



8th Report

JOINT SELECT COMMITTEE ON
LOCAL AUTHORITIES, SERVICE COMMISSIONS
AND STATUTORY AUTHORITIES
(INCLUDING THE THA)

on a

**Follow-Up Examination into the Recommendations
contained in the First Report of the Committee on the
Administration and Operations of the Land Settlement
Agency in Relation to Squatter Regularisation, 11th
Parliament**

Third Session (2022/2023), 12th Parliament

Eighth Report

Of the

**Joint Select Committee on Local Authorities, Service
Commissions and Statutory Authorities
(including the THA)**

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**Follow-Up Examination into the Recommendations contained
in the First Report of the Committee on the Administration and
Operations of the Land Settlement Agency in Relation to
Squatter Regularisation
(presented in the 11th Parliament 2015 - 2020)**

Third Session (2022/2023), Twelfth Parliament

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ACRONYMS AND ABBREVIATIONS

ABBREVIATION	ORGANISATION
COC	Certificate of Comfort
COSL	Commissioner of State Lands
GASHHP	Government Aided Self Help Housing Programme
HVIP	Housing and Village Improvement Programme
LMD	Land Management Division
LSA	Land Settlement Agency
MALF	Ministry of Agriculture, Land and Fisheries
MHUD	Ministry of Housing and Urban Development
MYDNS	Ministry of Youth Development and National Service

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EXECUTIVE SUMMARY

- 1.1. At its 8th meeting held on Wednesday 04 May, 2022, the Committee resolved to conduct a Follow-Up Examination into the Recommendations contained in the First Report of the Committee on the Administration and Operations of the Land Settlement Agency in Relation to Squatter Regularisation, 11th Parliament and agreed that the following three (3) objectives would guide the inquiry:
 - i. **To determine whether the proposed recommendations have been successfully implemented;**
 - ii. **To examine the factors that are hindering the successful implementation of the proposed recommendations; and**
 - iii. **To examine the plans and proposals aimed at further improving the effectiveness of the LSA in regularising squatters.**

- 1.2. To this end, the Committee identified relevant stakeholders it wished to engage to acquire a holistic perspective on the issues under consideration. Further to this, on Wednesday 01 June, 2022, the Committee convened a public hearing with the primary stakeholders involved including the the Land Settlement Agency, the Ministry of Housing and Urban Development and Ministry of Agriculture, Land and Fisheries.

- 1.3. Some of the issues which were highlighted during the course of the inquiry included:
 - a. **The impact of manpower shortages on the LSA’s ability to conduct adequate surveillance of squatter settlements including patrols and squatter identification;**
 - b. **The use of private security firms to supplement the LSA’s surveillance activities in “high-risk” areas throughout the country;**

- c. **The lack of a clear resources, procedures and interagency collaboration as it relates to the demolition of illegal structures;**
- d. **The introduction of the Tenancy Programme and the immediate impact on squatter regularization;**
- e. **The public awareness strategies employed by the LSA and its impact on its operations;**
- f. **The need for legislative amendments to reduce the duplication of efforts by entities;**
- g. **The incorporation of aerial surveillance technology in the LSA's operations;**
- h. **The allocation of state lands through the Government Aided Self Help Housing Programme;**
- i. **The need for an updated Strategic Plan for the LSA;**
- j. **The expansion of the mandate of the LSA amid existing resource challenges; and**
- k. **The establishment of an Inter-Ministerial Committee to combat squatter proliferation.**

1.4. From observations made during this inquiry, the Committee has proffered recommendations which it believes will appropriately address the operational shortcomings and challenges identified based on the evidence received. A summary of these recommendations follow this Executive Summary.

1.5. We anticipate that the Parliament, LSA, MHUD, MALF and other stakeholders will give due consideration to the findings and recommendations contained in this Report with a view to ensuring that the LSA is able to adequately execute its mandate. The Committee looks forward to reviewing the line Ministry's response to this Report which becomes due sixty (60) days after it is presented to the Houses of Parliament.

SUMMARY OF RECOMMENDATIONS

The key recommendations proposed by the Committee are as follows:

- i. That the LSA provide a detailed plan which outlines the measures that must be taken in order to enhance the LSA's procedures for correctly identifying squatters who are currently occupying lands under the agency's remit.**
- ii. That the LSA should seek to further engage its line Ministry, (i.e. the MHUD), as well as the MALF and the Municipal Corporations with a view to establishing an inter-agency body (e.g. task force), whose mandate consists of identifying squatters, issuing Quit Notices, demolishing illegal structures, upon the issuance of a Court Order, and regularising squatters.**
- iii. That the LSA utilise innovative solutions such as the placement of fences and signs on state lands clearly outlining penalties for non-adherence.**
- iv. That a joint discussion should be held with the COSL and the LSA with a view to eliminating unnecessary bureaucratic procedures and processes associated with serving Notices to Quit and ultimately evicting a squatter.**
- v. The entity with responsibility for the identification of squatters should be empowered to evict squatters. Proposed revisions to the relevant laws to give effect to this change should be submitted for the consideration of the Attorney General and its legislative drafting team before the end of fiscal 2022/2023.**
- vi. The MALF seeks to engage Cabinet with a view to revising its organisational structure to obtain additional posts that are necessary to optimise its operations. In this regard, some priority should be given to the LMD.**

- vii. That the LSA move with alacrity as it pertains to the investigation of outstanding eligible COC applications that have satisfied the application criteria.**
- viii. The LSA should continue to engage its line Ministry on a periodic basis to get support to fill existing vacancies.**
- ix. That the LSA move with alacrity as it pertains to the issuance of leases under the Tenancy Programme. A public awareness campaign should be developed to effectively highlight the difference between the COC and the Tenancy Programme.**
- x. Urgent discussions should be held with the relevant partner agencies with a view to expanding the use of geo-mapping technology in the identification of squatting sites and or structures.**
- xi. The MALF should re-engage the Chief State Solicitor's office with a view to obtaining an update on the legal underpinnings of utilising the Trespass Act as a squatter eviction measure.**
- xii. Notwithstanding the lack of resources to execute demolitions, the LSA, Municipal Corporations and MALF should engage in discussions to explore the options for collobarating with a view to implementing a more robust system for detecting and identifying squatters.**
- xiii. That the LSA and the COSL engage with the respective utility companies such as Trinidad and Tobago Electricity Commission (TTEC) and the Water and Sewage Authority (WASA) with a view to obtaining the residential information of the occupants of squatting sites that are in receipt of services from these utilities.**

- xiv. **The LSA and the MALF must engage in a remuneration evaluation exercise for staff with a view to discussing methods by which job positions can be incentivised in the absence of an increase in remuneration.**

- xv. **The Parliament should be provided with an update as it pertains to feedback concerning the declaration of sites as land settlement areas and the benefits and implications of empowering the LSA chairman to sign leases.**

- xvi. **A status update should be provided on the cost and the estimated date of completion of the the LSA's new Strategic Plan. Additionally, the Strategic Plan should include the KPIs that will guide the evaluation of the LSA operations**

- xvii. **It is necessary that the LSA continues to engage the MHUD for resource support considering the significant expansion of its duties. The successful fulfilment of its expanded mandate will also require the agency to *inter alia* adopt innovative approaches including the creation of strategic partnerships with other state departments and agencies.**

- xviii. **The LSA should outline a clear timeline for the finalisation of this GASHHP and the multistakeholder support that is necessary for its successful execution.**

- xix. **The LSA should engage in a targeted public awareness campaign, aimed at squatters with a view to informing them of the steps that are necessary to qualify under the Tenancy programme.**

- xx. The LSA should engage its line ministry with a view to potentially hiring short term field officers to assist in its field survey exercises.**

- xxi. The Parliament should be provided with an update on the GPS technology and drone devices that have been procured and are in-use thus far.**

- xxii. The LSA should create an additional database that records the submission of information from the public. To engender public confidence, the public should be notified that information submitted via this hotline will remain confidential.**

- xxiii. The LSA should engage the MALF with a view to revising the legislation to adequately empower the Agency. The Ministerial Response to this report should comprise an update on the progress made to submit the proposed amendments to the relevant laws for the consideration of Parliament.**

INTRODUCTION

Background¹

- 2.1. The Land Settlement Agency (LSA) was established by Act No. 25 of 1998, the State Land (Regularisation of Tenure) Act, Chapter 57:05 ('the Act'), and commenced formal operations in 1999. The LSA falls under the purview of the Ministry of Housing and Urban Development (MHUD). The Agency is responsible for "administering and carrying out the provisions of this Act with respect to State Land in the Island of Trinidad." In the case of Tobago, this function is vested in the Tobago House of Assembly.
- 2.2. In particular, the LSA is mandated to²:
- protect eligible squatters from being ejected off State Lands;
 - to facilitate the acquisition of leasehold titles by both squatters and tenants in designated areas; and
 - to provide for the establishment of land settlement areas.

Vision Statement³

- 2.3. 'To provide security of tenure to certain squatters in accordance with the provisions of the State Land (Regularisation of Tenure) Act No. 25 of 1998.'

Mission Statement⁴

- 2.4. 'To regularise certain squatters who have illegally occupied State Lands prior to January 01, 1998 and improve their living conditions as well as to prevent and contain further squatting of state lands.'

² <http://www.housing.gov.tt/land-settlement-agency-lsa/>

³ <http://www.housing.gov.tt/land-settlement-agency-lsa/>

⁴ <http://www.housing.gov.tt/land-settlement-agency-lsa/>

Line Ministry

- 2.5. Under the purview of the Ministry of Agriculture, Land and Fisheries (MALF), the Office of the Commissioner of State Lands (COSL) is charged with the overall management, distribution and allocation of all State Lands, including all shoreline below the high water mark and the seabed within the waters of Trinidad and Tobago. The Division is also responsible for the acquisition of privately owned land for public purposes and the issuance of State Grants⁵.

Inquiry Rationale

- 2.6. In a previous inquiry, this Committee resolved to inquire into the Land Settlement Agency in relation to squatter regularisation. As such, the Committee resolved to conduct a follow-up inquiry to determine the extent to which the proposed recommendations have been implemented. Given the additional responsibilities that have been assigned to the LSA through the Cabinet, it was imperative to ensure that the LSA's primary mandate was being fulfilled.

Methodology for obtaining evidence

- 2.7. On Wednesday June 01, 2022, a public hearing was held virtually via the Zoom Video Conferencing platform with representatives of the MHUD, LSA and the MALF at which time the Committee interviewed the officials on issues relevant to the inquiry objectives. The respective entities were represented as follows:

⁵https://agriculture.gov.tt/divisions-units/divisions/land_management_division/#:~:text=The%20Office%20of%20the%20Commissioner,waters%20of%20Trinidad%20and%20Tobago.

The Land Settlement Agency

Mr. Wayne Innis	Chairman
Mr. Hazar Hosein	Chief Executive Officer
Ms. Lorraine Heath	Corporate Secretary
Ms. Averline Scott	Manager, Corporate Services Unit
Ms. Shellagh Rosemin	Senior Attorney

Ministry of Housing and Urban Development

Mrs. Claire Davidson-Williams	Permanent Secretary
Mr. Michael Byng	Assistant Programme Director

Ministry of Agriculture, Land and Fisheries

Ms. Bhanmati Seecharan	Commissioner of State Lands (Ag.)
Mr. Glen Mahabir	Legal Officer II
Mrs. Reanna Phagoo-Nandlal	Legal Officer I

- 2.8. The Minutes and Verbatim Notes relevant to the Committee's public hearing with the listed entities are attached as **Appendix III** and **Appendix IV** respectively.

Summary of Evidence Together with Findings and Recommendations

Objective 1: To determine whether the proposed recommendations have been successfully implemented.

Mandate of the LSA

3.1.1. The primary mandate of the LSA, is to administer the provisions of the State Land (Regularisation of Tenure) Act 1998. Some of the key responsibilities associated with this mandate include:

- (i) The regularisation of squatters and tenants in occupation of State lands with a view to improving their overall living conditions and welfare;
- (ii) The development of land settlement areas (new Greenfield sites) for landless citizens;
- (iii) Facilitating the issuance of leases to eligible squatters and tenants in designated areas and Land Settlement areas on State land.
- (iv) The development of sustainable communities through the establishment of settlement councils and the facilitation of micro-enterprises.

Oversight of the LSA

3.1.2. The MHUD's oversight of the LSA is guided by the State Enterprise Performance Monitoring Manual (SEPMM).

3.1.3. The LSA reported that it has complied with the relevant statutory reporting requirements; Strategic Plans, Annual Budgets, Financial Statements and Board Minutes have all been submitted within the required timeframe.

3.1.4. These Reports are reviewed by the Economic Research and Planning Unit of the Ministry to ensure that the LSA is consistently aligning its strategic objectives with that of the MHUD. The projects and programmes submitted for consideration by the Ministry are also reviewed to ensure alignment with stated objectives.

3.1.5. The MHUD stated that the LSA has continued to demonstrate its ability to fulfill its mandate as most of the programmes have been successful, not only in achieving physical results, but also creating a significant social impact within the various communities.

Proliferation of Squatters

3.1.6. The LSA is responsible for restricting squatting on designated squatter sites, through its established Containment Unit. Other expanses of land fall under the remit of the Commissioner of State Lands. The LSA specified that it does not have responsibility for squatting in Tobago.

Patrols

3.1.7. The Ministry has been working closely with the LSA to ensure that patrols are being conducted to identify Squatters on various parcels of State Lands. **The LSA conducted 1,212 patrols between the period January 01, 2018 to April 30, 2022** as outlined in the Table below.

TABLE 1: NUMBER OF PATROLS CONDUCTED BETWEEN JANUARY 2018 - APRIL 2022

Calendar Year	No. of Patrols
2018	387
2019	194
2020	218
2021	260

2022 (Jan 1 to April 30)	153
Total	1212

3.1.8. All illegal structures identified, were forwarded to the COSL and Municipal Corporations for their action as provided for in accordance with the State Lands Act, Chapter 57:01 and Municipal Corporations Act, Chapter 25:04, respectively.

3.1.9. There was a reduction in the number of patrols in 2019 as human resources were temporarily reallocated towards conducting survey exercises in State lands throughout Trinidad. Additionally, there was a reduction in patrols over the calendar years 2020 and 2021 as a result of the COVID-19 pandemic and associated protocols.

Use of Private Security Firms

3.1.10. The LSA stated that it utilises private security firms to patrol hot spot areas in order to protect developed sites. These firms assist with 24/7 patrols and monitoring of these sites. The approximate cost per month to monitor each site is \$50,000.

Removal of illegal structures

3.1.11. The responsibility of removing illegal structures lies with the COSL and the Municipal Corporations.

3.1.12. Information on all illegal structures identified are forwarded to the COSL and Municipal Corporations for their action in accordance with the State Lands Act, Chapter 57:01 and Municipal Corporations Act, Chapter 25:04, respectively.

3.1.13. The LSA identified **1,170** new illegal structures for the period January 01, 2018 to April 30, 2022 as outlined in the Table below:

TABLE 2: LIST OF ILLEGAL STRUCTURES OVER THE LAST FIVE (5) YEARS

Calendar Year	Illegal Structures Identified
2017	629
2018	454
2019	192
2020	74
2021	293
2022 (Jan 1 to April 30)	157
Total	1170

Land Clearance Exercises

3.1.14. For the period **January 2018 to April 2022**, the COSL advised that thirty-four (34) land clearing exercises were conducted on the LSA's Designated sites based on information provided by the LSA.

3.1.15. Upon processing the information on all illegal structures, and in accordance with the relevant legislation, the office of the COSL determines where land clearing exercises should be pursued.

Eviction of Squatters

3.1.16. The eviction of squatters requires collaboration between the Land Settlement Agency (LSA) and the Land Management Division (LMD) in the Ministry of Agriculture, Land and Fisheries (MALF). The role of the LSA is to identify and submit squatter information to the Commissioner of State Lands (COSL).

3.1.17. In a written submission received from the MALF, reference was made to rulings of the Court which underscored the inability of the LSA to evict squatters.

Legislative limitations have placed significant reliance on the COSL to enforce squatter evictions. Therefore, squatter settlements detected by the LSA's Containment Unit field/security are submitted to the COSL. The COSL investigates the submitted cases for verification and takes the necessary action. Thereafter, Notices to Quit are prepared and served to squatters. If further action is deemed necessary, such as in the case of non-compliance with the Notice to Quit, the matter is then escalated to the Court.

3.1.18. At present, the following process is implemented by the LSA and the COSL when new illegal structures are identified during monitoring exercises :

- i. The LSA's Containment Unit submits reports of the occupied illegal and unoccupied illegal structures to its Legal Unit;
- ii. The Legal Unit drafts an advisory letter to the occupants informing them that they must remove their structure with immediate effect. No service is effected on an unoccupied structure;
- iii. For non-compliant occupants, a report which contains GPS coordinates, a copy of the served advisory letter and report from the patrol unit is forwarded to the COSL who is charged with the relevant legislative power to remove these occupant;
- iv. Upon receipt of a report of squatting from the LSA, the COSL submits the report to its Legal Unit for processing;
- v. The Legal Unit would request an Inspector of State Lands (IOSL) Report to confirm the illegal occupation. Upon receipt of the IOSL Report, the Legal Unit upon review of same, would request that a Notice to Quit be duly served on the squatter. This Notice to Quit gives the squatter seven (7) days within which to vacate the State Lands. After this time period has elapsed, a follow up visit is done by the Monitoring and Enforcement Unit to confirm whether or not the squatter has complied with the provisions

of the Notice to Quit. If the squatter did not comply, the served Notice to Quit would be passed to the Legal Unit for the appropriate Court action under the Trespass Act.

3.1.19. The COSL has been experiencing challenges in legally processing matters submitted by the LSA due to:

- i. the demolition of structures;
- ii. the lack of adequate or proper identification information for reported occupants; and
- iii. There have been challenges in accessing information through the Registrar General and GPO's office due to the pandemic.

3.1.20. Between January 2017 and April 2022, **1799 matters were referred from the LSA to the COSL. However, 1500, i.e. 83.4%, were not processed due to missing information.** As at June 2022, the MALF does not have adequate resources, with a current patrol staff of 80 persons. As a consequence, it has become necessary to engage a bounty agency in an effort to obtain missing identification information.

Certificates of Comfort

3.1.21. Prior to its discontinuance in October 2000, over 22,000 persons had applied for Certificates of Comfort. There are still approximately 2500 pending investigations on Certificates of Comfort applications.

3.1.22. Thus far, **8000 persons have received Certificates of Comfort.** The LSA stated that no more than 10,000 are set to receive Certificates of Comfort from the submitted batch, due to violations in the criteria for approval such squatting on private lands, squatting on non-residential lands and agricultural lands. Some applicants are also deceased, however, Certificates of Comfort cannot be

transferred to the next of kin. There is a provision in the Act that allows for a squatter's residence to be sold under a contractual arrangement.

3.1.23. Subsequent to the issuance of Certificates of Comfort, a statutory lease and a deed of lease are obtained. Squatters are not entitled to more than five thousand (5000) square feet. Persons attempting to buy several properties from squatters that surpass this size will not be given supporting documentation.

Regularisation of Squatters

3.1.24. The process of regularisation for squatters requires Cabinet approval. Regularisation of agricultural land requires that the COSL interfaces with the Environmental Management Agency (EMA) and the Commissioner of Valuations. There is an additional waiting period due to the additional approval required from the external agencies/units mentioned above. These delays impact the granting, renewal, transfers, acquisition and issuing of leases and licenses. A concluding step involves submitting finalised documents to the Chief State Solicitor.

3.1.25. Infrastructural development such as the development of starter homes is hinged on the socio-economic data available to the LSA, collected through survey exercises. More than 29 sites have undergone full scale regularisation. However, the haphazard way in which squatting structures have been outlined has also contributed to a lack of regularisation in many sites.

Removal of Material on State Lands

3.1.26. Attempts to remove squatters' building materials from state lands have been unsuccessful due to the inability to identify the owners of the materials.

Discussions will be held on the sections of the Trespass Act which give authority to the TTPS and the LSA to remove materials.

Financial Support of the LSA

3.1.27. According to the MHUD's written submission, under the Consolidated Fund, the LSA has received the following Allocation and Releases under their respective Votes:

TABLE 3: 2020/2021 BUDGETARY ALLOCATIONS TO THE LSA

		Fiscal 2020/2021			
No.	Project/Programme	Approved Allocation	Revised Estimates	Total Releases	Percentage of Allocation (\$95,500,000)
Consolidated Fund		\$	\$	\$	%
E 233	Survey of Squatter Sites	1,500,000	1,500,000	519,492	1.57
E 235	Housing and Village Improvement Programme	25,000,000	33,508,000	9,574,354	26.18
E 236	Regularisation and Regeneration of Communities - Greater POS Region	2,000,000	2,000,000	1,998,901	2.09
E 237	Regularisation of Squatter Communities	10,000,000	29,213,000	9,609,595	10.47
E 239	Government Aided Self-Help Programme	4,000,000	21,670,000	9,163,214	4.19
E241	Development of Lots - Petrotrin	20,000,000	23,583,000	37,843	20.94
TOTAL		62,500,000	111,474,000	30,903,399	65.45

3.1.28. According to the MHUD, the LSA, as a sub-executing agency for some projects under Component 1 (Urban Residential Infrastructure), is responsible for executing residential infrastructure civil works on squatter sites in Trinidad. Component 1 is financing a cohort of independent, urban residential infrastructure sub-projects of similar scope, to either upgrade living conditions in informal settlements on State lands or to develop planned, residential subdivisions in well-located State-owned site in the Greenfield area.

3.1.29. The executing agency is the MHUD, through the Project Monitoring, Coordinating and Evaluation Unit (PMCEU). The PMCEU provides the

monitoring and evaluation of the works being executed by LSA under this loan programme. One of the specific objectives of the programme is to improve the habitability in urban settlements on State-owned lands.

Human Resources of the LSA

3.1.30. The LSA has received approval from the MHUD for the filling of contract positions that have expired. The MHUD has also provided legal advice with respect to the process for the renewal of contract positions in the Agency.

3.1.31. The LSA submitted a letter dated June 10, 2022 to the MHUD to obtain support to engage suitable candidates to fill five (5) vacant Security Patrol Officer Positions on a fixed term contract for three (3) years. As at June 2022, this increase in Security Officers will move the current pool of Security Pool Officers from nine (9) to thirteen (13). A request for additional funding was made to facilitate the engagement of Security Patrol Officers and Supervisors.

Organisational Restructuring

3.1.32. The LSA's Organisational Structure was approved by the Public Management Consulting Division (PMCD) and the revised Organisational Structure was approved by Cabinet in 2012. This structure provided for One Hundred and Ninety-Three (193) positions in the Agency.

3.1.33. This Organisational Structure details the staff complement for the following core Units:

- i. Chief Executive Officer's Unit;
- ii. Corporate Services Unit;
- iii. Tenure Regularisation Unit;
- iv. Infrastructure Development Unit;
- v. Containment Unit; and

vi. Community Development Unit

3.1.34. Given the expanded role of the Agency, the Board of the LSA has recommended to the MHUD, the establishment of a “Special Projects Unit” within the Agency to develop and execute works outside of its core responsibility, categorised as “Special Projects”.

Submission of Information to the COSL

3.1.35. For the period January 01, 2018 – April 30, 2022, the LSA continued to collaborate with the COSL and Municipal Corporations. Information is sent on a monthly basis to the COSL and Municipal Corporations on new illegal structures identified. As such, 662 notices of illegal structures were forwarded to the COSL and Municipal Corporations

Research/ Survey Exercises

3.1.36. Since the end of the IADB Loan in December 31, 2017, the LSA has engaged in a number of research activities as outlined below:

- i. Social Survey exercises geared towards the collection of data of households in occupation of squatting sites.
- ii. In 2019, the LSA collaborated with the Ministry of Planning and Development on their “*Guidelines for Regularization of Informal Settlements on State Lands*”.
- iii. The LSA continues to engage in research related to low-cost and emergency housing for implementation under the Housing and Village Improvement Programme. The allocation of funds for further research on alternative construction methodologies can be of critical importance due to the rising cost of construction material which has heavily impacted the construction sector over the last two (2) years.

3.1.37. According to the LSA, the social survey was conducted from March 25th 2019 to December 24th 2019 on 250 sites. During the public hearing, the LSA reported that the last comprehensive social survey was conducted in 2019/2020 where 251 LSA designated sites were surveyed. However, the LSA was unable to submit the survey findings and report due to challenges in completing a verification exercise. Staff constraints and the Covid-19 pandemic have impeded the completion of this verification exercise.

3.1.38. For the period 2018-2022, 1170 new squatting structures were identified and reported to the COSL and the respective Regional Corporations.

Public Awareness Strategies

3.1.39. The LSA has implemented an Outreach Programme which utilises social media to disseminate information to the public. Additionally, the LSA has begun installing 'No Trespassing' signs in environmentally sensitive areas and or areas vulnerable to squatting. During the period January 1st 2018 – April 30th 2022, the LSA installed one hundred and one (101) 'No Trespassing' signs.

3.1.40. The LSA further developed an Education and Sensitisation Programme geared towards educating the public on the consequences of squatting. This programme was set to be rolled out within the 2022/23 Financial Year.

Updates on Legislative Amendments

3.1.41. According to email correspondence submitted to the LSA, the MALF provided comments and recommendations to the proposed amendments to the State Lands Act, Chapter 57:01 and State Land (Regularisation of Tenure) Act, Chapter 57:01.

Tenancy Programme

- 3.1.42. Under the tenancy programme, persons are entitled to a short-term tenancy in the first instance between one and three years, which is granted by the COSL after an investigation is conducted by the LSA. They are then entitled to a statutory lease for 30 years followed by a deed of lease for 199 years.
- 3.1.43. In instances where the primary Certificate of Comfort applicant dies, the tenancy programme introduced in Cabinet in 2020 allows persons/existing remaining family members occupying state lands surveyed and approved prior to June 14th, 2014, to be recognised and processed. The LSA has received 400 applications thus far for sites that have been approved and developed.
- 3.1.44. According to written evidence submitted by the LSA, the following challenges have been highlighted in the processing of clients under the Tenancy Programme:
- i. Refusal of occupants to resolve encumbrance;
 - ii. Awaiting survey plans due to re-surveys;
 - iii. Unwillingness of recommended applicants to pay processing fees and execute agreements;
 - iv. Bureaucratic delays with State Agencies; and
 - v. Unwillingness of persons to pay for lots because of the length of time they have been occupied.

National Squatter Containment Policy

- 3.1.45. According to the LSA, the *ad hoc* Committee formed to coordinate the review and update of the National Squatter Containment Policy last met on July 07, 2017. No further meetings of the Committee were held.

Findings and Recommendations

Based on the evidence set out in this section, the Committee concluded as follows:

- i. While the LSA has been compliant in its submission of its required statutory documents, it was interesting to note that the MHUD reported that it was satisfied with the performance of the LSA notwithstanding the continued escalation in squatting on state lands.
- ii. The restriction of the COVID-19 pandemic impeded the completion of the collection of essential data related to squatter settlements and their inhabitants. We expect that the LSA will seek to collaborate with partner agencies to treat with these data gaps since having a realistic understanding of the conditions of squatters settlements is essential for the successful execution of its mandate.
- iii. Given the threat posed to the safety of LSA staff when conducting patrols, the use of private security firms to conduct patrols was a necessary step in obtaining squatter information in criminally sensitive areas. However, the monthly cost associated with this service, over time, may not be financially sustainable.
- iv. The process outlined for the removal of an illegal structure appears protracted and highly bureaucratic. Notwithstanding the need to adhere to principles of natural justice, the current processes and procedures, that are being applied, cannot be described as an efficient system.
- v. The inability to serve Quit Notices in the absence of an occupant underscores the need for an adaptation to the Quit Notice criteria. There is an absence of synchronisation of resources between the LSA and the COSL as it pertains to the issuance of quit notices to squatters.

- vi. The use of a bounty agency is demonstrative of innovation in the MALF's attempt to obtain missing identification information prior to the issuance of Quit Notices.
- vii. While the COSL is dedicated to all matters regarding state lands, it is evident that the eviction efforts commenced by the LSA and thereafter actioned by the LMD is a duplication of efforts.
- viii. It is evident that the social surveys conducted by the LSA have advanced its operations. While the pandemic has reduced the frequency of the surveys, the eventual discovery of more innovative ways of obtaining information is imminent.
- ix. The LSA's attempts to boost its human resource capacity through the recruitment of additional staff is commendable. However, given prevailing budgetary constraints affecting the state, agencies such as the LSA must strive to optimise its existing resources by incorporating innovative approaches within its operations.
- x. Notwithstanding the prohibition against transferring a COC to a next of kin, the LSA's introduction of the Tenancy Programme has provided an extra layer of protection to land tenants in instances where the COC does not suit the current circumstances of an applicant.

Recommendations

Based on the evidence received and further to the foregoing findings, the Committee respectfully recommends as follows:

- i. That the LSA provide a detailed plan which outlines the measures that must be taken in order to enhance the LSA's procedures for correctly identifying squatters who are currently occupying lands under the agency's remit.**

- ii. **That the LSA should seek to further engage its line Ministry, (i.e. the MHUD), as well as the MALF and the Municipal Corporations with a view to establishing an inter-agency body (e.g. task force), whose mandate consists of identifying squatters, issuing Quit Notices, demolishing illegal structures, upon the issuance of a Court Order, and regularising squatters.**
- iii. **That the LSA utilise innovative solutions such as the placement of fences and signs on state lands clearly outlining penalties for non-adherence.**
- iv. **That a joint discussion should be held with the COSL and the LSA with a view to eliminating unnecessary bureaucratic procedures and processes associated with serving a Notice to Quit and ultimately evicting a squatter.**
- v. **The entity with responsibility for the identification of squatters should be empowered to evict squatters. Proposed revisions to the relevant laws that were required to give effect to this change should be submitted for the consideration of the Attorney General and its legislative drafting team before the end of fiscal 2022/2023.**
- vi. **The MALF seeks to engage Cabinet with a view to revising its organisational structure to obtain additional posts that are necessary to optimise its operations. In this regard, some priority should be given to the LMD. An update should be provided to the Parliament outlining the steps that have been taken to obtain additional manpower in the execution of its duties.**
- vii. **That the LSA move with alacrity as it pertains to the investigation of outstanding eligible COC applications that have satisfied the application criteria. A proposed timeline for achieving this goal should be provided to Parliament.**

- viii. The LSA should continue to engage its line Ministry on a periodic basis to get support to filling existing vacancies. A status update should be provided to the Parliament on the timeframe that has been discussed to establish the Special Projects Unit.**

- ix. That the LSA move with alacrity as it pertains to the issuance of leases under the Tenancy Programme. A public awareness campaign should be developed to effectively highlight the difference between the COC and the Tenancy Programme, in addition to the benefits and application details that are necessary.**

Objective 2: To examine the factors that are hindering the successful implementation of the proposed recommendations.

Challenges Hindering Collaboration between Agencies

3.2.1. The oversight of the LSA falls under the MHUD whereas the COSL falls under the MALF. According to evidence submitted by the MALF, the specific mandates regarding state land procedures executed by these respective entities would be better implemented if this oversight is given to one Ministry.

Human Resources Constraints

3.2.2. Reports submitted by the LSA must be verified by the Inspector of State Lands. However, this process has been prolonged by human resource shortgages. Given the limited time window for demolition, prolonged processes result in matters being filed in Court, which often results in benefits for the squatters.

Inaccurate Geospatial Data

3.2.3. COSL's staff is reliant on utilising maps to identify squatter settlement plots. However, the COSL staff faced challenges in locating some of the referenced plots of land, even when utilizing the maps provided by LSA. To remedy this, the COSL has resorted to doing joint site visits when serving Quit Notices, for accurate identification of sites and associated structures.

Identification of Squatters

3.2.4. A key component of monitoring unauthorised squatting on state lands, is obtaining accurate identification information from occupants. While a Quit Notice can be served on an unnamed occupant, a court matter against an unnamed occupant cannot be initiated in accordance with the State Lands Act.

- 3.2.5. According to the MALF submission, the lack of resources within the COSL office for the demolition of unauthorised structures underscores the need for support from other entities.

Challenges in Issuing Quit Notices

- 3.2.6. COSL's staff is confined to the traditional working hours which span between 6:00 a.m. and 6:00 p.m. However, illegal squatting activities often occur outside of these hours. Resource constraints have made identifying squatter activities difficult, therefore proposals for joint efforts among the LSA, MALF and the Municipal Corporations are to be discussed to mitigate against this challenge.

Hindrances to Squatter Mitigation

- 3.2.7. Due to the movement of squatters, the LSA has been unable to place and maintain physical boundaries between squatting lands due to the unplanned construction of squatting structures. As such, the LSA has begun to rectify this challenge by informing communities of the steps that are necessary to rectify and regularise this issue.
- 3.2.8. The LSA is dependent on other agencies such as the COSL and the Chief State Solicitor's Department to process title documents on its behalf. Human resources challenges continue to impede on the efficiency of these offices to execute title documents in a timely manner and submit them to the LSA.

Repossession of State Lands

- 3.2.9. According to the MALF submission, Section 20 (1) of the State Lands Act, Chapter 57:01 provides for summary proceedings before any Magistrate to secure possession of State Lands to the COSL. Joint discussions with the COSL, the LSA and the Trinidad and Tobago Police Service (TTPS) have commenced

on the use of the Trespass Act, Chap 11:07 to evict persons who are in illegal occupation of State Lands. A request for a legal opinion on the matter was sent to the Chief State Solicitor's Department on 13th August 2021. As at June 2022, the COSL has had no response.

Demolition of Squatting Residences

- 3.2.10. Squatters are aware that the COSL is unable to demolish occupied homes and removal requires approval by the Court. The COSL department has limited resources to properly survey squatter settlements. The regional corporations have not rendered assistance for demolitions and are not keen on engaging in this practice.
- 3.2.11. The MRDLG reported that notwithstanding the provisions of the Municipal Corporations Act, currently there is no definitive policy in place for the Municipal Corporations to deal with the removal of illegal structures on State Lands and the issue of squatting are under the remit of the Commissioner of State Lands by virtue of the State Lands Act Chap 57:01.
- 3.2.12. Furthermore, while the provisions of section 163 of the Municipal Corporations Act confers of the Corporation the authority to move, alter or demolish any illegal structure, the provision in section 163(3) for the cost of the removal of the structure is a cause for hesitance by Corporations.
- 3.2.13. Section 163(3) provides for “[...]a joint debt due to the Corporation by the owner and builder and, until payment, shall be a charge on the premises on which the building or other structure was commenced or completed, or the work executed[...].” which can become quite complicated where State Lands are concerned, as the enforcement

of the debt as against the Commissioner of State Lands, can be challenged on several grounds.

3.2.14. Consequently, the Corporations would be quite hesitant to incur the cost of removal of squatters or illegal structures on state lands, since the cost would most likely be irrecoverable as against the State and ultimately the enforcement of the provisions of section 163 of the Municipal Corporations Act remains subject to any existing Squatting Policy or Squatter Regularisation Policy in effect.

Impact of Squatting on Government Projects

3.2.15. Squatting in areas identified for commercial activities has impeded government plans such as the construction of highways. In many cases, persons engage in squatting in anticipation of receiving compensation.

3.2.16. Squatting has also been used as a protest tool against Government works. In some cases, squatters have settled in areas to impede government works in an attempt to be compensated for removal.

Resources (Squatter Detection/ Surveillance)

3.2.17. The MALF reported that it does not have adequate human resources to efficiently execute its duties in relation to squatter detection, surveillance and eviction. There have been instances where staff of the COSL department engaged in unscrupulous conduct e.g. misuse of the official stamp and seal. These challenges are further compounded by the fact that public officers at the Ministry are unable to work overtime as it is outside of their current job scope.

3.2.18. The MALF has been liaising with the Multi-Agency Task Force of the TTPS to mitigate illegal mining and squatting. There have been discussions to further collaboration with the TTPS and the COSL within the MALF.

Patrols (Vehicles)

3.2.19. Thirteen (13) vehicles have been assigned to the Containment Unit of the LSA for the patrolling of sites. Of the thirteen (13) vehicles assigned to the Unit six (6) are dysfunctional. Table 4 provides the details of the dysfunctional vehicles.

TABLE 4: DYSFUNCTIONAL VEHICLES AT THE LSA

No.	Vehicle Reg. No.	Vehicle Type	Remarks
1.	TDD 8390	Nissan Navarra	Clutch not working
2.	TCL 3934	Ford	Loss of engine power
3.	TCL 3935	Ford	Loss of engine power
4.	TCL 3936	Ford	Loss of engine power
5.	TCL 3937	Ford	Clutch not working
6.	TCE 813	Toyota Hilux	Clutch and Power Steering Rack Leaking

3.2.20. Vehicles are serviced (oil and filter changes) every 5000 km and wheel alignment and suspension checks are conducted on a needs basis. Checks on vehicles are conducted daily for fluid levels (oil, water, fuel, etc.), tyres' pressure and mileage. Furthermore, the official LSA 'Vehicle Checklist Forms' are filled out as follows:

- on a monthly basis;
- in the case where vehicles are handed over to another Unit/Department or to the Mechanic; and
- when an issue is noted during daily inspection.

Manpower Resources

- 3.2.21. The LSA requires funding to build its human resource capacity which in turn can translate into improvements in squatter detection and surveillance. The Organizational Structure of the LSA provides for the employment of twenty-four (24) Security Patrol Officers to conduct patrols. However, the Agency currently employs nine (9) Security Patrol Officers, two (2) Security Patrol Officer Supervisors and one Manager of the Containment Unit. The Agency is also in the process of filling five (5) additional positions of Security Patrol Officer on fixed-term contracts. The LSA also utilises the services of Private Security Firms to engage in patrols and monitoring of sites classified as “hot-spots”.

Allocation of State Lands

- 3.2.22. The length of time taken to allocate lands to qualified applicants may be a contributor to the increase in squatting. There is a need to accelerate the allocation process utilised by all the approval agencies. The LSA has proposed that sites be declared as land settlement areas, where the LSA’s chairman will be allowed to sign leases. This matter is before the Chief Parliamentary Council and the Ministry of the Attorney General and Legal Affairs for consideration.
- 3.2.23. There is no official MOUs used to facilitate the allocation of state lands. The guidelines on the regularisation of informal settlements on state lands are yet to be finalised. The Town and Country Planning Division is working on the finalisation of these guidelines.

Findings and Recommendations

Based on the evidence set out in this section, the Committee concluded the following:

- i. The Land Management Division (LMD) of the MALF requires additional human resources in order to effectively meet its primary mandate.
- ii. Accurate geospatial data is a major prerequisite for identifying and mitigating squatting. There is a need for such data to be updated and verified in order to action the required Quit Notices.
- iii. The requirement for the identification details of squatters has significantly impacted the MALF's ability to action court proceedings against illegal squatters. The lack of resources to facilitate demolitions can be remedied through collaborative efforts among the relevant state agencies.
- iv. Measures must be discussed to deal with the impact of squatting outside the working hours of the COSL staff.
- v. The proposal to explore the provisions of the Trespass Act, Chap 11:07 as a potential avenue for effecting the evictions of squatters is a commendable move pending the enactment of the necessary legislative amendments.
- vi. It is evident that legislative limitations have impacted on the support mechanisms that may be rendered from collaborative demolition efforts which has resulted in the hesitance of the Municipal Corporations to render assistance.

- vii. While migrant squatting has not been widely observed according to available data, squatting in areas designated for government projects has been active. There is a misconception that squatting in these areas may lead to compensation.
- viii. Inadequate remuneration packages in addition to reduced resources can negatively impact on employee morale with the MALF and the LSA.
- ix. The potential partnership between the TTPS and the COSL is an innovative step towards obtaining additional manpower to mitigate against squatting.

Recommendations

Based on the evidence received and further to the foregoing findings, the Committee recommends that:

- i. Further engagement with Cabinet is necessary for the addition of posts within the LMD. Inadequate human resources is a common challenge that is confronting several state agencies. As such, optimising the output of existing staff through effective training and performance management systems is essential for improving operational efficiency.**
- ii. Urgent discussions should be held with the relevant partner agencies with a view to expanding the use of geo-mapping technology in the identification of squatting sites and or structures.**
- iii. The MALF should re-engage the Chief State Solicitor's office with a view to obtaining an update on the legal underpinnings of utilising the Trespass Act as a squatter eviction measure. The MALF should provide the Parliament with a status update aimed at highlighting the sections of the Act that**

- provide the impetus for eviction.**
- iv. Notwithstanding the lack of resources to execute demolitions, the LSA, Municipal Corporations and MALF should engage in discussions to explore the options for collobarating with a view to implementing a more robust system for detecting and identifying squatters.**
 - v. That the LSA and the COSL engage with the respective utility companies such as Trinidad and Tobago Electricity Commission (TTEC) and the Water and Sewage Authority (WASA) with the aim of obtaining the residential information of the occupants of squatting sites that are in receipt of services from these utilities.**
 - vi. The LSA and the MALF must engage in a remuneration evaluation exercise for staff with a view to discussing methods by which job positions can be incentivised in the absence of an increase in remuneration.**
 - vii. The Parliament should be provided with an update as it pertains to feedback concerning the declaration of sites as land settlement areas and the benefits and implications of empowering the LSA chairman to sign leases.**

Objective 3: To examine the plans and proposals aimed at further improving the effectiveness of the LSA in regularizing squatters.

Strategic Plan

3.3.1. There has been significant changes to the mandate of the Agency from 2017 to 2022. The Land Settlement Agency has engaged a consultant to assist in the preparation of a Strategic Plan for the period 2022 to 2026.

3.3.2. The LSA submitted the following short-term to medium-term objectives:-

- i. To improve the infrastructure and standard of living of residents in Squatting Sites and sites in which other programmes are being implemented;
- ii. To collaborate with other Agencies in protecting and safeguarding the environment;
- iii. To review the Agency's Organizational Structure given its expanded mandate;
- iv. To fill vacancies in the revised Organisational Structure;
- v. To engage in activities aimed at discouraging citizens from squatting;
- vi. To develop sustainable communities through micro-enterprise and community development initiatives;
- vii. To promote the use of renewable resources in houses constructed by the Agency, such as solar technologies and rain water harvesting.

Expansion of the LSA Mandate

3.3.3. According to the MHUD, additional responsibilities were assigned to the LSA through Cabinet:

- (i) Project Management of the Government Aided Self Help Housing Programme (GASHHP);

- (ii) Project Management of the Housing and Village Improvement Programme (HVIP);
- (iii) Responsibility for developing lots for former PETROTRIN workers;
- (iv) Responsibility for developing parcels under the Youth Agricultural Homestead Programme;
- (v) Management of the Tenancy Programme; and
- (vi) Implement aspects of the San Fernando Waterfront Redevelopment Project.

Government Aided Self Help Housing Programme

3.3.4. The allocation process for developed lots under this programme is ongoing however the programme commenced in 2017. There is a weighted system used to determine applicants, where 70% are randomly chosen while 30% are chosen by the respective line minister.

3.3.5. The Government Aided Self Help Housing Programme received a total of 5,648 applications. To date, five hundred and thirty-eight (538) beneficiaries have been allocated lots in nine (9) sites under the Programme as outlined in the following Table:

TABLE 5: GOVERNMENT AIDED SELF HELP PROGRAMME

No.	Site	Lots Allocated
1	Cashew Gardens, Carlsen Field	7
2	Chin Chin, Cunupia	11
3	Chin Chin Phase II (North), Cunupia	38
4	Factory Road, Chaguanas	120
5	Milton Village, Couva	40
6	Orange Field, Carapichaima	108

7	Picton, Diamond Village, San Fernando	22
8	Roopsingh Road, Carapichaima	171
9	Waterloo, Carapichaima	21
Total		538

3.3.6. Further allocations will be made to persons who qualify under the approved criteria.

3.3.7. According to the LSA, the allocation of residential lots is an ongoing process. Lots will be allocated as they are developed and are allocated through random selection and based on the recommendation of the Housing Minister.

3.3.8. The following additional areas/ locations have been earmarked for future allocations:

- i. Allamby Street, Tarouba;
- ii. Balmain, Couva; and
- iii. Beaucarro, St. Mary's Village, Freeport.

3.3.9. The LSA is currently processing applications. As at June 2022, 553 letters of offers have been issued to chosen applicants. From this cohort, 375 applicants are at the mortgage processing stage. The LSA provides technical advice and housing plans at no cost, however, recipients must obtain approvals such as Town and Country approval and WASA clearance in order to commence construction.

3.3.10. The increase in financial allocations under the Government Aided Self-Help Housing Programme is attributed to the increased demand for material and infrastructure to fully develop selected lots.

3.3.11. The following sites have been identified for additional development:

- i. Allamby Street, Tarouba;
- ii. Balmain, Couva;
- iii. Beaucarro, St. Mary's Village Freeport;
- iv. Ste. Madeleine;
- v. Korea Village, Carapichaima;
- vi. Roopsingh Road, Carapichaima;
- vii. Chin Chin, Cunupia;
- viii. Orange Field Road, Waterloo;
- ix. Factory Road Chaguanas;
- x. Milton Village, Couva;
- xi. Picton Extension, Diamond Village;
- xii. Cashew Gardens, Carlsen Field; and
- xiii. Waterloo, Carapichaima.

3.3.12. At present, two contractors have been engaged to develop these areas. The Laing Sandblasting and Painting Co. Ltd has been commissioned to develop Allamby Street Tarouba, whilst JNCO Enterprise will develop Picton Extension, Diamond Village.

Challenges in executing the Government Aided Self-Help Housing Programme

3.3.13. The critical conditions required for the successful implementation of the Government Aided Self-Help Housing Programme include:

- Additional Funding for Development Works;
- Dedicated resources for Government Institutions responsible for assisting with processing of Title documents;
- Fast tracking of approvals from Statutory bodies for Development Works;

- Fast tracking of Approvals from Organisations for clients seeking approvals for acquiring loans and building permits;

3.3.14. Challenges hindering the successful execution of the Government Aided Self-Help Housing Programme include:

- i. Client Delays: Delays in producing documents for processing of leases and/or mortgages;
- ii. Land Grabbing by squatters;
- iii. Process Delays: the LSA is dependent on other State Agencies to smoothly complete the process and have experienced delays;
- iv. Difficulties in obtaining Statutory Approvals in a timely manner.

Housing and Village Improvement Programme

3.3.15. The execution of this programme commences at a village level, where only dwelling houses in dilapidated conditions may be eligible. This programme utilises a point system to select applicants. However, the LSA stated that the absence of land tenure documents is a significant challenge in attempting to render assistance to residents.

Youth Agricultural Homestead Programme (YAHP)

3.3.16. In August 2021, Cabinet agreed that the LSA would operationalize Component (2) of the Youth Agricultural Homestead Programme (YAHP) in collaboration with Ministry of Youth Development and National Service (MYDNS). This Component is responsible for the infrastructural development of various identified parcels of land.

LSA's Mapping targets

3.3.17. The LSA stated that it aims to monitor and map all sites listed as Designated Areas listed under the Schedule of the State Land (Regularisation of Tenure) Act. The LSA also assists the COSL in monitoring, mapping and reporting on new squatting activities in sites not listed in the Schedule. Other mapping activities are undertaken on an *ad hoc* basis by request from external agencies or as a result of reports of squatting activities. The LSA also seeks to conduct approximately six hundred (600) patrols annually.

Technological Improvements

3.3.18. The MHUD has strongly encouraged the use of a Geographic Information System (GIS) database, to store geospatial data on squatting sites and drone technology to monitor activities on squatting sites. Additional technology such as satellite technology have assisted in identifying squatting areas and measuring its growth or reduction.

3.3.19. The estimated cost of acquiring a new handheld GPS device is \$25,000. However, the LSA is at the stage of evaluating quotations received for devices. The LSA intends to procure fifteen (15) new devices in the first instance, based on the release of funds from the Ministry of Finance (MOF).

3.3.20. Drones have been used to obtain information on the development of sites as well as the GIS points. The LSA currently has two drones which have assisted with monitoring and containment activities.

Establishment of a Hotline

3.3.21. The LSA has established a hotline, 866-1111, to be utilised by the public to report illegal squatting.

Squatter regularisation, what are the LSA's annual targets

3.3.22. The Agency's annual targets for the period 2022 to 2025 with regard to squatter regularisation are as follows:

- i. Process the remaining 2,000 Certificate of Comfort (COC) applications, thereby bringing an end to the COC processing phase of the tenure regularisation process;
- ii. Engage in the processing of 550 Statutory Leases for a term of 30 years;
- iii. Engage in the processing of 280 Deeds of Lease for a term of 199 years;
- iv. Collaborate with the Commissioner of State Lands to undertake the processing of 1,700 Tenancy Agreements for occupants of Director of Surveys-approved State land sites who were in occupation prior to January 14, 2014 under the Tenancy Programme;
- v. Process 470 Statutory Leases and 280 Deeds of Lease under the Tenancy Programme;
- vi. Undertake full infrastructure development works on a minimum of 2000 lots per year which is dependent on budgetary allocations;
- vii. Undertake early and emergency works for 1000 lots per year in sites located on the hillsides of Port of Spain and Environs;
- viii. Conduct Perimeter Surveys in at least 20 sites per year to determine state land boundaries and
- ix. Establish a minimum of ten (10) new Settlement Councils per year.

A breakdown of the annual targets are outlined in the Table below.

TABLE 6: LSA ANNUAL TARGET

Category	Details	2022	2023	2024	2025
Tenure Regularisation under State Land (Regularisation of Tenure) Act	Certificates of Comfort	500	1500		
	Statutory Leases	50	100	200	200
	Deeds of Lease	30	50	100	100
Tenure Regularisation under the Tenancy Programme	Tenancy Agreements	200	500	500	500
	Statutory Leases	70	100	150	150
	Deeds of Lease	30	50	100	100
Infrastructure Development Works	Lots Developed	2000	2000	2000	2000
Early and Emergency Works on hillsides of Port of Spain and Environs	Lots Developed	1000	1000	1000	1000
Perimeter Surveys to determine State land boundaries	Sites surveyed	20	20	20	20
Community Development	Establishment of Settlement Councils	10	10	10	10

3.3.23. The LSA's annual targets are restricted to the Agency's budgetary allocation.

Inter-Agency Committee

3.3.24. An interagency committee has been established with the support of the Inter-Agency Task Force of the Police service, the LSA and the COSL, for the sole objective of sharing pertinent information and hastening steps to mitigate against present and future squatting. Hotspots continue to pose a challenge and the committee is currently discussing ways in which this may be mitigated

Policy Developments

- 3.3.25. In 2019, the MHUD's Legal Unit provided feedback and guidance to the LSA on the Policy for the Provision of Security of Tenure and Land Pricing to Occupants on State Lands in the LSA's designated areas, who are not eligible for Certificates of Comfort in accordance with the State Land (Regularisation of Tenure) Act, Chapter 57:05. The Legal Unit also provided the LSA with detailed correspondence on the legal ramifications of this policy as well as provided its legal opinion on the alternative legal avenues available to the LSA, as well as its Legislative Amendments. Stakeholder consultations were also hosted and convened by the Legal Unit with the LSA during this time, towards reaching a decision which would address the concerns surrounding the ineligibility of persons for Certificates of Comfort.
- 3.3.26. This Policy was approved by Cabinet in 2020, to guide the provision of security of tenure to certain categories of squatters/occupants who have been in occupation of State Lands on the LSA's designated areas and Land Settlement Areas prior to June 14, 2014.
- 3.3.27. The MHUD has also provided the necessary support to the LSA in developing other policies for the Squatter Containment Programme and the Government Aided Self-Help Housing Programme (GASHHP).
- 3.3.28. The Office of the Attorney General and Ministry of Legal Affairs proposed amendments to the Squatter Containment Policy which were communciated to the COSL and resubmitted to the MALF. It is due to go to the Legislative Review Committee.

Legislative and regulatory amendments

3.3.29. With regard to **Legislative and Regulatory Amendments**, the MHUD's Legal Unit is currently following up on recommendations for the amendments of the **State Land Act Chap 57:01** and **State Land (Regularisation of Tenure) Act Chap 57:05** as it pertains to the containment of squatting.

3.3.30. A Draft Cabinet Note was prepared in 2020 by the MALF outlining the proposed amendments to the State Lands Act Chapter 57:01 and the State Land (Regularisation of Tenure) Act, Chapter 57:05. The LSA provided feedback to the MALF in respect of this proposal.

Inter-Ministerial Committee

3.3.31. An Inter-Ministerial Committee was established in August 2020. The composition includes representation from the MHUD, several State Agencies, COSL, Regional Corporations, Town & Country Planning Division and the Water And Sewage Authority (WASA). Members serving on this committee were strategically selected, from among officers with the authority to make urgent and critical decisions. The Committee is chaired by the Minister of Housing and Urban Development. It is anticipated that this committee will aid in the planning process to expedite approvals for State Land Development and be efficient and effective in resolving issues within the stakeholder group.

Recommendations to rectify the above challenges

3.3.32. The MALF, in its submission, provided a list of recommendations in improving the management of state lands.

3.3.33. Discussions held between the MALF and the LSA resulted in a decision for the LSA to initially prepare and serve their own Notices informing squatters that the

lands on which they are in illegal occupation are managed by the LSA. These measures will be time efficient and can be implemented before briefing the Commissioner of State Lands on a monthly basis.

3.3.34. Heed should be paid to the judgment by Justice Gobin regarding CV 2008-03473 *Vida Balkissoon and ORS v. The Land Settlement Agency*, CV 2009-00098 *Lalita Arjoon and ORS v. The Land Settlement Agency*, CV 2009-02059 *Bhisham Singh and ORS v. The Land Settlement Agency*. Her recommendations were that *“the role of the Commissioner of State Lands in relation to squatting needs to be revised. The summary procedure for possession against squatters stipulated by Section 20 of the State Lands Act may need to be reconsidered in the light of present-day realities including the strain on the judicial system in the Magistrates Courts. On the other hand, it may be that all that is necessary is for the Commissioner’s office to be provided with the proper infrastructure, personnel and resources, and to be equipped with the machinery necessary to efficiently manage, monitor and prevent illegal squatting”*.

3.3.35. According to the MALF, regarding the filing of court matters in relation to the unauthorised occupation of lands managed by the LSA, a clear distinction should be made on any intended action for any parcel of State Land under their remit.

Findings and Recommendations

Based on the evidence set out in this section the Committee concluded as follows:

- i. The expansion of the LSA’s mandate should coincide as far as is practicable with an increased allocation of resources to allow the agency to effectively execute its newly assigned duties.

- ii. The incorporation of the Government Aided Self-Help Housing Programme under the oversight of the LSA was necessary given the LSA's mandate to establish land settlement areas. However, the Committee questions whether there are resource and internal capacity constraints that have affected the processing of applications under this programme given that since the programme's inception in 2017 less than 400 persons out of 1000 have advanced to the mortgage scale.
- iii. Notwithstanding the LSA's plan to improve squatter developments through the Housing and Village Improvement Programme, the process requires that potential recipients are in possession of a Deed of Lease for their home.
- iv. The LSA's desire to conduct 600 patrols annually in the absence of additional resources is ambitious. However, where financially possible, external service providers should continue to be utilised.
- v. Where possible, the LSA should consider the use of CCTV cameras. The Predial Larceny Unit of the MALF should also be engaged to discuss collaborative arrangement for information sharing.
- vi. Notwithstanding the cost to obtain and improve the technological infrastructure and tools, such as drones and GPS devices, it is a necessary measure given the existing manpower shortages within the LSA.
- vii. The establishment of a hotline or digital app to receive input from the public on squatting is a necessary measure given the resource shortages of the LSA. Partnering with the public to assist in the efforts to detect and report incidents

- of squatting is an innovative move to supplement the limited resources of the agency
- viii. The attempt by the LSA to serve its own temporary notices informing squatters of the LSA oversight of their lands is a necessary step in reducing the bureaucracy that is attached to the process of issuing a Quit Notice. However, such action, though laudable, must be done while taking into account Justice Gobin's ruling as it relates to the LSA's inability to evict squatters.

Recommendations

Based on the evidence received and further to the foregoing findings, the Committee respectfully recommends the following:

- i. A status update should be provided on the cost and the estimated date of completion of the the LSA's new Strategic Plan. Additionally, the Strategic Plan should include the KPIs that will guide the evaluation of the LSA operations.**
- ii. That the LSA provide a status update inclusive of the timeframes for the achievement of the short- medium term objectives as highlighted on page 43 of this report.**
- iii. It is necessary that the LSA continues to engage the MHUD for resource support considering the significant expansion of its duties. The successful fulfilment of its expanded mandate will also require the agency to *inter alia* adopt innovative approaches including the creation of strategic partnerships with other state departments and agencies.**

- iv. The LSA should outline a clear timeline for the finalisation of this GASHHP and the multi-stakeholder support that is necessary for its successful execution.**

- v. The LSA should engage in a targeted public awareness campaign, aimed at squatters with a view to informing them of the steps that are necessary to qualify under the Tenancy programme.**

- vi. The LSA should engage its line ministry with a view to potentially hiring short-term field officers to assist in its field survey exercises.**

- vii. The Parliament should be provided with an update on the GPS technology and drone devices that have been procured and are in-use thus far.**

- viii. The LSA should create an additional database that records the submission of information from the public. To engender public confidence, the public should be notified that information submitted via this hotline will remain confidential.**

- ix. The LSA should engage the MALF with a view to revising the legislation to adequately empower the Agency. The Ministerial Response to this report should comprise an update on the progress made to submit the proposed amendments to the relevant laws for the consideration of Parliament.**

The Committee respectfully submits the foregoing for the consideration of the Parliament.

Dr. Varma Deyalsingh
Chairman

Mr. Esmond Forde, MP
Vice-Chairman

Mrs. Lisa Morris-Julien, MP
Member

Mrs. Ayanna Webster-Roy, MP
Member

Mr. Laurence Hislop
Member

Ms. Khadijah Ameen
Member

Mrs. Renuka Sagramsingh-Sooklal
Member

Ms. Jayanti Lutchmedial
Member

Dated March 7th, 2023

Appendices

Appendix I

The LSA's SWOT Analysis

<u>STRENGTHS</u>	<u>WEAKNESSES</u>
Leadership and Technically competent staff in almost every field of operation	Shortfall in funding
Access to personnel resources through approved structure especially in critical areas of operation.	Limitations of the SLRT Act which hinders overall progress.
Employee-based results driven	Difficult to attract persons to fill technical positions.
Autonomy to manage its operations through approved policies.	A high rate of turnover in employees due to the number of workers on temporary arrangements.
Supporting legislation for its operations through SLRT Act.	Some aspects of IT Database storage remain dependent on the MHUD
Clear guidelines from LSC to management on outline policies for execution	Resistance to change
Access to appropriate technology for its operations - aerial photography, satellite images, social surveys and GIS.	Many sites not included in the SLRT Act – not designated
Comprehensive defined Pricing Policies to facilitate the distribution of Deeds of Lease.	Challenges in convincing squatters to take advantage of the opportunities to be regularised.
Model Tenancy Programme which allows the LSA to treat with a large number of squatters/tenants who were ineligible for COCs.	The LSA does not own land

OPPORTUNITIES

- Ability to form strategic alliances with other governmental and Non-Governmental Agencies – Avoidance of duplication and optimization of resources
 - Security of tenure as a conduit to economic, social and psychological for positive participation among squatters.
 - Enabling policies to allow the Agency to generate more revenue and a greater degree of self-sufficiency.
 - Additional lots generated from squatter regularization programme can be used for to resettle residents that are required to move.
 - Starter Home Construction Programme (use of sustainable technologies including use of solar power and water harvesting equipment)
 - Establishment of an Emergency Relief Housing and Shelter Grant
 - Private Funding Housing Build Initiative (PFHBI)
 - Current Act only makes provision for squatting on State Land.
-

• **THREATS**

- Lack of containment legislation to contain further squatting
- Staff risk - The security and well-being of Staff are placed at risk due to the high incidence of illegal activities that occur in squatter communities.
- The current policies of other State and other Land Agencies with respect to the jurisdiction over lands make it very difficult to identify and develop sites at the required rate.
- Encroachment upon sites and right of ways when areas are being developed therefore frustrating the process of orderly development and allocation of lands.
- Land Grabbing and increased squatting
- Disregard for the Environment
- Lack of / Untimely and inadequate disbursement of funds by the Ministry of Finance
- The general dependency syndrome among various segments of the population being targeted.

Appendix II

LSA Fiscal 2018-2020 Financial Allocations

Follow-Up Examination into the Recommendations contained in the First Report of the Committee on the Administration and Operations of the Land Settlement Agency in Relation to Squatter Regularisation, 11th Parliament

		Fiscal 2019/2020			
No.	Project/Programme	Approved Allocation	Revised Estimates	Total Releases for fiscal 2019/2020	Percentage of Allocation (\$83,063,000)
Consolidated Fund		\$	\$	\$	%
E 233	Survey of Squatter Sites	1,500,000	1,500,000	1,444,821	1.81
E 235	Housing and Village Improvement Programme	15,000,000	18,720,000	13,047,501	18.06
E 236	Regularisation and Regeneration of Communities - Greater POS Region	10,000,000	10,000,000	9,163,904	12.04
E 237	Regularisation of Squatter Communities	13,000,000	13,000,000	12,956,554	15.65
E 239	Government Aided Self-Help Programme	2,500,000	2,500,000	2,495,087	3.01
E241	Development of Lots - Petrotrin	0	0	0	
TOTAL		42,000,000	45,720,000	39,107,867	50.56

		Fiscal 2018/2019			
No.	Project/Programme	Approved Allocation	Revised Estimates	Total Releases for fiscal 2018/2019	Percentage of Allocation (\$81,750,000)
Consolidated Fund		\$	\$	\$	%
E 233	Survey of Squatter Sites	4,500,000	4,500,000	4,196,022	5.50
E 235	Housing and Village Improvement Programme	10,000,000	28,000,000	8,174,887	12.23
E 236	Regularisation and Regeneration of Communities - Greater POS Region	2,500,000	12,500,000	3,312,435	3.06
E 237	Regularisation of Squatter Communities	15,000,000	15,000,000	14,200,373	18.35
E 239	Government Aided Self-Help Programme	2,500,000	2,500,000	2,475,811	3.06
E241	Development of Lots - Petrotrin	0	0	0	
TOTAL		34,500,000	62,500,000	32,359,528	42.20

Appendix III

Minutes

EXCERPT OF THE MINUTES OF THE 13TH MEETING OF THE JOINT SELECT COMMITTEE APPOINTED TO INQUIRE INTO AND REPORT ON LOCAL AUTHORITIES, SERVICE COMMISSIONS, STATUTORY AUTHORITIES (INCLUDING THE THA)

This meeting was held virtually via Zoom

PRESENT

Members

Dr. Varma Deyalsingh	Chairman
Mr. Esmond Forde, MP	Vice-Chairman
Mrs. Lisa Morris – Julian, MP	Member
Ms. Khadijah Ameen, MP	Member
Ms. Jayanti Lutchmedial	Member

Secretariat

Mr. Julien Ogilvie	Secretary
Ms. Khisha Peterkin	Assistant Secretary
Ms. Sherlana Ramdeen	Procedural Officer Intern
Ms. Terriann Baker	Graduate Research Assistant
Ms. Nicole Brown	Graduate Research Assistant

Absent/ Excused

Mr. Nigel De Freitas	Member
Mrs. Renuka Sagramsingh-Sooklal	Member
Mrs. Ayanna Webster – Roy, MP	Member

PRE-HEARING DISCUSSIONS

4.1 The Chairman advised that the following entities will be appearing before the Committee:

- i. The Land Settlement Agency;
- ii. Ministry of Housing and Urban Development; and
- iii. Ministry of Agriculture, Land and Fisheries.

- 4.2 The Committee was advised that written submissions were received from the entities listed at item 4.1 on May 23, 2022, May 24, 2022 and May 26, 2022, then circulated to Members via email and posted on *Rotunda*.
- 4.3 The Committee was reminded that issues papers prepared by the Secretariat based on the written submissions received were circulated to Members via email on May 31, 2022.
- 4.4 The Chairman reminded Members of the following objectives of the inquiry:
- a. To determine whether the proposed recommendations have been successfully implemented;
 - b. To examine the factors that are hindering the successful implementation of the proposed recommendations; and
 - c. To examine the plans and proposals aimed at further improving the effectiveness of the LSA in regularising squatters.
- 4.5 Members reviewed the Issues Papers and selected questions and issues each would focus on during the public hearing.

OTHER BUSINESS

The Date and Agenda of the Next Meeting

- 5.1 The Chairman advised Members that the next meeting is scheduled for Wednesday July 06, 2022 at 9:30 a.m.
- 5.2 There were no objections.

The meeting was suspended at 10:08 a.m.

PUBLIC HEARING

- 6.1 The Chairman reconvened the meeting at 10:17 a.m. and advised that the meeting will be recorded for subsequent broadcast.

6.2 The Chairman highlighted the objectives of the inquiry and introductions were made.

6.3 The Chairman then invited the lead official of each delegation to make a brief opening statement.

Witnesses Who Appeared

7.1 The following officials appeared before the Committee:

The Land Settlement Agency

- Mr. Wayne Innis Chairman
- Mr. Hazar Hosein Chief Executive Officer
- Ms. Lorraine Heath Corporate Secretary
- Ms. Averline Scott Manager, Corporate Services Unit
- Ms. Shellagh Rosemin Senior Attorney

Ministry of Housing and Urban Development

- Mrs. Claire Davidson-Williams Permanent Secretary
- Mr. Michael Byng Assistant Programme Director

Ministry of Agriculture, Land and Fisheries

- Ms. Bhanmati Seecharan Commissioner of State Lands (Ag.)
- Mr. Glen Mahabir Legal Officer II
- Mrs. Reanna Phagoo-Nandlal Legal Officer I

KEY ISSUES DISCUSSED

8.1 The following are the main issues highlighted during discussions with **the Land Settlement Agency**:

Proliferation of Squatting

- i. The LSA is responsible for restricting squatting on listed or designated squatter sites. Any other expanses of land fall under the remit of the Commissioner of State Lands.
- ii. The LSA specified that it does not have responsibility for squatting in Tobago.
- iii. The LSA has established a Containment Unit, which has contributed to the reduction in squatting.
- iv. According to the LSA, there has been a reduction in squatting during the years 2018- 2022.
- v. The LSA has commenced a community-based approach by informing residents of the consequences of squatting.
- vi. Additional technology such as GPS, drone technology and satellite technology have assisted in identifying squatting areas and measuring its growth or reduction.
- vii. Squatting in areas identified for commercial reasons has impeded government plans such as the construction of highways.
- viii. In many cases, persons engage in squatting in anticipation of receiving compensation.

Migrant Squatting

1. The LSA has no specific data that reflects an increase in migrant squatting.
2. Certain areas have had an increase in the number of migrant squatters such as Sangre Grande and Valencia.
3. Squatting has also been used as a protest tool against Government works.
4. In some cases, squatters have settled in areas to impede government works in an attempt to be compensated for removal.
5. The LSA has been submitting squatting information to the Commissioner of State Lands.

Developing Squatter Sites

1. The LSA seeks to encourage sustainable development and community improvement within squatter sites through the establishment of microenterprise units. Community councils have been established within these squatting sites.

Reporting of Squatting by the Public

1. The LSA has established a hotline to be utilised for reporting squatting.

Conducting Surveys

1. The last comprehensive social survey was conducted in 2019/2020 where 251 LSA designated sites were surveyed.
2. For the period 2018- 2022, 1170 new squatting structures were identified and reported to the Commissioner of State Lands and the respective Regional Corporations.
3. It was reiterated that the LSA does not have legal power to contain but rather identify squatting.
4. The LSA is restricted to the 251 areas listed in Act 25 of 1998, the State Land (Regularisation of Tenure) Act, Chapter 57:05.

Certificates of Comfort

1. Over 22,000 persons have applied for Certificates of Comfort prior to its discontinuance in October 2000.
2. There are still approximately 2500 pending investigations on Certificates of Comfort applications.
3. Thus far, 8000 persons have received Certificates of Comfort. The LSA stated that no more than 10,000 are set to receive Certificates of Comfort from the submitted batch, due to violations in the criteria for approval such squatting on private lands, squatting on non-residential lands and agricultural lands. Some applicants are also deceased, however, Certificates of Comfort cannot be passed on to the next of kin.
4. There is a provision in the Act that allows for a squatter's residence to be sold under a contractual arrangement.
5. Subsequent to the issuance of Certificates of Comfort, a statutory lease and a deed of lease are obtained. Squatters are not entitled to more than five thousand (5000) square feet.
6. Persons attempting to buy several properties from squatters that surpass this size will not be given supporting documentation.

Investigating Squatting

1. Every hotline report submitted by the public is investigated and verified by the LSA prior to reporting it to the Commissioner of State Lands.

Tenancy Programme

1. In instances where the primary Certificate of Comfort applicant dies, the tenancy programme introduced in Cabinet in 2020, allows for persons/ existing remaining family members occupying state lands surveyed and approved prior to June 14th, 2014, to be recognised and processed.
2. The LSA has received 400 applications thus far for sites that have been approved and developed.
3. Under the tenancy programme, persons are entitled to a short term tenancy in the first instance between one and three years, which is granted by the Commissioner of State Lands after an investigation is conducted by the LSA. They are then entitled to a statutory lease for 30 years followed by a deed of lease for 199 years.

Eviction of Squatters

1. The Commissioner of State Lands and the Municipal Corporations are empowered through legislation to evict squatters. The LSA, however, does not have the power to evict or remove squatters.

Provision of Basic Amenities to Squatters

1. Infrastructural development is hinged on the socio-economic data available to the LSA, collected through survey exercises.
2. More than 29 sites have undergone full scale regularisation.
3. The haphazard way in which squatting structures have been outlined has also contributed to a lack of regularisation in many sites.
4. The LSA does not have power over WASA and T&TEC approval.
5. The LSA selects squatter sites based on data collected by its Social Services Department.
6. Starter homes are chosen and executed through the analysis of socio-economic data.

Government Aided Self- Help Programme

1. The LSA is currently processing applications, however, 553 letters of offers have been issued to chosen applicants.
2. Only 375 persons are at the mortgage processing stage.
3. Recipients must obtain approvals such as Town and Country and WASA clearance in order to commence construction.
4. The LSA provides technical advice and housing plans at no cost. As such, it is anticipated that more applicants will begin construction.

5. There is a weighted system used to determine applicants, where 70% are randomly chosen while 30% are chosen by the respective line minister.

Housing and Village Improvement Programme

1. The execution of this programme commences at a village level, where only qualifying residents in dilapidated conditions may be eligible.
2. This programme utilises a point system to select applicants.
3. The LSA further stated that the absence of land tenure documents is a significant challenge in attempting to render assistance to residents.

Collaboration with Agencies

1. The LSA's Approvals Coordinating Committee attempted to meet with representatives from the respective utility and approval entities such as Town and Country, Drainage Division.
2. Due to the movement of squatters, the LSA has been unable to maintain physical boundaries. As such, the LSA has begun to rectify this challenge by informing communities of the steps that are necessary to rectify and regularise this issue.
3. The LSA is dependent on other agencies such as the Commissioner of State Lands and the Chief State Solicitor's Department to process title documents on its behalf.
4. Human Resources challenges continue to impede on the efficiency of these offices to execute title documents in a timely manner to the LSA.

Squatter Containment Policy

1. The amendments submitted by the Office of the Attorney General and Ministry of Legal Affairs to the Commissioner of State Lands (COSL) have been reviewed and resubmitted to the Ministry. It is due to go to the Legislative Review Committee.

Allocation of State Lands

1. The length of time taken to allocate lands to qualified applicants may be a contributor to the increase in squatting.
2. There is a need to accelerate the allocation process utilised by all the approval agencies.
3. The LSA has proposed that sites be declared as land settlement areas, where the LSA's chairman will be allowed to sign leases.
4. This matter is before the Chief Parliamentary Counsel for consideration.

5. There are no official MOUs guiding the allocation of state lands.
6. The guidelines on the regularisation of informal settlements on state lands are yet to be finalised. Town and Country is working on the finalisation of these guidelines.

Squatting in Forested Areas

1. In cases where persons have squatted in forested areas, reports are submitted to the COSL, in an attempt to preserve nature.

Use of Private Security Firms

1. The LSA stated that it utilises private security firms to patrol hot spot areas in order to protect developed sites.
2. These firms assist with 24/7 patrols and monitoring of these sites.
3. The approximate cost to monitor each site per month is \$50,000.

Use of Drones

1. The LSA currently has two drones which have assisted with monitoring and containment activities.
2. Drones have been used to obtain information on the development of sites as well as the GIS points.

Inter-agency Committee

1. An interagency committee has been established with the support of the Inter-Agency Task Force of the Police service, the LSA and the COSL, for the sole objective of sharing pertinent information and hastening steps to mitigate against present and future squatting.
2. Hotspots continue to pose a challenge and the committee is currently discussing ways in which this may be mitigated.

The following are the main issues highlighted during discussions with the **Ministry of Agriculture, Land and Fisheries**:

Evicting Squatting

1. The COSL has served Quit Notices to illegal squatters.
2. The Commissioner of State Lands has had challenges in legally processing matters submitted by the LSA due to:

- the demolition of structures; and
 - the lack of adequate or proper identification information for reported occupants.
3. There have been challenges in accessing information through the Registrar General and GPO's office due to the pandemic.
 4. Between January 2017 and April 2022, 1799 matters were referred from the LSA, 1500 of which were not processed due to missing information.
 5. A bounty agency has also been engaged in an effort to obtain missing identification information.
 6. The Ministry does not have adequate resources, with a current patrol staff of 80 persons.

Demolition of Squatting Residents

1. Squatters are aware that the COSL is unable to demolish occupied homes and removal requires a court proceeding.
2. The COSL department has limited resources to conduct searches and visits when units are unoccupied.
3. The regional corporations have not rendered assistance for demolitions and are not keen on engaging in this practice.

Regularisation of Squatters

1. The process of regularisation requires Cabinet approval.
2. Regularisation of agricultural land requires that the COSL interfaces with the Environmental Management Agency (EMA) and the Commissioner of Valuations.
3. There is an additional waiting period due to the additional approval required from the external agencies/ units mentioned above.
4. Long delays impact the granting, renewal, transfers, acquisition and issuing of leases and licenses.
5. A concluding step involves submitting finalised documents to the Chief State Solicitor.

Resource Constraints

1. The Ministry does not have adequate human resources to efficiently execute its duties.
2. There have been instances where the stamp and seal were misused by staff within the Ministry.

3. The inadequate remuneration paid to patrol staff may be a contributor to the acceptance of bribes.
4. Public service staff are unable to work overtime as it is outside of their current job scope.
5. The MALF has been liaising with the Multi-Agency Task Force of the TTPS to mitigate illegal mining and squatting.
6. There have been discussions to establish a TTPS base, in collaboration with the COSL within the MALF.

Use of State Lands for Recreational Purposes

1. Any acquisition of State Lands is done via the Commissioner of State Lands, however, recreational grounds require partnership with municipal corporations for its maintenance.

Removal of Material on State Lands

1. Attempts to remove building materials have been unsuccessful due to the inability to identify the owners of the materials.
2. Discussions will be held on the sections of the Trespass Act which give authority to the TTPS and the LSA to remove materials.

The following are the main issues highlighted during discussions with the **Ministry of Housing and Urban Development**:

Increase in Financial Allocation

1. The increase in financial allocation under the Government Aided Self-Help Programme accounts for increases in material and infrastructure development to fully develop selected lots.

ADJOURNMENT

- 9.1 The Chairman thanked Members and adjourned the meeting.
- 9.2 The meeting was adjourned at 12:47 p.m.

Follow-Up Examination into the Recommendations contained in the First Report of the Committee on the Administration and Operations of the Land Settlement Agency in Relation to Squatter Regularisation, 11th Parliament

I certify that the Minutes are true and correct.

Chairman

Secretary

November 02, 2022

Appendix IV

Verbatim Notes

VERBATIM NOTES OF THE THIRTEENTH VIRTUAL MEETING OF THE JOINT SELECT COMMITTEE ON LOCAL AUTHORITIES, SERVICE COMMISSIONS AND STATUTORY AUTHORITIES (INCLUDING THE THA), HELD (IN PUBLIC) ON WEDNESDAY, JUNE 01, 2022, AT 10.17 A.M.

PRESENT

Dr. Varma Deyalsingh	Chairman
Mrs. Lisa Morris-Julian	Member
Mr. Esmond Forde	Member
Ms. Jayanti Lutchmedial	Member
Ms. Khadijah Ameen	Member
Mr. Julien Ogilvie	Secretary
Ms. Khisha Peterkin	Assistant Secretary
Ms. Sherlana Ramdeen	Procedural Officer Intern
Ms. Terriann Baker	Graduate Research Assistant
Ms. Nicole Brown	Graduate Research Assistant

ABSENT

Mrs. Ayanna Webster-Roy	Member
Mr. Nigel de Freitas	Member
Mrs. Renuka Sagrarsingh-Sooklal	Member

THE LAND SETTLEMENT AGENCY

Mr. Wayne Innis	Chairman
Mr. Hazar Hosein	Chief Executive Officer
Ms. Lorraine Heath	Corporate Secretary
Ms. Averline Scott	Manager, Corporate Services Unit

Ms. Shellagh Rosemin

Senior Attorney

MINISTRY OF HOUSING AND URBAN DEVELOPMENT

Mrs. Claire Davidson-Williams

Permanent Secretary

Mr. Michael Byng

Assistant Programme Director

MINISTRY OF AGRICULTURE, LAND AND FISHERIES

Ms. Bhanmati Seecharan

Commissioner of State Lands

(Ag.)

Mr. Glen Mahabir

Legal Officer II

Mrs. Reanna Phagoo-Nandal

Legal Officer I

Mr. Chairman: Good morning all. I would like to welcome you to the Thirteenth Meeting of the Joint Select Committee on Local Authorities Service Commissions and Statutory Authorities (including the THA) in the Twelfth Parliament. This meeting is being broadcast live on our YouTube Channel, *ParlView*. This is the Committee's first public hearing pursuant to our follow-up examination into the recommendations contained in the first report of the Committee on the Administration and Operations of the Land Settlement Agency in relation to Squatter Regularization, Eleventh Parliament, 2015 to 2020, and today we are pleased to have before us officials of the Land Settlement Agency, the Ministry of Housing and Urban Development, and the Ministry of Agriculture, Land and Fisheries.

At this stage, I would like to introduce the persons present here, and my Committee, the Joint Select Committee. I would like to introduce myself. I am the Chair, Dr. Varma Deyalsingh, an Independent Senator, and at this stage I would like members of the Land Settlement Agency to please introduce yourselves.

[Introductions made]

Mr. Chairman: I welcome you all. Thank you for being here. At this stage, I would like members of the Ministry of Housing and Urban Development to please

introduce yourselves.

[Introductions made]

Mr. Chairman: Welcome. Thank you for being present. At this stage, the officials of the Ministry of Agriculture, Land and Fisheries, could you introduce yourselves please?

[Introductions made]

Mr. Chairman: So a very good morning to all. At this stage, would my Committee members please introduce yourselves?

[Introductions made]

Mr. Chairman: So that was Ms. Ameen for those who were not able to hear because of the little technical glitch we had. Good. So the objectives of this enquiry really is to—three objectives we have. The objectives are:

1. To determine whether the recommendation proposed by the Joint Select Committee that previously enquired into the operations of the LSA have been successfully implemented;
2. To examine the factors that are hindering the successful implementation of the proposed recommendations; and
3. To examine the plans and proposals aimed at further improving the effectiveness of the LSA in regularizing squatters.

At this stage, I would like Mrs. Claire Davidson-Williams, the Permanent Secretary of the Ministry of Housing and Urban Development, to please give a brief opening statement.

Mrs. Davidson-Williams: Thank you, Chairman. The Ministry of Housing and Urban Development and its implementing agencies, including the Land Settlement Agency, are committed to improving the physical and socioeconomic conditions of citizens through public sector housing initiatives, particularly those in the low to

lower middle income groups as are articulated in our National Development Strategic Plan, *Vision 2030*. The Land Settlement Agency was established under section 5(1) of the State Land (Regularization Tenure) Act, Chap. 57:05, Act No. 25 of 1998. Under section 5(4) of the Act, the agency is charged with the responsibility for administering and carrying out the provisions contained in the Act with respect to state lands in Trinidad.

In delivering on its mandate, the LSA, under the remit of this Ministry, conducts infrastructure development works within the designated areas as well as provides title instruments to eligible occupants. In this regard, the LSA is able to bring much needed relief to the most vulnerable families in Trinidad. In addition to its mandate under the Act, the LSA's responsibility was expanded to include other programmes and projects over the period 2017 to 2021. The LSA's overall performance has been good over the years as it has been able to achieve tangible physical and social benefits to residents in the communities it serves through its various programmes and initiatives.

While the Ministry and the LSA has provided written submissions for the scrutiny ahead of this sitting as requested by this Joint Select Committee, it is important to note that the Ministry has continued to provide support to the LSA with respect to the implementation of measures to give effect to the recommendations made at the last sitting of this Committee. These include: increase fund allocation by approximately 53 per cent over the period 2018 to 2022 under the Ministry's Consolidated Fund to facilitate surveying of squatter sites; regularization and regeneration of squatter communities and other designated areas; the Government Aided Self-Help Housing Programme; the Housing And Village Improvement Programme; the development of residential lots for former Petrotrin workers.

Funding is also provided under the Ministry's Urban Upgrading and Revitalization Programme which is supported by an IDB loan agreement. This allows for financing to improve the living conditions of residents in informal settlements. The Ministry's Legal Unit assisted with the review of recommendations for amendment to state land legislation and also provided support for the drafting of the tenancy agreement policy which was approved by the Cabinet in February of 2020. In terms of facilitating interagency collaboration, an interministerial committee was established in August of 2020 to aid in planning as well as expediting effective and efficient process of state lands development. The committee included members from agencies that process regulatory and statutory approvals, such as the Commissioner of State Lands, the Town and Country Planning Division, WASA, T&TEC, and other relevant regional corporations.

While there may be more areas still requiring more effective and efficient management, the Ministry will continue to support the work of the LSA and will provide the much needed support for the efforts in order to bring needed relief to the landless. Therefore, Chairman, the team from the Ministry of Housing and Urban Development is here with you today to assist with any further recommendations that may emanate from this august company and this sitting here today. Thank you.

Mr. Chairman: Thank you, Mrs. Claire Davidson-Williams. I see you have elaborated the humanitarian duty that has to be done and the expanded roles that are necessary in giving homes or land to Petrotrin workers, and new duties that are under the purview. So I guess today we would have to go through if we are in any need to improve any such of the disbursement of these homes and where are the shortcomings.

At this stage, I would like Mr. Wayne Innis, Chairman of the Land

Settlement Agency, to give some opening statements please. [*Pause*] We are not hearing. I think you are muted, Sir.

Mr. Innis: Are you hearing me now?

Mr. Chairman: Yes, hear now. Thanks. Loud and clear.

Mr. Innis: Yes. Again, thank you kindly, Chairman. And again morning to members of your team, to the members from the Ministry of Housing and Urban Development, and the Ministry of Agriculture, Land and Fisheries, and, of course, member of the LSA. I thought that the presentation on policy made by the distinguished Permanent Secretary from the Ministry of Housing and Urban Development captured, in terms of policy, everything that is happening at the LSA. Operational issues, I would ask the CEO, Mr. Hazar Hosein, to make a presentation on operational issues to the team. But in terms of the policy, most of it has already been captured by the distinguished Permanent Secretary. Thank you.

Mr. Chairman: So thank you, Mr. Innis. We would now like to go to Ms. Bhanmati Seecharan, the Commissioner of State Lands, to give some brief opening remarks.

Ms. Seecharan: Hi. Good morning everyone. In terms of this Joint Select Committee, the Commissioner of State Lands under Chap. 57:01 is charged with the protection of state lands or the management of state lands, and under section 20, we are charged with dealing with squatting. Together with the LSA we have been doing work, collaborating, taking a stance on squatting. We also deal with the Government Assisted Self-Help Programme and the Land For the Landless Programme. Additionally, any other matter that LSA needs we would assist. We have basically been getting information from the LSA that comes to us and we literally work with them hand in hand on as a need basis to manage those matters. Thank you.

Mr. Chairman: Thank you. And Mr. Wayne Innis, we would definitely entertain your further comments from your CEO, but as part of the questioning we would direct questions to him or he may be able to clarify certain things. So at this stage, I would like to remind both Committee members and officials to direct your question through the Chair, and I would like to remind members and officials to kindly activate their microphone on your devices when you are acknowledged by the Chair and turn it off when you have concluded your contribution.

So at this stage, I would like to say that we are here this morning to see if the mandate or the recommendations in the last Joint Select Committee, if somehow we are falling short, and if we are falling short, how we can somehow get these, you know any sort of additional benefits or any sort of additional recommendations we can put into place. It seems that when the last Joint Select Committee met and the recommendations were given we thought we had some answers and we will just follow through. But I must say, subsequent to that, we have had instances in the newspapers where I have seen persons saying there is a concern over land grabbing in Sangre Grande, Point Fortin. There are other instances where squatters rush to build lands on the Toco port. So all of these instances, we have to look at are we somehow falling short and what do we need to do? So these are newspapers reports and there were actually comments from certain persons who, you know, try to give recommendations.

So I guess we will go into that further on. But really speaking, to deal with the squatting—I think—issue in Trinidad and Tobago it is an issue that is global, it is worldwide, and the Land Settlement Agency came about as an humanitarian effort to help those to have some sort of social ease. Those people that were already squatting for quite a few years they were given the function to try to regularize those squatters. We have to know now that persons may have different reasons

why they squat. And while we look at the humanitarian reasons, while we look at the individuals who have been long-standing in equity, in society, others who due to unemployment, and our present economy climate, some persons have been pushed in the poverty bracket; and some people where persons with a pregnant wife out of work, evicted due to failure to pay rent, who see no option. Without the basic right of a shelter, they build on state land to escape living on the streets.

Many squatters are homeless and vulnerable due to no fault of theirs, and others, however maybe land grabbers trying to get a piece of the action.

So therefore, we have to discern how you all are doing that function, you know, to look at the humanitarian aspect, as well as try to prevent any sort of a runaway land grabbing. So the rapid increase in squatting reported in the press took place during the pandemic and it may be a reflection of increasing poverty, the shrinking middle-class. It is like a rumbling social volcano. Last year, as the reports came, it may have to be described as the year of the squatter. And some persons I say may not be able to pay rent. They may go and—we had the traditional rural urban migration, and while Government has been working to ensure that every citizen can own land through lawful means and through land titling and regularization projects, it appears that we have been lagging behind demand.

In fact, squatting is the most highly visible manifestation of acute housing shortage. It serves as an indicator of the Government's challenge to provide to it citizens in expensive housing. So it is a clear indication of the need for social housing which includes housing for the indigent as well as subsidized rent or shared equity to compensate for limited consumer affordability. So all of you, all of us would play a part in somehow trying to get the humanitarian aspect taken care of, trying to ensure that we deal with those individuals who are impoverished. But, we also have a duty to the citizens not to have any runaway squatting

occurring, people taking advantage of the situation, and even squatting in areas where forestry will be affected, the environment will be affected, and even crime. So certain areas you have—even like in Valencia I have been seeing now an increase in crime, a surge in crime. So we have to look at that into play how we can manage these issues with squatting and the ill-effects of it also.

So at this stage, I would like to start the questioning to the Land Settlement Agency members present here. Do you think that the squatting population has increased during the pandemic as reported in the press? I am trying to get this because I am thinking, you know, if during the pandemic people were under lockdown, how are they able to go and squat and move around? So do you have any figures about the proliferation in the country, has it increased recently?

Mr. Hosein: Chairman, good morning. Good morning to members. Hazar Hosein, CEO of LSA. The best way to deal with this is to actually look at statistics that we have, and if we look at the years—I will start by looking at the years after the last meeting that we attended. Between the years 2018 until April 2022, the number of reported cases of squatting that—new cases of squatting that we have picked up—is just under 1,200 cases. During the years of the pandemic, since then we have had 2020, 74 cases; 2021, 293 cases; and for 2022 so far until April, 157 cases. But if we compare this to the years prior to our last attendance here, the five years prior to that between 2013 and 2017 in fact we had over 5,000 reported cases of new squatting. So there had been a significant reduction in the number of reported cases of new squatting between prior five years and the present four years that we are within now.

So there has been—and I think what is accounted for that is the work that has been put in by the Commissioner of State Lands and the Land Settlement Agency coming out of some of the recommendations from the last appearance. We had the

set-up of—well, of course, the LSA has its own containment unit where we continue to monitor what is happening on the ground. What we have used is a community-based approach where we are going into settlements, having regular meetings, and letting persons know about the ill-effects of squatting, and I think that has created some sort of deterrence. The Commissioner of State Lands office itself has set up an enforcement unit. I think that was done in and around 2017, and together with that we now have an Inter-Agency Task Force that has been established which involves the police service, which also has been helping to the monitor squatters. So we have had significant reduction in the numbers.

We have also been using a lot of technology since our last meeting. We have been using GPS information, mapping every structure that we find so we will be able to tell where we have new structures so we can monitor better. We have been using a lot of drone technologies and, of course, the satellite imagery is available to us so that we could compare data from one period to another to see changes and we can react much faster now using the technology that is available. So there has been significant improvement, Chairman.

Mr. Chairman: You see what I got from the newspaper report, “Squatters rush to build lands for Tobago Port”. It was I think—There were comments made where I think it was the—it made mention that:

“The illegal occupancies by fresh squatters have been giving the chairman of Sangre Grande Regional Corporation...”

I think it is Mr. Rondon is the Chairman there? Yeah.

“...Terry Rondon no end of worry, as he called on the Government to do something fast, stating the issue of squatting was total out of control.”

He also in this release made mention that a lot of squatter are in “direct pathway of the...400 million Cumuto/Manzanilla highway project.” And he also said that—

So we have to appreciate. He was at pains to go to those squatters and tell them, “Look, this is Government’s plan. You are now in the way there.”

So I am wondering in a sense, you know there are certain squatters who may have gone into areas to protest, you know they may not want a highway, some areas people may go because they may think that if they go there they will now be paid to move. There may be different reasons. But:

“Rondon said that some squatters have been masquerading as farmers by cultivating short-term crops, hoping the State would not zero on them.”

He also said:

“Venezuelan migrants have already cut down several coconut and walnut trees on forest reserve...”

So we are hearing this discussion, we are seeing an outstanding member of the Sangre Grande Corporation actually complaining, actually trying to reach out for help. He describes it as “a wild, wild west situation”.

So is it that—I mean how do we come to terms with what was said publicly by this esteemed gentleman? How do we come to terms? Is it that you have your containment unit being not staffed properly or not going out to discover these persons? Because we are getting a disparity here with what is being said in the press as well as, you know, the fact that you are saying that there is a reduction. So somehow we have to try to figure what is happening. If you have any comments to give us an idea about—

Mr. Hosein: Sure Chairman, and you are right. Yes, as I have shown, the numbers have gone down, but there are certain hotspot areas in the country where we have a rush of persons going in to squat, and as reported in the newspaper areas, in Sangre Grande, the Valencia stretch, the area where the new highway is proposed, are areas that have been a challenge to the Commissioner of State Lands and the LSA

where we have new squatting. We have a term that we use, “squat lords”, where, you know, a lot of these persons who are rushing in these areas have rushed in for commercial reasons rather than for economic reasons and that is a problem we do face. But there are certain hotspots areas where you have an increased number of squatters and those are the areas of concern for us.

And as you pointed out before for Valencia, the areas in Sangre Grande, the Bois Bande area, the Nouveau Park which is Nouveau, a new area where the new highways is proposed to pass, those are the areas that are challenging to us. But overall the numbers have gone down overall in the country. You also mentioned Tobago, but the LSA has no responsibility with respect to what happens in Tobago. So I just want to make that point.

10.45 a.m.

Mr. Chairman: So, therefore, definitely there has been like a squatter invasion in certain areas. Like Sangre Grande seems to be the squatting capital and also Valencia. And I made mention before about crime in some of those squatting developments, which is social issue. We may have to see how we could contain it if it is going to be causing some problem. So the humanitarian aspect is there, as well as you mentioned building in the direct route could impede Government’s plan to develop the country. And we have to know is it, as I say in protest action, persons are coming in to try to get a piece of the pie if you have to be paid to move out or, you know, cause a problem? There were protests, persons in different countries where they may not like something so they would go and squat on a site and protest.

But in a sense, look at the Valencia area, do you have any ideas about complaints about the increase in crime in that area? That may be more something for the Police Commissioner. But, I mean, your members going in there, are they in need

of police protection to go into certain areas for fear of certain criminal elements may chase them out?

Mr. Hosein: Again, Chairman, I mean, that is really a matter for the police. But based on the newspaper reports that we have seen, there is some sort of correlation between what takes place in squatting areas and crime, based on reports that we have seen in the newspaper. And, of course, we think there is need for intervention and that is why the LSA is not only about developing squatting sites but it is all about sustainable development and community improvement, where we go into these settlements and we engage communities. We hold their hands. We conduct training. We set up community councils. We have a micro-enterprise unit, which we have involved in these areas. And that is all part of the improvement of the squatting settlements at the end of the day. So this the approach that we have been taking to improve the lives of persons in these areas.

And if I can just go back to your point on Valencia and these areas. I would like to reiterate that we do think that there is a lot of people speculating. And when you hear things like highways are coming in certain areas, there are a lot of persons who speculate with the hope that they would be compensated at some point in time if they are in the way of the proposed highway. So this is an issue. But we have been gathering information and submitting all that information to the Commissioner of State Lands office and to the different regional corporations, including the Sangre Grande Regional Corporation, for them to take the necessary action in accordance with their law.

Mr. Chairman: And so do you have an issue with like— have you seen an increase, as reported here, in migrant squatting in certain areas?

Mr. Hosein: There have been reports, Chairman. We have had no specific information to say that we have picked up migrants per se in our containment

efforts in our patrols that we have been making. No. We have no specific data to that.

Mr. Inniss: Chairman, may I just clarify one issue?

Mr. Chairman: Sure.

Mr. Inniss: The proliferation of squatting in the north east of Trinidad, the LSA is responsible for containing or restricting squatting on listed or designated squatter sites. It is possible that where that proliferation is occurring on state lands and it is outside of the remit of the LSA, that would be better addressed to the Commissioner of State Lands. I just wanted to clarify that.

Mr. Chairman: So you all have actually been given the mandate for certain squatting sites? So I think this is something the public needs to be aware of, because sometimes people may want to lay blame and say you all are not doing this and that. But remember your mandate, what you came initially, I think it was in 1998, I think, the Act of Parliament. When it was? Was it 1999? The Land Settlement Agency had really a humanitarian duty to help those individuals who were there with poor infrastructure, because remember those developments were there. No sewer, no roads, et cetera. So I think it was a recognition then that we cannot leave part of our populace in these underdeveloped areas without basic amenities, sewer, and running water.

And I think the whole idea of the Land Settlement Agency was to help these individuals, to have that duty to be able to—You know they were there already, sometimes they would have built up the area, they would have built up their houses—to at least give them a better level of sanity. Because remember those sites could develop into disease-manifested areas if they do not have certain amenities. So I think the agenda of your body, the Land Settlement Agency was there to help those squatters, but also to contain, to prevent the other squatters from

coming on board. And I guess the individuals again may have to, in your department, tell us any shortcomings or challenges in terms of your containment unit. And I guess we will also have to question the Ministry of Agriculture, Land and Fisheries for the other sites.

So thank you for that clarification. I think member Lutchmedial had a question to direct to you.

Ms. Lutchmedial: Hi, good morning. Thank you Chair. Chair, through you, I want to ask the Land Settlement Agency. Well firstly, I have noted in your submission, you spoke about a decrease in the number of reported cases of squatting, but you also indicated in your submission that there was also a reallocation of your human resources and also a cutback due to COVID in terms of patrols. Do you have a system, electronic or otherwise, where members of the public, apart from what you may detect, where members of the public could report squatting that is taking place, illegal squatting and new structures that are coming up in the areas that they live in. So that is the first question that I wanted to ask.

In the last report as well, some of the recommendations—This is the first report that was submitted previously by this committee in the Eleventh Parliament. One of the recommendations had to do with regular surveys. Could you update us on those surveys and how regularly they are taking place, whether or not they are being done annually?

And, finally, I think I would like to find out when you detected, in terms of the 1,212 patrols, you indicated in your submission about the number of structures detected up to 2020. We want to know how many structures identified and what you did with respect to those structures being identified. And could you clarify for the public where in fact you conducted these patrols? Is it restricted to the areas that you have under your remit, in terms of the lands identified by the Act, or is it

generally that you would patrol areas for squatting, or whether or not those squatting on lands outside the remit of the Act falls to the Commissioner of State Lands?

Mr. Hosein: Member, I will start with the system for reporting illegal activities. We do have a system, a robust system, established where members of the public can report cases directly to the LSA. We also have a hotline, which has been established, where persons call in to report new cases of squatting; that is 866-1111. And persons call in on a regular basis to report new cases of squatting. So that is well in place.

With respect to surveying of squatting sites, coming out of the last recommendation, the committee recommended regular surveys to be conducted and the LSA has been doing regular surveys. The last comprehensive social survey was done in the year 2019/2020, where our squatting centres listed in the Act, our designated sites, were surveyed. All 251 sites were surveyed, and that was done in 2020. As we speak, we continue to do surveys in LSA-designated areas to update our information with respect to new squatting.

You asked about the number of patrols and the corresponding number of squatters that we have discovered, new squatting. For the same period 2018 to 2022, 1,170 new squatting structures were picked up and in areas that we patrol and that we are required to patrol, and all of these were reported to the Commissioner of State Lands and to the respective regional corporations so that they can take the action. I just want to remind members and to the public that the LSA has no responsibility in law, has given no powers in law, to contain squatting. It still remains with the Commissioner of State Lands. So we can only report on what we find out there. The last question I think was: Where we are restricted to? Of course, as Chairman Innis pointed out, we are restricted to patrolling our designated areas. There are

251 designated areas listed in the Act, Act 25 of 1998 and the LSA is restricted to those areas.

Ms. Lutchmedial: Okay. Just a follow-up question, Chair. In terms of certificates of comforts—let me get the follow-up question first. You mentioned about the hotline. The hotline’s reports, are they included in the new cases of squatting detected here or the cases that you gave us was just what you picked up on your patrols? Is there a follow-up of a patrol when a hotline case is reported?

Mr. Hosein: Yes. Excellent question. Every hotline report is investigated because sometimes we do have hoax calls. So before we report a matter to the Commissioner of State Lands we verify the information. We send the officers out there to investigate, to see what is happening, and where there is a genuine case, that is recorded and reported to Commissioner of State Lands.

Ms. Lutchmedial: Okay. And finally, I do not know if you would answer this or if the Commissioner of State Lands would be able to answer this, but I have noted particularly persons who claim that they have purchased property from people who have certificates of comfort. So, from 1998 when the LSA came into effect, certificates of comfort would have been issued to persons. I think at the last report of the Eleventh Parliament there were a significant amount of applications outstanding. I think you all have made some headway, but if you could update us on that process?

But also what is in place to detect? Because what I see happening are persons of significant means purchasing, and attorneys preparing what we call chattel deeds, and persons who have built structures now on lands which they occupy under a certificate of comfort basically selling over the structure by way of a chattel deed to someone else who is now occupying large areas of land which would have been granted to various people for certificates of comfort. The certificate of comfort

does not really give anybody an interest in the land. They prevent eviction.

Correct? So how it is that these things are happening? People are now occupying lands which previously would have been given to people certificates of comfort. Are you following? Are you monitoring this issue with deeds being done to sell the property, although they cannot sell the land? But the land itself now being occupied by persons sometimes three and four and five lots in an area, somebody moving in and buying out all of the land from all of the squatters in a particular area and occupying the land, is that something that you have detected and what are you all doing about it? And do you think—this is the last thing—that there is a need for more enforcement power of the LSA or some amendment to the law that governs you in order to deal with issues like that?

Mr. Hosein: Okay so there is a number of questions. I will attempt to answer them. So let us start with the certificate of comfort statistics that we do have. We had just over 22,000 persons who applied for certificates of comfort. The application closed on 27th of October in the year 2000. That is something that the public needs to be aware of as well. Because many persons are still under the belief that they can apply for a certificate of comfort. Just to reiterate that, that was closed on 27th of October in the year 2000. And at that date we had just over 22,000 persons who applied for certificates of comfort.

The good news, and coming out of the last session that we attended, we have now completed the majority of investigations. At this time we have about 2,500 pending investigations and they are pending for two or more reasons: title searches pending to determine the actual ownership of the property to ensure that it is state land. We have 1,382 cases of title search pending. And then we have just over 1,200 investigations to complete. So we have completed the bulk of the investigations as far as applications are concerned and we have made significant progress from the

last meeting that we attended.

In terms of the number of persons who received certificates of comfort, it is just over 8,000 persons and our estimate, that number would not surpass around 10,000 persons receiving certificates of comfort from those who applied. So there are many reasons why persons will not receive a certificate of comfort, starting with persons who are on private lands who applied; and there are a number of persons on private lands who applied, for example, on private estates like Bhadase Sagan estate. There are many cases of lack of jurisdiction where persons have occupied lands that cannot be deemed for residential purpose. So we are unable to deliver a certificate of comfort on agriculture lands under the Commissioner of State Lands. Of course, there are many persons who have died. In fact, there are just over a thousand cases of persons who have died. And, of course, the certificate of comfort is a personal thing, so it cannot be passed on to the next of kin.

You mentioned sale of house. It is an issue and we have more than 400 cases of persons who have sold their houses. But there is a provision for where a house is sold, where persons can, the person who bought under a contractual arrangement can benefit. So there is a provision for that. Yes, there are many cases of people buying and selling property and buying up large chunks of property and we have reported to the Commissioner of State Lands, buys property from several certificate of comfort persons. But in law, just to remind the public again, what you are entitled to, first there is a certificate of comfort and you move to statutorily releasing a deed of lease. And the law says that you are not entitled to more than five thousand square feet. It is five thousand square feet more or less.

So during our investigations of those persons who attempt to buy up large chunks of properties or buy out several persons who have certificates of comfort, when it comes to the next stage, you will not be processed.

Ms. Lutchmedial: All right. Okay. Stick a pin there. Through you, Chairman, you mentioned something CEO about there is a provision where persons who purchase the houses can benefit. But then you also mentioned that people who die, you cannot process the application. So, the issue there is something that I have come across. It is that, for example, someone who would have applied before 2020, well within the time for applying for the certificate of comfort, if they die. Let us say the breadwinner of the family, the main person, the father passes away, but his wife and children are still living there, they are now not entitled. They will be excluded.

Whereas, somebody who comes in now and purchases a property, purchases a house that is erected on land that was issued to someone who was given a certificate of comfort who decides to move on and move along and migrate or whatever they wish to do, that person is actually entitled to occupy the house and it is on the land. Whereas people who have actually been living there for a significant amount of time just because the person who made the application, the head of the household, may have died or something like that. I mean that seems patently unfair and a bit unjust.

Mr. Hosein: And you know one of the most significant changes that has happened in last couple of years is the decision by the Cabinet in the year 2020 to approve what is called the tenancy programme. And that has made a significant change to the—for this group of persons who you referred to, along with others. And the change here, with respect to the law, the State Land Regularization Tenure Act, you had to be there before 1st of January, 1998, and made an application before the 27th of October in the year 2000 to be entitled to a certificate of comfort. And as you rightly said, there are many persons who, because of several reasons, would not be processed and would not be entitled to move forward. But the significant

change that took place with the passing of the tenancy programme is that any person who was on a developed plot of land that has been surveyed and approved by the Director of Surveys and you were there on state lands surveyed and approved prior to June 14th, 2014, will be recognized and processed.

So those persons, for instance where the person has died but the family is there, and once we can determine who is legitimate person, when we come around to your settlement, those persons are entitled to move forward. So that is a window and an opportunity that these people have now that they can move forward and be regularized. And under the tenancy programme, persons are entitled to a short-term tenancy in the first instance of between one and three years, which is granted by the Commissioner of State Lands, upon investigation by the LSA and advice of the LSA. They are then entitled to a statutory lease for 30 years and followed by a deed of lease for 199 years. So that has really addressed that issue that you raised.

Ms. Lutchmedial: Can you tell me to date if you have any idea how many people may have benefited from that programme, that tenancy programme that was introduced before where you had to make the application before 2014?

Mr. Hosein: So it is new programme that was approved in 2020. We are in the process of taking applications. And what we are doing, we are doing it from site to site. As I said, it is for the developed sites that have been surveyed and approved. So far applications received is just under 400. But as we go from site to site that number will go up and as we educate the members of the public. For instance, we were in an area called Pine Settlement last week where we went in there and we had over 100 persons attended that session. We intend to go to Springle Street very soon in Point Fortin and Harmony Hall in Gasparillo is coming up. And we are approaching these sites in this way.

Ms. Lutchmedial: Right. Perhaps, in writing, if you could give the committee a

list of all of the sites identified which have been surveyed and approved by the Director of Surveys and where you plan to visit, and how you plan to go about this programme that you said was approved in 2020. That would be helpful.

Mr. Hosein: Certainly. We will provide that in writing.

Ms. Lucthmedial: Thank you.

Mr. Forde: Mr. Chairman.

Mr. Chairman: Yes, member Forde. You could.

Mr. Forde: Could I proceed?

Mr. Chairman: Yes, member Forde, you can proceed.

Mr. Forde: Okay. Good day again to all. To LSA, the tenancy programme, seeing that we just hit that particular topic, in the Tunapuna constituency where we have a lot of the Bhadase Sagan Maraj property with the executor, Mr. Sat Maharaj, who would have died a couple years ago, the tenancy programme falls within this particular community, Mr. CEO of LSA? The reside—

Mr. Hosein: Member, the LSA is restricted to dealing with state land. Private estates, private lands, are not within the remit and the law that the LSA operates. So we cannot deal with those areas. Unless, unless, the State makes an attempt to purchase those properties, then and only then, and if those areas are brought under the Schedule of the Act then and only then can the LSA deal with those estates.

Mr. Forde: Because you see—again, through you Mr. Chairman, you know this about Bhadase Sagan/Maraj property issue has been going on even before I born. And we are talking about persons that have been residing on these properties for over 70 years. “You go LSA one set of information. You go Commissioner of State Lands, one set of information.” And you know, no sort of direct approach to these individuals who cannot be removed from the particular property because of legislation But somehow are not able to get their tenancy recognized so that they

can have a deed in their particular hands. And you know, I mean, I think it is the irony of the situation. Because as a Member of Parliament you go asking for their votes and at the end of the day, you know, they are not regularized in terms of their tenancy but yet still we are unable to assist from the Member of Parliament office. But we will leave that there for now.

In terms of the responsibility for evicting squatters, who or what agency is responsible for that? I want a direct answer please. Who? Because you mentioned LSA have no powers in order to act. Right, you could only report. Out of the panel we have there, through the Ministry of Housing and Urban Development, through the Commissioner of State Lands, LSA who or what department or agency is responsible for evicting squatters in Trinidad? Well we say Tobago may be out of the remit for now. And then I will—

Mr. Hosein: Chairman, I will attempt to answer that last question. Clearly in law, the agencies that do have the power to evict squatters, we will start with the Commissioner of State Lands under section 20 of the State Lands Act who has the power to deal with new squatters and to evict squatters following a process. The regional corporations, under the Municipal Corporations Act, do have the power, under section 163/164 to issue show cause notices for unauthorized structures. And they can take action within the law if someone is unable to prove why they have constructed an illegal structure. So those are the two agencies or institutions that have the direct power in law. And you are right, the LSA has no power in law. The State Land Regularization of Tenure Act clearly states that the LSA does not have to power. The LSA is supposed to provide alternatives to squatting through providing land, et cetera. That is what we are supposed today do. That is our containment powers.

Mr. Forde: My follow-up question therefore will be directed to the Commissioner

of State Lands, Ms. Seecharan, Acting. Why it is, in instances where squatters have been identified, whether reported via the hotline through the LSA, whether by surveys, whether by mapping, whether—I read where you all have the GIS system where you all can do the drone technology and so on, and we have been able to identify individuals who would have been squatting in areas like for instance, with regard to, let us say the Valencia/Toco highway situation now. If those persons have been identified going into those areas within with the last year, two years, three years, why are we not in a position to evict these persons, Madam Commissioner of State Lands?

Mrs. Seecharan: Hello again. I will pass that question on to my legal officer.

Mrs. Phagoo-Nandlal: Good morning everyone. Again, my name is Reanna Pahagoo-Nandlal, and I will answer that question as best as I can. We have reports from the LSA regarding unauthorized occupants on their lands. We have had several challenges with respect to actually processing matters through the courts. So firstly, when we receive reports from the LSA we have had instances where we had structures demolished. So from January 2018 to April 2022, we have had 34 land-clearing exercises that were conducted.

From 2017 to April 2022, we have received reports of illegal squatting. Eighty five per cent of those squatting matters that were referred to us, we cannot process through the court because we have improper or inadequate identification information for those occupants. So that is one challenge that we have had to face. The second challenge really is concerning ownership of lands through title searches. The legal unit and Commissioner of State Lands office would have been here since November 2019. In that time, we have had challenges with accessing information through Registrar General and GPO office due to the COVID-19 pandemic. That is important to file matters at the court. That is one of the pieces of

evidence that we rely on.

We have also served Quit Notices—of those matters that would have been referred to us from the LSA. So that is the position of Commissioner of State Land office with respect to the reports that were received from the LSA in terms of illegal squatting.

Mr. Forde: No, but again, again through you, Chairman, to the Commissioner of State Lands, the longer this processes and period goes on is, for want of a better word, the worse scenario we are going to end up in Trinidad. Because time will be going. Individuals will continue to be at these sites, which is supposed to be an illegal squatting site. How again can the process be expedited? Because we are saying whether these individuals will hinder the continuance of the highway going forward, for whatever reason, because I heard the LSA use a term “persons squatting for economic reasons”, whether he called them” squat lords”, as case may be, especially in the Toco area.

I think we need to ensure that this situation is regularized as soon as possible. Because the longer it goes on, it will become a serious red herring in the progress of infrastructure development going through in the Toco area, especially for the individuals that have been identified as recent squatters. There may be the one that may be there for over 20 years, 15 years, but what about those who would have recently been identified? There would have to be some process where we can deal with these individuals. Any response, Madam Commissioner of State Lands?

Mrs. Secharan: Sure. The Toco area with the squatting, we did our title search on that area. The squatting in Toco is basically on private lands owned by Wharton Estate. That includes the area with the beach. At one point in time, the Ministry of Tourism, they wrote to acquire the land but that was never followed through. So the squatting in Toco literally is out of our hands, because it is private lands. The

squatting outside of those areas that are reported literally, if we have to deal with squatting there is a process. We serve you with a notice and then we take you to court.

11.15 a.m.

In order for us to serve you with the notice—when we serve you with the notice, we give you seven days to move. The problem we have is that these squatting areas, because people are aware that if the houses were constructed, and there are persons living in it, we cannot demolish the house, we would need to take you to court, you find that over the weekends—For example, if there was a long weekend, you leave today and come back tomorrow you would find a house with occupants in it. If there are occupants in the house, we cannot deal with it. Public servants—most of my staff are public servants working eight to four—we do go outside of the hours. But these persons actually know when, they know how and they go and they squat.

With that, we also have restricted human resource, machinery, assistance. For example, I have written to the Sangre Grande Regional Corporation many times asking for assistance. We do not have a backhoe to go and demolish a house. But when we ask this, they are continuously saying no, they do not want to get into that, the persons in the area know them. So, therefore, we are left with our hands tied. If we do not have the personnel and machinery to demolish the house, by the time we get to it, it means that the house is constructed. It needs to go to court. Seven days; we still need to verify all our information then take it to court, again. By that time a house is there, the persons are there, then the courts tend to rule in the favour of the persons.

Mr. Forde: Could there be a policy or some sort of system to avoid this situation of land grabbing and squatting? Do you all have a policy document or something where it—But I know man power may be one of the major issues here. Right. But you

know, I am saying that measures employed to address the issue of land grabbing— Have we listed one to 10, you know, various measures along those lines between the Commissioner of State Land and the LSA to avoid situation like these ? Thanks for the response.

Ms. Seecharan: Technically, the LSA, once they find—because they have a containment unit and they have security officers, they come to us and ask for assistance and once they come to us with their request for assistance, we provide that immediately. Our officers will go. We would demolish if it is not already occupied. Outside of that there is no—because we have to pick it up and go through a process, there is no way of dealing with it.

Mr. Forde: All right. Last question Mr. Chairman, last question on this particular aspect. Squatters that have been identified for regularization. What—why is there a delay in regularizing them to ensure that they have some official documentation in their hand? Persons that have been identified in Trinidad? How many squatters do we have in Trinidad that have been identified for regularization? And what is the delay in ensuring that they can be processed and regularized? Definite answer please?

Ms. Seecharan: Okay, so basically, persons to be regularized, we still need to go through a process. Most of the times, we have to go to Cabinet for a decision. And to go to Cabinet for a decision we have to do the research. That is all I can say. Depending on what it is, if it is residential, no, but if it is “agri” or any other we may need to go to EMA and then the Commissioner of Valuation. All of them being accessed we then take the note to Cabinet. These long delays basically affect the granting and the renewal of leases, the transfer, acquisition, issuing of leases and licenses and all of that. In these cases, after we do the whole process, it then goes to Chief State Solicitor. Therein lies our problem. Because we rely on all these external

agencies we literally have to wait. If we did not have to rely on all these external agencies, leases could be granted two months, three months. But given Town and Country, Commissioner of Valuations, Chief State and any other statutory authority, we literally sit and wait on these agencies.

Mr. Forde: Again, I understand your answer, but still, to the “small man,” which is the man on the ground, the individual who is squatting in a small shack waiting for his regularization document, we cannot remove him. But then, we would hear of instances of other individuals who may have gotten through the system and for some reason, theirs approved but for the other man not been approved. No need to comment. Thanks, Mr. Chairman.

Mr. Chairman: So, thank you. At this case I would like to find out from the legal officer, when you mentioned 85 per cent of cases could not be treated in court, right. Now, I also would like to get a figure—when you say 85 per cent, how many actual numbers would that be? That represent?

Mrs. Phagoo-Nandlal: Based on the figures provided by the LSA, we have 1,799 matters that were referred from the LSA between January 2017 and April 2022. So, 85 per cent of that figure would have been the ones that we were unable to process through the courts. We would have still served quit notices to the unknown occupants at that time. Our office of our patrol staff and inspectors of state, and our land enforcement officers would have been actively trying to assist in obtaining identification, information, so that we can process some of those through the courts. Mr. Chairman, 85 per cent of that 1,799 figure would be 1,500 matters that we were unable to process immediately. We have also engaged a bounty agency task force in also trying to find identification information for those persons.

Mr. Chairman: So, some of the delays may be a delay in your patrol staff doing their duties.

Mrs. Phagoo-Nandlal: Yes, Chief. We do have an issue with staffing and if the Commissioner may provide some figures in that regard?

Ms. Secharan: Okay, so, our staffing is a serious problem. Literally, when the divestment plan for Caroni 1975 Limited came into effect we got 75,000 acres of land approximately. Our staffing was—Prior to that the patrol staff was 80. At this point in time we have 28. By Cabinet Minute—just a minute—1532 of 2014 we had a land enforcement officers’ unit created. We are supposed to have 36 LEO Is, land enforcement officer Is. We have, at this point in time, 14. We are supposed to have three LEO IIs, their contract has expired, and two of them are now on short-term. We have the monitoring and enforcement coordinator, is also on short term. We are supposed to have two BOA Is and one BOA II, we have none of them. That staffing is by OJTs.

So given the shortfall in the staffing it is really taking a toll on us. Additionally, the legal officers. Prior to this, we had nine attorneys. To date—that was 2015—in 2019, we got three legal officers—one legal officer II, and two Is, whose contract is about to end and who may—basically now awaiting whether they are “gonna” be on short-term or the contract is going to be renewed. So staffing is a major issue in managing squatting in state lands.

Mr. Chairman: Okay, so I understand what you are saying. Staffing is a problem. But who is responsible for staffing your department?

Ms. Secharan: The Permanent Secretary, Ministry of Agriculture.

Mr. Chairman: Good so we will direct a question after to that. But what I would like to know though, is that you mentioned that the patrol officers—right through you have that staffing problem, three legal officers in the land management division. So how could those officers go to court with all these matters? But I have a

newspaper clipping here that I want to use where “Increased land grabbing during pandemic”, where it was mentioned in that article:

More than 200 cases involving the state and illegal land occupiers were dismissed last year alone because of a lack of legal representation on the part of the State.

So there may be a failure of the State to provide the legal staff to proceed with it. So I think this is a shortcoming that definitely the Permanent Secretary may need to address because it was mentioned publicly, and now again, mentioned here in this meeting today. But I also—before I put that question that the Permanent Secretary, I want to know what are you dealing— How are you dealing with even your own patrolmen who are easily induced? Because I noticed there was an article recently where “Ministry of Agriculture employee charged with forgery”. That is a member of your—it was I think, one of those patrolmen and there were three reports in the newspapers recently. I think—one was in the *Guardian* mentioning, one Robert Mohammed, it was 64 days ago.

Clerk: That matter would be sub judice.

Mr. Chairman: So, there are other matters that were mentioned where another agriculture Ministry employee charged, and about three of them within the last few months. I want know, have you dealt or put any security measures in place to screen your patrol? I mean, that may be from the Ministry of Agriculture to screen those personnel and to any other measures, because I think it was mentioned one of those individuals had paperwork with a stamp and a seal and a signature of the Commissioner of State Lands. So are you—do you have any anti-fraud measures in place to deal with this, because this is just, not just lack of staff but if your staff turning a blind eye, taking inducements, if they are not bringing the forthcoming

information forward, your legal officers would be at wits end to manage. So could you mention if there are any sort of anti-fraud measures in place?

Ms. Secharan: Yes. So I have written to the PS asking for the change of the stamp and the seal. I have written to PS concerning members of staff, some of whom we have asked to be removed from the building, at least from the division and transferred. The stamp and seal, basically, was done by a member of staff of patrol. We have also written on behalf of the patrol staff, because the patrol staff is in Range 9, which is approximately \$5,000 dollars per month. They are given a travelling of \$500. Now, in this day and age, \$500 travelling is not making sense if they have to patrol or visit areas. So literally, in my request to PS, I had said, “We need to relook the post”. We need to upgrade the post so that persons are not easily induced in taking funds from members of the public. Additionally, the officers that go out in the field given their job requirements, they are out there, it is dangerous and all of that. We have written to the PS asking for some improvements in their wages when wages in their—getting uniforms and getting proper IDs for them, all of this, so we waiting on PS required answer to the request.

Mr. Chairman: Well, I thank you for your—seeking the interest of your staff under your patrolmen and your staff and better pay et cetera. As you see the need for—even gas have gone up, petrol has gone up. But have you—it was mentioned that sometimes these people go in the dead of the night and they put structures up, and once they are occupied it now takes a different scenario. What about asking for staff to work on weekends, overtime, to have staff coming out at night to look? Do you have any sort of requests for getting that overtime? Because I think we are missing that weekend gap where people could put up a structure.

Ms. Secharan: Yes, we did ask for the overtime or for the staff to work outside the normal working hours, however, as public servants it basically means they would

have to go back to the union, back to CPO, so, that may take a little while. Outside of that we have been liaising with the Multi-Agency Task Force of the TTPS that assists us with illegal mining and with squatting. They are there. We have asked that the TTPS give us a unit so that they basically—with the Commissioner of the State Lands and can manage these things.

Our problem with the Multi-Agency Task Force with TTPS is that they do not just work with the Commissioner of State Lands. They have other areas which they go to. So when they switch, or if they are doing something else, we tend to have to wait until they have time for us.

Mr. Chairman: So, I remember there was—in 1990, there was a vibrant Anti-Squatting Unit so, I think your recommendation is via the TTPS that we get a unit, a special team back again, is it that is one of your recommendations?

Ms. Secharan: Yes, it is.

Mr. Chairman: Okay. Yeah, so I think member Lutchmedial has a question.

Ms. Lutchmedial: Yes, Chair, a couple out of everything that was said. I wanted to find out specifically if in writing if we could get for since the last report, which I think was 2017 to now, based on a number of reports from LSA. How many notices was served by Commissioner of State Lands? How many matters filed? How many persons have been evicted? You made a statement that the court usually rules in favor of the squatter. I would be interested to find out why are that is so, whether cases are being dismissed for lack of representation, or if there is an actual finding of the court that persons are entitled to squat. Because I find that to be a bit concerning. So if we could get some information on that about the squatters being there? Could you specifically then as well identify how many cases have been filed in relation to Caroni lands? Because you mentioned that with the divestment of Caroni, the remit of the Commissioner of State Lands is increased significantly. And

I would like to know for example, how many instances of squatting; and let me declare my interest.

I do have an interest as Ms. Seecharan would know, and perhaps recall, in representing people who are entitled to the Caroni lands and who cannot get access to their lands now because there are persons squatting—illegally squatting on the lands. And, it falls to the Commissioner of State lands to now give the former workers of Caroni 1975 Limited what they are entitled to, and which to date, some 20 years later, they cannot get because of squatting by persons. So I would like to know how many parcels of Caroni land have been reported with squatters. And how many of those persons have been served with notices and court matters filed specifically for Caroni Lands? Because I am concerned about Caroni land and land grabbing on Caroni lands as well, which are, belongs the workers under the VSEP programme.

Ms. Seecharan: Member we would provide you that in writing.

Mr. Forde: Mr. Chairman, Mr. Chairman.

Mr. Chairman: Yes Mr. Forde, you can proceed.

Mr. Forde: Based on the requests by the hon. Senator there, is there any sub judice matter with regard to what she just asked? Just need clarity.

Ms. Lutchmedial: No, no there is not.

Mr. Forde: Judge and jury, Madam Senator?

Ms. Lutchmedial: No. No matter has been filed but I have had interactions with the Commissioner of State Lands based on the matter. And I do not think that it is an issue for whether or not how many notices served with respect to it. But I have sent some correspondence to the Commissioner of State Lands. There is no court matter. Sub judice relates to matter, which is before the courts.

Mr. Forde: Well, I just wanted to be sure that we—

Ms. Lutchmedial: Sure, no, problem.

Mr. Chairman: Member Ameen, you could proceed.

Ms. Ameen: Thank you, Mr. Chairman. Mr. Chairman, I have a concern about how LSA selects the areas that they are going to regularize. And I ask that with regard to—well, settlements that are named in the Act where persons' regularization is pending. I noticed that recently we have had very little in terms of containment and I recognize both LSA and the Commissioner of State Lands' office indicating their restrictions in terms of staffing. I have seen newspaper articles with the persons receiving certificates of comfort in numerous areas and I am a Member of Parliament and I have within the constituency of St. Augustine areas named in the Act since—the original Act in 1998, and that Act was revised in 2013. But these settlements we still have outstanding certificates of comfort to be presented and we run into issues where public health is concerned. Because, the Tunapuna/Piarco Corporation is restricted in terms of how it can go in and put in drains, for instance, even roads, water—running water, WASA is refusing to put water mains for persons to have pipe borne water, which is such a basic, basic thing for any citizen. I have residents who have been living for more than 20 years on the lands and they cannot get a letter from—they cannot get a T&TEC approval because of a directive not to give squatters electricity. And I find it untenable for these basic, basic utilities to be denied where people are entitled to certificates of comfort in a space that is on—in the Act—in the Schedule as a designated site to be regularized. And I question the LSA's priority, whether it is political, I know that there is a party in government and they have political priorities in marginal seats and so on. But I am concerned for basic, basic amenities for running water, lights, and public health where drainage and garbage collection is concerned. And I am asking the LSA, what prevents you,

or what makes you decide on your priority where regularization can take place and to allow citizens to access these basic amenities?

Mr. Hosein: Chairman, I would like to answer?

Mr. Chairman: Sure.

Mr. Hosein: Okay, so, the basis of selected sites for regularization; now regularization is a twofold thing. One is regularization in terms of tenure, and processing of tenure. There is no basis really for that you select. In fact, all applications are being processed as we speak. As I pointed out before, we are very close to concluding and our investigations and all applications made to the LSA in terms of regularization of tenure. And regulation of tenure deals with certificates of comfort in the first instance, followed by statutory lease and deeds in place.

With respect to infrastructure development, how sites are selected is based on socio-economic data that the LSA has at its disposal. It is based on social surveys conducted by the LSA, information available from our 2019—2012 comprehensive survey that was done, information available from our 2019 social survey exercise that took up the living conditions of individuals in all 251 sites. So on that basis, the decision is made and how we select sites for regularization. We have done sites all over the country, regularized sites and putting infrastructure all over the country. In fact, our numbers show that we have, we have regularized more than in full scale regularization. We have done more than 29 sites, we have done at least 20 sites and early emergency works. as we speak, we have at least 15 sites where we are doing pre construction works, including areas in St. Augustine, for example, Dookiesingh Street, where we have done an outline plan, and submitted that document to the Town and Country department for approval.

But there are challenges in many of these areas as we speak with respect to regularization, because of the haphazard way people have settled, because of some

of the low lying areas that we have to deal with. So there are challenges when you come to the statutory approvals and moving forward with regularization in some of these areas. And we, of course, seek the necessary approval from the Town and Country, the drainage department in particular where there are a lot of challenges before we can actually do physical works. So that basically is how we approach regularization and development works in these areas.

With respect to water and electricity, the LSA has no power over water and electricity and the provision of same, the relevant pieces of legislation T&TEC is governed under and Water and Sewerage Authority, they have powers within their license to grant water and electricity to persons in these areas. In fact, no permission is really required from the LSA as far as that is concerned. Once you live within a certain distance of an electrical pole, I think it is 50 feet or there about—I stand to be corrected—you are entitled to an electricity connection. There is a similar clause within the Water and Sewerage Authority Act where they can connect persons to—for these facilities. So that is outside of the remits of the LSA.

Mr. Chairman: Yeah, Mrs. Morris-Julian, I think you had a question.

Mr. Ogilvie: No.

Mr. Chairman: Okay, oh Ms. Ameen, you could continue.

Ms. Ameen: Thank you Chair. Two things, where persons have applied for electricity and water connection, the agency often asks if you do not have a letter—a certificate of comfort, they often ask for a permission letter from LSA and this also happens when persons are applying for minor repair grants. [*Technical difficulties*] Self-Help Commission had victims [*Technical difficulties*] for the non-issuance of a certificate of comfort public utilities, so I would like the CEO to take note of that. And secondly, I want to ask if the LSA has—I mean, in terms of working with representatives, because we do have a line Minister for the LSA, we do have

members of Parliament, and we do have a political party that is in power that have their own representatives. And I have been finding that where—even when I as a legitimate member of Parliament write to the LSA, I receive acknowledgement letters, but I find that the person who was the candidate for the Government who lost the election seems to be getting response, seems to be getting grants from the Government to do houses—starter houses, which require the LSA—

Mrs. Morris-Julian: Chairman, Chairman, I must object to the way this line of questioning is going.

Ms. Ameen: No, no you cannot object my question in my constituency—

Mrs. Morris-Julian: Chairman.

Ms. Ameen: —that I represent. So Mr. Chairman, if I may continue?

Mrs. Morris-Julian: Mr. Chairman, I am you asking through you Chairman, respectfully, that Ms. Ameen is bringing things here without evidence, without proof, and we have to follow and ask the questions in a certain manner.

Ms. Ameen: So, Mr. Chairman, if I may continue?

Mr. Chairman: Ms. Ameen, no. At this stage, I think you brought up the questions there and it was, you know, I do not know if there could be a response quickly from the—any response we could get there from the member?

Ms. Ameen: Mr. Chairman—

Mr. Chairman: Yeah.

Ms. Ameen: —if you would allow me to complete my question. It has to do with LSA, giving permission for grants to allow persons who currently occupy to get to do repairs on their homes, particularly in case of disaster victims, as well as to construct starter homes. Because the LSA and other agencies have the programmes where they allow the construction of starter homes in squatter developments and I see starter homes being constructed in the St. Augustine constituency. It is not—it

is—I mean, it is on a political directive, no problem, because I do understand the system of government, but my concern comes in where the work is done only on a political directive, not in collaboration with the elected representatives, the legitimately elected representatives who have been making representation. And I speak specifically for St. Augustine constituency and as I say, Mr. Chair, I have no problem with any person, political or not, who makes representation on behalf of people. My concern is where that is done in a haphazard manner that appear to be solely political to the expense of others.

11.45 a.m.

Mr. Chairman: Thank you. Thank you, Ms. Ameen. So the point you are making is there may be some sort of control into the giving of these grants and starter homes, probably politically motivated. So let us say now that is out there, the perception is out there, how do you respond? I want to get a response from the LSA in terms of fairness, transparency; in terms of control, you know, give us a take on this because you—just to respond quickly. What manner you have there that, you know, the perception outside would not be that persons might be using, you know, your agency, starter homes, for voter padding. Remember in these times—so you have to give us that idea quickly in terms of what do you have in place to show us that this allegation—you know, you are going to address it.

Mr. Innis: Chairman, can I respond, please, just for the record?

Mr. Chairman: Sure.

Mr. Innis: I would like to put on record that the LSA does not select squatter sites for improvement based on any political intervention, any political directive, or based on any political issues. It is done purely on the data collected by our Social Services Department who go out into these communities and collect data. And, in particular, for the St. Augustine area, we have been making interventions inside

there. We have also allocated—not allocated, completed some starter homes in the St. Augustine area, and I will ask the CEO who has details on that to present further information to the panel now. CEO?

Mr. Hosein: Chairman, with respect to the selection of beneficiaries for the Housing and Village Improvement Programme that the member referred to where we provide starter homes to members of the public, it is based, as my Chairman indicated, on purely socioeconomic data and the data that we have collected from our social surveys and from limited CSO data that we have available to us on living conditions of persons in areas all over Trinidad.

In fact, we have done starter homes in many other areas. We have done in Embacadere, San Fernando; we have done in Toco, Maracas, Cumuto, La Brea, Matura, Talparo, Caparo, Claxton Bay, Chaguanas, Diego Martin. It is all over Trinidad. There is a strict criteria for determining how a beneficiary is selected and the two most basic things are, number one, income. Your income has to be \$7,000 and less per month and that is the family income. So that is how someone will qualify, and of course the home has to be in a dilapidated condition for us to intervene. And those are the two most basic criteria which is used in determining beneficiaries for this programme.

In terms of, again, for other utilities, as I pointed out before, if you are within a designated site, a site that is listed in the Act 25 of 1998, the authorities, the several different agencies, would approach the LSA just to confirm whether the person is a legitimate applicant and the LSA responds appropriately with respect to that.

Mr. Chairman: Yes. Thank you. Mrs. Morris-Julian, you can proceed.

Mrs. Morris-Julian: Thank you very much, Chairman. Chairman, through you, this is directed to the LSA. I have several questions but let me start with, through you, Chairman, to the CEO. I noticed what you said about the data collection, I just

want to understand the inadequate data, why is it inadequate besides the pandemic? Because I do not understand how you were able to say “There was a reduced reduction during the pandemic”. Please clarify for me, if there was a reduced reduction, how did you then collect the data?

Mr. Hosein: Okay. Member, with respect to data collection, and based on the information that we have provided the LSA, in our view, has done a great job in terms of data collection, even during the pandemic. Of course there were limited patrols during that particular period of lockdown but we have been collecting data. We continue to collect data and provide the information. We have provided the statistics as we have here with respect to data collection for the period 2018 to 2022 to the Committee and we continue to collect data and provide.

So we think we are on the button with respect to data collection and the provision of data to the Commissioner of State Lands on the information we have been provided. As indicated before, we have sent information over the last 4½ years to the Commissioner indicating that there are 1,117 new structures constructed on state lands and designated sites that we are required to patrol. If any restrictions at all, we restrict ourselves to sites listed in the Act 25 of 1998 with respect to data collection and submission of information to the Commissioner of State Lands.

Mrs. Morris-Julian: Okay. I understand now. Thank you very much. Through you, Chairman, it was stated:

To date 538 beneficiaries have been allocated lots in nine sites under the programme.

I am speaking specifically about the Government Aided Self-Help Housing Programme. I was really happy to hear a member say that they have HVIP in their area because I—just a plug here, Chairman. I do not have any in

D’Abadie/O’Meara yet—knock on wood. So first, what challenges have hindered the allocation of the remaining lots under this programme? And secondly, how many applicants have commenced the actual construction phase and have completed their construction on this programme?

Mr. Hosein: Okay. Chairman, members, so there are two different questions here; one with respect to the Government Aided Self-Help Housing Programme where we are processing applications and persons who have applied under that programme. In total, 700 names were—there was a random draw where 700 names were drawn from a computerized process and there have been recommendations coming out of the Ministry of Housing and Urban Development. To date, 553 letters of offers has been issued to persons who are now at varying stages of being processed all in an effort to get a deed of lease at the end of the day from the Commissioner of State Lands office. Persons are at the stage of the Commissioner of State Lands. They are at the stage of the Chief State Solicitor’s Office for preparation of deed. There are a number of persons whose sale agreements have been executed and sent to varying financial institutions for their processing of their mortgages, and the fact, I think, what we have now is approximately 375 persons at that stage.

So people are at different stages. In terms of construction, persons have not yet being hired to construct because they are seeking the necessary approvals. Apart from getting the deeds in their name, they then seek the necessary building permits and approvals from the various agencies, Town and Country, getting WASA clearance, et cetera. People are going through those stages. What we do anticipate before the end of this year, we should see a number of these persons starting to build because they would have received the requisite approval from Town and Country and from the requisite statutory agencies to start construction of

homes, and we look forward to that.

Just to note that the LSA is also providing technical advice, house plans at no cost to beneficiaries under this programme to the persons who want to get their deed, et cetera, could approach the LSA. We provide these facilities to them. They can then take one of our plans, et cetera, go to the Town and Country, go to the different approval agencies to get their approvals. So we are doing all of that as we speak. So expect to see a large number of persons starting to build within this calendar year.

With respect to HVIP—I think we did mention and raised the issue of HVIP, and as mentioned before, we have—unfortunately we may not have done any in your particular area as yet, but it is based on social survey data that we at the LSA has. It is purely social survey data. We have collected information in varying parts of the country and it is based on a points system in terms of the condition of the villages. It starts with a village level first. We looked at villages where you have in dilapidated conditions, neglected villages, and then we go into those villages. We apply the scoring system and we decide which of the persons could benefit on the programme. As I said before, and I will reiterate, \$7,000 and less in family income and the house must be in a dilapidated condition for us to intervene. Of course, there is a repair part of the programme as well where we do do repairs to certain homes, but again you have to qualify under the programme.

Mrs. Morris-Julian: Okay. Good. Thank you very much. And through you, Chairman, the reason why I asked too is because I have a very large squatting area in Carapo and recently I visited the area and my parliamentary colleague, Minister Gonzales, over the water situations that we have there. So I am wondering how closely does LSA work with Town and Country, WASA, T&TEC, because I can tell you that the water situation is really terrible. There were numerous illegal

connections, and we all know the history of Carapo and why Carapo got to the stage that it got to, but I am really concerned. How do we move forward? Is there a meeting? Do you all interact, meaning all the WASA, T&TEC, LSA, state land commission? Is there a monthly meeting? Is there some way to move forward? Because people are continuing to go and build, create their own roads, little or no drainage and then of course they expect that someone will fix it.

Mr. Hosein: Chairman, member, Carapo, or Race Course as we have it listed, has been a challenge for the LSA. Members would recall that that site was developed during the period 2010/2011, around that time. At the very onset we had Town and Country approval for 703 lots in that particular area. Because of the haphazard way people have settled and the rush for land that took place in the years after the development, we had almost 450 vacant lots on that site and there was a huge rush and people settled in a vary haphazard manner and continue to do so, moving around their boundaries, et cetera, on this site and has created no end of trouble for the LSA if terms of the development.

As I said before, we had 703 lots earmarked, based on Town and Country approval. When we were finished we were only able to get 530 lots on this site because people settled in their own way. These 530 lots were approved by the Director of Surveys and yet still over the last few years people continued to move around and shift their boundaries, et cetera, causing no end of trouble to the LSA in moving the regularization process forward, and that has been a challenge.

You asked if we collaborate with the other agencies; yes. And as our Permanent Secretary outlined, at the very start of her presentation, since 2020 we have—what we have is an approvals coordinating committee. And just last month we had a meeting of the approvals coordinating committee where under our Minister, who chaired that meeting last month, we were able to pull together all the approval

agencies, including WASA, T&TEC, Drainage Department, Town and Country. We were able to get all of them in the room, a representative, and we have now re-established that committee where we are meeting monthly and working out the issues at the various sites that we have. So addresses like what you—issues like what you have in Race Course, et cetera, will certainly be addressed at these meetings but we do have issues inside of that particular area, Race Course, where people have collected. We have put in water connection for each lot that was there, but because of people have moved around and doing their own thing inside there it poses no end of problems.

So what we are presently doing and what we will have to do for areas like Race Course—and not only Race Course, Bon Air, Race Course, Pan Settlement, Kangalee, et cetera. Although we have surveyed and have the approvals for all these sites, we will now have to resurvey because how people are moving around on these sites. So part of our community development work and trying to come out and meet the communities and explain to them the difficulties that they pose when these things happen is what we are trying to do as well so we can educate people about moving around and moving their boundaries, et cetera. But we will be working with the approvals committee and working with the residents to try to regularize the situation that reside.

Mrs. Morris-Julian: Through you, Chairman, I would just like to state, there is an entire new community that recently moved there in Carapo, and I call tell you that we are all very well aware of all the criminal elements in Carapo but for the most part Carapo has good law-abiding citizens and they are very upset with the current state. So I am hoping that the LSA will pay particular attention to the land grabbers and the continued “squat lords” that are in Carapo and see what we can do. Your submission, through you, Chairman, also stated that:

Further allocations will be made to persons who qualified under the approved criteria under the HVIP programme.

You already stated for us what is the criteria, under \$7,000, but what is the time frame that has been established for the completion of the allocation process? And if possible, what additional areas and locations have been earmarked for future allocations? We will accept it in the written form, Chairman. I mean, I would love to know if D'Abadie/O'Meara is there but I can wait.

Mr. Hosein: Certainly we will provide further information in writing on what is required.

Mrs. Morris-Julian: Okay. Chairman, through you, I have one last question.

Mr. Chairman: Sure.

Mrs. Morris-Julian: All right. In the submission it was stated that:

The dedicated resources for Government institutions responsible for assisting with the processing of title documents is necessary in the successful execution of the Government's self-aided programme.

How has the LSA engaged the Office of the Attorney General and the Ministry of Legal Affairs? Is it with a view to ensure that dedicated support is given regarding the issuance of titled deeds?

Mr. Hosein: Okay. Chairman, members—

Mrs. Morris-Julian: Go ahead.

Mr. Hosein: Okay. So, yes, we are dependent—the LSA is dependent on these various institutions, including the Chief State Solicitor's Department which comes under the Office of the Attorney General for processing of title documents. In fact, the process is that the LSA submits to the Commissioner of State Lands and the Commissioner of State Lands instructs—sends instructions to the Chief State Solicitor's Office for the preparation of title documents, date of lease, et cetera.

These documents will then, when processed, would then be sent back to the Commissioner and to the various mortgage institutions for the finalization of title documents to persons.

There are challenges as we are all aware at these offices with respect to—we strongly suspect with respect to human resources, and, again, it is out of our remit but those challenges have to be addressed if we are to process these documents in a much faster way.

Mrs. Morris-Julian: Thank you very much. And that actually was the second part of my question, the challenges. So through you, Chairman, if possible, if we could get a list of the challenges submitted to us and we will take it from there. Thank you very much, Chairman—appreciated.

Mr. Chairman: Thank you. Good. I would like to find out regarding the national squatter containment policy. In your submission it was stated that:

Recommendations of the agency have already been submitted to the Ministry of Agriculture, Land and Fisheries and a draft Cabinet Note prepared.

To the Ministry of Agriculture, what is the status of the national squatter containment policy?

Mr. Mahabir: Chair, the Office of the Attorney General sent the draft amendments on the squatter containment policy and it was reviewed by the Commissioner of State Lands office, and within three months—our contribution was made towards those amendments and it was sent back to the Office of the Attorney General. And according to the Cabinet Minute it was for the Attorney General to take—the Office of the Attorney General to take the—[Inaudible]—Legislative Review Committee to review the amendments. That is as far as we—[Inaudible] Our last thing on that was sent in January of 2020.

Mr. Chairman: So it is really held back at the AG's office. I think the Law Review Commission. Okay. All right. You stated that land grabbing by squatters is a significant hindrance to the execution of this programme. Is the LSA of the view that the length of time taken to allocate these lots have contributed to the settlement of squatters on lots?

Mr. Hosein: Chairman, yes, to an extent. The longer you take to allocate is the more risk that is involved in terms of being open and persons grabbing lands. So, yes, we need to have this process done in a much faster way when lands are developed and that allocation process needs to be speeded up. And as I pointed out before, you have various agencies that are involved, Commissioner of State Lands, Chief State Solicitor's Office; you have the mortgage institution, TTMF, et cetera; you have the approval agencies. So it is a group of institutions that need to look at the processes and the way of speeding up the allocation process.

What the LSA has put forward is—and in accordance with our Act, Act 25 of 1998, is to declare sites where we have developed lands and have lands available as land settlement areas, and this will then give the power to the LSA where the LSA's Chairman will be allowed to sign and sign leases, rather than having to go through some of the bureaucracies that we have to go through at this time. That matter is also before the CPC as we speak, so we think that there should be some traction on this and that should be going forward very soon to the Parliament to declare sites as land settlement areas at these developed sites and in that way we can be able to process a lot of these title documents in-house rather than having to go to other arms of the State.

Mr. Chairman: Have any ever used been considered?

Mr. Hosein: With respect to the various agencies, there is no MOUs has been considered. It is really the relationships that has been formed between the various

agencies and working with the various agencies over the years.

Mr. Chairman: Your submission stated that the Land Settlement Agency collaborated with the Ministry of Planning and Development on their guidelines of regularization of informal settlements on state lands. Have these guidelines been finalized?

Mr. Hosein: No. Chairman, the guidelines have not been finalized but it is an area of concern that the LSA has and the Ministry of Planning has, and this deals in particular to hillside developments in and around Port of Spain and environs where it is estimated that we have over 20,000 families who were squatting and the guidelines have been developed. We have contributed towards the guidelines to the Town and Country Planning department. As far as we know it has not yet been finalized but it is something that needs to be done where we need to work out appropriate standards for these particular areas. It is not going to be the same as regularizing other areas of the country where people have settled. In these particular areas people have settled in a much tighter way.

There is very limited space between structures and the guidelines have to be reviewed and approved for us to move forward, the regularization in these areas. This is the reason why the LSA has only been doing what we call “early and emergency works” in a number of these areas in the hillsides of Port of Spain and environs, all the way to Diego Martin, because the appropriate regulations are not in place for us to deal with full scale regularization. But as we speak, I know Town and Country is working on the finalization of these guidelines.

Mr. Chairman: In terms of like forested areas, I mean, do you have any sort of—the Conservator of Forests, any sort of liaison with them if you see certain things happening that they may have the power to go in and stop any degradation of our forested areas?

Mr. Hosein: Yes, Chairman, we have been constantly reporting issues, and most of the reports in most instances, and in all instances will go through the Commissioner of State Lands who has direct contact with these various other agencies, but we do report the areas of concern, especially in forested areas, et cetera.

Mr. Chairman: In terms of your submissions, you stated that 13 vehicles are assigned for patrolling your sites. Are all 13 vehicles in service?

Mr. Hosein: Yes—

Mr. Chairman: All. Okay.

Mr. Hosein: These vehicles are available and from time to time you do have breakdowns so we are constantly repairing and having vehicles ready for patrols.

Mr. Chairman: And your submission stated that:

The LSA utilizes the services of private security firms to engage in patrols and monitoring of sites classified as “hot spots”.

What is the total annual cost of hiring the services of these private security firms?

Mr. Hosein: Okay. So over the years—and we can provide that in writing as well, but the patrols, we do use private security firms for patrolling hot spot areas, especially developed sites, in order to protect those lots. And the primary reason for using the private security firms is because they are able to work 24 hours and they can patrol and monitor the activities that happen on these sites. With respect to the actual annual cost, we could provide that in writing to you.

Mr. Chairman: So you do not have a general figure, an aggregate figure, an annual figure?

Mr. Hosein: In terms of per site, it will cost about \$50,000 per site, per month. So let us—over the years over \$600,000 in terms of patrolling a particular site.

Mr. Chairman: Could you confirm the names of the security companies that are

currently contracted by the LSA?

Mr. Hosein: We will provide that in writing to you, Chairman.

Mr. Chairman: And could you tell me how many drones you all have currently in use?

Mr. Hosein: The LSA has two drones that we have purchased and, as I pointed out very early, this has been providing really good support for the LSA in terms of monitoring activities on sites; not only for the containment activities, it has provided information for the development of sites where these drones, they are linked to the actual data on the ground and to points, GIS points. So that has been providing really good information for the LSA. So we have two drones at this time.

Mr. Chairman: Your security firm, do they work on weekends? Because I think we have gotten a deficiency in—the State—you know, we are stating that the public servants who may have to come out and inspect and patrol. In your areas, the security, do they work on weekends to see if there is any rush to put up housing in that period?

Mr. Hosein: The answer to that is, yes, Chairman, and that is the reason for the private security firms because they are able to work on the weekends and monitor the activities what is happening.

Mr. Chairman: And do you give that information to the Commissioner of State Lands?

Mr. Hosein: All of that information, once any illegal activity is uncovered, it is supplied to the Commissioner of State Lands.

Mr. Chairman: Sure. Thank you. Member Forde, I think you had some questions.

Mr. Forde: Thank you, Mr. Chairman. To the Ministry of Housing and Urban Development, PS, Mrs. Davidson-Williams, in your presentation under Financial Allocations for the Government Aided Self-Help Programme, I would like to know

what factors account for the increase in the revised allocations for the Government Aided Self-Help Programme, which we know was formerly the Land for the Landless Programme, over the periods 2019 to 2020, 2020 and 2021, and we can include what is happening for 2022, if you have that information. Madam PS?

Mrs. Davidson-Williams: Yes, member, over the years the LSA would have highlighted a number of issues, particularly an increase in material; the increase in the number of persons who would have applied for this facility, the challenges with regard to infrastructure development, and because of that the justifications were submitted to the Ministry and we would have made the necessary representation in order to increase the allocations.

Mr. Forde: Okay. As a follow-up also, now we would have known the Land for the Landless also had an aspect with regard to land only whereby—you know, at one time I know the Ministry of Housing was looking at the possibility of persons who could not have qualified for housing could be probably given land at a reduced cost and so on. Is there anything in the system with regard to that in going forward, 2022?

Mrs. Davidson-Williams: Chairman, we do not have that as a specific programme, but I could provide that in writing if I do the research and let you know.

12.15 p.m.

Mr. Forde: Right. And one last question. With regard to—Mr. CEO at LSA Mr. Hosein. Again, Tunapuna would have benefited with regard to those low-income houses. Right? I know one of the concerns that we had in the Tunapuna constituency was with regard to the land ownership whereby, you know, some individuals, you know, they could not have provided, you know, those support documents. But again, having land tenure stewardship being on the land long for

periods, you know, like individuals having receipts or some sort of documentation. Again, I know that we are all governed by policies and guidelines but I know I have a series of individuals, you know, families that, you know, looking forward, you know, who would have qualified with all the other qualifications necessary but not that particular aspect. You know, so again in going forward, you know, if your board, you know, could look at, you know, some sort of adjustment because, again, these are people that the Member of Parliament, the councillors and so on in our area would have identified, you know, that could qualify for these particular benefits. So it is something in going forward that I will appreciate, you know, if we could look into please, Mr. Chairman, I mean, CEO or the Chairman of the LSA.

Mr. Hosein: Member, if I am permitted, Chairman, if I am permitted to answer. There are serious issues with respect to persons who, as the member pointed out, are qualified in terms of the income criteria, qualifying in terms of their house being dilapidated. But, because they are unable to provide land tenure documents, we are unable to intervene because there could be competing interests from many different persons for the same piece of land. And not because somebody has settled on a piece of land, it is theirs and the last thing we would want to do is to construct a home and then—construct a home for a particular individual and you have another individual coming and claiming that house at the end of the day.

So we have to be very careful and the member would appreciate that the LSA is just being very cautious and careful in that before we use the state fund to do any sort of intervention like this. That we have to ensure that the person is the legitimate owner of that piece of property. If he is renting, he must get permission from the land owner in writing. He must have a statutory declaration done as well. If the place is on state land, we must have proof of how long that person has been there. He has a certificate of comfort, et cetera. So we try to make sure that we do

all these things, dot the Is, cross the Ts, to make sure that, you know, we are not challenged at the end of the day.

Mr. Forde: I am guided, Mr. CEO. Thanks, Mr. Chairman.

Ms. Lutchmedial: Chairman, I have a question.

Mr. Chairman: Sure. You could go ahead.

Ms. Lutchmedial: Thank you. Coming out of that, the question about the, what is now called the Government Aided Self-Help Housing Programme formerly called Land For the Landless. I wanted to find out about the selection process. I believe that prior to 2015 it was a random draw. I think that there is now a weighted—some sort of a weighted type of system, as well as persons—the Minister with responsibility, I think, for the Ministry of Housing and Urban Development would make recommendations. Could you tell us how many persons received lots of land under this programme from 2015 to now? How many would have been on the recommendation of the Minister? And how many via your—the other system? And I have a couple questions with respect to the development of lots, of areas for this land for land—well, now whatever it is called, formerly Land for the Landless programme? What are the areas designated? How many have been developed? And who are the contractors that are presently contracted to develop those sites?

Mr. Hosein: Okay. So, Chairman, I will attempt to answer as much as I can here. In terms of the Land For the Landless programme, a question was asked with respect to that. That programme was closed in the year 2017, if I recall correctly, 418 persons who qualified under that programme to move forward. Out of that 418 persons, just about 50 per cent of those persons have agreed to move forward and to get their mortgages—trying to get their mortgages, et cetera, processed so that they can benefit from the leases under the programme.

With respect to the Government Aided Self-Housing Programme which replaced

the Land For the Landless programme, to this date we had one public draw. So it was done by a public draw where 700 persons' names were drawn based on a points criteria and those persons are being processed as we speak. There are recommendations that have been put forward and there is a criterion under the programme where there is a 70 per cent for draw and a 30 per cent under the recommendations that comes from the Minister responsible for the programme. So that is how it is decided, who moves forward. And we could provide the information in writing with respect to contractors, et cetera, that has been requested.

Ms. Lutchmedial: Yeah. And how many sites are presently under development? And who are the contractors?

Mr. Hosein: Certainly we can.

Ms. Lutchmedial: Just a follow. Yeah. You said 30 per cent. These 700 persons at the random draw. I just want to be clear. Is it that the 30 per cent of the people who are recommended go into the draw together with those who qualify on your waiting system? Or is it that the persons who had drawn randomly, that 700 come from the 70 per cent? And that the 30 per cent are automatically, you know, given a certain allocation?

Mr. Hosein: So the 700 was drawn and there was a total of 1,000 lots that was available at that time for distribution. So 700 was drawn. That is 70 per cent and then the 30 per cent comes from recommendations. But just to note that the persons who come through recommendations have to follow the same strict screening process and criteria. They have to be landless. So we have to prove that they are landless, so in-depth searches are done for names to make sure that they are landless. They still have to fall within the income category as determined by the programme. So they still have to meet all the criteria, basic criteria for the

programme to move forward under the programme. They still have to meet—also if I may, they still have to go to a mortgage institution and qualify to paid for the lot of land. And just to note that the price is agreed under the programme is 30 per cent of the open market value for a lot of land. So all persons, whether they are drawn or whether they come under a recommendation, still have to meet that criteria.

Ms. Lutchmedial: So then the only difference is that the 30 per cent who are given, they do not have to take a chance of being part of the draw. They just get a recommendation and they go through.

Mr. Hosein: Well, but still have to meet all the criteria.

Ms. Lutchmedial: Yes. Sure, the landless and they have to get a mortgage and all of that but they do not have to take the chance. They are selected out of the lot of everyone who applies.

Mr. Hosein: Yes.

Ms. Lutchmedial: Good. Okay. And—

Mr. Hosein: This is very similar—this is very similar. It was very similar to the, what existed with the Land For the Landless policy. It is similar criteria.

Ms. Lutchmedial: Good. And you will provide the information of the contractors and the areas for developments?

Mr. Hosein: Certainly.

Ms. Lutchmedial: And just also, not just currently under development but if you also have plans for areas that will be developed presently like for projections, if you could provide that as well?

Mr. Hosein: We do have a number of areas that where we have been doing preconstruction works. So we can provide that information as well.

Ms. Lutchmedial: Good. Thank you very much; and the contractors.

Mr. Hosein: Certainly.

Ms. Lutchmedial: Thank you.

Mr. Chairman: You said:

Given the expanded role of the agency, the board of the LSA has recommended to the Ministry the establishment of a special projects unit within the agency to develop and execute works outside of its core responsibilities categorized as special projects.

Now, I understand now you are in the process of dealing with the Petrotrin land distribution. In terms that, how far have you reached in that land distribution?

Mr. Hosein: Okay. So in terms of the Petrotrin project where the LSA's responsibility lies with the development of plots for former Petrotrin workers, we have started works in a number of sites. The most advanced of those is the La Savanne and Guayaguayare—the La Savanne and Nurse Trace site in Guayaguayare where, based on the lots that are available in these two sites, we have done a draw for 70 persons out of the total number of persons who applied under the programme. The total number of applicants is just over 2,800. From that we did in-depth searches to find out which ones were landless and it is just about 50 per cent of those persons who are landless. We did a draw for the first 70 and those persons are—there was a recent selection of lots that was done for a number of those persons out of the 70 after we made all our checks to make sure that the persons were indeed landless, et cetera. So that we have reached that far with this particular programme.

As we speak we have another site that is being developed. That is the Glenroy site in Princes Town which is expected to yield around 150 lots when complete. That development is in three phases. We have three different contractors on that site. One is actually close to 85 per cent. The other two are just around over 50 per cent.

And this development is expected to be completed by, I would think, about the end of June/July and then we will seek all the necessary statutory approvals. So that site is another site that will be available for former Petrotrin workers.

We are in the planning stage and preconstruction stage for a number of other sites which we are working on at this time. We are seeking the necessary approvals. We are going through tendering processes, et cetera, so that we can make these lots available for the former Petrotrin workers who qualify.

Mr. Chairman: So do you have the special projects unit in place already seeing about this? Or is it something you are hoping to establish?

Mr. Hosein: We are hoping to establish that. At this time we are using the staff at the LSA, the technical staff that we have at the Infrastructure Development Unit to supervise and to manage these programmes.

Mr. Chairman: So the special projects unit will be an additional staff which could expedite your function then?

Mr. Hosein: Exactly. And that special projects unit is expected to also expedite the function under our responsibility under the Youth Agricultural Homestead Programme as well where we are expected to assist with the development of plots, agricultural plots under that programme and to construct standard homes using the model of the Housing And Village Improvement Programme. So, yes, the special projects unit will aid the LSA in carrying our mandate under these programmes.

Mr. Chairman: So it is a lot under your portfolio now, eh. But how many positions will be established to support the work of this unit?

Mr. Hosein: We have put forward a proposal that is around 20 persons, I think. I could provide that in writing as well, the proposal.

Mr. Chairman: And what is the estimated additional recurrent expenditure that will be incurred with the establishment of this unit?

Mr. Hosein: It is around \$3 million.

Mr. Chairman: Do you have a time frame set up for the establishment of this unit?

Mr. Hosein: So our board has given preliminary approval. We are now seeking the necessary approval from our parent Ministry to take this forward.

Mr. Chairman: Okay. Sure. Member Forde, you had a question?

Mr. Forde: Chairman, well I just wanted to come back in. I noticed that Sen. Sagrarsingh-Sooklal had her hand up before I put back up my hand. So could I give way to the hon. Senator and then I could come back in?—because I noticed that her hand was up before I just raised my hand. I will come in after her if possible.

Mr. Chairman: Okay. Sure. Member Sooklal, you can proceed.

Mrs. Sagrarsingh-Sooklal: Chair, I honestly did not realize I had my hands up. But that being said, I know that I am batting very, very low in the line up here. Chair, I apologize for my late entrance into this meeting. Of course, I was dabbling in another—well, a PAC meeting as well.

But that being said, I know a lot of the areas of concern for me were already addressed by previous members of the Committee. One of the things that I am just—which I do not think was, and you could correct me if I am wrong, Chair, is as it relates to the interagency collaboration in the Ministry of Housing and Urban Development's submission that—in the LSA's submission, sorry—mentioned about this interagency collaboration particularly between the LSA, the Commissioner of State Lands and the municipal corporation was mentioned. My concern is just—and not just—not a concern really but rather a question relative to that committee. If I could just find out a little more about the objectives in particular of this particular committee, this interagency committee that has been

created. I am not sure who would be in a position to answer it. I know it is from the LSA's submissions. Yeah. It is from the LSA's submissions.

Mr. Hosein: Chair, if I may?

Mr. Chairman: Sure. Proceed.

Mr. Hosein: Okay. So the interagency committee, that is one of the recommendations that came out of the proposal with respect to containment legislation and then out of the recommendations out of this very set Committee when we appeared last. It is really—the purpose of setting up the committee is for collaboration, collaboration among the various agencies who are required to monitor and enforce on state lands. The agency, so far, the different organizations who have come together, the Commissioner of State Lands, the Land Settlement Agency, we now have an arm of police service, the Inter-Agency Task Force that is part of this committee. They are all part of this committee and the sole objective is for sharing of information and to take the necessary action in the fastest possible time to deter squatting, new squatters.

Mrs. Sagrarsingh-Sooklal: Has the committee actually convened? And could you give me a little information? Perhaps if you all have indeed met, what is currently before this said committee as it relates to the matters you have just identified?

Mr. Hosein: Oh, also yes—

Mrs. Sagrarsingh-Sooklal: Sorry. Sorry. Why I am asking this is because, I mean, to my mind even before asking the question, I had an idea this is what the committee would entail. And, of course, in dealing with the issue of squatting, it is critical that you have that interagency task force, for want of a better word, created and that sharing of information is critical if we are to really treat with the issues that the LSA is charged with. So I had that in—I just wanted it to be said for the

record, at least for the record to, you know—

Mr. Hosein: Sure.

Mrs. Sagramsingh-Sooklal:—at least, you all understand the importance of said committee. Now, just back to the question. Yeah. You were going to answer relative to what the committee, if the committee has indeed met and perhaps give a little information or insight into what is currently before the committee.

Mr. Hosein: Okay. The Commissioner of State Lands might be in a better position to, as chair of this, to answer this. But the committee has been meeting on a regular basis and the matters before the committee would be current matters reported, as new squatting reported. Of concern would be areas of hot spots, that is being discussed and possible action and using what particular laws we can use to deal with the particular situation. And as members would have pointed out, there are many concerns especially in the eastern part of the country, in Valencia, et cetera. Recently we had an area of concern Antigua Road where 25 acres of forestry land was cleared. That has been one of the matters before the attention of the committee, along with new squatting in Valencia, Pine settlement, the Bois Bande area as mentioned during this meeting as well. Areas of concerns would have been—discussed would be like where the new highway is proposed and the squatting activities that is taking place there and the action that could possibly be taken.

Mrs. Sagramsingh-Sooklal: Okay. One last question, Chair, because as I said I know most of the other areas were covered. Thank you very much for that information, CEO. In the submissions from the LSA as well at paragraph, I think it is the additional submissions, question 7—no. There was actually a statement, you stated in your response that:

The LSA last wrote to the Permanent Secretary of the Office of the Attorney

General in 2017 regarding an update on the progress of the committee's recommendation.

And then you went onto say that:

The Land Settlement Agency did not receive any further instructions from AGLA as it relates to directions and instructions.

I have personally been trying to locate this particular correspondence. If, Chair, of course, through you if I can make a request that—because I am particularly concerned that, you know, no directions or instructions have since been received. Right? Chair, through you if I can make a request for a copy of that correspondence so, at least, on my end I can do whatever necessary enquiries for us to be able to see why since 2017 a response has not been forthcoming to the LSA. And that if, Chair, if I can make that request I will be grateful and perhaps I can be able to lend some assistance in whichever way I can just to ensure that the information is forthcoming so the work of the people of Trinidad and Tobago can be done and completed.

Chair, those are just the extent of the questions that I have. Chair, I also want to thank you. I know in my absence certain things would have transpired. That is over and done with but thank you for chairing the meeting in the matter in which it ought to be chaired. Thank you, Chairman.

Mr. Chairman: Thank you, member. I think member Forde had a question also. Members, we will be wrapping up at 12.45.

Mr. Forde: Yes. One last question. This is directed to the Commissioner of State Lands, Mr. Chairman. Again, I can—we can get a little synopsis of it now because I think we can be able to identify clearly what the answer to the question is but I will also like it to be submitted, Mr. Chairman, and Secretariat, in writing. It is to the Commissioner of State Lands. Who or what agency is responsible for the

application process leading to the approval for state lands for purposes of acquisition for a recreational ground or space for a particular community? Right? So if a particular community would like to get a piece of state land for recreational ground or space, who or what Ministry, department, municipality in the particular area is responsible to communicate with leading up to the process?—because I know it will have to eventually go to Cabinet. Can I get a little feedback but I will also like it in writing please, Mr. Chairman. Thank you.

Ms. Secharan: So any acquisition of state lands come through the Commissioner of State Lands. Given that this is a recreational facility you are asking for, normally we would ask that it passes through local government because somebody needs to be maintaining the grounds and all of that. Depending on the area where it is located, once it is identified the request is made to the relevant Ministry, Local Government, who will then do a note to Cabinet and then send it forward. You can also send it us, telling us where the area is, if it is available before you do anything so that we can do a title search and make sure that this area that you asking for is, in fact, available. If it is acquisition it means that it would be private lands that you want to acquire for a public purpose and the process is that we will have to find the owners, identify the area.

Mr. Forde: Excuse. Madam Commissioner, no. It is state land. Right? It has already been identified, one.

Ms. Secharan: Ah-ha.

Mr. Forde: It is in the Maracas Acono area. We have identified the cadastral drawings from Land and Surveys but I just need to be clear as to who it is to be addressed to in order to start the process of this particular application. So as you said—

Ms. Ameen: Mr. Chairman.

Mr. Forde:—so I can write to you. I can write to the Commissioner of State Lands, we can copy Local Government and we could probably copy your line Minister and probably the Tunapuna/Piarco Regional Corporation chairman to start the process I presume.

Ms. Ameen: Mr. Chairman.

Mr. Chairman: Sure, Ms. Ameen.

Ms. Ameen: If I may? I might be able to provide some guidance for member Forde as a former chairman of the Tunapuna/Piarco Corporation the process that I am aware of is that the regional corporation will make the representation. So the MP or the residents can make the request to the corporation and then the corporation will seek to have the land transferred from either the Commissioner of State Lands or LSA. And, yes, a Cabinet note is required and that then becomes part of the vesting order that has a listing of all the properties vested in the corporation.

So, the corporation as the legal entity that will now have this parcel of land vested in it, is the one to make the request for the transfer of the title. So the Chairman of the Tunapuna/Piarco Corporation has to be engaged and a resolution of the council is required and the councillor can make that request in council or the MP can make that request in writing to the chairman and it will go to the council.

Mr. Forde: Right? But still, Mr. Chairman, I would like coming out of the meeting to get an official response from the Commissioner of State Lands' office please, Mr. Chairman.

Mr. Chairman: Yes. Sure. Thank you for that interaction that we got from Ms. Ameen and I am hoping we can get a response also. As we are about to close I just wanted to ask two things. I realize there is difficulty for, you know, to get staff to patrol and so I think we will have to write to the Permanent Secretary in

Agriculture to, you know, see how best we can help with that situation. But I wanted to ask something. You know, the difficulty is really like on a weekend. Commissioner of State Lands, I would like to ask, if someone definitely builds a house, I could understand there is the difficulty but if you now see loads of material being put down like the galvanize and the wood, et cetera. Is there a way that you could go and remove that before persons could actually construct a house?

Ms. Secharan: Well, technically if we see material on state land we would have to go and enquire who put it there and why. The problem is, most times when we go to enquire who, we do not get a name. Most people either do not want to tell us or sometimes we even get persons telling us the wrong name. So that when we go and serve the notice, the persons look at it and say, “That is not my name. That is not me”. So we have issues not only in patrolling over the weekends. We have issues in getting the correct name, the person, who is the person that we need to serve the notice to.

Mr. Chairman: But can you not just confiscate this material? It is on state lands. I mean if you have some liaison with the Ministry of Works and Transport who has material, you could just say, come in, take it, and give that material to somebody else. To me it is a simple fix to a situation. The material is there before they build. That is one.

Second thing is, have you ever considered, you know, recently in Parliament we have passed the Trespass Act. Right? We amended the trespass legislation. I mean, is there a role for the trespass legislation, somebody is now trespassing on state land that, you know, you have a different entity, or somehow police could go in and charge them for being on this property. Because I think the trespass legislation was amended to include a fine of \$50,000 and jail term for 10 years. So what is your opinion on that?

Mrs. Phagoo-Nandlal: If I may, Chair. One of the discussions that we were having with the Inter-Agency Task Force which, as we would have discussed earlier comprising of the Commissioner of State Lands obviously, LSA and the Multi-Agency Task Force of the Police Service, Trinidad and Tobago Police Service. That is one of the discussions that we had. We did write to the Solicitor General in 2021 asking for a legal opinion on whether or not the Trespass Act can be used. We would have had discussions with the legal officers at the Trinidad and Tobago Police Service and while we were both of the opinion that the Trespass Act can be used to evict squatters on lands, on both state lands and lands that are currently under the purview of the LSA, the Trinidad and Tobago Police Service legal team did not want to pursue the matters without this legal opinion from the Solicitor General. So that is the only thing outstanding and we are ready to test one of those matters before the courts.

Mr. Chairman: Yes. So we are looking for some exciting times and, you know, some other avenues you can help. So at this stage would any members, my members want to ask any other questions at the end? We are now about to finish. So if there are no questions, further questions, I would like to get some brief closing comments from Mr. Claire Davidson-Williams the Permanent Secretary Ministry of Housing and Urban Development.

Mrs. Davidson-Williams: Thank you, Chairman. I just want to extend our thanks from the level of the Ministry for the comments shared by your Committee here with us today. We remain committed to assisting the LSA in improving their mandate and we are certainly ready to continue working with them and working with the Commissioner of State Lands in order to further the work of the LSA. So thank you and we are willing to continue to provide the support and [*Inaudible*] the role that required of us.

Mr. Chairman: Thank you. Would Mr. Wayne Innis Chairman of the Land Settlement Agency give closing comments?

Mr. Innis: Thank you, Chair, and members of your team. And thank you members of the Ministry of Housing and Urban Development and members of the Ministry of Agriculture, Land and Fisheries, Commissioner of State Lands and members of the LSA. I thought that this morning's session was informative. Lots of issues came up and we have dealt with them. There are issues, serious issues, involving the expansion of squatting and the eviction of squatters and I think some more work has to be done between the agencies to put that to rest. Very often you have structures being erected overnight and limited resources available to contain them. So we have some work to do in those areas. Other than that, I think the session was very informative and we continue to do the work of the LSA as best as we could. Thank you, Chairman.

12.45 p.m.

Mr. Chairman: Thank you. Would Ms. Bhanmati Seecharan please give us some closing remarks?

Ms. Seecharan: I want to say thank you Chair, thank you members, for this opportunity to share with you all. To PS Housing and Urban Development, Chairman and CEO of LSA, and by extension all members of staff, thank you very much. In closing, I would like to say that something does not occur only on LSA's side. So given the fact that LSA the national squatting [*Technical difficulty*] containment through [*Technical difficulty*] is put up, I would like to say that it is not only on LSA's side, and in Justice Gobin's words, it may be and I will quote from her:

“...it may be that all is necessary is for the Commissioner's office to be provided with the proper infrastructure, personnel and resources, and to be

equipped with the machinery necessary to efficiently manage, monitor and prevent illegal squatting.”

Thank you all. Good afternoon.

Mr. Chairman: Thank you. So we have realized together we would have to look at the unregulated proliferation of illegal squatting. We have to realize even though there is the humanitarian aspect that we would be looking into and all the agencies would be, you know, monitoring and helping that, we have to realize that we have to look at the consequences of the environment for health, overburdening the infrastructure and social order. So therefore, a balance needs to be struck and I think we all together could work for this, and our recommendation would definitely be trying to get this achieved to be—this whole idea of unregulated squatting and satisfaction of those who are there for years to be somehow tweaked in a better manner. So when we put in this report, hopefully the next time we are having another Joint Select Committee we will be in a bit better position.

So I would like to thank officials of the Land Settlement Agency, the Ministry of Housing and Urban Development, Ministry of Agriculture, Land and Fisheries for your contributions in today’s proceedings. I would like to thank my Committee members who participated remotely and the staff of the Office of the Parliament for their procedural and logistic support, and the viewing and listening audience. At this stage, I would like to declare this meeting adjourned. Thank you.

12.47 p.m.: *Meeting adjourned.*