyana, Haiti, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, the Republic of Trinidad and Tobago and Suriname that focused primarily on drug use among youths. Otherwise, he would have never made the statements that he made today in this honourable House.

If they had done any research on this topic that impacted on the Bill, they would have known, for instance, that it was the CARICOM consultation, locally, which impacted the CARICOM Regional Commission's work on marijuana.

It was the honourable Attorney General who wanted statistics and studies, so let me give him some statistics. According to the *Report of the CARICOM Regional Commission on Marijuana*, Guyana has experienced a significant increase, 53%, in arrests that were marijuana related. The percentage of those arrests, due to possession, went from 52.6% in 2013 to 27% in 2015. You asked for statistics. In 2013, 52.6% arrest for small amounts. These are the people who want to come here and lecture us that they care now when, in 23 years as Government, they never sought to reduce the custodial sentences. That is why, in 2013, the arrest for small amounts of marijuana was 52%, but the Government that cared reduced that to 26% in 2015.

If Hon. Robeson Benn and Hon. Priya Manickchand had done any research and reading and if the Attorney General had done any significant preparation for the debate, they

would have understood that a Caribbean Development Research Services (CADRES) poll, commissioned by the Government, in 2017 stated that 17% of the persons, for instance in the Bahamas, said that they used marijuana monthly. In 2016, in Guyana, the percentage of persons who used marijuana was 9.8%, consistent with the number quoted by my Hon. Colleague, Khemraj Ramjattan, in terms of marijuana usage in Guyana. That is the CADRES poll that was done.

Again, Guyana's experience from the research work that has been done, the research that the other side is now going to commission ... They do not like studies. They come down hard when you commission studies and so on.

In this House, I said, standing in my place, that it was the Hon. Minister of Agriculture who promised studies before the sugar industries were opened. We are still waiting on those studies. Studies were done for the building of the new Demerara Harbour Bridge, but they are against those studies. If they had done any work, they would have seen that, according to ... Again, do not take our consultations; take what was done by the CARICOM Regional Commission on Marijuana in Guyana. It is those studies that inform us that data available estimates five potential benefits, including costs averted from marijuana possession related arrests, costs averted from incarcerations, estimates of excise revenue from marijuana sales and activities licencing. These will be tremendous if the barriers to possession and usage are lifted.

They asked for statistics, so let me give them some. Overall, model 1 was estimated to produce the lowest benefit to Guyana at \$545 million in savings, if the custodial sentences are reduced, and you *free up the weed*.

Members of the Government, I commend this report to you because if you had read it, you would have never come so unprepared to the House. You asked for statistics and for numbers. Model 2, at the highest end, in terms of savings for Guyana, suggests that \$1.73 billion would be saved if you just *free up a little of the weed*. The highest projection under model 3 was \$5.8 billion, using assumptions, again, for the model.

They do not trust our consultations. They do not trust our meeting the people and asking them what they want to see in such a Bill. In the conclusion of the *Report of the CARICOM Regional Commission on Marijuana*, the Commission is of the view that:

“A too limited approach to law reform, including one that focusses only on medical marijuana, would be counterproductive and inimical to the goals of Caribbean development, as outlined in the SDGs and endorsed by CARICOM.”

The report suggests that a balanced approach would meet the main social justice, public health rights and citizen security objectives of the Region and would be presented in a hybrid-options kind of offering. The report suggests that this would be an incremental and a cautious approach to removing prohibition, but not too little that the goals would be frustrated and not too much that CARICOM States are unable to manage the important regulatory controls that are envisaged.

The learned AG could engage in all the legal gymnastics that he wants, but he cannot defeat the work that has been put in by the specialist on the CARICOM Regional Commission on Marijuana. He cannot defeat that.

In closing, this is attributed to Bernie Sanders, from the American experience, who said:

“Even though the same proportion of blacks and whites use marijuana, a black person is almost 4x more likely to be arrested for possession.”

We only have to translate that to our experience. We can see the hundreds of young people who are incarcerated for marijuana use. Where are the people who shipped out the tons of cocaine to Belgium? Where are they? Again, one is left to ask, how come the PPP/C did not bring this Bill as a private Member's Bill during the last five years or in the 23 years they spent in Government, if they care so much?

There is an element to this debate that has to focus on the issue of poverty. The Hon. AG would not understand poverty because he said that he is a *Chatree*. Poor people who have no lawyers, as Hon. Khemraj Ramjattan said, and where one is not provided, are subject to harsh penalties. But we understand that, in a PPP/C Government, *who got money got bargain*. Poor people do not have any recourse. We can take a similar case: three fellows were recently accused of murdering the Henry boys and went to court unrepresented. *We are not swallowing that pill*, PPP/C.

The Hon. Charles Ramson said, in his presentation, that when you have 31 seats in Parliament, you no longer make the call. These are the same people who want to lecture us about national unity. Coming from a youth like Mr. Ramson, I am

quite surprised by that. The Hon. Member reminded us that the PPP/C will not support this Bill or any Bill that comes from the Opposition, even when it has benefits for Guyanese.

I implore the Members of the PPP/C to rethink their position, to read the *Report of the CARICOM Regional Commission on Marijuana* usage and to support this motion, for it is the least that they can do *to right the wrongs* that happened for over 23 years under PPP/C Administrations as regard persons who were found with small amounts of marijuana.

I thank you, Mr. Speaker. [Applause.]

Mr. Speaker: I now put the motion that leave be granted for the introduction and first reading of the Narcotic Drugs and Psychotropic Substances Control (Amendment) Bill – Bill No. 16 of 2020.

Question put and negatived.

I want to add that the Hon. Prime Minister had earlier today rejoined the meeting virtually. Initially, he was chairing a meeting and did not start with us in the session.

Hon. Members, earlier today, on the aspect of the *Order Paper*, we had missed one item: Introduction of Bills. I was informed that there was a *Supplementary Order Paper* and that I had failed to take note of it. I would now like to call on the Senior Minister in the Office of the President with Responsibility for Finance.

INTRODUCTION OF BILLS AND FIRST READING

The following Bills were introduced and read for the first time:

(1) Fiscal Management and Accountability (Amendment) Bill – Bill No. 1/2021

A Bill intitled:

“An Act to amend the Fiscal Management and Accountability Act.”

[Senior Minister in the Office of the President with Responsibility for Finance]

(2) Narcotic Drugs and Psychotropic Substances (Control) (Amendment) Bill 2021 – Bill No. 2/2021

A Bill intitled:

“An Act to amend the Narcotic Drugs and Psychotropic Substances (Control) Act.

[Attorney General and Minister of Legal Affairs]

3.04 p.m.

Mr. Nandlall: Mr. Speaker, there is another application I wish to make at this point. I am respectfully asking that this Bill be transmitted to a Special Select Committee for consideration.

Mr. Speaker: Thank you, Hon. Minister. The Bill will go to a Special Select Committee to be established.

[Bill referred to a Special Select Committee.]

The Hon. Member, Ms. Geeta Chandan-Edmond, will now move the following motion. Ms. Geeta Chandan-Edmond, you may proceed.

Appointment of a Commission of Inquiry to Investigate the Unrest at the Lusignan Prison, the Subsequent Deaths of and the Injury of Several Prisoners on the 19th September, 2020

WHEREAS Article 138(1) of the Constitution of the Republic of Guyana prescribes that no person shall be deprived of his life intentionally save in the execution of the sentence of a Court in respect of an offence under the Laws of Guyana of which he has been convicted;

AND WHEREAS in accordance with the Commission of Inquiry Act, Chapter 19:03,

“The President may issue a Commission appointing one or more Commissioners and authorising such Commissioners to inquire into any matters in which an inquiry would in the opinion of the President be for the public welfare”;

AND WHEREAS it has been widely reported and confirmed that several prisoners were shot by members of the Guyana Prison Services in or near the Lusignan Prison, resulting in injuries and two deaths on the 19th September, 2020;

AND WHEREAS the lack of information surrounding the following matters are of public concern;

AND WHEREAS the Home Affairs Minister has failed to provide answers on these matters of public importance and the public remains without credible information, after the 19th September, 2020 as to the circumstances which led to

the unrest, injuries sustained and the subsequent deaths of several prisoners;

AND WHEREAS it is important, in the public's interest to know and understand the specific facts and circumstances that led to the shooting and subsequent deaths of three prisoners so as to prevent a recurrence;

BE IT RESOLVED:

That the National Assembly calls on the Government to make full disclosure on all aspects of the tragedy at the Lusignan Prisons on the 19th September, 2020 and to declare what actions have been and are being taken to reduce the opportunities for such situations from re- occurring.

[Ms. Chandan-Edmond]

Ms. Chandan-Edmond: Thank you, Your Honour. We are happy to hear that you are in better health. I must say that your virtual presence does not have the impact of your physical presence. Also, I wish to extend to all Members of the House a blissful and prosperous 2021.

Also, if you will permit me, Your Honour, I wish to extend belated birthday greetings to my Colleague on the other side of the House, the Hon. Charles Ramson. I have known Mr. Ramson since the days I have been on the bench and he has always been very passionate. Sometimes I felt he was very animated, and he has still continued in this manner. I extend these greetings on behalf of myself; my two lovely children, Simran Aria Edmond and Sanjana Ananya Edmond; and my husband, Joel Persid Edmond. We wish you all the very best.

I rise to move the motion standing in my name, the motion to appoint a Commission of Inquiry to investigate the unrest at the Lusignan Prison, the subsequent deaths of and injury to several prisoners on 19th September, 2020. I do not expect that this will be a contentious or controversial motion. I do not believe that there is anyone, on either side of this honourable House, who believes that we should not investigate and enquire into the circumstances surrounding the incidents that lead to the unrest and the subsequent loss of lives at the Lusignan Prison. I do not expect any controversy on that question.

This is a very timely debate, in a number of ways, because the question of why it happened and how touches on human rights. Permit me, Your Honour, to express my heartfelt gratitude to you for allowing this motion to be tabled and debated.

Also, please permit me to express my sincerest commiserations, on behalf of this side of the House, to the families of Mr. Earl Graham and Mr. Winston Herbert. We are honoured to have some of the family members of the deceased here with us, who are suffering from untold grief and trauma because of the loss of their loved ones. These family members are in the pursuit of justice and truth to which they are entitled. Mr. Earl Graham lost his beloved mother a mere matter of days before his untimely demise. He was due to be released in a very short time, in a matter of days after that fateful day, to join with his grieving siblings to mourn their loss and to celebrate with them the life and memory of their mother. The family needs answers. They strongly feel that there was a cover-up in the death of their brother, as the photographic and video evidence dispute what was recorded on the reports that he was shot in the chest.

It is not my intention, and it will never be my intention because of my legal background, to violate the rules of this honourable House or further cause pain and agony to the families by displaying photographs or videos about the subject at hand. But I wish to go on record by stating that some of these images and videos were shared with me by the families and other concerned Guyanese. These very images, the photographs of that day's event, went viral and everyone's heart, not just the family members', felt pain, anguish and grief.

This motion is a motion of humanity. It is a motion about the society in which we want to live. It is a motion about a family demanding justice. It is about finding out what exactly happened on that fateful day. It is about truth. It is about justice. It is about the future of our country and good governance. Just for a moment, put yourselves in the families' situation. As citizens, as mothers, as fathers, as brothers and sisters, how could we as humans not feel? How could we as humans not care?

This motion is not an irrational or perverse one. Every 'resolve' and 'whereas' clause is a clause that is of national importance. We regret, and I am sure all of us regret, what happened on 19th September, at the Lusignan Prison, and we wish the events had unfolded differently. We cannot restore the lives of these men, but we can do great service by pursuing the facts and using them to guide the necessary course of action. I am sure our concerns for a clear and unambiguous understanding of the issue will ensure full support of this motion.

It is my view that, before we proceed with deliberations on this matter, it is necessary to address *the elephant in this room*. There is usually a disappointing and regrettable kneejerk reaction whenever justice is being sought for those who have been incarcerated. Popular opinion tends to pour scorn on these attempts and automatically assign blame to the side of those who are in prison. Despite this ill-considered posture, legislators must never evade, dodge or avoid their responsibilities in these affairs.

The sanctity of life must and has to be respected. Life must be treated with the eminence it deserves, in whatever situation it presents itself. Mohandas Karamchand Gandhi, known as Mahatma Gandhi, put it this way:

“The true measure of any society can be found in how it treats its most vulnerable members.”

So, the law does not end at the prison gate nor is it not applicable within the walls of a prison. The sanctity of life does not end at the prison gate and, importantly, no one is above the law. If those who are interested in authority flout the law, there must be consequences. Equally, if prisoners violate the law and pose great threat to public security while serving their time, the prescribed penal rules and procedures must be applied. I strongly believe that all support the view that individuals deprived of their liberty and incarcerated must not be denied their fundamental rights at any time.

Our Constitution, which is sacred, at article 138 (1) states:

“No person shall be deprived of his or her life intentionally save in execution of the sentence of a court in respect of an offence under the laws of Guyana of which he or she has been convicted.”

Having said that, all and sundry must disabuse themselves of the notion which suggests that prisoners are not entitled to any rights. Mr. Earl Graham and Mr. Winston Herbert were paying their debts to society, and if the facts reveal that they were murdered, the law must follow its course. If the prison officials did their jobs, followed all procedures and broke no standard operating procedures (SOPs) or laws, then their professionalism should remain intact and they should, and rightfully so, be given the opportunity to clear their names and maintain their credibility. The hardworking men and women of the prison service deserve our respect and support.

We respect the difficult work being executed by our professional men and women in the Guyana Prison Service (GPS). We are externally grateful for the protection they

constantly provide to this nation in extremely difficult circumstances. However, in the absence of independent observations, we cannot ascertain what the truth is and which of the aforementioned conclusions are correct. Hence, this motion is wholly necessary.

The *United Nations' (UN's) Human Rights and Prisons – Manual on Human Rights Training for Prison Officials* at page three states:

3.19 p.m.

““Human rights” is a modern term but the principle that it invokes is as old as humanity. It is that certain rights and freedoms are fundamental to human existence. They are inherent entitlements that come to every person as a consequence of being human, and are founded on respect for the dignity and worth of each person. They are not privileges, nor gifts given at the whim of a ruler or a Government. Nor can they be taken away by any arbitrary power. They cannot be denied, nor can they be forfeited because an individual has committed any offence or broken any law.”.

For those who wish to suggest, for political or any other purposes, that the Coalition is supporting ‘thief man culture’ or that we are not supportive of the authority in their efforts to preserve public security, then they have little regard for the hard working men and women of the Prison Services.

I urge you and all Hon. Members to desist from such crass and short-sighted views. The Coalition is in pursuit of truth and is hopeful that truth could guide the way forward. We are demonstrating our understanding of the concepts and the balances between justice and public security. Guns are not the guarantors of good public order. It is justice. An investigation is critical in order to ascertain and clearly identify what took place in order to identify those responsible and to take steps to ensure that there is no repeat and that an event such as this never happens again.

According to an official statement by the Guyana Prison Service, dated 19th September, after a visit by the Minister of Home Affairs and the Minister of Health on Saturday afternoon on 19th September, some prisoners became hostile, due to concerns about coronavirus disease (COVID-19). The statement indicated that prison officers sought to bring the situation under control. It stated also that several prisoners attempted to escape, and officers shot about 7 inmates. This

course of action resulted in the deaths of Mr. Earl Graham and Mr. Winston Herbert.

Thus far, there has been no independent report to corroborate, question or negate this account issued by an interested party in this matter. We have reports via social media and other sources which have pointed to a different version of events. Any society that seeks to function on the basis of stability and order cannot allow myths, fables and legends to fester and eat away at the fabric of society. Also, our citizens will not have confidence in systems of authority if facts are not ascertained as a basis for actions and remedies. As a consequence, we are here. This motion seeks to put all theories and accounts to bed. In so doing, we expect deliverance of justice to the families; answers to the nation; the identification of lapses and breeches for correction; the consideration of policy making remedies; and, above all, the critical need to identify culpability, if the facts so determine. We see the delay in initiating a structured commission of inquiry (COI) as a result of this Government's – as some put it – lackadaisical attitude, its history of inaction and, indeed, a lack of capacity to act.

There is also a history of a lack of accountability which has been consistently demonstrated by this Government. I must say that, in the absence of information, the Government is depriving the country and its citizens of solutions to fix the problem. We cannot go about in a *harum-scarum* manner. That is why the commission of inquiry is so needed.

If it pleases you. Sir, I wish to place on record that this motion does not seek to satisfy any political pursuits or quench any political thirst. I say this from the depth of my heart, and I can live with my conscience. It was tabled with the best of intentions and the interest of making this country better on the subject under examination and, by extension, respecting the sanctity of life, respecting human rights and providing justice to the families.

It is against this backdrop that commissions of inquiry become extremely important. A commission of inquiry is one of the many bodies available to a Government with honourable intentions to enquire into various issues of national importance and interest. Commissions gather facts, report findings and make recommendations. In consideration of what has been said before, it is difficult to envision why anybody would oppose this motion. The path to the truth runs through a commission of inquiry into the surrogate development. To adequately illustrate this contention, it is necessary to highlight what the APNU/AFC Coalition did when it encountered a similar circumstance. In doing so, I

hope there is efficient demonstration and education for my Colleagues on that side of the House on how to conduct the business of the State.

On 2nd March, 2016, almost one year after the Coalition Government legally assumed Office, the Camp Street Prison, Georgetown, experienced disturbances which resulted in fatalities. Subsequent to this development, the Head of State, President David Granger, commissioned an inquiry into the fatal disturbances. The commission was tasked with investigating the following: the causes, circumstances and conditions that led to the disturbance on the morning of 3rd March, 2016, which resulted in the deaths of 18 prisoners, and any other subsequent disturbances at the Camp Street Prison, Georgetown.

Additionally, the Commission of Inquiry was tasked with: enquiring into the nature of all injuries sustained by the prisoners during the disturbances of the morning of 3rd March, 2016 and any other subsequent disturbances; determining whether the conduct of the staff of the Guyana Prison Service, who were on duty on the morning of 3rd March, 2016, and, thereafter, was in conformity with the standard operating procedures (SOP) of the Guyana Prison Service; and determining whether the deaths of the 18 prisoners were as a result of the abandonment of duty, disregard of instructions in actions of the Prison Officers who were on duty on the night of 2nd March, 2016 and the morning of 3rd March, 2016.

On March 7, 2016, instruments were received appointing the commissioners of the Commission of Inquiry into the Disturbances and Resultant Deaths of 17 Inmates of the Camp Street Prison, Georgetown on 3rd March, 2016.

The Commission's final report serves as a model for the situation we currently face. I urge the Hon. Members, on that side of the House, to not only read it but to deliberate upon it and make it available to every Member of their Cabinet.

In the absence of this evidence-based approach to policy and decision making, all we have before us is the account of one side of the story. Even so, if we examine those details, the need for a commission of inquiry becomes more pronounced. According to the official release, two sitting Members of Cabinet made their way into the facility to perform an extremely sensitive and technical task that must not be attempted by untrained political directors. In so doing, they placed the country in grave danger. The statement of the incident clearly indicated that, during the ill-advised and ill

ad-hoc negotiations between the Ministers and the prisoners, all hell broke loose.

On the face of it, it is reasonable to conclude that the Minister's presence and their intervention may have been directly responsible, in some form or fashion, for the chaos that ensued and the subsequent loss of lives.

Negotiations in correctional institution is an academic field with specialised areas. When these two Hon. Gentlemen... And, when I say Hon. Gentlemen, I am not being sarcastic because I think they are very Hon. Gentlemen. I think Dr. Frank Anthony has the nation's interest at heart and I also feel that Minister Robeson Benn has the nation's interest at heart. When I made these comments, I am speaking on my own behalf. So, when these two Hon. Gentlemen directly inserted themselves in what was clearly a crisis negotiation, they placed the professional men and women, the prisoner and the wider society at great risk.

3.34 p.m.

As a consequence, Your Honour, we do not need to wait on a commission of inquiry to apply the doctrine of ministerial responsibility. The Hon. Member of this House, who has direct responsibility of the Guyana Prison Service, has demonstrated, over the last three months, that he is on a mission to break the records for the worst ministerial outing in the archives of Guyana's governance history. If, just after three months of being installed, he could produce this much catastrophe, one will wonder what will happen in a matter of months or years.

The Hon. Minister of Home Affairs has presided over crisis after crisis since he was installed in the Chair under his watch. The following has occurred: The largest drug bust in the nation's history and the words I repeat 'the largest drug bust in the nation's history', the disbanding of the anti-narcotics infrastructure, prison riots and the de-professionalisation of the security services. The nation is at its lowest public security ever.

Our national Poet, Mr. Martin Carter made pellucidly clear:

"... this is the dark time, my love, it is the season of oppression, dark metal, and tears. It is the festival of guns, the carnival of misery. Everywhere the faces of men are strained and anxious..."

In the national interest, the Hon. gentleman who has this responsibility should *throw in the towel*. He should do the honourable thing before more harm is brought to the nation.

This incident is even more tragic when we consider that the systems, which were due to be in place to ensure the safety of inmates and prison officials, failed. Yet, there is no attempt to get a clear understanding of the reason for this occurrence.

Let us all commit to supporting a structured investigation through a commission of inquiry since, as a Parliament, we have a responsibility to the people of this country to carefully and consistently address issues of national concern. Your Honour, let us, as lawmakers, address that there is a problem which we could solve right here in this honourable House. Your Honour, we could solve the problem. We could establish a commission of inquiry. As Members of the National Assembly, we have a responsibility to take the necessary steps or action which will, tomorrow, save the less than fortunate and vulnerable. Something must be done, and something must be done quickly. This subject is not pretty, and it must not be taken lightly. The families are downstairs, Your Honour, they are demanding answers and they expect justice.

With these remarks, I submit this motion to the honourable House. [Applause]

Mr. Speaker: Thank you, Hon. Member. Just before I call on the next speaker. I have to make some clarification. Some Members of Parliament (MPs) have been asking with respect to the last motion, what was the position? It was defeated. Had it succeeded, I would have asked the Clerk of the National Assembly to have the Bill read a first time.

I also want to inform you that the Hon. Leader of the Opposition had asked to be excused at 12.30 p.m. and to re-join after lunch, virtually. He is on. The Hon. Vice-President, Mr. Jagdeo, is also on virtually.

The next speaker is the Hon. Minister of Labour, Mr. Hamilton.

Minister of Labour [Mr. Hamilton]: Thank you very much, Mr. Speaker. Let me start off where the mover of the motion left off by quoting Mr. Martin Carter's 'Dark Night'.

Between 2nd March, 2020 and 2nd August, 2020, this country had dark nights, dark days, dark weeks and dark months because of the honourable people over there who were seeking to deny the Guyanese people their rights.

Again, the mover of the motion is seeking to amend her motion, apparently, on the floor. It shows how confused they are over there because, when they bring a motion, they do not know what they want out of it. Her resolve clause speaks

nothing about a commission of inquiry – nothing at all. Yet, she stands on her feet, this afternoon, and she is adding another resolve clause. She made passing mention of the commission of inquiry in one of the second Whereas Clause. The Hon. Member has to determine what she really wants. Is it a commission of inquiry? Or is it as a resolve clause states, and let me read:

“That the National Assembly calls on the Government to make full disclosure on all aspects of the tragedy at the Lusignan Prisons on 19th September, 2020 and to declare what actions have been and are being taken to reduce the opportunities for such situations from re-occurring.”.

The Hon. Minister of Home Affairs will speak to the measures because I know that there are many measures that will seek to protect inmates and to make the lives of prison officers safe as they do their work.

The Hon. Member used several times, these three words: truth, justice, accountability. Imagine the APNU/AFC Coalition speaking about accountability, when we have Members over there wearing gold bands, which were utilised by the Government and the peoples’ money, unauthorisedly. What justice are you talking about? What truth are you talking about? You are incapable, over there on the Opposition benches, of telling the truth. That is the reason why the Guyanese people will never again elect you to govern this country. They know that you are incapable of speaking the truth.

I wonder sometimes, when they speak over there, why lightning do not strike them down when they use these words. Again, the Hon. Member indicates that there was no information from the authorities; yet, she reads what the prison officers and what the Guyana Prison Service said after the incident. That is totally up-sided-down. At one time, we have no information but with the same breath the Hon. Member reads the Guyana Prison Service report of what transpired on 19th September, 2020. Then the Hon. Member went into this conversation about these two deaths and them being tragic.

Mr. Speaker, the Hon. Member, Mr. Ramjattan, Minister of Public Security, superintend over the prisons when 18 persons lost their lives because of his inability... After the Commission of Inquiry and its recommendations, the Hon. Member, Mr. Ramjattan, failed to have the recommendations happen at the prison.

The prisons existed for over 100 years and there were never had 18 deaths, never in the history of this country, Khemraj Ramjattan, Minister of Public Security, under his watch [**An Hon. Member (Opposition):** Hon. Member]: Hon. Member. Even after the Commission of Inquiry, he failed to act on the recommendations and, subsequently, we had a massive fire at the Camp Street Prison, Georgetown. What Mr. Benn is trying to fix, today, is because of Mr. Ramjattan making a prison unavailable under his watch and causing more people than should to be at Lusignan Prison. That was the result of your inability as Minister, Mr. Ramjattan. I know you will come to speak and pontificate so, I am trying to pre-empt you with your pontification and to say that you are the worst ever to superintend over the security system in this country, based on your record. Mr. Speaker, again...

Mr. Jones: Mr. Speaker...

Mr. Speaker: Hon. Member, Mr. Jones...

Mr. Jones: Mr. Speaker, Standing Order 41(4):

“It shall be out of order to use offensive and insulting language about Members of the Assembly”.

The Hon. Member just referred to the Hon. Member, Mr. Ramjattan, as the worst Minister of Government. It is an insult.

3.49 p.m.

Mr. Speaker: Hon. Minister, please allow me to rule.

Hon. Member Mr. Jones, I do not see your interpretation. Proceed Hon. Minister.

Mr. Hamilton: I am stating a fact. Never in the history of this country has any security Minister had the prison burnt down twice and had 18 persons die in one such tragedy. What is insulting about that? I am restating a fact of which this country is aware.

The Hon. Member who presented this motion spoke about and lauded the commission of inquiry under their watch, but it was just a commission of inquiry on paper. What happened after then? Was the prison system better when you left Government? The answer to that question is no. We are now trying to repair it. As I speak to you, the Hon. Member Mr. Ramjattan must know that the Mazaruni Prison, under his watch, was to be finished. Today, Minister Robeson Benn has to finish it. All of the recommendations coming out of the COI, Hon. Member Mr. Ramjattan failed to implement.

Maybe as the people say, he was busy with the other project – which is the gun licence project.

The APNU/AFC, for whatever reason, enjoyed latching on to the demise of citizens to make political points and to create mayhem and havoc. We saw it last year where they latched on to two deaths and, subsequently, all kinds of hell broke loose. People were beaten and robbed; houses robbed [**An Hon. Member (Opposition):** (*Inaudible*)] Who beat them? Look one of the gentlemen is over there. The man who works at the Guyana Water Incorporated (GWI), ask him who beat them. He was there directing the show. Again, the latching on to the demise.

While all of us care about people dying in circumstances like has happened at Lusignan, the People's Progressive Party/Civic never utilised the death of a citizen to make political points and to seek to take it to a place where it can create friction in the society. The Hon. Member, again, spoke to full disclosure. Many of the things that you should have disclosed, it is us in Government who are now making full disclosures because you failed to account to the Guyanese people and you failed to be transparent in Government, whether in security or any other sector, and that is the reality. The Hon. Member comes, and she pontificates and says that she is calling for a COI but failed to put it in the motion that she brought here. Apparently, it is an afterthought like the other motion that came before this one.

I know that recognising the dilemma that the security system faces, the People's Progressive Party/Civic Government has already taken several actions to deal with the issue of the Guyana Prison Service and all the other security agencies. The Minister will speak specifically to them, unlike the previous Government which neglected to do that.

After the fire at the prison, do you know what was important to some people in the Government? It was the corruption that flowed to erect new buildings. You can follow history. It was sole-sourced. It was not publicly tendered. Off of the demise of 18 persons, many of the persons who were cronies of the Government, at that time, made serious moneys. Mr. Ramjattan can attest to the fact that himself and 'bangles' were handpicking the persons to rehabilitate and build the new prison block and were handpicking who will get concrete work and who will get woodwork.

Mr. Jones: Mr. Speaker, Standing Order 41(6), the Hon. Member is imputing improper motive against the former Minister, Mr. Khemraj Ramjattan. We ask that he withdraws it that or it be stricken from the record.

Mr. Speaker: Could you tell me where the...

Mr. Jones: The Hon. Member, Mr. Hamilton, said that the Hon. Member Khemraj Ramjattan was handpicking persons to build a block at the prison, which is an offence to the law.

Mr. Hamilton: Mr. Speaker, whilst I cannot...

Mr. Speaker: Hon. Member, this is an area where I think I cannot rule in your favour because I have also read a number of statements in the press with respect to some cells being procured for Camp Street Prison, Georgetown. Unless I can see where there were the normal processes, I would have to...

Mr. Jones: I note the comments from the Speaker, but we are speaking here in the National Assembly and we are guided by the *Standing Orders of the National Assembly*. The Hon. Minister has referred to the Hon. Member Khemraj Ramjattan as having handpicked contractors to build a prison block which would be an offence of the law. Therefore, his earlier comment imputes improper motive to the Hon. Member. Therefore, in keeping with the Standing Orders, that has to be withdrawn.

Mr. Speaker: I am going to stand by what I said to you. Hon. Minister, please continue.

I also again want to urge that we be careful how we frame some of our allegations.

Mr. Hamilton: Mr. Speaker, let me say this: Maybe my good Friend should go read some of the Reports of the Auditor General regarding this matter.

The motion before us is the normal, what I called earlier, 'vulture culture' of the Opposition, where they utilise the demise of citizens to make political hay. That is what this motion is about. I would dare say if the Hon. Member and her Colleagues had so much concern for the two gentlemen who lost their lives, they would have come to this National Assembly, the first sitting after, and, maybe, seek to persuade the Speaker to have it be a matter of national and urgent importance. They did not do that. You have no agenda. You are now finding a new front to battle on. That is what this motion is about.

As I said, we are fixing what Mr. Ramjattan and his Government left in a deplorable state vis-à-vis the Guyana Prison Service. Whatever situation developed, because overcrowding that was a factor, was because of the mismanagement by the previous Government of the Guyana Prison Service and the system. Lusignan Prison became what

it was not intended to be. Thanks to the Hon Member, Mr. Ramjattan, and his Government. That is a reality.

The Hon. Member that presented this motion to us, maybe, when she gets up very shortly, she would seek to advise us as to what really is her desire, and whether she – as her resolve clause states – wants disclosure by the Minister. The disclosure which has already happened, I would dare say. The disclosure has already happened, so she is asking for something that has already happened. Recognising that, maybe, someone of her Colleagues, when we had the break, advised her that Mr. Robeson Benn spoke to the matter, the Hon. Member stands on her feet in the House... As my Colleague has said, Mr. Robeson Benn spoke to this matter in a deliberate way and he will speak about it again. Recognising that what the Hon. Member is asking for in her resolve clause has already passed, that action has already happen, the Hon. Member now comes and says she will amend her motion on her feet, and that she now asks the Government to have a commission of inquiry into this matter.

The Minister will speak to the matter and will outline Government's programmes and policies regarding the prison and the total security sector. I am sure that, very shortly, when the national budget is presented, more of the measures will be outlined. What I will say, as I take my seat, is that we can commit to the people of Guyana that we will supervise the Guyana Prison Service one hundred times better than the Hon. Member, Mr. Ramjattan, and his Government supervised.

Mr. Speaker, the Hon. Member that brought the motion is asking whether I am opposing it or not. I do not know what your resolve clause is. Maybe, the resolve clause speaks to:

“...the National Assembly calls on the Government to make full disclosure on all aspects of the tragedy...”

But the Hon. Member, on her feet and making the point, amended this resolve clause and called on the Government to have a COI. You have to tell me what you want before you ask me for support. Hon. Member, I do not know. Is this the resolve clause that we are going with, the one you sought to amend, or is it the one you put before the House when you were on your feet? We in the People's Progressive Party/Civic take the matters as regard the rehabilitation and reformation of the prison service and inmates...

Let me make this point before I take my seat. Recognising that there is a need for many interventions at the level of the prisons, in the prison service and in dealing with the inmates

and the point the Hon. Member who brought the motion made about the humanising people.

4.04 p.m.

For the information of this House, the Ministry of Labour and the Ministry of Home Affairs have already convened a meeting to discuss programmes relative to skills development for inmates. We have even discussed beyond that, maybe apprenticeship programmes for inmates. We recognised that the Prison Service must move from where it is at the moment. And, as the Hon Member said, we have to seek to humanise inmates and seek to make them better persons, so that, when they come back into the civilian life, they will be able to be productive citizens of this country. Hon. Member, maybe after you have finished wrapping up and say to us what it is that you are really seeking, maybe then we could discuss whether this makes sense or nonsense. Thank you very much, Mr. Speaker. *[Applause]*

Mr. Speaker: Thank you very much, Hon. Minister. I note that we have five speakers to come and it is 4 0'clock. I suggest that we take a short suspension of half an hour.

Sitting suspended at 4.05 p.m.

Sitting resumed at 4.50 p.m.

Mr. Speaker: Thank you, Hon. Members. Does Mr. Ramjattan want to speak in Mr. Figueira's place and when Mr. Figueira comes in he will get to speak? This is because I am not going to come back to the Hon. Member, Mr. Jermaine Figueira. Hon. Member Mr. Ramjattan, you have the floor.

Mr. Ramjattan: Mr. Speaker, I will like to indicate that it seems that, once again, the Hon. Members in the Government benches, seem to have gotten the core and crooks of this motion misplaced. When deaths occur at the prison, as a result of whatever the conflagration or causes, it is incumbent on any Administration to do an inquiry that is separate and apart from that which would come from the prison authorities. The crook of this motion, which is titled and headed up, *Appointment of a Commission of Inquiry to investigate the unrest at Lusignan Prison...* It is not as if the words 'Commission of Inquiry' are not there. The title of the motion is: *Appointment of a Commission of Inquiry to investigate the unrest at the Lusignan Prison, the subsequent deaths of and injury of several prisoners on the 19th September, 2020.* Whosoever titled the motion that way, and I am certain it came from the Hon. Member who proposed it,

could not have gone amiss to the Members on the other side. This is because when one asks, essentially, for a call to make full disclosure on all aspects of the tragedy on the 19th September, 2020 and to declare what actions are to be taken, it is obvious that an inquiry is being called for. Do not be too smart, like an evasive witness, to come here and say that is not what is being pointed to. This is because, even in the whereas clauses, it is indicative that we are mentioning... My learned Sister, the Hon. Member Ms. Chandan-Edmond, is indicating that, in accordance with the Commission of Inquiry Act of 1903, a commission should be called. This disingenuous method of wanting to scamper away from that which is always good governance, which is to ensure that there is an independent inquiry outside of the institution where it occurred. This has happened on almost all the occasions where deaths have occurred. It is not as if deaths only occurred whilst I was Minister of Public Security. It was unfortunate that 17 persons died, but a Commission of Inquiry was called for. Again, when there was another major fire, a Commission of Inquiry was called for.

I remember the holding centre. Just before the PPP/C got into Office, there were four prisoners who had escaped. Mr. Dale Erskine and I think a Senior Superintendent of Police did an inquiry separate and apart from that which was done by the Georgetown Prisons or the Guyana Police Force (GPF). It was an independent inquiry. That is what we need for a human rights issue, for those who have died and, also, consequent upon knowing what the causes were, so that we could all then ensure that the remedies are in place, if that is possible. If it is a requirement of resources, we are then going to go on to it. If it is a requirement for change of staff or some people who are just derelict in their duties, we certainly can knock them off. That is what an inquiry, whether it is a board of inquiry at the ministerial level or a commission of inquiry (CoI) – this motion is pointing to a commission of inquiry... Why all of that Hon. Mr. Hamilton? There was no need for that.

Whenever we are dealing with motions, we must not necessarily look exclusively at the resolve clauses. We must also look at the whereas clauses which is giving the sequence as to what we are getting to for full disclosure. How are you going to get full disclosure? If the whereas clauses are tending towards a commission of inquiry and it is pointing one there...

We will be doing the citizens of Guyana a dishonour, when we do not get what is called this independent inquiry. The international human rights bodies could very well come down

on us. I really thought that it was going to be what is called a 'soft motion' that would be supported. I do not know, ultimately, what will happen here, but I am urging that we do not go the way that I see indications from the speech as given by the Hon. Member, Mr. Hamilton.

I realised that reports, sometimes, from these independent enquirers, might not find the Administration liking them. They might very well dislike them. But wherever there is a democratic society or good governance, it is important that one look for those things.

In the executive summary of the very last inquiry that was held, *Report of the Board of Inquiry to probe the escape of four prisoners at the Lusignan Prison on the 20th April, 2020...* The two persons, Mr. Dale Erskine, a former Director of Prisons and Mr. Marlon Chapman, a very senior Superintendent of Police, I think he was an Assistant Commissioner of Police, they did this inquiry and the report, getting all the facts together as to what caused the rampage and the scenario of the prisoners rushing to the door, as I understand. All were particularly and meticulously discerned from various witnesses that were called. That is what we need in this place, to get down to the actual facts.

They also went on to deal with what the inquiry recommended. We will give what is called justice to both the prison officers and the prisoners who were there when we do enquiries of this sort. By virtue of the fact that so many gunshots were fired, and we do not know the reasons why, the police and the Joint Services probably had very good reasons to do what they did. If it is kept away from us, if the transparencies are not there, we will not know the sequence of events that led to the deaths of Mr. Winston Herbert and the other person and the shooting of about 15 to 16 other persons. Some of whom, I understand, were in prison for the possession of small amounts of marijuana. [**An Hon. Member (Government):** *(Inaudible)*] Yes, because I understand from the newspapers that there were some other persons who were shot. They were there serving sentences.

It is important that we do not make a mockery of these issues and that is why we have a Commission of Inquiry Act. Also, that is why Ministers have powers to constitute boards of inquiry. Not because, ministerially, you are going to deal with it, as to what the recommendations were in the Patterson report for previous fires or the deaths and so on, but whenever there is a new incident, there must be an inquiry. That is my point here.

I would also like to indicate that we must not do as Mr. Hamilton did, giving the impression that the prison system, which we have always indicated, lack the resources to expand the infrastructural works. They suffered that category of *De minimis* kind of resources long before the Coalition took Government. Our prison system at Camp Street was about 100 and more years old. There were wooded prisons and so on. To just to jump to Ramjattan caused it, I mean. I have the skin of a rhinoceros, when it comes to these political attacks. As if Mr. Ramjattan caused the fire, but that is not the point. The point is that, we have to, as a Parliament, address these issues to ensure that resources go that way, so that we could have the prison authorities working in better conditions. They work in extremely bad conditions.

We also need to have more resources going in that way, so that the prisoners could have better conditions of life and they could reach the standards that the convention in relation to incarceration stipulates. When one does that, the impression is given that one did not do it in accordance with the procurement rules.

5.03 p.m.

I remember, after the first fire, when the Government started dealing with the issue of the Mazaruni Expansion Programme, there were six or seven people who bid. As a matter of fact, when the winner, Nabi and Sons Limited was announced by the National Procurement and Tender Administration Board (NPTAB) or whosoever it was, they quarrelled. A certain businessman quarrelled. I told him to please go to the Public Procurement Commission (PPC), that is where we have to address these issues. The matter went to the Public Procurement Commission and the Commission ruled and dismissed it, after several days of taking witnesses and all of that.

In similar circumstances too, it must be understood that procurement rules were abided by when we indicated that we wanted steel cells after getting a whole load of criticisms. There is only one company that makes steel cells and then a person had to go through the procurement processes to ensure that NPTAB agreed with it and passed it. This slighting and smiting of these processes should not be done here to the extend, whereby, a lot of false news have been given around these issues. We are not going to move forward, and we are not going to make the prisoners' or the prison officers' lives better. I believe it is important that, we, together united in action, get to the facts of matters and then we will know how

much more money we could spend in relation to what is happening in the holding bay there.

Because of the fire we had to put the prison at Lusignan. I did not find that to be a bad idea. The PPP/C Government had started certain things at the Lusignan Prison site – the holding bay area. They had put up that; that is quite true. What we needed was far more concrete and steel rather than wood and ground as at Lusignan. That is what we did.

When it comes to all these problems, I want to urge that, oh yes, we could heckle and talk, but when you are going to go on the record as this being your speech, please do not allow these false hopes. It does not go down well, and neither will we, in a way, unite under the actions that are necessary to move the process forward. I am urging that this be understood in relation to this motion and that all this cheap talk that, oh it *ain't gah* in the resolve clause; it *ain't gah* that, which is a commission of inquiry. What do you think we are asking for? What else could we ask for? Where in the whereas clause you are talking about a commission of inquiry and the Commission of Inquiry Act?

So, let us place some significance and importance to these words and ensure for that which is being asked for here, we could have full disclosure. Full disclosure means a commission of inquiry. If they want to read outside of that, well they could so do, but that is obviously what this motion is all about. For every death in Guyana, we must have an independent inquiry, it is important. Thank you very much. [Applause]

Minister of Health [Dr. Anthony]: Hon. Colleagues, I rise this afternoon to join the discussions on the motion on the riot at the Lusignan Prison, which was on the 19th September, 2020. I would also like to join with the other Colleagues in expressing our condolences to the families of Winston Herbert and Earl Graham who lost their lives during the riot. I also want to commend the officers of the Guyana Prison Service for their professionalism. I do hope that the Guyana Prison Service would have provided professional counselling for those who were involved in this traumatic event.

As was said by the mover of the motion, Minister Benn and I visited the prison on the 19th September. The reason I accompanied Minister Benn was because earlier in the morning of the 19th September, the prisoners did not take their breakfast that was given to them. There was a demand that they wanted to see the Hon. Minister. He asked me to accompany him because we knew that there were a few cases of the COVID-19 in the prison. Minister Benn was very

worried because of the overcrowding situation at the prison which could have led to a lot of people getting infected.

We went there, maybe, sometime between 12 o'clock and 1 o'clock. When we entered the prison, and came through the doors of the compound, there was a loud cheering from the all prisoners who were in the different holding bays. This was because they saw Minister Benn and he was going to address some of the issues they were feeling, or they wanted to demonstrate.

For each of the holding bays, they identified a couple of representatives to talk about what were the issues that were affecting them. So, there were holding bays one, two, three and four. We started from one end and we spoke with the representatives. I think there were about four or five of them. The other prisoners were around them listening to what was being asked. They would tell them what they wanted to be asked and we continued by responding to some of the queries. We were able to do holding bays one and two.

As we were going, I thought that the main questions would have been questions relating to health and COVID-19, but, actually, that was not what they were interested in. What they were interested in and what they told us was that because of COVID-19, since March or April, or sometime then, the court system had stopped functioning. Therefore, many of them, who were in there on remand, and wanted to get their trials and so forth, they were not able to get their trials. They have been there for this period of time without any trial. So, their main focus was always about trying to see how the court system could have been restarted so that they could have gotten a hearing. Almost all of the complaints were around that. Of course, we knew that there were a few cases of COVID-19 and we wanted to take measures, to make sure that those persons were identified and isolated, so that they would not spread it among the other prisoners.

Unfortunately, after we engaged the prisoners in holding bay two, some of the others, perhaps, I do not know what overcame them, started to throw some rocks at us. I think they broke the floor and started pelting rocks. We took shelter; I think there was a tent in the yard, and then, subsequently, we left. That was the kind of behaviour. We went there with all good intentions of helping to resolve and solve whatever problems existed. That was why we visited the prison; at least that is why I was there.

I heard from the mover of the motion, and she phrased it in such a way, that, maybe, our visit was politically ill-advised and that, maybe, directly, this was the possible cause for the

chaos that ensued and the subsequent loss of lives. Those were her words.

We did not go there for anybody to lose their life. We went there to protect people. We went there to offer support. We went there to be able to prevent the transmission of COVID-19 in the Lusignan Prison. That is why we went there. Without going through what might be factual, we arrived at this type of argument, which is totally unfair.

Perhaps, if we want to lower the temperature, we have to start thinking about what we are saying to each other. If we are more careful with our words, we could prevent some of these very things that we all argue and talk about from happening.

With the COVID-19 situation in the prison, after the riots and all of that, we ended up, by the end of September, having more than 200 cases of COVID-19 in that prison. To isolate those persons who became infected, we had to move them out of the Lusignan Prison. We subsequently took them to Madewini. We had to set up a different arrangement there, so that we could isolate them. After spending about 10 days there, and they were all asymptomatic and so forth, we then brought them back into the prison situation. We took some measures to prevent the further spread of the disease in the prison.

In addition to all of that, at Lusignan Prison, with the help of one of the United Nations (UN) agencies, we were then able to set up some special isolation centres within the compound of the Lusignan Prison. So, whenever anybody tested positive, the prison authorities and the doctors who are working there would now be able to isolate them.

With COVID-19, and because of overcrowding, there is always going to be a challenge that we will face in these types of institutions where there can be rapid spread. We have seen that. We were about to contain the disease at the Lusignan Prison. We now have, I think, about 16 cases have been isolated. But we have seen now, as I speak today, that there are about 33 cases at the Timehri Prison. Already, we have put measures in place to be able to isolate all those persons and have them separate from the general population. As of today, we have four prison officers and one prisoner at the New Amsterdam Prison who have tested positive and we have isolated them. We are there to offer a service.

In fact, during September last year, we added more nurses and doctors to the prison service so that they could help, in terms of protecting people's lives by offering this type of service. They have put special measures in place for when

there is an intake of a new prisoner. There are things that they would have to go through, screening, and so forth, before they enter the general population. Anybody visiting would have to now go through some special processes.

I was there at the Lusignan Prison because my Colleague needed some additional advice and so we went. We thought that, by doing so, we were being very proactive in terms of helping those persons who were at the Lusignan Prison.

Mr. Speaker, you know, I heard some of the arguments that were being made and I must say that, with some of them, let us take for example the actual motion. Apart from what is in the title calling for the Commission of Inquiry, we also have at WHEREAS clause three. It was pointed out that there were two deaths on 19th September. Then when we come to WHEREAS clause five, it then somehow, miraculously, moved from being two deaths to the deaths of several prisoners.

5.18 p.m.

My understanding of several prisoners would mean that it is more than two. Here, we have, just from WHEREAS CLAUSE (3) to WHEREAS CLAUSE (5), the number moving from two to now several deaths. When we come to WHEREAS CLAUSE (6), it then went to three deaths. Within the same document, we have these types of inconsistencies.

There is no confusion in the sense of how many persons died. We knew that two persons died. The Hon. Member, who moved the motion, clearly stated that. When she started her presentation this afternoon, she clearly stated it by stating that. But, somehow, when one reads the motion, it tends to try to amplify the actual situation that was there. It moved from two, to several, then to three. Something must be wrong with that. Therefore, that is something that, again, we have to be careful about.

It is stated at WHEREAS CLAUSE (4) that there was a lack of information. From the time the incident occurred at the Lusignan Prison, every single newspaper in this country was reporting about what was going on there. There was the *Stabroek News newspaper* that spoke about what was going on there; the *Kaieteur News newspaper*; *Guyana Chronicle newspaper*; and *Guyana Times newspaper*. All of these outlets were reporting on what took place at the Lusignan Prison. Then, there are all the online sites, for example, Demerara Waves, News Room and all these other sites that were reporting on what took place at the Lusignan Prison.

It did not end there. If one goes back and look at the newspapers, over the week or so, they continued with a number of follow-up stories, for example, how many people were injured. When the Hon. Mr. Ramjattan made his presentation, I heard him say that 16 persons were injured. There were seven persons who were injured. That was widely reported in all of the newspapers. Again, we have to be careful with what we are saying and how we amplify these things because they can be misleading to the public. We could easily garner the information that the Member is asking for. If you just go back to the newspapers, you will see all of this in there.

This WHEREAS CLAUSE that is saying that because of a lack of information surrounding the following matters, it is a matter of public concern. All of the information is available. What else is there to disclose? I do not know. Here it is that we are asking for some special inquiry into what happened on 19th September. It is interesting because, apart from the incidents that the Hon. Member, Mr. Ramjattan, and some others spoke about, I think Minister Joseph Hamilton spoke about it, where we talked about what happened in the fire in 2016. If we look at that period from 2015 to 2020, the number of incidents with prisons in Guyana, it is quite revealing. I just want to highlight a few of those. On the 3rd March, 2016, Georgetown Prisons, Camp Street was set on fire and 17 persons lost their lives. Then in 2017, on 10th July, there was another massive fire at the Georgetown Prisons, Camp Street. On 15th October, 2018, there was a breakout at Lusignan Prison, three persons escaped, there was a fire and a subsequent riot where six persons were shot at and injured. On the 6th November, 2018, there was another breakout at the security block of the Timehri Prison, where one inmate was stabbed eight times and a prison officer was stabbed in his arm. In July, 2019, there was another fire in the holding bay at Lusignan. On the 25th May, 2020, there was another breakout in the dining hall at the Timehri Prison. Then, on the 12th July, 2020, there was another riot in the holding bay at Lusignan, where 15 persons were injured.

With all of these incidents, I am wondering, how many commissions of inquiry did we have? We had one and I have the report here. This is the report of that Commission of Inquiry.

When one looks at the recommendations, lots of recommendations were made. There was administrative types of recommendations that were about welfare; infrastructure; the judiciary and the magistracy; and the legal things one wanted to do, such as standing law revision commission, the

Bar Association of Guyana, Parole Board rehabilitation programme, vulnerably population, juveniles, indigenous and then medical. How many of these recommendations have we actually implemented? [**An Hon. Member (Government):** All.] Not all. We did the commission of inquiry, but we have not put what they have recommended in place.

We have to work to improve the conditions in the prisons. There is no doubt about that. We have to work to reduce the overcrowding that we are having there. We have to put better conditions in there. We all know the tragic circumstances that led to some of those things. I have had some acquaintance with the prison system for a while because I actually served on the Georgetown Prison Visiting Committee in the early 90s. I became its chairman at one point and served there for a number of years, so I know exactly some of the conditions that were in there.

When I was the Chairman of the Georgetown Prison Visiting Committee, I also served on the Parole Board. I have a fair idea. I had the opportunity then to visit almost every single prison in this country and interview prisoners, talk to them and get an insight into some of their complaints. The recent kind of thing that we have seen here, have shown that we need to definitely do something about the improvement of the conditions in the prisons.

The complaints that we had on the 19th September, we did not just listen to them and did nothing about them. We were able to discuss many of those things that arose from the complaints made and these were discussed with the Attorney General. I must say that, out of those discussions, we were able to come up with some very creative solutions on how to have virtual courts. By late last year, the Attorney General had about 20 such courts operating at the various prison sites. We are going to put another 12 more into operation, bringing the total to about 32 virtual courts that would be in operation.

The Government has expended close to US\$500,000 in getting these types of equipment, the spaces and so forth to be able to hold virtual courts. We have been working. We have been trying to improve the conditions. We have been trying to address the concerns that were raised with us. Hopefully, some of these things that we have done would help to alleviate some of the situations that we met when we came into Office.

From what was presented here, I do not think that, right now, there is a need for a commission of inquiry. What we need to do is to continue doing the reforms that we have, continue putting and improving the place, implement some of these

recommendations that were not implemented since the first COI, we need to continue doing that. We need all sides, for us to put our heads together to make sure that we improve the conditions of the prisoners in our prison system. I thank you very much. [*Applause*]

Mr. Figueira: Mr. Speaker, I think I must apologise for being late. I should offer the House a reason. The reason my Colleagues and I are late is because we were attending to the parents of the Henry boys. The parents who travelled, not once, not twice, but three times to this National Assembly in an effort to support the motion that was tabled...

Mr. Speaker: Hon. Member, could you stay on the motion before us? This is because I would have to respond to you with respect to your side knowing the position of the Speaker with respect to that motion. Please continue with the motion.

Thanks for your apology with respect to not being on time.

Mr. Figueira: I did not offer an apology, Hon. Speaker.

Mr. Speaker: Okay.

Mr. Figueira: I am saying, and I believe you would agree with me, that motion is important to this nation.

Mr. Speaker: Hon. Member, could you stick to the current motion?

Mr. Figueira: ...and it must be heard.

Mr. Speaker: I accept the reason you gave for not being here when your name was called.

Mr. Figueira: You did not even allow me to state my reason, but you are in charge.

Mr. Speaker: You said, Sir, that you were tending to the Henry family who are here, and you went on to say they were here three times.

Mr. Figueira: What I did want to say is that because you did not allow the motion...

Mr. Speaker: Hon. Member, could you now proceed to speak to the motion on the Lusignan Prison?

Mr. Figueira: Thank you, Mr. Speaker. I stand to lend support, along with my Colleagues, to this motion. Before I delve directly into my presentation, I believe it would be fitting of me to respond to some utterances made by the Hon. Minister Hamilton, who, of late, is known to be making wild and reckless statements that he cannot substantiate. He said

that this motion does not make representation for a Commission of Inquiry.

5.33 p.m.

I will, further down in my presentation, bring this reality to the Hon. Member so that he could understand what this motion really is seeking. I must commend the Hon. Mr. Frank Anthony who, in his presentation, genuinely sounded as if lots of efforts are being made to bring the prison system to a better position. I think it is, indeed, commendable. However, I must disagree with the Hon. Member when he said that there should be no need for a Commission of Inquiry.

This motion is of utmost importance for our nation state. I must reiterate a point that the Hon. Mr. Hamilton made. He said that the Members of the Coalition used people for political points and to get political gains. I resent that position. We, on the Opposition's side, value every Guyanese. In us valuing every Guyanese, we make valiant efforts to represent their interests. If you indeed value people and it is not about making political points, how can you say you value them but, in the same breath, you are firing thousands of Guyanese? You are discriminating in the distribution of the Coronavirus disease (COVID-19) cash grants. How can you say you value people when the methods to protect the citizens from COVID-19 are not a true reflection of your efforts? We question if, indeed, your utterances in valuing people are genuine.

This motion is in search of truth, truth about what led to the unrest, injuries and untimely death of two prisoners. If we all are able to honestly look through the human lens, recognise that all lives are precious and uphold the dignity of all Guyanese, whether or not they have committed an offence, we may not have been debating this motion here today.

In 2016, the People's Progressive Party/Civic (PPP/C) called for the Minister of Public Security to be sacked over horror in the prisons. This is in the *Stabroek News* of 8th March, 2016. The then General Secretary of the PPP/C had stated they did not leave a perfect system in place, but the Government must take the blame. At that time, the PPP/C was an observer. Now, it is the Government. Now, you are in the seats to make the systems perfect or at least closer to being perfect. The question is, who is to be blamed now? Who is to be fired for the horror at the Lusignan Prison? Does the PPP/C still hold the view that the Minister of Home Affairs and his Government must take the blame and that the Hon. Minister should be sacked? We should allow ourselves to see all prisoners firstly as human beings, irrespective of their

offences. After all, are they not already incarcerated and paying for the crimes that they would have committed? If we sum up the courage to take that look, then and only then we can appreciate that the circumstances surrounding the Lusignan Prison demand justice through an independent investigation.

On 3rd March, 2020, the PPP/C, in a press release, called for a Commission of Inquiry into the occurrences at the prisons. The gentleman of a President at that time saw the wisdom in that call and the country got a COI into the incident. However, today, those recommendations from the COI have just been gathering further dust because of the nature of its content. The Hon. Minister asked why we did not implement these COI recommendations. The reason being because we had General and Regional Elections on 2nd March. This COI was called for on 3rd March. How could it have been possible for these recommendations to be implemented?

These recommendations include early release of least at-risk prisoners, harmonising sentencing guidelines and a 21st Century parole board. We, on the Opposition, know that those issues are taboo to the PPP/C because they demonised the early releases of youthful prisoners by President Granger, which, often times, included women. The COI's recommendations are something this Administration must consider for the occurrences at the Lusignan Prison. This nation is still in the dark about the kinds of inmates the PPP/C released in 2020. We ask that the Minister in question provide this House with the details of those inmates who were given early release. Is this the democracy and transparency that the Ministry of Parliamentary Affairs and Governance represent?

Justice demands that we unearth the truth, the whole truth and nothing but the truth. The silent voices of those prisoners whose lives were snuffed, seemingly without just cause, are calling for justice from the grave.

This motion is a call for transparency, accountability and justice. I believe it is fair to ask questions such as: what were the reasons or reason for this unrest that led to the injuries of countless prisoners and the deaths of two inmates? The alleged cover-up of their murders by the actions of some officials must be addressed. Were the actions of those officers in question the best way to handle the unrest? Were the prisoners voicing their concerns about the prison conditions that were jeopardising their very basic human right, the right to life? Was there evidence of COVID-19 at the prison? These are reasonable questions that require honest answers.

The details of the events of 19th September, 2020 at the Lusignan Prison are, at best, sketchy. Were the prisoners injured and killed to allow the Ministers who were visiting to evade them? Or, were they really injured and killed attacking prison security? A properly conducted COI may be able to give answers. The media did report that Ministers had to be shielded to escape the disgruntled inmates who wanted to be treated as humans in a COVID-19-infested prison. Could the Hon. Minister, Mr. Benn, inform this House if this was the case indeed and if he was afraid of contracting COVID-19? Subsequent testing proved that a large number of inmates were indeed COVID-19 positive. Mr. Speaker, this country should not be mistaken. Your Government and the extension of its Ministers cared nothing about those prisoners' health and the prison overcrowding. It was just a window dressing opportunity that turned sour.

Mr. Speaker, your Government presently allows speedboats, hire cars and minibuses to carry passengers who are seated just like prisoners in a cell, inches apart, even as COVID-19 deaths and infections increase daily. This is a fact and it is pathetic, but the PPP/C would care less. The Vice-President called it the soft enforcement of COVID-19 rules. What a joke when it involves human lives. No amount of political talk will hide this fact. Thus, one can easily conclude that it is the access to international COVID-19 related funding that is driving the PPP/C's COVID-19 policy. This is the common view of the man in the streets. Could the Minister of Health say differently?

Could the Minister tell this House what is the National COVID-19 Task Force's (NCTF's) policy on vending in the various markets in Guyana? There is no secret about the inhumane condition of our correctional facilities, but the question is, what could we do? What could be done to make the environment in which the inmates inhabit cleaner, healthier and safer? Infections are spreading rapidly amidst the chronic overcrowding and unhygienic conditions. This coupled with the lack of proper access to healthcare, places inmates' lives at greater risks. This situation has the potential to be dire and adds more strain on the health sector.

In this deadly COVID-19 environment, Guyana, fortunately or unfortunately, has three Ministers of Health in the Ministry and, collectively, they have failed with distinction. The COVID-19 deaths, infections rates, mal-policies and COVID-19 preventions tell a story from 2nd August, 2020 to present. The Minister could not even advise Cabinet colleagues on how to protect themselves from COVID-19, much less the population. The prison population is not in itself a militarised

zone, confined to its own existence; it is part of the society. One such prison is in the heart of the city. Therefore, we must look at the genesis of this unrest that led to those most unfortunate situations.

It is important to note that the Spokesperson for the United Nations (UN) Commissioner for Human Rights, Mr. Rupert Colville, expressed concern that, in the Americas, infections are spreading rapidly amid chronic overcrowding and unhygienic conditions, coupled with the lack of proper access to healthcare.

Mr. Colville cited a violent prison revolt in Venezuela, in which reportedly 47 inmates lost their lives, and a prison riot on 27th April in Peru, that left nine inmates dead. He called on governments to strengthen measures to prevent violence in detention facilities, and avoid excessive violence by authorities, in suppressing riots and regaining control.

Mr. Speaker, with your Government in Office, Guyana is being robbed of a real opportunity at prison reform. Restructuring Guyana's prison system cannot [Interruption]

Mr. Speaker: Hon. Member, did I hear you say, "Mr. Speaker, with your Government...?" It is the second time. We have the Executive, Legislature and Judiciary, the three arms of the State. I allowed the first one to pass. So, could you rephrase that?

5.48 p.m.

Mr. Figueira: Mr. Speaker, I am so guided.

Mr. Speaker: Thank you very much.

Mr. Figueira: With the Government in Office, Guyana is being robbed of a real opportunity at prison reform. Restructuring Guyana's prison system cannot be about sending selective officers on leave or the erection of new buildings, but by undertaking a holistic approach to make good what was deemed crooked.

It would be instructive if the Minister of Home Affairs or any of his friends on the other side, informed this House what rehabilitative programme for prisoners is presently ongoing, at which prisons and by what means for the last three months.

The challenges in the system over the past five years were met with sarcasm, mockery and cynicism from the PPP/C. Today, as we debate this motion, inmates continue to be at risk of contracting the COVID-19 in an overcrowded, unsavoury and unhygienic environment. The continuing

attempts to escape prison...and many are found with drugs, banned items and other forms of contraband that make its way into the prisons by very creative prisoners, and undoubtedly, some unscrupulous prison officers involved in the alleged lucrative criminal endeavour. The continued discovery of contraband – knives, cutlasses, cellular phones, drugs and alcoholic beverages – is such a *mind-boggling* reality and it begs the questions: how is it that men who are incarcerated are being allowed to have these dangerous weapons? How is it that prisoners in prison are given cellular phones and are given alcoholic beverages such as Hennessy, Cîroc and Kazak? How is that possible? The system is one that needs a Commission of Inquiry (COI), so that those findings could arrest the situation that pertains. We need our prisons to be safe.

One will agree that these tendencies are not new but, today, they are implicitly embraced by prisoners and security, and the Government is solely responsible. These stated facts make prison and prison reform a must. How successful will attempts at such reform be, however, in a narco-state, where first-time offenders and hardened convicts fight for survival in the same cell? What is more frightening is that hardened convicts appear to have a better chance at being released early based on the PPP/C's posture.

Why has the country not seen a list of the inmates who were released in 2020? We need to know what crimes these inmates would have committed and how long they would have served their time in prison. The nation needs to know because these prisoners are now back into the society. I was told that some of the prisoners were drug traffickers and some were charged for bestiality. These are the people that the PPP/C has released into our societies. Yet, we are blind, and we are unaware of who these individuals are and if they would have satisfied the time that they were in prison.

The pivot of this motion is in the second WHEREAS clause, where it implies that the onus is in the President to ensure justice, by ensuring an independent commission is set up to thoroughly investigate the circumstances surrounding the deaths and the unrest which took place at the Lusignan Prison. The time has come for us to definitely have a holistic approach to prison reform. We need to look at the package that prison officers are in receipt of so that we could encourage them to not be involved in criminality. We have presented a motion. We have presented the arguments. We believe that justice requires that the Government listen our motion, listen to our rational reasoning, accept this motion

and ensure that justice is served for those inmates who were not only injured but for those inmates who died.

I trust that the desire of us on this side to have a Commission of Inquiry be given serious considerations. That is the only way that we would know what transpired. A COI could add to the previous COI, which would inform all of us, collectively, of the best ways that we could reform our prison system.

I thank you, Mr. Speaker. [*Applause*]

Mr. Benn: Mr. Speaker, first off, I would like to repeat some of the things that I said when we had this unfortunate event at the Lusignan Prison in September. I had made extensive remarks on the incident. I had said that we deplored the incident and were very sad at the loss of lives. We extended condolences to the families of those who died and to those who were injured. We committed to continuing our work to make sure that we improve the conditions at the Lusignan Prison and the entire prison system.

I repeat that our first discussion in relation to prisons happened at both the first and second Cabinet meetings of the Government, where I pointed out the dire conditions at the Lusignan Prison, in the first instance, relating to the severe overcrowding, degrading and inhumane conditions which existed there. That is what we inherited. The first thing I pointed out to the Government to be addressed in the security sector was the issue of the conditions at the Lusignan Prison and the miserable conditions that the prisoners were in.

In fact, I pointed out that the prisoners were living in worse conditions than the pigs and chickens that were out there. I made extensive remarks on this problem when I became Minister. I made a number of visits there, the second visit being the unfortunate occurrence. The Hon. Member, Minister Frank Anthony, eloquently expressed and identified the occurrence there on the day that we visited when these bad things happened unexpectedly and regrettably.

We did not create the conditions at the Lusignan Prison. We came and we met them. We immediately attempted to respond to the problem. Immediately, I said to the prison directorate that we had to spread out the men because they were lying next to each other on mattresses on the ground. There were others in hammocks over them. There were over 600 men and there was no space. I was worried about the fact that we have COVID-19 and that, certainly, prison would be impacted by it. We did not create the conditions in the prison.

The conditions that created the situation that unfolded in September, which led to the deaths of those persons, started, in my view, with the fire and unfortunate death of 17 persons in the Georgetown Prison. It started there but it was compounded by the fact that they added these men from the Georgetown Prison to those at the Lusignan Prison, mixed them all together and had them under sheds, basically, opened to the weather near a swamp.

Let me thank Minister Anthony, again, for giving me 600 or more mosquito nets to take up there the other day. We have Hon. Members standing in this House and accusing us of all kinds of depravities. I heard the Hon. Mahipaul say, while Minister Anthony was on his feet, “*you and Robeson guh deh and kill di men.*” That is the kind of thing we are being faced with in this honourable House. That is what he said. We have to face this every day. We are not going to take it personally. We are going to continue our work to improve the conditions of the prisoners, welfare of the staff and the general conditions of our people all over Guyana, in spite of what they said, in spite of what you say on that side of the House, in spite of the blatant lies and mischief, maliciously...

Mr. Speaker: Hon. Minister, a couple of words: “you on that side” and “lies”, could you withdraw them?

Mr. Benn: The very Hon. Members on the other side. I am sorry, Mr. Speaker.

Mr. Speaker: And withdraw the word “lies”.

Mr. Benn: It is malicious untruths.

I emphasise and I repeat that the loss of the lives of Mr. Earl Graham and Mr. Winston Herbert is extremely regrettable. We apologise, somehow, for it because we were also in charge. As Ministers, we did not go out and seek to have anything of this kind happen, we did not want it to happen and we would have never wanted it to happen. According to what the Hon. Member, Mr. Figueira, said just now, I want to say that we were not in the prison when the riot unfolded, and the unfortunate events occurred. We had departed, but we were aware, and we were told that they had broken out of the fence at holding bays 3 and 4 and were storming the front gate and attacking the officers. We were aware, when we departed, that over the wall of the prison, these concrete blocks, which had to be previously prepared in holding bays 3 and 4, were coming right over the wall. For our safety, we were told to leave.

6.03 p.m.

The Hon. Member, Khemraj Ramjattan, and the other Members too, honourable as they are, spoke to the issue of the conditions of the prison, the efforts they were making and the recommendations of the Commission of Inquiry not being followed, and all of those things. I want to remind Hon. Member Ramjattan that the United Nations’ Mission and the Descendants of Africans, in 2017, condemned the Lusignan Prison. From 2017 to 2020, there was more than ample time to take the appropriate measures to ensure the health, safety and welfare of the prisoners and the safety of the inmates. **[Mr. Ramjattan: (Inaudible) mess.]** It is your mess that I am cleaning up. You left it like that, Sir. You were comfortable with it.

There was some suggestion from the Hon. Member who brought the motion – the misplaced, misguided, and confused motion – that we were negotiating with the prisoners. There were no negotiations underway. We were simply attempting to be clear about what their concerns were and to give responses. As the Hon. Member, Minister Frank Anthony, explained, the chief problem was the lack of hearings. As was said, the resort was undertaken, through the Ministry of Legal Affairs, between the Judiciary and us, to put in the virtual courts, which are working and are working well.

The Hon. Member, Mr. Ramjattan, left with me no visiting committee, no parole board and nothing that related to the managing and oversight of the prisoners elsewhere. When we talk about *sanctimonious gangsterism* and those things, people get upset. Those things did not exist. Where there were a couple of visiting committees, they were not visiting.

Let me just say a few of the things that we are working on now in respect of the prisons. For all of the land that they fallowed there, I have advised the prisons to plant 4,000 fruit trees, because the prisoners do not get any fruits. They do not know when last they had a banana or when last they had an egg. The lands that should be farmed to provide for them at Lusignan and at New Amsterdam have lain fallowed for years.

In respect of the work being done to improve the facilities at the prison, I said before in this House when we examined the budget, that we were building two new dormitories, whose construction are underway, and that we are working towards establishing five new prisons at Lusignan. By the end of this year, we expect to have three of those new prison modules in place to house 600 people additionally. What we will do in one year, you were unable to do in five years.

I hear the mutterings about the Mazaruni Prison, and I would relate it to the Camp Street Prison situation, where enormous and early expenditure were done in buying prison cells and having them on the ground for a year without any proper construction ongoing. This had to be restarted upon our coming into Government. So, this request, somehow misguided, I do not support. I think that Minister Anthony eloquently expressed why we should not proceed with a COI at this time. We are already undertaking many of the measures that should have been done during the sojourn of Hon. Member Ramjattan.

Some details were previously provided in respect of COIs done or inherited by the A Partnership for National Unity/Alliance for Change (APNU/AFC) while in Government. For me, the memorable one, otherwise, was the Commission of Inquiry on the Death of Walter Rodney, which was thrown out and ignored after many months of work. While we continue to work at improving the conditions, welfare and the housing of both the prisoners and the staff, I think it would be wrong for us to get bogged down in COIs and in, perhaps, more reckless and irresponsible discussions about these matters. Given the fact that we do not have a properly constructed document in any way, in respect of the WHEREAS clauses and the resolution, I am not in a position to support the undertaking of any COI, absent as it is from the BE IT RESOLVED clause. I have to say, again, that we have made full disclosure with respect to this matter and the police are examining certain other aspects in relation to the incident. That is my position on it.

I think you, Sir, and Hon. Members for your attention.
[Applause]

Ms. Chandan-Edmond: May I proceed, Your Honour?

Mr. Speaker: Yes, you may.

Ms. Chandan-Edmond (replying): Mr. Speaker, as I rise to close the debate on this motion, I wish to state, once more, that this motion before us is an extraordinarily significant motion. For the members of the public, I will read a couple of the WHEREAS clauses for you to have an understanding and an appreciation of the gravity of the matter and the need for answers and justice. I read:

“AND WHEREAS, it has been widely reported and confirmed that several prisoners were shot by members of the Guyana Prison Services in or near the Lusignan Prison, resulting in injuries and two deaths on the 19th September, 2020;

AND WHEREAS, the lack of information surrounding the following matters are of public concern;

AND WHEREAS, the Home Affairs Minister has failed to provide answers on these matters of public importance and the public remains without credible information, after the 19th September, 2020 as to the circumstances which led to the unrest, injuries sustained and the subsequent deaths of several prisoners;

AND WHEREAS, it is important, in the public's interest to know and understand the specific facts and circumstances that led to the shooting and subsequent deaths of three prisoners so as to prevent a recurrence;”

Your Honour, I wish to reiterate that this motion centres around our duty as Members of the National Assembly to confront and to interrogate issues of national importance. We must therefore recognise that the sanctity of human life must be respected. Life cannot be restored if it has been lost.

When we were bringing this motion, it was really to give the family members, and by extension the people of this country, the opportunity to truthfully hear what happened and to ensure that there is no reoccurrence. I am disappointed. I had really hoped that the Government would have understood that this was an opportunity to make certain things public, which they have not done so far.

It is my view that the Hon. Members on that side of the House seem to think that they have to go through an unwarranted inconvenience to respond to the cries for justice or to a COI. I would say that this is a very flawed view and I will ask them to look at the *Constitution of the Cooperative Republic of Guyana* for guidance. The public wants to know, and the families need answers. Even if the Government does not like the questions we are asking, or the questions the families are or the public is asking, every Government *worth their salt* should be able to present some reasonable answers as to what happened on that fateful day. I say with conviction that the families are out there and that they need justice. They demand answers as to what exactly happened on that day. I seriously thought that the Minister would have come today and tried to satisfy us and the public that you are in control.

6.18 p.m.

I am pleased that the Hon. Minister, recognising the importance of the issue and the need to assuage the fear of the family and the public, showed the public and the Opposition that he is in control of public security. The Government came into Office with many promises that it had the solutions to crime and security and almost every other thing on this planet, and that they could fix almost every other thing. We can see, now, that all of their major campaign promises are nothing but *fluff* and *bluff*. We have heard all about the fables and the promises. Yet, in the last couple of months, we have seen an upsurge in crime. Most glaring and which is, in fact, an indictment on this Government, has been the shocking disturbances in the prisons, police brutality, and, as I said, in my opening speech, the list goes on.

The prison can be an opportunity for prisoners to change and turn their lives around. There is an opportunity through education and welfare services, statutory or otherwise, to rehabilitate prisoners and provide them with the knowledge and skills to help them lead successful and productive lives in their communities upon release. Through educational courses, prisoners would be better equipped to find and sustain employment upon their release, thus becoming an asset to local communities and the wider economy.

With crime on the rise, one may wonder, whether prisoners deserve constitutional rights having committed crimes. The answer to this question is simple. When one is part of a free society one cannot ignore the undeniable truth that, when the rights of one group is weakened, all people's rights are weakened. So, while we can debate whether prisoners deserve to have basic human rights, we have to keep in mind that it is seen that, often times, no measures are taken to rehabilitate prisoners. Instead, they are thrown away and effectively removed from society, taking away their chances to reform and becoming a functioning member of society.

While conversations around prison reforms and the rights of prisoners will always be a controversial debate, as we have seen in the last two hours or so, we have to remember that prisoners are also human beings. To answer the narrative on their entitlement to human rights is to convict a nation without a trial. This motion is about the citizens of this country who have lost their loved ones and about the need for a full investigation and a clear understanding of the events surrounding their deaths. The path of truth resides in a commission of inquiry. This motion is about humanity. I wish to reiterate that, while in institutions and incarcerations, persons are entitled to the protection of their human rights.

They are entitled to the protection of the rule of law. They are entitled to justice.

I wish to remind the Government that the Inter-American Commission on Human Rights (IACHR) stated that the then Government, the APNU/AFC Government, must take action urgently to protect prisoners' rights and address the overcrowding of the prisons. The Coalition did all that it could have done. We have done our best, and we are proud of our records. You are now in the seat of power; fix it. When you ask what we did during our five years in Office, I will say, or we will say, we were busy cleaning up your mess and fixing the broken systems that you left. We were busy cleaning your 23 years of mess. You have the benefit of hindsight. You have the benefit of a Commission of Inquiry (COI) Report. Use it and use it wisely. Implement the recommendations that we did not get to implement.

For those of you who want to paint a picture as if we did nothing, this is our record. The prison administration commenced the reconstruction of several prisons during our tenure. This was aimed at reducing the overcrowding of prisons and ensuring that Guyana complied with the human rights standard for the treatment of inmates.

The Coalition's main achievements for 2015 and 2018 were – and, all kudos go to Minister Ramjattan – the modernisation and securing of prison estates infrastructure; the reconstruction of the Camp Street Prison, Georgetown; the reconstruction of the New Amsterdam Prison, the reconstruction of the Mazaruni Prison; the construction of officer's living quarters; the rehabilitation of Officers in Charge (OC) quarters, the extension to prison headquarters; rehabilitation and expansion of the perimeter fences at the Mazaruni Prison and the Timehri Prison; construction of Exercise Bay, Mazaruni Prison; and the improvement/import of fleet of vehicles and vessels. These were aimed at improving the daily operations of the organisation. During this period, vehicles and vessels were also procured. These included: security trucks, minibuses, tractors and trailers, trucks, speedboats with shed, all-terrain vehicles (ATVs), 32-seater buses, communication equipment, firefighting capabilities, office accessories, security generators, industrial washers and dryers, industrial ovens, industrial rice cookers, industrial gas rangers, water purification plants, bunk beds, arms and ammunition and riot gear.

Agriculture equipment were also procured. These purchases resulted in the improvement in the trade shop where inmates were exposed to training in various trades such as: carpentry,

masonry, auto mechanic *et cetera*. Is that not so, Mr. Ramjattan?

In addition, the infirmaries were upgraded. This resulted in an improvement in healthcare for inmates. Mr. Ramjattan, you will confirm that tools and equipment were also procured such as: infirmary equipment, automobile tools, electrical tools and construction plumbing and masonry tools. Am I speaking the facts?

In 2019, our achievements for infrastructure were: The New Amsterdam Prison was set to receive a new state of the art multi-complex trade shop, due for the completion by 2021, from which this Government will benefit. I am sure it will claim that this was one of its projects. The APNU/AFC Government acquired this funding through the Inter-American Development Bank (IDB) in 2019. This facility will be the first of its kind within the institution, given the fact that its capacity will be huge. It will be equipped with modernised tools.

Commissions of inquiry gather facts, report findings and make recommendations in a structured and organised manner. It is unthinkable, therefore, to envision why any Member in this honourable House would oppose this motion. We have a responsibility to the people of our beloved country to carefully address the issue of national concerns. We are talking about human beings who have been killed and where no credible investigation was launched. We must ensure that concerns surrounding these killings are fully interrogated so that clarity is established. This, Your Honour, can only be emanated from a commission of inquiry.

We, on this side of the House, stand up for the humanity of Guyanese citizens. We expect deliverance of justice to the families, answers to the nation, identification of lapses and breaches for correction, the consideration of policy making remedies and, above all, the critical need to identify culpability, if the facts so determine.

This motion seeks not to satisfy, like I said earlier, any political pursuits or to quench any political thirst. It was tabled, as I said earlier, with the best of intentions and the interest of making the operations of the prison, the wellbeing of the citizen, the governance of the subject under examination and, by extension, respecting the sanctity of life, respecting human rights and providing justice to the families who are in need of answers. It is against this backdrop that a commission of inquiry has become extremely important. For members of the public, the Commission of Inquiry Act at section 2 states:

“The President may issue a Commission appointing one or more Commissioners and authorizing such Commissioners to inquire into any matters in which an inquiry would in the opinion of the President be for the public welfare;”

Based on what we heard on this motion thus far, and this is in my opinion, there can be no honest debate over whether this issue is a matter of public welfare. The unexplained and the inconclusive death of any citizen constitutes an issue of public welfare. Against the backdrop demonstrated during the debate, the case has been strengthened, Your Honour. This motion has been vindicated based on the submissions received by the House.

Once again, negotiations in correctional institutions is an academic field with specialised areas.

6.33 p.m.

When the two Hon. Gentlemen directly inserted themselves in what was clearly a crisis negotiation, they placed the professional men and women, the prisoners and the wider society at great risk. Anyone who stands up and justifies violence, and anyone who stands up and justifies killing in any form would be guilty of promoting a culture of non-violence. The taking of human lives has been strongly condemned worldwide by philosophies. International human rights, in turn, sought to uphold this most sacrosanct right in a number of treaties. In some countries, there is a mandatory Fatal Accident Inquiry for persons who die in prison, especially in Scotland where inquiries are done largely by independent persons.

Your Honour, we have a responsibility to ensure that these deaths are inquired into. We must aim to provide mechanisms to prevent these types of deaths from reoccurring. There must be preventative measures put in place. What exactly these mechanisms are will be answered by a structured commission of inquiry that will determine why it happened, how it happened, the circumstances surrounding the deaths, reviews of the system and make recommendations to ensure that the appropriate mechanisms are in place.

Your Honour, it is incumbent upon all of us to ensure the safety of the vulnerable. I wish to reiterate that we, on this side of the House, do not need to wait on the COI to apply the doctrine of Ministerial responsibility. The Hon. Member of the House, who has direct Ministerial responsibility for prisons, has demonstrated, over the last couple of months, that he is on the mission to break the record for the worst

ministerial outing in the records of Guyana's governance history. As I have said earlier, if just after three months of being installed, he can produce this much catastrophe, one can only imagine or ask oneself what will happen within a year. [**An Hon. Member:** (*Inaudible*)] I am proud.

In the national interest, the Hon. Gentlemen should *throw in the towel*. You should do the honourable thing and resign before more harm is brought to the nation. Your disdain in your earliest speech for young Members of Parliament (MP's) has not gone unnoticed. We the new MP's stand here to represent our representatives. Your disdain for the new MP's is added to the list as to why you should exercise your moral conscience and resign. The year 2021 is not the era for *bruk up*. This honourable House has a responsibility to ensure that issues, which impact the citizens, are dealt with in a structured manner so that the confidence of the people in justice can be restored.

The issue of public security and safety is not an Opposition issue. It is a national issue. Therefore, it would be a shame if, when the time comes to support this motion, the Government objects or votes against it. I must state that it is painful that this Government will be setting a bad precedent if it does not support this motion. The members of the public will be asking whether they are saying that it will be okay to breach the standing operating procedures (SOP) and whether they are saying that it will be okay to breach the rules and the laws. Serious crimes are being solved of recent on the basis of a confession with a lack of the evidence to corroborate. I have spent 10 years on the bench, and I know, all too well, how confession statements are obtained. If justice is not delivered, are we saying to the nation that we are reverting to the era where we are solving cases by putting methylated spirits on people's genitals?

Once again, I urge all Members, with a conscience, to support this motion in its entirety.

I thank you. [*Applause*]

Mr. Speaker: Hon. Members, before I put the question, I just want to say, at this time, who I recognise has logged on virtually. We have the Hon. Prime Minister; the Hon. Leader of the Opposition; the Hon. Member, Mr. Dharamlall; the Hon. Member; the Ms. Rodrigues, Hon. Member Ms. Ferguson; and the Hon. Member, Ms. Hughes. We have six persons logged on virtually, at this time.

Motion put and negatived.

Mr. Speaker: Hon. Members, we have on the Order Paper a motion by the Hon. Member, Ms. Geeta Chandan-Edmond, re: The Henry Cousins and Haresh Singh. Hon. Members, since this motion was approved, it has been overtaken by developments where there is now a matter in the court, and other investigations by those involved are being conducted.

To entertain this motion, at this time, would put the Assembly in contravention of its own Standing Orders. Further, entertaining this motion may, ultimately, jeopardise the ability of our justice system to conduct fair trials of persons before the court. We are aware that three persons have been charged in respect of the murders of these young men and have been placed on remand ahead of intended preliminary inquiry. The police have stated, publicly, that they are in search of additional suspects. I draw your attention to motions prohibited by the *Standing Orders of the National Assembly*. Standing Order 33 (1) provides as follows:

“On a motion made and when necessary seconded, the Speaker shall propose the question to the Assembly and, after debate, if any, shall then put the question for the decision of the Assembly”.

This Standing Order allows Members of the National Assembly a right to move motions but, it is not absolute. In these circumstances, it is limited by Standing Order 26 (g), which is titled:

“Admissibility of Motions”

It provides as follows:

“In order that a motion may be admissible, it shall satisfy the following conditions, namely:

(g) it shall not relate to any matter which is under adjudication by a court of law;”

Given that persons have been charged for these murders and are now before the court, this is a matter which is under adjudication of a court of law. The legal effect of this, therefore, is that the motion is not capable of being allowed at this time.

This Standing Order gives effect to the sub judice principle, which stipulates that public statements must not be made regarding a pending case for fear of its impact on public opinion. On the principal of sub judice, the Court of Appeal of Barbados, in the Director of Public Prosecutions' reference, number two of 2001/2002, 63 is carried in the

West Indies Law Review One, had cause to say the following:

“Never again must it happen in this jurisdiction that while a matter is sub-judice in a court of this country, other proceedings directly and fundamental pertaining to that very matter which is sub-judice are commenced elsewhere and publicised in such a manner as might prejudice the outcome of the proceedings.”

This principle of sub-judice is well respected, sacrosanct and entrenched in our Standing Orders, and I must add, also in our society.

Criminal proceedings regarding persons accused of murder and before the court are therefore sub judice. The motion in question would trigger proceedings which would directly and fundamentally pertain to those proceedings. This rule applies to this Assembly and, due to its status and nature of its work, the National Assembly is one of three equal branches of Government, as I had mentioned before today, and it is, therefore, one of the most powerful State entities. It is, therefore, unsurprising that the Standing Orders also limit other rights on the basis of the sub judice principle. Standing Order 17 (1) for example, provides as follows:

“Questions may be put to a Minister relating to the responsibility with which he or she has been assigned.”

Standing Order 17 (2), however, provides the following:

“The right to ask a Question shall be subject to the Standing Orders in Chapter IV, the interpretation of which the Speaker shall be the sole judge.”

Standing Order 20 (1)(i) (a) states:

“a Question shall not be asked:

- a) on any matter which is sub judice;”

The effect of Standing Order 20 (1)(i) (a), therefore, is that no question may be asked and, I will add, no motion will be allowed in any matters which is under adjudication by a court of law.

Further, Standing Order 41 (2) prohibits Members of Parliament from making reference in speeches in the National Assembly to matters which are sub judice. Standing Order 41 (2) provides:

“Reference shall not be made to any matter which is *sub judice*, in a way as might, in the opinion of the Chair, prejudice the interest of parties thereto.”

For over two decades, I had previously served as a Member of Parliament (MP) and I witnessed that this *sub judice* principle has been upheld by each and every Speaker of the National Assembly. These Standing Orders, individually and collectively, indicate, conclusively, that the position of this National Assembly is that which are engaging the attention of the court and, specifically this motion, at this time, shall not be debated.

That is my position with respect to the motion standing in the name of the Hon. Member, Ms. Geeta Chandan-Edmond, regarding the murder of the Henry cousins and Haresh Singh.

Thank you very much.

Mr. Ramjattan: Mr. Speaker, I understand your ruling and I want to respect it. But, in connection with the matters of such a ruling, I would have expected that, at least, the opportunity be given to Ms. Chandan-Edmond and [*inaudible*] in relation to the *sub judice*.

6.48 p.m.

It has undergone a transformation. We have a Ruling here from a previous Speaker, in relation to the sub judice rule, where an action was brought in the High Court. I think this is where, before the Ruling would have been made, that, at least, if you had indicated, we would have been in a position to help you. I think...

Mr. Speaker: I think, Hon. Member, Mr. Ramjattan, my position is ‘at this time’. I am prepared to listen to what you have to say but I want to assure you that I will stand very firm with respect to matters before a court of law.

Mr. Ramjattan: No, I could understand that.

Mr. Speaker: Thank you very much.

Mr. Ramjattan: If I am allowed the opportunity to bring to your attention...

Mr. Speaker: I would not so do, Sir.

Mr. Ramjattan: Are you saying that you would not so do?

Mr. Speaker: No.

Mr. Ramjattan: Okay. Your Honour, I want you to have a look at it...

Mr. Speaker: The matter is still going to be on the Order Paper.

Mr. Ramjattan: It is in relation to a court matter. It was the People's Progressive Party/Civic (PPP/C) at that point in 2013... It is the Ruling of Hon. Mr. Raphael Trotman, Speaker of the National Assembly on 7th August...

Mr. Speaker: I will take that after,

Mr. Ramjattan: Okay, well fine. there were some arguments that I just wanted to indicate.

Mr. Speaker: This is not a matter for us to argue here. It is in the sole discretion of the Speaker, as I mentioned, which is in the Standing Order, and I have made a Ruling.

I am prepared to continue to be exposed to new rulings, conventions and so forth, as we move forward. Thank you.

Mr. Ramjattan: Very well.

Mr. Speaker: Thank you. This is a good time to move the adjournment of the Assembly. Hon. Prime Minister, please so do.

ADJOURNMENT

BE IT RESOLVED:

“That this National Assembly stands adjournment 10.00 a.m. on Thursday, 4th February, 2021”.

[Prime Minister]

Brigadier (Ret'd) Phillips: Mr. Speaker, I move the adjournment of the Assembly to 10.00 a.m. on Thursday, 4th February, 2021.

Motion put and agreed to.

Mr. Speaker: The Assembly stands adjourned to 10.00 a.m. on 4th February, 2021.

Adjourned accordingly at 6.50 p.m.