

*Leave of Absence**Friday, November 12, 2010***HOUSE OF REPRESENTATIVES**

Friday, November 12, 2010

The House met at 1.30 p.m.

PRAYERS[MR. SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Mr. Speaker: Hon. Members, I have received communication from the following Members requesting leave of absence from sittings of the House: Hon. Clifton De Corteau, Member of Parliament for Moruga/Tableland, from today's sitting of the House; Hon. Rodger D. Samuel, Member of Parliament for Arima, for the period November 06, 2010 to November 12, 2010; Hon. Dr. Rupert Griffith, Member of Parliament for Toco/Sangre Grande, for the period November 06, 2010 to November 15, 2010; Dr. Fuad Khan, Member of Parliament for Barataria/San Juan, for the period November 12, 2010 to November 21, 2010; Miss Ramona Ramdial, Member of Parliament for Couva North, for the period November 11, 2010 to November 21, 2010 and the Hon. Winston Dookeran, Member of Parliament for Tunapuna, from today's sitting of the House. The leave which these Members seek is granted.

JOINT SELECT COMMITTEES**(APPOINTMENT OF)**

Mr. Speaker: Hon. Members, I wish to read the following correspondence from Sen. The Hon. Timothy Hamel-Smith, President of the Senate:

“November 04, 2010
Honourable Wade Mark, MP
Speaker of the House
Office of the Speaker
Office of the Parliament
The Red House
Abercromby Street
PORT OF SPAIN

Dear Mr. Speaker,

Appointment of Joint Select Committees

Your letter dated November 01, 2010 on the subject at caption refers. Please be informed that at a sitting held on Tuesday November 02, 2010 the Senate agreed

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to the following resolutions, which were moved by the Honourable Minister in the Ministry of National Security and Leader of Government Business:

- (a) BE IT RESOLVED that this Senate appoint the following six Members to serve with an equal number from the House on the Joint Select Committee established to consider the Legislative Proposal to provide for public procurement and disposal of public property together with the Legislative Proposal to repeal and replace the Central Tenders Board Act:

1. Mr. Anand Ramlogan
2. Mr. Kevin Ramnarine
3. Mr. David Abdulah
4. Mr. Faris Al-Rawi
5. Mrs. Helen Drayton
6. Dr. Rolph Balgobin

- (b) BE IT RESOLVED that this Senate appoint the following six Members to serve with an equal number from the House on the Joint Select Committee on Parliamentary Accommodation established to consider essential guiding policies related to member and staff accommodation during the Restoration of the Red House Project and report to both Houses from time to time:

1. Mrs. Mary King
2. Mrs. Rudrawatee Nan Ramgoolam
3. Mr. Embau Moheni
4. Mr. Faris Al-Rawi
5. Mr. Elton Prescott, SC.
6. Dr. James Armstrong

Accordingly, I respectfully request that you cause this matter to be brought to the attention of the House of Representatives.

Yours respectfully,

Senator the Hon. Timothy Hamel-Smith
President of the Senate”

RULING ON MOTION OF PRIVILEGE

Mr. Speaker: Hon. Members, you would recall that I had deferred a ruling on a matter, a motion of privilege brought by the Member for Diego Martin North/East. Today I would present the ruling on this matter.

Hon. Members, by letter dated October 15, 2010, addressed to me and read out in this honourable House on the said date, the hon. Member for Diego Martin North/East raised a matter of privilege concerning statements made by the hon. Member for Chaguanas West and Minister of Works and Transport in a debate on October 08, 2010, in relation to the cost paid for a 2006 Comprehensive National Transportation Study.

The Member for Diego Martin North/East alleged that the Minister of Works and Transport, reading from a prepared text had wilfully misled the House thereby committing a contempt of this House, insofar as the Minister had all of the necessary resources available to him to establish the true facts and must have known, or ought to have known, that only \$10 million was paid for the study and not \$21 million as he stated. The Member sought my leave to have this matter referred to the Committee of Privileges.

Hon. Members, in my consideration of this application, I have reviewed the principal text on parliamentary procedure, Erskine May's *Parliamentary Practice* as well as Dave McGee's *Parliamentary Practice in New Zealand* and have referred to earlier rulings from this Chair, where applicable.

Hon. Members, from the outset, I wish to remind the House that a Speaker does not rule on whether a breach of privilege or a contempt has in fact been committed. The Speaker only determines whether an application based on a claim of contempt or breach of privilege is, on first impression, of sufficient importance to require the attention of the Committee of Privileges. That is the narrow point that the Chair must determine. However, it is appropriate in this instance to briefly remind this House of the basic facts and history surrounding the present matter.

On October 08, 2010 during a debate in this House, the Minister of Works and Transport informed this House that in 2006, the Government of the day paid Parsons Brinckerhoff, Quade and Douglas and I quote: "21 Million dollars for a transport study and none was done". Those were the actual words of the Minister.

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At the next sitting, that is, Friday, October 15, 2010 the Member for Diego Martin North/East raised a privilege motion in which he refuted the statement made by the Minister of Works and Transport. He supported his claim that the Minister knew or ought to have known the facts by referring to a related question that was answered in the Senate on May 07, 2008, such answer being part of the records of this Parliament and available to all Members. In that answer the then Minister of Works and Transport told the Senate that the contract sum for the study was approximately \$21 million of which approximately \$10 million had been paid. You would recall, hon. Members, that I had advised that I would rule on the matter raised at a subsequent sitting.

On Friday, October 22, 2010 the Minister of Works and Transport made a Personal Explanation in this House in which he clarified, by providing a detailed breakdown, that only \$9.512 million has to date been paid for the Comprehensive National Transportation Study which has a contract sum of \$20.769 million. The Minister further explained that he had no intention to deliberately mislead this House.

The hon. Minister of Works and Transport also informed the House that another study called the Mass Transport System Study was subsequently requested of the firm involved and the award to them of this contract was done by way of a variation to what was then the existing contract.

On Friday, October 29, 2010 the hon. Member for Diego Martin North/East sought leave to raise another privilege motion on the same issues. Although leave was not granted to the Member, due note has been taken of the points he raised in his submission.

Hon. Members, allow me at this time to shed some light on the rules with regard to Personal Explanations. Dave McGee, QC, states that to use a Personal Explanation solely for the purpose of correcting a statement is to come close to abusing the privileges of the House. This procedure is designed to enable a Member to explain to the House matters which reflect on the honour or integrity of the Member. The Standing Orders strictly require that no controversial matter may be brought up nor may any debate arise thereon. I say this for the benefit of all Members and for the future guidance of this honourable House.

Hon. Members, we are mindful that ours is a system of parliamentary democracy in which Ministers are constitutionally responsible for the provision and conduct of the government. However, hon. Members, the obligation placed upon the shoulders of Ministers to provide accurate information to the House is one of significant constitutional import. Ministerial accountability is the

obligation of a Minister to give Parliament a truthful account of matters that fall within his or her executive responsibilities. Might I add that all Members of Parliament have a constitutional duty to ensure that Ministers comply with this obligation.

Thus, it is essential that a Minister correct the record of this House as soon as he recognizes that he has placed inaccurate information before this honourable House. Indeed, such an obligation is incumbent on all Members, but all the more so on Ministers of Government.

Having given the historical context of the matter before me, I now return to the contempt allegation which was made out. There are three essential elements in the contempt of deliberately misleading the House:

1. the statement must have in fact been misleading;
2. it must be established that the Member making the statement knew, or ought to have known, at the time the statement was made that it was incorrect; and
3. in making the statement, the Member must have intended to mislead the House.

All three elements must exist for the allegation to have merit.

Therefore, hon. Members, many Speakers before me have advised that to allege that a misleading statement has been made is not enough to satisfy the Chair that a Member should be brought before the Committee of Privileges on the grounds of wilfully misleading the House.

Indeed, the only existing case on record, "*the Profumo Case*", was based on the fact that the member in question admitted to an actual intent to mislead. So, in the absence of such an admission, a Member's intent to mislead must be established by the Committee of Privileges with the aid of nothing less than irrefutable evidence. Thus, at this stage, the Chair must be satisfied that there is sufficient justification, to require the Committee of Privileges to embark upon such a formidable task.

Against this background, hon. Members, the Chair has considered that the Minister of Works and Transport has told this House that he had no intention of misleading the House when he spoke on Friday, October 08, 2010. The Chair also recognizes that the Minister has made an attempt to clarify the costs and payments

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made for the Comprehensive National Transportation Study. The Chair has also taken careful note that the Minister stated in his explanation that the information he conveyed to this honourable House was provided to him by his Ministry.

I therefore rule that no prima facie case of contempt has been made out that warrants an investigation by the Committee of Privileges of this honourable House.

I so rule. [*Desk thumping*]

ORAL ANSWERS TO QUESTIONS

The Minister of Housing and the Environment (Hon. Dr. Roodal Moonilal): Mr. Speaker, just to inform the House that the Government is prepared today to answer every single question on the Order Paper. [*Desk thumping*] In fact, we are prepared to answer questions which, for procedural reasons, cannot be on the Order Paper, but we intend to answer every single question today on the Order Paper.

Attorney General's Travel (Details of)

6. Dr. Keith Rowley (*Diego Martin West*) asked the hon. Attorney General:

- a) Did the hon. Attorney General travel out of the country on Government business at anytime during the period September 2010 to October 08, 2010;
- b) If the answer is in the affirmative, can the hon. Attorney General identify the exact dates and outline the itinerary; and
- c) Could the hon. Attorney General further provide all the information relating to and state the total cost, including airfare, incurred by the State in furtherance of this travel?

The Attorney General (Sen. The Hon. Anand Ramlogan): [*Desk thumping*] Thank you, Mr. Speaker. In response to part (a) of the question, the answer is yes. In response to part (b) of the question, the period of travel was October 01 to October 06, 2010. During this period the Attorney General met with Mr. Patrick Stevens, the head of the International Division in the Crown Prosecution Service and other senior officials from the service to discuss joint initiatives to improve the criminal justice system and the signing side of a Memorandum of Understanding between the Crown Prosecution Service of England and Wales, the

British High Commission in Trinidad and Tobago and the Office of the Attorney General in the Government of the Republic of Trinidad and Tobago. This pertains to the appointment of a CPS advisor to support the comprehensive criminal justice system reform programme in Trinidad and Tobago.

The Attorney General also met with Mr. Peter Carter, Queen's Counsel, in connection with the then proposed commission of enquiry into the collapse of Clico and the Hindu Credit Union. The Attorney General also met with illustrious Lords retired from the Privy Council, Lord Hoffman and Lord Steyn, to discuss matters pertaining to the said aforesaid commission of enquiry. During this period, the Attorney General also met with various attorneys to discuss sensitive matters on issues regarding pending cases and arbitration matters against the State. In my capacity as legal adviser to Cabinet, I also met with senior solicitors who are representing the State in Privy Council matters and certain arbitrating matters relating to Petrotrin and the fiasco at the Scarborough hospital project.

In response to part (c) of the question, all costs incurred were pursuant to the established schedule for ministerial travel and the total cost of the travel was \$81,180.55 and the cost of the airfare was \$47,620.

Thank you very much. [*Desk thumping*]

Dr. Rowley: Mr. Speaker, I wonder if the Attorney General understands what an itinerary is, and whether he would tell me the answer as asked: what was the itinerary?

Sen. The Hon. A. Ramlogan: I believe that was precisely what I just did. [*Desk thumping*]

Dr. Rowley: Mr. Speaker, could the Attorney General tell us which day he met with, and what time he met with, the particular persons he spoke about? [*Interruption*]

Mr. Speaker: Order!

Dr. Rowley: Mr. Speaker, if the Attorney General does not want to answer the question it is his right, but I asked him to tell the House his itinerary. He told us what he did; he has not told us what the itinerary was.

Sen. The Hon. A. Ramlogan: I believe that will qualify perhaps for a new question that I will be happy to answer on another occasion. Suffice it to say, if the hon. Member wishes to diarize and follow me when I go next time to London, he would be more than welcome to do so. Thank you very much.

Dr. Rowley: Mr. Speaker, did the Attorney General meet with all of these people on one day, or he met with them on two days or over the five-day period? That is the information I sought. I did not ask you what you did; I asked for the itinerary. Did you meet all these people on one day, and, therefore, what happened on the other days? You may or may not choose to answer.

Sen. The Hon. A. Ramlogan: I believe I have answered the question adequately and should you require any further details, if a proper question is filed that can elicit those answers I would be happy to provide them on another occasion. Thank you very much.

Dr. Rowley: Mr. Speaker, is the Attorney General prepared to consult his dictionary and learn what the word “itinerary” means?

Mr. Speaker: Let us move on. Question No. 7.

**Property Manager
Airports Authority
(Details of)**

7. Dr. Keith Rowley (*Diego Martin West*) asked the hon. Minister of Works and Transport:

- a) Has any appointment, acting, permanent or temporary, been made at the Airports Authority for the post of Property Manager;
- b) If the answer is in the affirmative could the Minister state where and when was the position advertised;
- c) Could the Minister also state:
 - i How many persons applied;
 - ii Whether interviews took place; and
 - iii Who conducted the exercise;
- d) Could the Minister further state:
 - i. The name of the person hired;
 - ii. The qualification of such person; and
 - iii. The total monthly emolument, including perquisites, of the person in the post as of October 2010?

The Minister of Works and Transport (Hon. Jack Warner): Thank you, Mr. Speaker. The answer to question (a) is, yes. A temporary appointment has

been made by the Airports Authority subject to review and consideration by members of the board of the Authority when appointed by the Minister in accordance with the Airports Authority Act.

The answer to part (b): the position was not advertised.

The answer to part (c): as a consequence of part (b) that is not applicable.

Part (d): the person hired, Andre Maloney, has been appointed on an interim basis pending the board conducting a transparent and open recruitment exercise. He has extensive experience in property management and project management, and the salary is \$21,000 per month.

Dr. Rowley: Mr. Speaker, could the Minister of Works and Transport tell this honourable House whether the provision of this job to Andre Maloney was a part of any arrangement made for his crossing from the PNM to the UNC in local elections? [*Interruption*]

Mr. Speaker: Order!

Hon. J. Warner: Mr. Speaker, I feel insulted to have to dignify that question, but I am not aware of any such arrangement.

Dr. Rowley: Mr. Speaker, is the Minister of Works and Transport aware that the Privy Council has ruled that any prior arrangement like this to allow a member of the State to make promises to a person for a benefit from the State is, in fact, a corrupt act?

Hon. J. Warner: I repeat, Mr. Speaker, I am not aware of any such arrangement.

Mr. Speaker: All right. Let us continue.

Dr. Rowley: Mr. Speaker, I am not finished.

Mr. Speaker: Go ahead.

Dr. Rowley: Could the Minister of Works and Transport tell this honourable House on whose instructions was Andre Maloney hired?

Hon. J. Warner: Mr. Speaker, I advised very early, he was hired on the advice of the management of the Airports Authority.

Dr. Rowley: Mr. Speaker, advice to whom? On whose instruction was he hired? I did not ask who advised. On whose instruction was he hired?

Hon. J. Warner: Mr. Speaker, as far as I am aware, it could only have been with the Airports Authority's.

**Corporate Communications Manager
Airports Authority
(Details of)**

8. Dr. Keith Rowley (*Diego Martin West*) asked the hon. Minister of Works and Transport:

- a) Has any appointment, acting, permanent or temporary, been made at the Airports Authority for the post of Manager;
- b) If the answer is in the affirmative could the Minister state where and when was the position advertised;
- c) Could the Minister further state:
 - i. How many persons applied;
 - ii. Whether interviews took place; and
 - iii. Who conducted the exercise?
- d) Could the Minister further state:
 - i. The name of the person hired;
 - ii. The qualification of such person;
 - iii. The total monthly emolument, including perquisites, of the person in the post as of October 2010?

The Minister of Works and Transport (Hon. Jack Warner): [*Desk thumping*] Mr. Speaker, the answer to part (a) is yes, a temporary appointment has been made by the Airports Authority—I want to repeat, by the Airports Authority—subject to review and consideration by members of the board of the Authority when appointed by the Minister in accordance with the Airports Authority Act.

Part (b): the position was not advertised. As such, part (c) is not applicable.

Part (d): the name of the person hired is Zola Pilgrim. She has been appointed on an interim basis pending the board conducting an open and transparent exercise. She holds a Master of Business Administration in Media Management and a Bachelor of Arts in Media Studies. Her salary is \$21,000 per month.

**Children's Life Fund
(Details of)**

13. Miss. Marlene Mc Donald (*Port of Spain South*) asked the hon. Minister of Health:

Could the Minister state:

- i) How much money was raised and/or allocated for the account for the Children's Life Fund as at August 15, 2010;
- ii) How much of this money is public funds and from what other sources was money obtained;
- iii) Who is in charge of this fund and on what authority is expenditure incurred;
- iv) How much money has been spent to date and who were the recipients; and
- iv) Who is entitled to access this Fund and by what procedure is the public able to access this Fund?

The Minister of Health (Sen. The Hon. Therese Baptiste-Cornelis): Thank you, Mr. Speaker, for giving me the opportunity to reply to question No. 13, and especially as this is my first opportunity to speak before you, may I congratulate you on the dignity you have brought to this House, which many never had. [*Desk thumping*]

In answer to part (i) I need to put a preamble. In the lead-up to the recent general election, the People's Partnership pledged that should it be victorious in the election, the following actions would be taken:

- (1) A special children's life fund of \$100 million would be established to either meet or assist in meeting the cost of lifesaving surgery for children and the salary of the Prime Minister would be reduced by 10 per cent while that of Ministers of Government and parliamentary secretaries would be reduced by 5 per cent, with the sums by which the relevant salaries have been reduced being placed in the Children's Life Fund at (i) above; and victorious we were.

Mr. Speaker, victorious, we were defeating those over there by an overwhelming show of support 29/12 victory. [*Desk thumping*]

2.00 p.m.

Consequently, immediately upon assuming office a directive was issued to make the appropriate deduction. This was Cabinet Note No. 1. [*Desk thumping*]

To this end, each Cabinet Minister contributed 5 per cent of his or her basic salary, while the hon. Prime Minister has been contributing 10 per cent of her basic salary. [*Desk thumping*] We do welcome the Opposition MPs perhaps taking part in this gesture. [*Desk thumping*] As such, the amount allocated for the account for the Children's Life Fund as at September 30, 2010 is \$239,625. [*Desk thumping*]

Mr. Speaker, in case they want to search for this account, it is material to note that these moneys are being held in the following deposit account: Head: 111-Treasury Deposit in the Ministry of Finance. In case you want to go further, Sub-Head: 633-Comptroller of Accounts, Children's Life Fund. [*Desk thumping*] These moneys will be deposited in the Children's Life Fund upon its legal establishment.

With regard to the Children's Life Fund which I just said was not legally established yet, no public funds were allocated as of August 15, 2010. No public fund has been allocated to date, only our salary deductions and not theirs. [*Desk thumping*] We do acknowledge, however, that persons and organizations have seen the benefit of this and are in support of the Children's Life Fund and have made pledges, and such pledges will be deposited in the fund once it is legally established.

There is not an actual Children's Life Fund to date as I have been saying over and over, and as such, there is no person or individual in charge of the Children's Life Fund. The fund has not been legally established to date. However, in view of the demands for assistance to save our precious children, the Government decided that they will begin to assist children who are citizens of Trinidad and Tobago with the aid of the medical aid fund which has been there since 1979. [*Desk thumping*]

As such, using the Ministry's Medical Aid Programme, I will be pleased to let the hon. Prime Minister as well know that more children have been assisted since you last spoke. We have a total of 11 children as of November 12, 2010 [*Desk thumping*] of which it has amounted to \$2,843,459.23. May I add, this is more than what was spent for all children in 2009 under the same Medical Aid Fund by the Opposition. [*Desk thumping*]

It must be noted that a complete response to part (v) of the question is encapsulated in the Children's Life Fund Bill currently before the House, and I invite Members to study the Bill carefully. We will assist you if you need help.

When the Bill is made law, then the accessibility and the procedures will become clearer to all concerned.

I thank you, Mr. Speaker. [*Desk thumping*]

**CEPEP Contractors
(Details of)**

14. Miss Donna Cox (*Laventille East*) asked the hon. Minister of Housing and the Environment:

Could the Minister state:

- i) How many CEPEP contractors have been hired since June 1, 2010;
- ii) When were the advertisements placed for these contracts/contractors and in what medium;
- iii) Who evaluated the applicants and who made the selection of successful applicants; and
- iv) The names and addresses of the new companies that have been selected and awarded contracts?

The Minister of Housing and the Environment (Hon. Dr. Roodal Moonilal): Thank you very much, Mr. Speaker. In response to question 14, you may recall that on May 26, 2010 our country was plagued by flood, extreme climate events that led to trauma of several citizens and communities throughout Trinidad.

This was caused by heavy and persistent rainfall. The floods of May 26, 2010 had severely affected Oropune Village, Bamboo Village, Chase Village and other areas in Trinidad, where those persons affected were in emergency conditions needing vital supplies, equipment and assistance to bring their lives back to some normalcy. The People's Partnership Government immediately recognized a need for a sensitive and proactive response to the trauma caused by widespread flooding.

In fact, on May 26, 2010 you will my recall that minutes after our hon. Prime Minister was sworn in, the Prime Minister and the Government immediately got down to business to deal with the perennial problem of flooding in various parts of Trinidad and Tobago caused by the heavy rainfall. Government Members of Parliament, other Members of the House, local government councillors, were also mobilizing to meet the needs of affected persons and to undertake relief efforts to address the widespread distress. Such measures have so far ranged from compensation for property damage, supply of foodstuff, replacement of school

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books, et cetera, but given the extreme weather events, the heavy rainfall, et cetera, in those months of August, September, October—and it is very clear the events of that time—there was a need to provide emergency relief to persons suffering from this problem of flooding and so on.

The management of CEPEP informed the Ministry of Housing and the Environment that the current complement of contractors and companies involved in this programme was inadequate to meet the increasing demands placed by citizens affected by flooding in this emergency situation. Mr. Speaker, you would recall that on August 01, 2010, Trinidad was hard hit, particularly, in the flood prone areas of Couva, Felicity, Gasparillo, Tarouba, Princes Town, Marabella, Macaulay, Claxton Bay, St. Joseph Village and San Fernando. This was repeated on August 10; then on September 07, 2010 there was another period of flooding that affected South Trinidad.

Mr. Speaker, in the circumstances recognizing the dire need for emergency workers in specific areas—incidentally in areas that did not have the coverage of human resources from the existing CEPEP Programme, the management of CEPEP undertook the enlistment of companies on an interim basis to provide emergency relief. I am informed by the management of the Community-based Environmental Protection and Enhancement Programme Company that their existed 106 CEPEP companies/contractors in operation at the time in May 2010, and a shortfall existed in terms of demographic and geographic coverage of those CEPEP teams.

In light of the emergency conditions, the management engaged 53 small entrepreneurs to meet the emergency requirements involving clean-up assistance to mitigate the effects of landslides, flooding, silting, and the return of several families throughout Trinidad to normalcy.

Mr. Speaker, I am extremely pleased to announce that notwithstanding the statements from our detractors in the build-up to the May general election when persons on platforms opposite indicated or conveyed to the nation that the coming government was about closing down CEPEP, I am happy to announce that we have in fact expanded the programme. [*Desk thumping*] We have created 3,000 new jobs during the five-month period from June 2010 to November 2010. [*Desk thumping*] The new interim entrepreneurs are involved in cleaning and maintaining the physical environment; the removal of waste and debris from roadsides, public spaces open watercourses; assisting residents and enterprises in the removal of waste and debris occasioned by flood and landslides. The

engagement of the additional entrepreneurs on an interim basis pending the installation of the Board of Directors of CEPEP was done to undertake these emergency works.

It is also to be noted that in the emergency circumstances, engaging additional entrepreneurs, was based on the existing database of CEPEP where hundreds of companies have applied over the years. It was also based on recommendations from community-based organizations and elected representatives of the people.

I wish to note that since May 24, 2010 under the Government of the People's Partnership led by the Member for Siparia, not one single contractor has been discontinued, fired or removed from the CEPEP programme. [*Desk thumping*]

Mr. Speaker, contractors who have been publicly associated with the Opposition have remained on the programme. We have taken no steps to dismiss or fire anyone. What we have done is expanded, given the emergency requirements arising in the aftermath of the flooding. [*Desk thumping*] The Leader of the Opposition will be very pleased to know that companies involved in the CEPEP Programme that may have also included his very dear colleagues opposite have been also retained. [*Desk thumping*] So not everyone left you.

Given the severe and critical circumstances outlined in my response to part (i), the recommendations came from community-based organizations and representatives of the people. In the circumstances, clearly the company could not wait for a long drawn out process of advertisement. In any event, the CEPEP Company already had in its database over 200 applications by persons and companies wishing to participate in the programmes. Mr. Speaker, you may also note the Board of Directors of CEPEP was installed on Tuesday, November 02, 2010, and pursuant to their first meeting held on Wednesday, November 03, 2010, two days ago, the board has ratified the decision of the management to engage the small entrepreneurs referred to in response to part (i).

The House will also note that it is the intention of the CEPEP Board and the management of the company to review and assess the objectives, the mission, the managerial and organizational structure of CEPEP. Given its objectives as outlined in 2002, this programme will be used increasingly to support our initiatives in the area of environmental protection and conservation.

The CEPEP Company works hand in hand with the Environmental Management Authority and with the Clean and Beautify Trinidad and Tobago Programme (C&B) to ensure that it meets its founding objectives outlined by the Member for San Fernando East. The board has ratified the recruitment and enlistment of the additional companies.

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Mr. Speaker, you may note that these companies are on an interim basis business and no company was issued with awarded contracts. In those circumstances, no contracts were awarded and part (iii) would not be applicable. I also want to alert the national community that in the future, we intend to look at the entire system that operates to ensure that we have transparency, fairness, equity and coverage throughout Trinidad and Tobago, so that all communities will benefit from this programme.

Mr. Speaker, I thank you. [*Desk thumping*]

Miss Cox: Mr. Speaker, to the hon. Member for Oropouche East; are you aware that the advertisements came out after the contractors were hired?

Hon. Dr. R. Moonilal: Mr. Speaker, the advertisements came out in October somewhere, but given the emergency needs of July and August, it was not proper to delay the assistance to residents. In fact, the CEPEP company, as you have indicated, placed an advertisement in the newspapers and I am told that another 200 companies or persons have applied, so there is now a database based upon the advertisement that came out.

2.15 p.m.

STATEMENT BY MINISTER Interception of Communications

The Prime Minister (Hon. Kamla Persad-Bissessar): Thank you very much, hon. Speaker. I wish today to address a very sensitive and delicate matter: the matter of wiretapping by some officers of the State. The issue of wiretapping known as interception of communications is a troubling and vexing one because it is a secretive invasion of the citizen's right to privacy.

Recently, I had indicated in this very House that I believed that the former administration was intercepting private conversations of citizens, including my own. I now know this to be true. My suspicions were aroused by a contribution made in this honourable House by my predecessor in his contribution to the budget debate on Tuesday, September 13, 2008. Mr. Speaker, if you will permit me, I quote from the *Hansard* of that date the words of the hon. Member for San Fernando East:

“Four years ago, as we were seeking to get people to sit on boards of directors a significant number of them began to say to me that they were not prepared to do that because they had reason to believe that the Member for Siparia had special access to the Integrity Commission. This is what they said. I initially

ignored it, but when I heard it often enough and realized the effect, I called one of the security agencies to check it and, Mr. Speaker, you will not believe it, they confirmed that there was someone in the Integrity Commission who was loco parentis, as the lawyers would say, with the Member for Siparia. As a consequence of which, the Member was in a position to know far more than she, under normal circumstances, was authorized to know.

We reported it to the Chairman of the Integrity Commission at the time. I have monitored the relationship between the Member for Siparia and the individual concerned for years. They can say what they wish. That incidentally has a jail term associated with it. When they talk about the Prime Minister protecting people, if I protected anybody, it was the Member for Siparia.”

These were words of the hon. Member for San Fernando East on Tuesday, September 30, 2008 during the budget debate. That was the budget debate in which we suspended the Standing Orders of the House to allow the Member for San Fernando East to continue speaking beyond the allotted time and we went to almost midnight. It was the same speech in which the hon. Member for Diego Martin West was under attack.

You will recall that on October 03, 2008, mere days after this allegation was made under the cover of parliamentary privilege, the Chairman of the Integrity Commission responded in an official statement and advised that there was no leak of integrity files; that the allegation that the Integrity Commission was compromised was false; and that the imputation on the character of the Member for Siparia was equally false. We had cause then to suspect that there was wiretapping, interception of communication with respect to myself and many others.

My Government has carefully examined this very serious and sensitive matter. We have given it the most anxious consideration. The unregulated and unauthorized interception of the communications of citizens is open to misuse and serious abuse. Moreover, any use of interception of communications without the consent of the Parliament and without the consent of the people is contrary to democracy and certainly contrary to the rule of law.

It represents a dark and sinister side of governance and is symptomatic of a creeping dictatorship. The confirmed use of wiretapping by secret agencies of the State without the whole approval of this Parliament and therefore the people of this country is illegal. That such activity was sanctioned by the Executive Arm of the State without reference to the elected representatives of the people and the Parliament of this country is a tragedy and an extremely dangerous precedent. It

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shows that the country was being run by an executive decree instead of parliamentary approval. It shows that the country was being run, not of the people, by the people and for the people but by executive decree in abuse of the people of Trinidad and Tobago.

We have discovered that there are several security agencies with a capacity to intercept communications. These state agencies were authorized by the then Cabinet to intercept private communications of unsuspecting, innocent citizens in circumstances where it was not at all clear what the justification was. There was a lack of coordination and unnecessary duplication of effort and resources.

These agencies, I am advised, reported directly to the Minister of National Security and to the Prime Minister in his capacity as head of the National Security Council. In some cases, this power was misused to spy on political opponents and perceived political enemies. In other cases, there is no clear justification that exists on the grounds for interception. They remain questionable and dubious.

I will speak a bit about the Special Anti-Crime Unit of Trinidad and Tobago (SAUTT). This was established by the then Cabinet in 2004 and there was no proper legal foundation for same. Billions of dollars poured into SAUTT while the Trinidad and Tobago Police Service was relegated to the back burner. Cabinet policy at that time took precedence over legislative authority. There was no transparency, no accountability; indeed no drop in the crime rate from 2004 onwards.

SAUTT possessed immense capability. It was, however, misdirected and misused by the former administration. It was unfortunately involved in political wiretapping and unable to concentrate its efforts to fight crime. The then government ignored the public outcry against the illegal operation of SAUTT; hence they brought no legislation to this Parliament to legalize such an important law enforcement unit. The secrecy, mystery and lack of foresight created fertile soil for waste, mismanagement, underperformance and corruption because it was being done outside the law.

On several occasions when there was an outcry from citizens about SAUTT, promises were made repeatedly that legislation would be brought to the Parliament. This unit was set up in 2004 without any legislative foundation. So from 2004 right down to 2010 promises were being made to bring legislation to Parliament with the approval of the people. It never was done. We now know why. It would have been open to transparency, accountability and to being guided by the wishes of the people through their elected representatives.

The then government ignored all public outcries against the illegal operation of SAUTT and so no legislation was brought to Parliament to legalize this unit. As I said before, the secrecy, mystery and lack of oversight created fertile soil for waste, mismanagement, underperformance and corruption.

As you know, after coming into office our Government terminated the employment of the former director of SAUTT. We have put in place a steering committee, chaired by the Deputy Commissioner of Police, Mr. Stephen Williams. The committee has been appointed to review and restructure SAUTT. Other members of the committee include: Prof. Daniel Gibran, special advisor to SAUTT; Ms. Judy Brown, Acting Chief of Strategic Operations; and Ms. Jackie Wilson, retired Permanent Secretary.

It is expected that this committee will submit its report before the end of this year. Should there be need for any legislation arising out of the recommendations of this committee, we will have such legislation tabled in this House for debate. [*Desk thumping*] We do not intend to conduct government in secrecy and mystery. We intend to be honest and transparent in our relationship with the people.

Having dealt with SAUTT, I turn now to another agency. The hon. Member for Diego Martin North/East may wish to reconsider his statements when he spoke about the SSA. The agency I will speak about is something known as the Secret Intelligence Agency (SIA).

The Government was of the view that when we dealt with the SAUTT matter and put the committee in place we had dealt with the wiretapping issue. As Chairman of the National Security Council, I was made aware of the existence of the SIA. At no time, however, did my brief on this agency inform me that the agency was involved in illegal wiretapping and interception of communications of private citizens. Had I been briefed about this secret aspect of the agency's functions, I would have taken immediate steps to address an act which I am advised is unconstitutional and illegal.

I was, therefore, shocked when I received a report, less than two weeks ago, which suggested that this agency, the Security Intelligence Agency (SIA) may also be involved in political wiretapping. The SIA has no legislative foundation as well and that is why I said to the Member for Diego Martin North/East that he would want to note that the SSA has legislative foundation and is therefore constitutional, having been established by this Parliament. The SIA was not. There was SAUTT

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and there was the SIA with no legislative underpinning acting, really, outside the law with no respect for the democracy of this country and for the rule of law in this land.

The information I received suggests that sensitive information obtained through illegal wiretapping of the phones of Government Ministers was being supplied to a certain Member of Parliament on the Opposition Bench. I asked Police Commissioner Gibbs to investigate the matter. Experts came in from Canada and a high level team from the Special Branch of the police service moved in at 6.15 a.m. on Saturday, October 23, 2010 and took control of the operations of the SIA. The investigations conducted by the police service revealed a very frightening picture, Mr. Speaker, involving what could be financial impropriety and the illegal wiretapping of a wide cross section of civil society.

Mr. Speaker, it grieves me and it hurts my heart to know that while our children were being kidnapped and the Anti-Kidnapping Squad (AKS) seemed powerless sometimes to trace the several telephone calls demanding ransom, this SIA was busy listening to the conversations of politicians and of prominent members of society who had no connection with criminal activity.

How many men, women and children who were kidnapped or abducted could have been saved, we will never know. Let us not forget that some of these children have never been found. There are stories from grieving parents about the archaic equipment that was used by the AKS in its failed attempts to trace calls from the kidnappers as they demanded their pounds of flesh.

The equipment was there, but it was not being made available to assist in the fight against crime, one of the most heinous crimes in this country, the kidnapping of men, women and children. Instead, the wiretapping net was cast far and wide. No one escaped this secret wiretapping operation. Subjects included members of the Judiciary, trade unionists, editors and journalists, media houses, radio talk-show hosts, comedians, persons in the entertainment industry, former Opposition Members of Parliament, those on this side, Government Ministers on this side and on the other side, sports personalities, businessmen, newspaper columnists, advertising executives, county councillors, lawyers and sadly, in some cases, children. Such activity cannot be condoned. It represents a clear and present danger to our democracy and rule of law.

2.30 p.m.

Words cannot express the deep sense of personal outrage I feel about this matter. Such an unwarranted and unjustified invasion of the privacy of our citizens is, indeed, cause for alarm. Why on earth would a government wish to

engage in such unproductive illegal activity? The country was under siege as a result of crime. Why would a government wish to engage in the invasion of the privacy of the rights of citizens of this country, at the expense of fighting crime, when our citizens were besieged by an onslaught of crime? You were using all this equipment to do what? To spy on whom? I would tell who they are, the tap list. I would cite some examples. There was a covert project code named “Opporation News”. It was not spelt “operation” as would normally be spelt. It was “O-p-p-o-r-a-t-i-o-n News”. That is one of the code names. This commenced in March 2005, and has been ongoing since, until we put a stop to it on October 23, 2010 when the police moved in and took control of the operations there. [Interruption]

Mr. Warner: Shame! Shame!. Dangerous!

Hon. K. Persad-Bissessar: Mr. Speaker, there were many targets in this operation. There are those who are persons in public life, or have been in public life. I will really deal with some of these. There are many private citizens who would not fall into this category of persons in public life, and so I will not call their names today in the Parliament, but the persons in public life, I will list those names, because, as I said, I am sure they would be outraged as I am, and was, when we received this information: politicians; the UNC’s head office; constituency offices of Members of Parliament; Kamla Persad-Bissessar; Anand Ramlogan; Suruj Rambachan; Gerald Yetming; Wade Mark; Manohar Ramsaran; Roodal Moonilal; Roy Augustus; Winston “Gypsy” Peters; Robin Montano; Jack Warner; Fuad Khan; Carolyn Seepersad-Bachan; Winston Dookeran; Gary Griffith; Anil Roberts; Ashworth Jack; Keith Rowley; Chandresh Sharma and others. Members of the Judiciary were also targeted: then Chief Justice Sat Sharma; his wife, Kalawati Sharma; and his son, Shiv Sharma; then Justice Herbert Volney; Justice Narine; and Madam Justice Carol Gobin. Media personnel did not escape the net as well.

We know that freedom of the press—we have been hearing a lot about that. I want to state clearly my Government and I remain committed to the democracy in favour of the people. Freedom of the press is enshrined in our Constitution, and the widespread wiretapping of journalists and the media houses undermines this very important pillar in our democracy. Targets included Dale Enoch; Sasha Mohammed; Shelly Dass; Francis Joseph; Ian Alleyne; Inshan Ishmael; Ken Ali; Devant Maharaj; Peter O’Connor; and Camini Marajh, amongst others.

The trade union movement did not escape the net. Some of these persons included Mr. Errol McLeod; Clyde Weatherhead; Mr. Rudy Indarsingh; David Abdulah; Robert Guiseppi; and Lyle Townsend. [Interruption]

Mr. Roberts: “Real maco boy!”

Hon. K. Persad-Bissessar: That was politicians, media and the trade union movement, but there were other prominent personalities as well. As you would imagine, the list is a very long one, but I would cite a few examples of prominent persons who, I believe, we can raise, because they are also in the public domain: former Commissioner of Police James Philbert; Former CEO of the San Fernando City Corporation, now Mayor, Marlene Coudray; comedian Rachel Price; former Security Chief, Mr. Richard Kelshall; President George Maxwell Richards; Sat Maharaj; Ato Boldon; Emile Elias; former Chief of Defence Force, present Minister of National Security, Brigadier John Sandy; Gary Aboud and others.

They were not content to spy on Opposition MPs and trade unionists and persons in the media that I mentioned, former government ministers and Members of the now Opposition were all the subject of wiretapping. Targets included: Colm Imbert; Penelope Beckles-Robinson; Donna Cox; Faris Al-Rawi; and the present Opposition Leader, Dr. Keith Rowley.

I have given today a sample of some of the persons whose phones were tapped and emails were being intercepted by the SIA. Some of these, from as long ago as 2005 and continuing. I have given these names with a very heavy heart. I regret the further intrusion into the private lives, by virtue of this disclosure, but I felt it necessary to do so, to demonstrate by reference to hard evidence the depth and extent of the dictatorial operations of the former administration. Under the former government, Big Brother seems to have taken a very keen interest in the private lives and affairs of ordinary citizens. Mr. Speaker, today I want to reassure you and reassure, by extension, the national community, that I do not intend to move from Big Brother to become “Big Sister”. There are many other names I have not disclosed to this Parliament. The ones I have mentioned are persons involved in public life in one form or another, and we will not further go into the privacy areas of naming ordinary citizens in private life.

There were reports as well, about the possibility of financial irregularities as well. Reports from the police indicate that SIA was a virtual law unto itself. It reported directly to the Minister of National Security and the Prime Minister and there are serious concerns about accountability and transparency. Special Branch Officers found, on that fateful day when they went in on October 23, 2010, in excess of \$5.9 million in cash and an undisclosed quantity of firearm and ammunition was seized. Internal audit reports revealed that some \$15 million cannot be accounted for, to date. There was evidence to suggest that a massive sanitization operation took place after the general election. Empty folders carrying

the names of individuals who were the subject of interception were found. Other records of taped conversations and transcripts of conversations have been removed and/or destroyed. We can only speculate what has become of the contents of those files. We may never know all of the persons whose right to privacy was compromised by this unlawful intrusion of wiretapping.

Incredibly, or maybe all the more so, the wiretapping continued after the results of the last general election. *[Interruption]*

Mr. Warner: Until October.

Hon. K. Persad-Bissessar: It continued right up until we put a stop to it, on October 23, 2010 when we sent the police in to take charge of the operations. *[Interruption]*

Mr. Warner: “You still here?”

Hon. K. Persad-Bissessar: It is alleged that information gathered by the SIA was secretly being siphoned to a certain Opposition MP.

The SSA is a proper legal entity. We have spoken about SAUTT, because I think people seem to be confusing them. There is SAUTT, which has no legal underpinning, no legal foundation, and SIA which has no legislative foundation. There is the SSA. This has legislative foundation. It was established in 1995, with the Strategic Services Agency Act, debated and passed in the Parliament. Its function includes the development of strategic intelligence, which could assist in the detection and prevention of illegal trafficking in narcotics. There is no legislation governing the SIA, as I have said. The previous administration, in what I suspect, was a plan to legitimate the SIA, was in the process of merging the SIA into the SSA. The SSA, as I have said, has the legislative foundation.

On March 25 of this year—remember the SIA has been in existence from 2005—Mr. Nigel Clement was appointed Director of the SSA; that is the one with the legislation. One month before the last general election, Mr. Clement continued to function as the de facto head of the SIA and was overseeing the amalgamation of the two: SIA into SSA.

Mr. Speaker, in the circumstances, I wish to announce that we have advised His Excellency, Prof. Richards, to revoke the appointment of Mr. Nigel Clement as the director of the SSA and the SIA; both the Strategic Services Agency and the Secret Intelligence Agency. Commissioner Gibbs is also conducting a financial audit into the operations of the SIA. As you recall, we had also revoked the appointment of the Director of SAUTT and now the Director of the SIA and SSA,

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one and the same person; his appointment is to be revoked by His Excellency the President. New appointments would be made very shortly to restore some measure of integrity and redirect these critical state agencies.

Every cloud, “dey say”, has a silver lining and amidst the darkness caused by these sinister operations, I am pleased to say that we would now be able to properly utilize equipment and technology to assist in the fight against crime. It is my hope, therefore, that the police service will now be able to benefit fully from criminal intelligence that can be lawfully gathered by these agencies.

The lack of coordination among our security agencies cannot be allowed to continue, hence we are in the process of reviewing the various intelligence agencies, with a view to streamlining the activities, so as to obtain the best value for money and a more effective system for gathering criminal intelligence and certainly for fighting crime. It is our intention to give this Parliament, and therefore the people, the respect and supremacy that was intended by the Constitution.

With this in mind, we will be tabling shortly the Interception of Communications Bill, 2010. This legislation, we hope, will strike a balance between the need for regulated tapping in limited circumstances, as a weapon in the fight against crime and the need to prevent abuse and misuse of the power to intercept private communications by our citizens. I want to make it very clear that it is our view that wiretapping can be an important tool to assist the police in the fight against crime and to protect national security. However, if we are to have it, it must not be done outside the law, it must be done with openness, transparency and accountability. It must be carefully regulated and justified, on the basis of necessary criminal intelligence, or a potential threat to national security.

Gang activity, organized crime, violent crime and drug trafficking continue. Detection rates are low and conviction rates are declining, as witnesses refuse to testify, because of a very real fear of reprisal. Criminals have become more and more sophisticated in their methods, as they take advantage of the technological advancements, particularly in the area of communication. Governments worldwide have found it necessary to embrace the use of communication interception, to collect the vital intelligence needed to gain the advantage to fight domestic and international crime and terrorism. This is particularly so in an era where there is an influx of telecommunications provider on the local market. Cellular phones are ubiquitous. The satellite telephone market is evolving quickly, and Internet communication and transactions have grown dramatically.

It is a mystery to us, as to why the former administration consistently failed and refused to bring to the Parliament, legislation to deal with the interception of communications. As far back, in other words, it seems that they preferred to do it outside of the law; to do it illegally, rather than to do it within the law. Why? Within the law you would be regulated and have the checks and balances that are necessary to prevent the spying that was taking place on politicians, trade unionists, the media and others in our country, and you would be able to direct it to the criminals. As far back as 2001, the Law Reform Commission, in a report entitled “Interception of Communications, the Need for a Regulatory Framework”, made the following recommendations in support of a regulatory framework for the use of interception of communications:

1. Legality—the possibility of interference should be clearly laid out in law, so that citizens are aware of the circumstances in which it may be done and of the fact that such interference is subject to prior judicial scrutiny.

2.45 p.m.

Mr. Speaker, the report continues:

- “2. Necessity—the interference should be necessary because less intrusive means have failed or have been considered and rejected, or less likely to succeed.
3. Proportionality - the intrusive measures should be proportional to the seriousness of the offence.
4. Accountability - there must be proper control, oversight and effective and adequate remedies against abuse.”

These recommendations from the Law Reform Commission report remain very relevant today. They were made since 2001.

The goal, therefore, must be to create a single framework underpinned by the aforementioned principles recommended by the Law Reform Commission, which deals with all intersections of communication in Trinidad and Tobago, regardless of the means of communication, of how it is licensed or at which point of the route of communication it is intercepted.

We have made several changes to the original draft Bill that we found. On my instructions, SAUTT's ability to intercept communication is no more. In the original Bill, the Special Anti-Crime Unit of Trinidad and Tobago was to be given

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the power to intercept communication; we have removed that provision. I am of the view that the security interests of our nation would be better served by streamlining and harmonizing the various intelligence units. It is better that one unit be authorized to intercept private communications for the clearly defined purpose and specific mission of gathering criminal intentions and protecting and defending national security.

Mr. Speaker, we have also changed the person who can authorize the interception of private communication, from the Prime Minister. In the draft Bill we found from the former administration that the power was given to the Prime Minister. We have removed that in this redraft of the Bill and instead it will be the Minister of National Security. [*Desk thumping*] Whilst you have my every assurance that I am very confident about my ability to exercise such power in a responsible manner, the findings of the investigation conducted by the police service have clearly shown that there may be others who are unable to resist the temptation to learn about people's private lives and affairs.

Mr. Speaker, the issue of interception is a troubling one. It has bedeviled countries around the world. It is a necessary evil, but the interest of national security must prevail in the clash between the right to privacy and national security. It is important to strike the right balance. It is my hope that this Bill accomplishes that objective. That said though, this is far too important an issue for partisan politics and my Government remains receptive to any ideas and constructive comments that those on the other side and, indeed, members of the public, may wish to offer on the Interception of Communications Bill, 2010.

On this note, the issue of the retention and disposal policy, for example, with respect to intercepted communication, is a matter which should engage the full attention and deliberation of this honourable House, and we look forward to suggestions and comments on it.

The legal framework needed to accomplish the goal requires four main areas of concern to be addressed. They are:

1. The right of the individual to privacy;
2. Confidentiality, access to information gathered;
3. Use of information as intelligence or evidence; and
4. Oversight and accountability.

On the matter of the right of the individual to privacy, our Constitution does not afford an express protection of the right to privacy; however, it does enshrine the right of the individual to respect for his private and family life in section 4(c)

of our Constitution, and freedom of thought and expression found in section 4(i). The right of the individual must be balanced against the interests of national security, the public interest and the economic well-being of our country. When these interests conflict, the public interests must prevail where reasonably justifiable, which is provided for in our Constitution. It is often necessary that individual rights are abrogated to some measure where it is a threat to public good.

In determining the rules to govern any society, priority must be given, inter alia, amongst other things, to the maintenance of public order, the security of the State and the prevention, investigation, detection and prosecution of crime. As such, the State recognizes that in certain circumstances the rights of the individual may be suspended to allow the State to combat the threat. Indeed, the right of the individual to freedom of movement is curtailed when the individual is arrested and placed in jail and the right of the individual to many of the freedoms are curtailed when they are engaged in criminal activity. We recognize that there would be circumstances, and there already are such existing circumstances, where the right of the individual is suspended to allow the State to prevent, investigate, detect and prosecute crime. This is true whether the threat manifests itself as serious organized crime, terrorism or a threat to national security.

In most countries around the globe, the use of intrusive or directed surveillance or covert intelligence sources by public bodies is regulated by law, by statute; regulated by law. That was not the case in Trinidad and Tobago. For example, there are the following: the Regulation of Investigatory Powers Act, 2000 of the United Kingdom; the Regulation of Interception of Communications and Provision of Communication-Related Information Act, 2002, South Africa; Chap. 119 of the US Code and Telecommunications (Interception and Access) Act, 1979, Australia. These are some examples where there is a regulated framework for communications to be intercepted in the fight against crime.

These Acts cover a wide range of surveillance activity, from covertly following a person or watching a person; placing secret listening or filming devices near him; using informants to obtain information about him or intercepting his communication. Statutes worldwide provide that surveillance or interception techniques require authorization into different categories. Such authorization could be judicial, ministerial or a combination of both. This is what those statutes reveal in other countries where these methods are utilized to help in the fight against crime.

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The People's Partnership now introduces this Bill to ensure that any interception of communication is done in accordance with law, which will allow for the appropriate checks and balances. I take this opportunity to highlight some of the key aspects of the proposed legislation. We propose these measures, but we are open and receptive to suggestions, ideas and comments from anyone, including, of course, first and foremost, Members of the Opposition and members of the public.

This Bill, which we will lay shortly, will seek to provide the legal framework within which public or private communications transmitted by means of public or private telecom network, can be lawfully intercepted. An interception of communication will be lawfully done only when it is done pursuant to a warrant issued by a judge on an application by an authorized officer. [*Desk thumping*] In other words, no politician, no Prime Minister, no Member of Parliament would be able to authorize the tapping of phones of citizens in Trinidad and Tobago. [*Desk thumping*] That decision will be made by a judge. An interception of communication would be lawfully done, as I said, only pursuant to a warrant issued by a judge on an application by an authorized officer.

Consequently, it would be an express offence for a person to intentionally intercept a communication being transmitted, without a court order. It would frame into law the illegality of intercepting communications without an order of the court. In general, a warrant would be issued only to investigate, prevent or detect a specified offence. It would be valid for an initial period of 90 days, but it may be extended by the court for further periods, should the evidence so presented convince the court that it is necessary. The Bill will also make provision for an oral application for a warrant in urgent circumstances, subject to certain safeguards.

The Bill provides that the content of a communication or communication data, which is lawfully obtained, is admissible as evidence in any criminal proceedings. They were tapping all the time, but they could not use it in a court of law. They could not use it in the prosecution of crime. So it was really, as my colleague is pointing out, being used for the purpose of “macoing” private citizens, [*Desk thumping*] and thereafter taking such action as to victimize those whom they were against. [*Crosstalk*]

The proposed legislation would need a special majority of the Parliament, a three-fifths majority of Members of each House, because it would be, in effect, suspending the rights of a citizen to privacy in certain circumstances as set out in

the law. That is why I said we would have to work together as Members of the House, as elected representatives of the people, for the people, of the people, by the people, to protect their interests, whilst, at the same time, dealing with the issue of crime fighting.

Part I of the Bill will provide for preliminary provisions. Part II will provide for the interception of communications, the method to achieve this and the use of the intercepted communications as evidence in a court of law. For example, it is proposed that it would be unlawful to intentionally intercept communication during its transmission, except in certain circumstances, such as it is not a private communication and it is intercepted pursuant to any other law. So where there is any other law which says that you could intercept, certainly it will provide for that to continue.

We propose that unlawful possession of a device or any component thereof, design of which renders it primarily useful for interception of private communications, would be a strict liability offence. What does it mean? Once you are found with any such tapping devices, it is a strict liability offence and you will be found guilty. There will be no explanation why, who gave it to you or where you got it. There are other offences which are not strict liability offences, where you have the defences of, "Well, I did not put it there; somebody came and put it there". In this one, once you are found with it, it will be a strict liability offence. This is similar to dangerous drugs legislation, which are also strict liability offences.

Secondly, the legislation provides that lawful interception of communications can only be done by means of a judicial warrant applied for in writing by an authorized officer and issued by a judge after he has taken a number of factors into consideration. A warrant may be granted, in the first instance, for not more than 90 days and renewed by the court if it is satisfied that the renewal is justified in the case and for a further period in exceptional circumstances. This Government is of the view that in urgent circumstances a warrant can be issued on oral application, but within 72 hours of this issue the applicant must submit a written application, at which time the court will review the matter and either revoke or confirm the warrant.

It is to be noted that intercepted communication shall be treated as confidential within the Bill. This is similar to the legislation which established the Integrity Commission, that such information be confidential, and other parts, for example, where we file our income taxes and areas of private life where information is gathered by the State is given confidential protection. The content

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then lawfully obtained would be admissible in evidence in criminal proceedings. In order to protect the confidentiality of the process of the persons involved, it is proposed that the method used to get the communication data and the person supplying it, except in special circumstances, shall not be disclosed.

Part III of the Bill will provide for certain miscellaneous provisions such as offences, annual reporting and the power to make regulations. For example, it is proposed that it will be a summary offence to make a false statement in an application or affidavit under the Act or intentionally to disclose information obtained by a warrant or in contravention of the Act to have possession of intercepted communication without authorization.

Mr. Speaker, as I close, in keeping with the People's Partnership philosophy of accountability in public affairs, the proposed legislation could provide for a system of parliamentary accountability. Firstly, the Minister of National Security shall prepare an annual report on the operations, as contained in the proposed legislation, and cause that report to be laid in Parliament.

Further, we propose that the Chairman of the National Security Council will have the power to make regulations to give effect to the Act, subject to affirmative resolution of the Parliament; so, again, the final say will rest with the Parliament. The Government is of the strong view that since the interception of communication is an interference with a person's human rights, the Parliament must be given a crucial role in the overall operation and scrutiny of the legislation.

Mr. Speaker, that such illegal activity could have been facilitated and supported by the Executive arm of the State is a stain on our proud and cherished tradition of parliamentary democracy.

3.00 p.m.

It has also cast a long, dark shadow on the politics of our country. We may never fully appreciate the dangerous consequences that such actions may have on a civilized society based on law and order with a respect for the rights and freedoms of the individual and for the rule of law.

Mr. Speaker, as I said, we look forward to the debate on this Bill which will be laid. Again, I say, we would welcome the comments and suggestions of all Members of the House and of the other place as well as members of the public. I trust the debate on this Bill will be enlightening and illuminating, and place us firmly within the rule of law.

Thank you very much. [*Desk thumping*]

[Mr. Manning stands]

Mr. Speaker: That is a statement! That is not a debate!

Mr. Manning: I am aware, Mr. Speaker.

Mr. Speaker: Well good, no, no, you will have to—

Mr. Manning: Mr. Speaker—

Mr. Speaker: No, no, take your seat. *[Crosstalk]* There is no procedure for any statement. *[Interruption]* Please! Please! Please! *[Crosstalk]*

Mr. Manning: Mr. Speaker, could I have your leave?

Mr. Speaker: Could you take your seat, hon. Member for San Fernando East! Please!

[Mr. Manning continues standing]

Mr. Speaker: You cannot be on your feet while I am on my feet. There is no procedure on the matter of a statement, like you responding or any other Member responding.

Mr. Manning: I am not responding.

Mr. Speaker: So what are you standing for?

Mr. Manning: I am making a request.

Mr. Speaker: No, wait, could you sit!

Mr. Manning: I am going to make a request?

Mr. Speaker: Request for what?

Mr. Manning: *[Inaudible]*

Mr. Speaker: No, no, no—

Mr. Manning: If you listen to me I will—

Mr. Speaker: Listen, if you continue to stand on your feet whilst I am on my feet I will ask you to leave the Chamber!

Hon. Member: “Oooh.”

Mr. Speaker: Okay! You take your seat! Okay! Could you—let us continue.

Mr. Manning: Mr. Speaker—

Mr. Speaker: Continue please!

Mr. Manning: Could I have your leave to make a request—[*Interruption*]
Mr. Speaker, could I have your leave to make a request of you?

Mr. Speaker: No! No! It is denied! Continue!

FINANCE (NO.2) BILL

Bill to provide for the variation of certain duties and taxes and to introduce provisions of a fiscal nature and for related matters [*The Minister of Finance*]; read the first time.

INTERCEPTION OF COMMUNICATIONS BILL

Bill to provide for and about the interception of communications, the acquisition and disclosure of data relating to communications, the acquisition of the means by which electronic data protected by encryption or passwords may be decrypted or accessed and other related matters [*The Minister of National Security*]; read the first time.

CHILDREN'S LIFE FUND BILL

Order for second reading read.

The Minister of Health (Sen. The Hon. Therese Baptiste-Cornelis): Mr. Speaker, I beg to move,

That a Bill to establish the Children's Life Fund as a charity and for related matters, be now read a second time.

Mr. Speaker, you would recall, and as I answered in question 13, that in the lead-up to the general election we had promised that should the People's Partnership be victorious in the elections we would establish the Children's Life Fund. We said we would deduct 10 per cent from our Prime Minister and 5 per cent from our Ministers and Parliamentary Secretaries.

Consequently, as I said before, immediately upon assuming office a directive was issued to us and such was done. Notwithstanding this, the Fund has not been legally constituted to date. Government Ministers and the Prime Minister, we make our payments. We keep asking the Opposition if they would like to join us and take care of the children of the nation, but so far none has come forward.

Mrs. McIntosh: When you asked?

Sen. The Hon. T. Baptiste-Cornelis: However, should they be held in separate deposit account at this time and will be deposited into the Children's Life Fund—

Mrs. McIntosh: Who did you ask? [*Crosstalk*]

Sen. The Hon. T. Baptiste-Cornelis: The Prime Minister did ask, maybe you slept.

As such, it has been determined that in order to effect this commitment it is necessary for us to prepare specific legislation to establish this Children's Life Fund. The course of action that is required to enable this Fund to be administered by an independent board comprising people from both public and private sector, because when we do something we do it with legislation and we do it right. [*Desk thumping*]

Mr. Speaker, further, the model before us would allow for contributions to be made by both public and private citizens as well as the business and other sectors of our community. It would allow for grants, covenants and donations from national and independent bodies. So, yes, the hon. Prime Minister in her journeys abroad has secured international pledges, and this fund would allow such pledges to be deposited.

The International Convention on the Rights of the Child which was ratified by this country on December 05, 1991 and entered into force on January 04, 1992 guarantees our children certain fundamental human rights. This International Convention was in 1989 when world leaders decided that children need a special convention just for them, because people under the age of 18 years need special care and protection that adults do not. The leaders also wanted to make sure that the world recognized that children have human rights as well. They set out these rights in 54 articles and two optional protocols, and of note it spells out the basic human rights that children everywhere have: the right to survival, to develop to the fullest, to protection from harmful influence, abuse and exploitation, and to participate fully in family, cultural and spiritual life.

The four components of this convention are: non-discrimination, devotion to the best interest of the child, the right to life, survival and development and respect for the views of a child. Accordingly, I am pleased that as part of my Government, we are here today to make an important step towards fulfilling one of the core principles; that is the right to life, survival and development. I am reminded today of a baby, Maurisa Ramlal, whom the State failed because of the previous administration and as a result is no longer with us today. You would recall that it was only about two years ago family members, concerned citizens and corporate bodies rallied around Maurisa's cause in a short empathy that

touched the heart of our nation. Amidst these families' grief, calls came from those now sitting on the opposite side to allocate more resources to assist poor families whose children may be in need of life-saving medical intervention.

Mr. Warner: They did nothing!

Mrs. Mc Intosh: That is not true. [*Crosstalk*]

Sen. The Hon. T. Baptiste-Cornelis: Mr. Speaker, if you would allow me I would like to give you what my Ministry has supplied for me. On the total medical aid that was provided by the previous administration for the year 2009, and it was given to 80 persons, a total sum of just \$2.164 million.

Mr. Sharma: What a shame!

Sen. The Hon. T. Baptiste-Cornelis: However, between June 2010 and the present we have helped children with \$2.843 million, plus for 2010 the Medical Aid Fund has helped 68 other children with \$1.396 million.

We, the People's Partnership, care for our children. [*Desk thumping*] Many families have suffered a similar fate. Even after attempting fund raising, bar-b-ques; how many bar-b-que tickets can one sell to secure the sums needed? The unfortunate result, however, was the death of these children. Our hon. Prime Minister, when she first laid this Bill, mentioned one of those lost children. In particular, our hon. Prime Minister watched on, while on the other side, and vowed to correct this grave error should she ever be in a position to do so.

Today, she and by extension, this honourable House has the opportunity to make that wrong right. We all know how dear it is to our Prime Minister as she continues every time she takes a trip abroad, which they seem to object to, she calls on other world leaders to follow her and make a serious effort to preserve our children who are our future leaders. We recall the hon. Prime Minister asking of Caricom leaders, what can be of greater importance than the plight of children?

Later, on September 21, 2010, she urged the United Nations General Assembly in New York to support the fund. Further, she invited the nations of the world and the international organizations, such as UNICEF, to partner with us in this initiative. She reiterated at that meeting and I quote:

“The health and well-being of our people is a high priority for my Government.”

Mr. Speaker, many have heeded her call, as during her trip to New York she received many pledges from private citizens living abroad. Even in my trip to

Washington people came forward and said they want to help. I told them we will establish the life fund and then they can help. However, as I said, there was not a legal establishment to date and, as such, we have not been able to deposit these pledges and allow them to materialize.

Notwithstanding the legal framework not in place, the commitment of the People's Partnership Government was immediately realized, as to date as I said, we have given \$2.843 million to help 10 children have a life. We have children now who before we helped were pale, were dying and are now back and healthy. Children have benefited and I am pleased to report they are all doing well and we continue to monitor their progress. These children were helped under the Medical Aid Fund Programme. Under my Ministry, a fund which was there since 1979, the programme allowed for financial assistance to be granted to citizens of Trinidad and Tobago when the medical intervention was deemed urgent and was unable to be performed in a timely manner within the public sector.

Mr. Speaker, there is an established process that is rigidly followed in assessing these applications and verifying the information contained therein. If you would allow I would now proceed to explain the provisions of this Bill clause by clause if time permits, allowing both Members of this great House as well as the listening public to gain an understanding of what this Children's Life Fund will entail.

I move right away to what we refer to as clause 4 which provides for the establishment of the Children's Life Fund and the Children's Life Fund Authority. Further, the functions of the Authority are spelt out in subclause (2) thereof as follows:

- “(a) operate, manage and administer the Children's Life Fund;
- (b) assist in providing specialist medical treatment to children from families who are unable to afford such treatment;
- (c) manage the Life Unit; and
- (d) collect and invest funds.”

Clause 5 provides for, inter alia, the appointment of a board of management by the President to administer and manage this Authority. Such Board to comprise eight members who are as follows: one senior public official nominated by the Minister of Health, one senior public official nominated by the Minister with responsibility for finance, one senior public officer nominated by the Minister with responsibility for Tobago Affairs—we want Tobago on this board—four individuals nominated by the Minister of Health and the Chief Executive Officer of the Authority who shall be an ex officio member.

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Mr. Speaker, this board is well balanced. This will allow for the relevant expertise from both the public and private sectors to work together to marry the best practice of both sectors. A senior public officer is defined to mean a public officer employed in a range above 54. This is to ensure that the officer is well qualified, has a certain level of experience that would aid in this decision-making.

Further, subclause (3) provides that board members shall be selected from among persons with qualifications and proven competence in varying fields of expertise including health, finance, investment, business management and social work. They shall be eligible for a term of three years but should also be eligible for reappointment.

Clause 7 provides the instances where the President may terminate the appointment of these board members, such as where a member becomes of unsound mind; is unable to carry out his/her duties; is convicted of a criminal offence; or is absent, except on leave granted by the board, from three consecutive meetings of the board.

3.15 p.m.

Again, this is to ensure quality deliberations which will lead to proper governance of this Children's Life Fund. The functions of the board are listed at clause 9 and include the following:

- “(a) authorize the payment of medical and related expenses of beneficiaries;
- (b) ensure that the Children's Life Fund is prudentially managed based on international best practices, used for investments of a similar nature;
- (c) review from time to time, the performance of the Children's Life Fund and make appropriate recommendations;
- (d) establish procedures for applying to the Children's Life Fund, determining the eligibility for the payment or reimbursement of medical expenses for beneficiaries and processing claim disputes;
- (f) approve applications processed by the life unit;
- (g) make payments from the Children's Life Fund to the beneficiaries;
- (k) establish and develop strategic partnerships with international institutions to facilitate the execution of best care plans for beneficiaries.”

It is envisaged that the board will partner by entering into memorandums of understanding with international accredited hospitals. This will allow for, inter alia, reduction in the cost of medical interventions. It has been noticed in the last six months people have requested aid of this fund and many times they would come to us with particular numbers quoted by hospitals and on consultations with the hospitals, it was determined that with a lower fee it could be done.

I take this opportunity to stress that we will only be partnering with accredited hospitals. It is important to note, however, that no one person will be entitled via this fund to a sum in excess of \$1 million. Further, it is also to be noted that each award may vary, based on the need of the population and the amount of funding available in the Fund at a given time.

Clause 10 provides for the proceedings of the board and of note:

“The Board shall meet at least six times annually...”

A meeting shall not be held without at least two of the following members being there—and we refer to public officials—a senior public official nominated by the Minister of Health or a senior public official nominated by the Minister with responsibility for finance; a senior public officer nominated by the Minister with responsibility for Tobago Affairs. So two senior public officers must be there at any such meeting, because we are dealing with taxpayers' money; we are dealing with public funds as well. The quorum for a meeting shall be five members.

Clause 11 makes provision for the convening of emergency meetings, however, by the chairman of the board. Further, at subclause (2) it allows for the use of teleconferencing, because we respect the value of telecommunications, “or such other electronic means of communication”. This is to ensure that decisions are taken in a timely manner as time is always of the essence when medical lifesaving interventions are involved.

At clause 13, a board member is mandated to disclose any direct or indirect interest in any matter being considered or about to be considered by the authority in accordance with the manner further detailed therein. This is to ensure that there is no conflict of interest and that decisions are taken in a fair and transparent manner. We would not like what has happened with other financial misgivings that happened with other areas when the previous administration was in power.

Clause 14 empowers the Minister of Health to give the board, in writing, general directions in respect of the performance of its functions, as well as special directions in respect of its functions in relation to any matter which the Minister of Health considers to be of public interest.

Clause 15 provides, inter alia, for the appointment of a CEO on such terms and conditions to be determined by the board with the approval of the Minister of Health. Further, as provided at subclause (2) thereof, the CEO shall be appointed for a period of three years with the option of reappointment. The resignation of the CEO and the termination of his employment are also provided at clause 15.

Clause 16 lists the responsibilities of the CEO:

- (a) “the daily management and direction of administration of the Authority; (subject to the general and specific guidelines by the board)
- (b) the daily management and direction of the functions of the Authority; (subject to the general directions by the Minister of Health)
- (c) giving effect to the decisions of the Board; and
- (d) recommending to the Board the payments to be made to beneficiaries based on the recommendations made by the Life Unit.”

Clause 17 provides for the establishment of the Life Unit. This is a very important unit. It tends to mirror our Medical Aid Committee. It provides the case management services of the Authority in respect of applications for grants for medical treatment under this Act. The unit will be a multi-disciplinary team and shall comprise as follows: a manager; an administrative officer; medical volunteers and non medical volunteers.

It is material to note that the inclusion of medical and non medical volunteers in a life unit is simply to ensure that the operational costs associated with the fund are minimized. The duties of the Life Unit are listed at clause 18 and include:

- “(a) receive applications from a parent or guardian for grants;
- (b) undertake clinical and financial assessment of applications;
- (c) develop a best care plan for the patient.”

Please note, I will be moving an amendment to delete clause 18(1)(d) as this is not a function of the life unit but that of the board. In this regard, it is material to note subclause (2) thereof, provides that:

“‘best care plan’ means a plan which identifies the best treatment option from accredited health institutions, capable of providing quality care with beneficial health outcomes, consistent with international best practices including—

- (a) the diagnosis;
- (b) the best treatment option;
- (c) the accredited health care institution capable of providing the relevant care and beneficial outcomes consistent with international best practices;

- (d) expected beneficial outcomes;
- (e) quality of life impact; and
- (f) best practice.”

Clause 19 provides the eligibility criteria for applying for a grant under the Act. As such—and this is the point I know that many people have been asking; what are the eligibility criteria. A person will be eligible for a grant under this Act where he or she is:

- (a) “a citizen of Trinidad and Tobago;
- (b) is unmarried and under the age of sixteen years at the time of the application;
- (c) has been referred by a medical specialist in the particular field of treatment required;
- (d) requires treatment that is unavailable at a local medical institution;
- (e) has been diagnosed with a life-threatening illness;
- (f) belongs to a family whose income does not exceed five hundred thousand dollars; and
- (g) has medical expenses that exceed twenty-five per cent of the income referred to in paragraph (f).”

We recognize that the average middle class family can also be faced with a catastrophe and may also need some assistance, so we were not going to limit their access to this fund. Our limit of \$.5 million as an annual income means that the majority of our nationals are eligible for assistance from this fund.

Further, a minor becomes a person of full age for legal purposes on achieving the age of 18. So some may wonder why we used 16. The passing of this milestone has a number of significant legal effects. An adult can vote in an election; can hold legal estate in land and has full contractual capacity. However, in Trinidad and Tobago, the age of majority does not necessarily coincide with other legal significant birthdays. The age of consent in our country to heterosexual activity comes two years earlier at the age of 16, at the age at which the case law recognizes that consent may be given for medical treatment providing the individual understands the procedure significantly so as to give a valid consent. We are also aware that there are some religious marriage Acts existing in Trinidad that allow for persons to marry even under the age of 16

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years. Consequently, only children 16 years and under who are unmarried will qualify for assistance from this fund, because it is designed for those who are children.

Clause 20 provides that a person who is eligible under section 19 may apply through his parent or guardian to the Life Unit for a grant. However, in this regard, it is material to note that as provided in subclause (3) when a beneficiary has received a grant under this Act, no further application can be made on his behalf for the same medical condition for a period of two years from the date of the grant. This is to allow us to help as many children as possible.

Further, subclause (2) provides that:

“An application (for a grant) shall be in the Form set out in Schedule 1 and shall include the following documents:”

These are similar documents we ask of people seeking assistance from medical aid:

- “(a) an income and expenditure statement which provide the monthly family income and expenditure;
- (b) receipts of all sources of revenue, received or pending to address the medical expenses relating to the application; and
- (c) a medical report from the referring medical specialist indicating that the treatment is not available locally.”

Of course, such will be verified by the life unit.

It is material to note that these documents will form the basis for the life unit in conducting its main function of the clinical and financial assessment of an application for a grant. As such, clause 21 provides that:

“(1) The Life Unit shall undertake the clinical and financial assessment on applications based on the following criteria:

- “(a) the chances of survival of the applicant without treatment;
- (b) the best care plan;
- (c) the expected improvement in the quality of life and overall prognosis (should we give aid); and
- (d) assessment of the income and expenditure statement.”

Subclause (2) provides that:

“The recommendations of the Life Unit shall be submitted to the Chief Executive Officer.”

Subclause (3) provides that:

“The Board may approve, reject or vary the recommendations...”

After receiving a recommendation from the Life Unit, the Chief Executive Officer will then formally approach the Board for its approval. As such, the board has the discretion to approve, reject or vary recommendations. Further, subclause (4) reiterates that no award shall exceed \$1 million.

Clause 22 makes provision for the appointment by the board of an investment manager and in this regard only a person or a corporate body who is qualified and has proven competence in the fields of finance, investment, business management or accounting, is eligible to be appointed as the investment manager of this fund. As such, a bank or a financial institution can be contracted to provide this service.

The functions of the investment manager are spelt out in clause 23 and are to:

“...with the approval of the Board, manage the assets and resources of the Children's Life Fund in accordance with the prudent investment standard of an investment manager engaged in asset management profession.”

Clause 24 empowers the board, with the approval of the Minister to:

- “(a) employ such staff as required by the Authority for the proper administration of its functions; and
- (b) fix the terms and conditions of service and salaries for its employees.”

The approval of the Minister is necessary to ensure that the authority is not burdened with unnecessary recurrent expenses, thereby diminishing the funds of the Authority.

Clause 25 provides that:

“The resources of the Authority shall consist of moneys appropriated by Parliament.”

Further:

- “(2) The resources of the Children's Life Fund shall (consist of):
 - (a) Government subventions made to the Children's Life Fund;
 - (b) private contributions by persons and other associated bodies to the Children's Life Fund;
 - (c) sums arising from grants, covenants, donations and other receipts from person, including national and international bodies; and
 - (d) income earned from investments.”

Clause 26 provides that:

“The assets of the Children’s Life Fund shall not be invested except in assets specified in Schedule 2.”

This is to ensure that the funds are invested in a safe and prudent manner.

Clause 27 provides that:

“Notwithstanding any law to the contrary, the Authority is not subject to any tax.”

Clause 28 provides that:

“The Children's Life Fund is a public account for the purposes of section 116 of the Constitution and shall be audited annually by the Auditor General or by an auditor authorized by the Auditor General in writing, for that purpose.”

3.30 p.m.

In this regard, subclause (2) provides that on completion of any audit of the fund, the Auditor General shall immediately draw to the attention of the Minister of Health and the board any irregularity disclosed by the said audit which, in the opinion of the Auditor General, is of insufficient importance to do such.

Further, subclause (3) mandates the Auditor General to send a copy of the audited statements and report of the audit to the Minister of Health and the board, immediately following completion of same.

Clause 29 requires the board to submit the following to the Minister of Health: quarterly investment reports; an annual investment report; and quarterly reports on the operations and performance of the unit and fund.

Transparency, Mr. Speaker, is vital to the Government of Trinidad and Tobago and is intrinsic in the Bill before us. As such, clause 30 provides that within four months at the end of each financial year, the Minister of Health shall cause the following documents to be laid in Parliament:

1. the audited financial statements in respect of the fund; and
2. an annual report of the operations of the Authority including all contributions made to the fund, sums awarded and the rate of success of medical treatment received by the beneficiaries of the said fund.

Clause 31 provides that the person who either directly or indirectly discloses any information obtained by him in the performance of his duties, powers and functions under this Act, except where this disclosure is required by order of the court or under any written law, commits an offence and is liable on summary conviction to a fine of \$5,000.

Clause 32 empowers the Minister of Health by order, subject to negative resolution of Parliament to amend the Schedules to this Act.

Clause 33 empowers the Minister of Health to make regulations for giving effect to the purposes of this Act, and for prescribing anything required or authorized by this Act to be prescribed.

To this end, the Ministry of Health has commenced work and is preparing supporting regulations estimated to be completed in the next few months. The application form for a grant under the Children's Life Fund is shown at Schedule 1. The form is quite simple and will greatly assist parents and guardians in making applications for assistance, because we would like to resolve these things quickly.

Accordingly, this Government is confident that this Bill will ensure transparent and equitable access to specialist medical treatment for children, from both low and middle income households, thus allowing our children who may not otherwise be able to seek such specialist treatment abroad to have a chance at life.

Mr. Speaker, this Bill is integral in achieving our goal as a nation to protect the right of every child in Trinidad and Tobago to life, survival and development. This Bill will also protect families who may be at risk of becoming medically indigent due to the catastrophes associated with health care for their child's medical condition. I call on all Members of Parliament to place the health and well-being of our dear children first.

Mr. Speaker, I beg to move. [*Desk thumping*]

Question proposed.

Dr. Amery Browne (*Diego Martin Central*): Thank you, Mr. Speaker. I am grateful for the opportunity to contribute to the debate on the Children's Life Fund Bill, 2010. I welcome the very pleasant introduction to this Bill as rendered by the hon. Minister of Health, who might be with us for the first time this afternoon. This very Bill and its title serves to remind us that the actions we all take as elected officials will have a profound impact, not just on this generation, but also on generations to come, the children and the future of our beloved nation of Trinidad and Tobago.

Mr. Speaker, while we look at this Bill and examine it, we cannot pretend that our interest should only be confined to the walls of this honourable House. Our dialogue today must be informed by the realities that are confronting the

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landscape of Trinidad and Tobago, outside the walls of this House. I recall when I spoke on the Senior Citizens' Bill and in the budget debate in this Chamber, I ventured the opinion that it was a bit too early to form any comprehensive judgment on the performance of this current Government of Trinidad and Tobago, or even of any of the Ministers who might be performing or attempting to perform their duties. At that stage there may have been some early warning signs of trouble ahead, but most reasonable citizens were of the opinion that those who won the general election must be given some more time to prove themselves or to disprove themselves.

Mr. Speaker, we are now just about six months within the term of the hon. Minister of Health, all the other Ministers opposite and the hon. Prime Minister, and many persons in Trinidad and Tobago are now convinced that what we have on our hands today is a Government that is totally clueless about managing the society of Trinidad and Tobago. [*Desk thumping*]

We have a Government that is not at peace even within itself, and seemingly at war with many of the citizens of Trinidad and Tobago. [*Desk thumping*] Sector after sector after sector is becoming restless and dissatisfied with the disappointment that is their Government of today. [*Desk thumping*] The Government does not appear to recognize that the children of every creed and race are looking on in horror as tens of thousands of our breadwinners lose their jobs; as our economy is halted and dismantled; as the beast of religious discrimination has begun to rear its ugly head; and that sector after sector expresses dismay and disappointment, disgust at the arrogance and the rudderless behaviour of this UNC coalition. [*Desk thumping*]

Mr. Speaker, look at the reality. Month after month after month, the Government continues to play games with the parliamentary agenda in this very Chamber, choosing for some strange reason, an unexplained reason, to push back legislation related to the reduction of gang violence, to push back legislation related to the Bail (Amdt.) Bill and other critical pieces of legislation that were on the Order Paper since July 2010. This is even more suspicious because much of this legislation was prepared, ready and waiting for the Government. They tabled it on the Order Paper, but for some reason they keep pushing it back on the agenda. The citizens must be very concerned about that—very, very concerned. These pieces of legislation would make life more difficult for the drug dealers who are preying on our children. That is the reality. These pieces of legislation would make life more difficult for money launderers and other criminals that continue to pervade our society.

I am wondering if a selection is being made of Bills that might have more PR value for emotional appeal, as opposed to Bills that will help our country deal with this crime situation once and for all. [*Desk thumping*] A lot of the heavy lifting has already been done for the Government—the Bill. They have not explained why they keep deferring these important pieces of legislation, pushing them back on the agenda; and we shall see when they have the courage to put their money where their mouth is. So the choice seems to be to recycle some old stories, and we are hearing them again. Whenever the Government is in trouble, they seem to dust out some of these old stories. One of them was broken by TV6 in 2008, and it is back again in front of the public domain. Very, very interesting. Every time they are under pressure, it is deflection, distraction, public relations. [*Desk thumping*]

Mr. Speaker, in the last few weeks, I am sorry to conclude, the Government has been having a bit of a bad run and I think many citizens would have recognized that.

Hon. Member: Very bad.

Dr. A. Browne: A very bad run, my colleague indicates. Every day we are seeing labour protests; children being slaughtered; community protests; tyres burning; brutal slayings; uncontrolled violence in schools; overcrowding in all the hospitals now; and even now, assaults on the wards against health care professionals. This is not something that we should welcome.

The Minister of Health—a very pleasant Minister—began unfortunately today, with what I would choose to call a verbal misprint, when she said very definitively—I do not know why she chose to begin like this. She indicated that she had repeatedly approached the Opposition to contribute money to the Fund. Minister, am I misquoting you?

Mrs. Baptiste-Cornelis: If I recollect, when I said the Government, our Prime Minister has asked you each time she mentioned it. I guess you all forgot.

Dr. A. Browne: I just want to point out the complete—I have to be polite and use the phrase "misprint" because that is simply and completely untrue. If a Minister would come to introduce such an important Bill, such a wonderful Bill [*Desk thumping*] and begin with—[*Interruption*]

Mr. Imbert: Lies.

Dr. A. Browne: No, I cannot say that word—something that is a figment of her imagination, then, I think we need to take a close look at the Bill and that is

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exactly what we will do. As I have said, the Government has been having a bad run and there are many citizens who are feeling very disenfranchised in our society today, and when that happens it is the children who suffer the most.

Mr. Speaker, I want to ask a few questions: how do you think a man's children would feel when his religious beliefs are used in a premeditated verbal ambush, live on national television by a Minister of Government. How would a sick child feel when he is taken to the Mount Hope Hospital and finds that he has to wait for hours and hours to be seen, and is then turned away because of a lack of staff when the Prime Minister has the power to intervene with the trade unions and alter the bizarre and insulting offer that was made to public servants and solve some of those disputes. How do you think a child would feel, who has lost his father to the prison system because of sometimes a minor offence, whereas the nation's two most famous prisoners continue to enjoy the comforts of the infirmary, aided by a cool, calm, conspiracy to keep them away from Uncle Sam's 95 charges of corruption? How would a child feel whose mother works as an OJT or in the reforestation programme, goes to work every single day, works very hard, and yet do not know when the next pay cheque will come? [*Desk thumping*]

Mr. Speaker, how do you think a child would feel going to school on any given week day morning, only to be teased by his or her friends because his or her mother is photographed on the front page of the newspaper receiving a welfare benefit from a smirking politician who is obsessed with his own image? We have to think about how the children would feel. [*Desk thumping*]

Miss Hospedales: Politics!

Mrs. Gopee-Scoon: Pure politics!

Dr. A. Browne: Pure politics! How does a child with sickle-cell anaemia feel when she is being treated on the ward for a chronic infection and sees a very pleasant but non-medical Minister of Health saying on TV, that people are really supposed to stay in hospital for only four to five days and should not expect to be fit like an Olympic runner before being discharged from the hospital? How would that child feel on hearing those words? How does a child feel when daddy comes home crying because he was fired, because of a lack of funds and then he sees our Prime Minister dancing in New York or taking pictures with Kate Hudson and Julia Roberts at the expense of the taxpayers? [*Desk thumping*] A message to the Prime Minister: you were elected to run the country, not to run away from it. [*Desk thumping and crosstalk*]

Mr. Speaker, in a statement—

Mr. Speaker: Hon. Members, I would like to hear the Member for Diego Martin Central in silence. Continue.

3.45 p.m.

Dr. A. Browne: Mr. Speaker, I see the Member for Caroni Central has awoken and he has put on his little smirk. That is more appropriate here and not on the front page of the newspaper accompanied by poor and vulnerable citizens who are requiring assistance. That is absolutely wrong.

In a statement to Parliament, the hon. Prime Minister indicated that assistance to children was ongoing in Trinidad and Tobago. That is good news and the hon. Minister of Health fortified that particular sentiment. We are really of the information that there is no specific medical case pending that needs to necessitate the emergency passage of this particular Bill. Even though it was laid just two weeks ago, it still leapfrogged the anti-gang Bill that has been languishing on the Order Paper for four months now. I would appreciate an explanation from the Government on that particular point. [*Interruption*] Eight years before, clearly you are completely misinformed Member for Caroni Central. I will leave you in your ignorance.

It is clear that the Government feels that the Children's Life Fund Bill will light the way to an improved public perception of its performance. If we look at the parliamentary performance thus far and we look for Bills and Acts of relevance to the citizens of Trinidad and Tobago during this current term, I am afraid that search would be largely a futile one. This Government has not been very productive in the Parliament, so they want this Bill to light its way for them and to improve public perception. Unfortunately, it will be like lighting a candle in a hurricane and Members opposite know what hurricanes and storms are all about.

Mr. Speaker, even though we have been spared the big natural disasters in this country, this Government, by its callous decisions, its broken promises and its unprecedented arrogance has been triggering a social cyclone that is tearing our country apart. They come today to hold up the candle of this particular Bill.

This is a Bill with which we have some specific concerns even though the overall thrust of the legislation is quite laudable and should be embraced by every reasonable citizen of Trinidad and Tobago. We must share and discuss these concerns and we hope for a response.

One is of the opinion that even though this particular initiative is topical, eye-catching and maybe headline-catching, there needs to be more attention placed on the routine funding, modernization, support and motivation of our health sector. I

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did not hear the hon. Minister refer too much to that particular issue. We recognize that it was a priority in the election campaign but we are hearing much less about it at this time.

The citizens are not yet convinced that this Minister of Health has grasped the realities of the health sector and though I believe she is a very good person at heart—I have reason to say that—the reality is that she does not inspire confidence in the population and certainly not among the health sector personnel of Trinidad and Tobago that any systematic or systemic improvement in the sector is on its way or is coming in the near future.

Despite significant work done by some of her predecessors in office to prepare an overall modernized health service and an e-health platform, we seem to be spending a lot of our time in health outing fires that on many occasions have been created by the very persons leading us at this time. The decline in confidence in our economy has created a scenario in which many citizens are afraid—there is great trepidation in the land—and in spite of the borrowings that the Cabinet has recently approved, there is a fear that we may not be able to continue to sustain expenditure in the health sector and in the social sector of Trinidad and Tobago. Those are valid concerns that we must address.

Placing our country so quickly at the mercy of the World Bank and the IMF will do little to improve confidence in our economy. As President Obama has learned recently, the economy affects everything. Health care and health care systems often feel the very earliest impact of economic decline. So as this Government struggles to come to terms with its responsibility in managing the economy in a prudent fashion, they must bear the needs and requirements of the health sector very much at the forefront of their thinking and national security concerns would also be a part of those considerations.

A major concern even in considering a Bill such as this must be the economy of Trinidad and Tobago. If economic conditions continue to decline in the manner that they have during the administration of this Government, where will the private contributors come from in their numbers? The private sector has been complaining consistently. We see the heads of all the Chambers expressing alarm and concern that their businesses, businesses that drive the private sector, have been grinding slowly to a halt.

So while we are establishing this fund and doing various things to encourage contributions, we have to be concerned that the sources may be drying up. The last thing the hon. Prime Minister and the hon. Minister of Health would want is

that potential contributors would shift their charitable donations from an existing beneficiary into this fund because there are other notable charities in Trinidad and Tobago that require ongoing support. It cannot really be a case of having a high profile initiative, attracting a lot of media and public attention but with a declining economy, other causes such as HIV/AIDS, cancer care, tobacco control, literacy for youth, youth development, family planning, rehabilitation, care for the differently abled and all these other causes you would not want to suffer simultaneously. There is danger in terms of how our economy has not been progressing.

The Government has to get its act together and start governing better otherwise all these funds and charities will continue to compete for a smaller and smaller pot and the very people that are intended to be beneficiaries would actually suffer more.

I see the hon. Prime Minister is not at her desk but it would appear that she feels that her time is well spent marketing this Fund abroad. I am also told that she is convinced that her smile, profile and glamour might make the Fund more interesting for potential investors.

That is very interesting and maybe it is a true philosophy. If that were the case, maybe she might consider looking for a minister of foreign affairs who is rational, respectful and attractive when he goes abroad and a Minister of Tourism who is charming, glamorous and attractive as well. That might assist in marketing these funds. I am not saying that the current occupants are not charming and glamorous in themselves. This would give the Prime Minister more time to address the basic needs of the citizens of Trinidad and Tobago because that was the mantra leading up to the general election. This is what they promised and thus far they have failed miserably, public relations notwithstanding.

Another concern related to this Bill is an enquiry about other pieces of legislation related to the welfare of children. [*Interruption*] Despite a very annoying drone I am hearing to my immediate right, I would want to point out that—

Hon. Member: La Brea?

Dr. A. Browne: Mr. Speaker, this is my brother. He will never be annoying.

Mr. Peters: A Freudian slip.

Dr. A. Browne: You know all about Freudian slips.

Mr. Speaker, you recall in the last shortened session, up to May 2010, we saw a passage of a number of key Bills including the International Child Abduction

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Bill, the Children's Community Residences (Foster Homes and Nurseries) Bill, the Children's Authority Bill and even the Tobacco Control Bill. *[Interruption]*

The Children Bill was introduced, debated—I see the Member for Chaguanas West has found his voice—but referred to a special select committee of the Lower House due to concerns on the other side about the harshness of some of the penalties within the Bill. The parliamentary staff are in possession of considerable work done by this committee in amending the Bill. Members of the committee included Dr. Tim Gopeesingh, the current hon. Member for Caroni East and Miss Mickela Panday.

We are all surprised that this very important Bill has not been retabled after six months in office by the current Government despite their protestations that they really care about the children of Trinidad and Tobago. I am of the opinion that some of those same penalties that seemed controversial might assist us at this time in mitigating some of the increasing cases of abuse and neglect of children in our society.

This is another example of the work that was already done. I request of the Government that they please bring back this Bill to this Parliament and let us move on. There really should not be too much to do with it at this time. It will be a good example to the nation and the national community that you do not have to tear down what came before but you can build on the foundation in the social, health and every other sector within Trinidad and Tobago. That will be a more constructive approach as opposed to denigrating and tearing down the hard work that may have been done in the past.

Another concern—it is interesting to voice it now—is the need to respect the privacy and dignity of the children and families that may benefit from this Fund. *[Interruption]* We are talking about the Fund. If you have beneficiaries there may be the temptation to put them on the front page and have a politician bestowing on them what is really the taxpayers' resources. I hope and pray that is not in any way the intention of this particular approach. The sick children and their families would do well to avoid the public gaze in that manner.

This is not an empty fear. We have had many examples of politicians on the other side unable to resist the temptation of exploiting a situation of need for public relations value. It is interesting that the Member for Lopinot/Bon Air West continues to drone in an annoying fashion. His Ministry has been accused consistently of distributing welfare grants, TT Cards, et cetera, in the public gaze, having poor families standing in front a TV camera or a newspaper camera and

being stigmatized, insulted and denigrated, their children having to go to school the next day and be mocked by their peers because they have been exposed. It should not be a crime to receive a benefit or to be vulnerable in Trinidad and Tobago.

The Member for Lopinot/Bon Air West had better take another look at his own portfolio and make some adjustments. It cannot all be about public relations and we would hope that the Fund is not abused in the way they are abusing some of those other intentions.

In no other country in this hemisphere do poor families have to be subjected to the indignity of receiving from a grinning politician in front of dozens of cameras. *[Interruption]* Some of these programmes were designed in Chile, and in Chile, Jamaica, the United States, Canada, Barbados, all the countries under the OAS, it is not allowed for a politician to get involved in that way.

4.00 p.m.

That should not be the fate of this fund at all. This Bill is also very open ended, with regard to the resolution of disputes. There is reference in several clauses to dispute resolution, but there is no detail as to how such disputes will be resolved, or what is the highest level of appeal, if a potential beneficiary is not satisfied with the response. That is something that really does need—you are not taking the exercise seriously—to be addressed, because the society is becoming increasingly contentious and restless. We can expect litigation and other forms of appeal. It really should be clarified.

I want to make another point. Sometimes when mistakes are made—the fact is that there is the potential for a mistake to be made, even within the administration of this fund. A family might be dissatisfied with the outcome or decisions, particularly as the bar is so high and a family earning up to \$42,000 per month has the potential to benefit from funding. *[Interruption]* Five hundred thousand a year? Well your math does not exist, if you cannot do a simple sum like that, Member for D'Abadie/O'Meara. *[Interruption]*

Mr. Roberts: “29/12, ah know dat good.”

Dr. A. Browne: Well \$500,000 divided by 12? Oh dear, he has not read the Bill. We should not ignore the need for dispute resolution.

I want to turn your attention to clause 3 of this Bill, which is the interpretation clause, to look some more at the detail concerns. In clause 3, the term:

“‘beneficiary’ means an unmarried person under the age of sixteen...”

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What does an individual's marital status have to do with medical need? The answer to that question must be: nothing at all.

In addition, the hon. Minister of Health flagged the issue, but somehow failed to respond to it, in that we are signatories to the UN Convention on the Rights of the Child, which recognizes that a child is defined as anyone under the age of 18 years. It really is a recommendation for an amendment to this Bill, that the age of a beneficiary, as specified here as under 16 years in clause 3, be amended so that the age is increased to anyone under the age of 18 years, which brings this Bill into compliance with our international obligations. It is not a case of just criticizing, but expressing a specific recommendation.

Also in clause 3, the term "income" is defined a gross income. I really wonder if the hon. Minister, maybe in winding up or at some point, would explain why gross income is used and not net income. It seems very much counterintuitive, but I am sure the Minister in her wisdom would have thought it through and may have an explanation. The precedent in many of these approaches and types of funds is that net income is preferable, but on this matter, I may wish to hear your explanation and possibly bow to your—*[Interruption]* I am not going to bow to you. I would bow to the point that might be made. Mr. Speaker, the Minister got a little carried away there. What we recommend is net income, as opposed to gross income, and I am very curious in that regard.

There is also a contradiction with regard to the definition of "family" in this particular Bill. In the interpretation clause, the family refers to one person, an individual. Is that correct, Madam Minister? However, in other sections of the Bill, for example, clause 19(f), family is used to refer to an entire household or a collection of individuals. It seems very much contradictory. It is something that might be solved by a simple insertion in the interpretation clause, but we feel that might be something that should attract the attention of the Government at this time.

Also, in clause 3:

“senior public officer’ means a public officer employed at range 54 or above.

If the hon. Minister would examine her sector closely, she would recognize that the most senior medical social workers, I am informed by the information that has come to me, exist up to range 53, or the equivalent remuneration in the case of contract officers. With this legislation as it is drafted today, will this exclude even the most senior medical social worker from participation at this level and, therefore, will these very specialized roles be given to staff members who may not

have the expertise in social work? My recommendation, just based on that consideration, would be to consider using range 53, as opposed to range 54. Again, the hon. Minister might check and come to a different conclusion.

In clause 4(2)(b), there is reference to:

“assist in providing specialist medical treatment to children from families who are unable to afford such treatment.”

In clause 19(f), it defines the criteria as income not exceeding \$500,000. We have to presume that this is annual income, because it is not specified in clause 19. As I have said, this would mean that a family with an income of \$42,000 per month would be defined as possibly unable to afford medical treatment. The Bill does not make reference at all to the possibility that many families or a significant number of families will have access to health insurance in Trinidad and Tobago. That must be a consideration when determining possible eligibility, especially if you are talking about a qualifying family up to \$42,000 per month, with that level of income. It seems very broad and if a choice has been made in having a low age threshold of 16 years, and having a fairly, what I consider, high income threshold, maybe the Government would consider doing things a little differently, raising the age threshold to be in compliance with the Conventions on the Rights of the Child and possibly lowering the income threshold. I am sure that they have their formula that may have led them to these conclusions. I can only make some recommendations or observations. We need to take into account in this Bill as well the fact that many potential applicants may have access to health insurance. That has not been specified.

Moving right along to clause 5(2), there needs to be a little more specificity in this particular clause.

Mr. Imbert: Amery you have plenty time.

Dr. A. Browne: I can take my time. We have already made mention of the issue of the social worker and the current grade at which most of the senior officers work. But, when I look at this list of—well, it is not a list of professionals—nominees or picks by Government Ministers—this has been discussed with a number of professionals with great experience in the field—we strongly recommend that a minimum of two specialist medical officers, paediatricians, should be specified in this clause of the Bill. This is highly specialized work, and the bulk of the decisions and guidelines would really need to come from persons who have detailed knowledge and experience in this field.

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It should not be left as open as it is. The recommendation is to specify two specialist medical officers or paediatricians within clause 5(2). The decisions of the authority must be guided by high-level support and the law should provide specific guidance on this particular fact.

Also, I have to observe, in this same clause 5(2), that every single one of the members of this board is ministerial appointments. I thought I got a little signal from one or two of the Members of the Government opposite, that they might have been trying to do things a little differently to that. This charity is very much entirely selected and picked by the Cabinet of Trinidad and Tobago. We see the Minister of Health featuring strongly with five picks. The Minister of Finance gets to pick one. Interestingly, even the Minister of Tobago Affairs comes in on the Act. I would suggest—[*Interruption*]

Mr. Warner: There is no such thing.

Dr. A. Browne: Mr. Speaker, I would refer to you. I would suggest specifying a representative from the Chamber of Commerce on the authority, given the nature of the work that has to be done and given the potential for sometimes contentious decisions that have to be made. The Government may find value in expanding it a bit. That may help the board to be a bit more independent as well.

In addition, there is some precedent to include a representative from the trade union, such as the Medical Professionals Association of Trinidad and Tobago, or maybe a representative of the Medical Board at this level, as opposed to exclusive picks from the Cabinet and the various Ministers. When it is done this way, as is specified here, it looks a little less like an independent charity and a lot more like a subdivision of a Government Ministry, or something along those lines. It really should be opened up a bit. That would help with the transparency and accountability, and it may result in a little less squabbling when the Cabinet has to pick the members of the board. That is a little aside.

Why has the Tobago House of Assembly not been included in selecting or nominating individuals to this board? Come on, let us not pretend that—the Government should not pretend—they are unaware of the importance of the autonomy of the island of Tobago and the importance of the respect for the authority of the Tobago House of Assembly. I beg the Government to reconsider this particular approach. That is all we can do. Please think again. UNC, please think again, because is not going to be taken well on our sister island at all.

Moving on to clause 9(d), I mentioned earlier, the issue of claim dispute. If an applicant under this particular protocol, remains dissatisfied with the decision of

the board, that can happen, where is the recourse to higher authority, or does the board retain the final authority, with respect to a claim dispute? I think it may be a case of an oversight on the part of the Government, as opposed to any deliberate attempt to disenfranchise citizens. *[Interruption]*

Mrs. Mc Intosh: That is very kind of you.

Dr. A. Browne: We have to try to be kind as well. Clause 9(g), this one is very interesting. I have to be less kind. I would have to describe this as a dangerous subclause, because it refers to making payments from the Children's Life Fund to the beneficiaries. That is a very, very dangerous approach. Experience from organizations which have had interface with assisting persons for treatment abroad and, indeed, the current practice of the same Medical Aid Committee that the Minister of Health was referring to and trumpeting a little while ago, is that it promotes the most stringent management of and public accountability for funds that are used, ensuring that moneys are not paid directly to any beneficiaries, but rather moneys are paid on behalf of beneficiaries directly to treatment centres. This is a very strong recommendation; that this clause be looked at again and there should be no payments from the Children's Life Fund to the beneficiaries, but on behalf of beneficiaries to approved treatment centres. I think the Minister used the word "accredited". I do not know who is doing the accrediting, but we would go with her phrase for the time being. Again, a request to look again.

There have been some recent newspaper reports that have not been refuted as yet, that have given the impression that money has been paid to parents or guardians of children in need and that is something that should be discouraged, because it is very difficult to track outcomes if that is the approach.

Clause 9(k) is a bit indelicate, because it refers only to international organizations, and I do not think the Bill sufficiently recognizes the fact that many non-governmental organizations and other local entities can assist the fund in establishing the best health care plans, really based on proven experience of many of these local entities. I can give the Minister the examples: the Community Chest, Lion's Club, the Rotary Club of Trinidad and Tobago and many others have been involved over the decades, in doing exactly this type of work. I think the Government is just looking to raise the bar and have a larger sort or more national framework. It should take into account the local organization as well, in assisting and developing these care plans. I do not think that has been taken into consideration.

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Clause 10(1), I do not want to look like I am pulling at straws at all, but this clause directs the board to meet a minimum of six times annually.

4.15p.m.

Mr. Speaker, given the experience that the Minister has already outlined and the hard work she and her team seems to have been doing in helping a number of children so far, I recommend to the Government that this clause be amended and that this board meet a minimum of 12 times per year or once per month. Six times annually just cannot cut it. I want to know why such a low level is used. The recommendation would be once per month and that is the precedent with many other similar funds and other government ministries have been doing similar things. The board needs to meet frequently. Given the nature and uncertainty with diagnoses, treatment plans, changes in outcomes and prognoses, the board should meet once monthly with provision for other more timely decisions. Again, this recommendation is based on existing practice and recommendations.

Moving on to clause 11(1)—[*Interruption*]

Mr. Warner: Thank you.

Dr. A. Browne: Mr. Speaker, Chaguanas West continues to prove that he is beyond salvage in Trinidad and Tobago. I am certain he has not read the Bill.

Mr. Warner: Neither you.

Dr. A. Browne: The arrogance is weighty and the smell of sulphur is loud. [*Desk thumping*] [*Laughter*] I will not allow Chaguanas West to distract me, which he is doing.

With regard to clause 11(1), there is a recommendation to have two signatories instead of three. Again, this is given the observations of the current realities of a number of organizations that do this type of work. Sometimes it is a little more difficult and there may be very desperate and urgent matters that need to be expedited. Those signatures can be verified by the board at its next regular monthly meeting, and it should be monthly.

There are two other dangerous subclauses in this Bill and I strongly recommend that the Government pull them out and deposit them somewhere far away; these are subclauses (1) and (2) of clause 14. I will want to read them for the Members:

“(1) The Minister may give the Board, in writing, general directions in respect of the performance of its functions.

- (2) The Minister may give the Board, in writing, special directions in respect of its functions in relation to any matter which the Minister considers to be in the public interest.”

What is the Government getting at with these two subclauses? I really want an explanation. They suggest a desire for political interference. These clauses suggest manipulation of the system, should it be the case of a cousin of a minister, the godchild of a financier—La Horquetta/Talparo—or any other. There is the potential here for political interference in the operations of this board and I am certain that could not be the desire of the Government, but for some reason these two subclauses have been inserted really giving that type of blanket authority to the hon. Minister of Health.

I do not think that this current Minister would abuse that privilege at all, but you never know who might be coming behind.

Dr. Moonilal: You might be coming back. [*Laughter*]

Dr. A. Browne: It will not be me.

In spite of their levity, the Government recognizes the importance of this Bill and also the importance of getting it right from the get go. My recommendation is to take these subclauses out completely. [*Interruption*]

Mr. Speaker: Hon. Members, the speaking time of the hon. Member for Diego Martin Central has expired.

Motion made, That the hon. Member's speaking time be extended by 30 minutes. [*Miss M. Mc Donald*]

Question put and agreed to.

Dr. A. Browne: Thank you, Mr. Speaker, I see your generosity has returned. I appreciate it.

We just dispensed, hopefully, with clause 14(1) and (2) and it brings us to clause 15(1). We cannot dictate to the Government, we can recommend in this Chamber. In clause 15(1), with respect to the Chief Executive Officer, I do not think the Minister was able to clarify this point. Where does this person really fit in the organizational structure between these two units, as it were, the board, where he is an ex officio member and the unit, where there is already a manager responsible for day-to-day operations? It might be a case of just explaining for clarity sake, for looking again at how this clause is arranged with regard to the role of the CEO. Is he a full-time worker attached to the unit?

Mrs. Baptiste-Cornelis: Yes.

Dr. A. Browne: Clarification is needed on that particular role. Clause 16 is also relevant to that consideration. There is a need to tidy that up as well, because if he is attached to the unit full time, as the Minister has just indicated by saying yes, then the question would be why is there need for a manager as defined in clause 17 (2)(a)? The Minister really needs to clarify.

Mrs. Baptiste-Cornelis: That is a unit manager.

Dr. A. Browne: Well, the Minister will come at the end and clarify everything; we have been waiting for her for six months to do something like that.

In clause 15(5), why is there a specification of three months notice for the CEO? Let me read the clause:

"The Board may terminate the appointment of the Chief Executive Officer by giving three months notice in writing or paying three months salary in lieu of notice."

Why not one month?

Mrs. Baptiste-Cornelis: That is the standard with the RHA. [*Crosstalk*]

Mr. Speaker: Could I implore Members that we not engage in too much crosstalk. There will come a time when everyone will have a chance to reply. Do not engage in crosstalk, please.

Dr. A. Browne: We would not want the Minister to lose her cool.

If that is the standard by which the Government is holding itself, even in looking toward the future, I have in my possession a piece of correspondence brought to me by a constituent who has five children. These children might be affected by this very Bill. It is a very interesting letter that outlines his employment with an agency of the State from November 11, 2003; that is, at least, seven years of continuous employment. The letter goes on to state:

"In keeping with good industrial relations practice, employment of your sort may be terminated by the employer, with or without good cause, upon delivery to the employee of one (1) month's notice, or by immediate-effect notice accompanied by one (1) month's pay. Accordingly, please be advised that your temporary employment is terminated with effect from December 8th 2010.

Be also advised that, ...you shall hand over..."

And it goes on to basically indicate that the day he received the letter was the last day of his employment and the last day he would be welcomed in the office. Unfortunately, families right across the country received such correspondence on

Monday, November 08, 2010 many of whom were attached for many years, almost a decade, to the Unemployment Relief Programme (URP). This is not a sign of a caring government. If you could give your CEO three months, at least, a tiding over to the Christmas period should be afforded to other families who may not be so privileged. This is the caring Government that is serving the people.

Hon. Member: Think about the children!

Dr. A. Browne: Exactly; the children will have a bleak Christmas.

Mr. Speaker, clause 16(1)(d) suggests payments to beneficiaries. I would recommend to the Minister to amend that to say "payments made on behalf of beneficiaries".

In clause 16(2), why is it necessary for the CEO to be subject to the board as well as to the general directions of the Minister? What is going on here? The normal protocol is that the chairman of the board would be responsive to the policy directions of the Minister and the board would then relate to the CEO, but there seems to be a number of lines that could be abused in terms of ensuring the political direction of the fund, in that, the CEO takes directions from the Minister as well as the Chairman. That is not something we would recommend; we would suggest an amendment here as well. The CEO should be subject to the board and not to the general directions of the Minister.

Moving right along to clause 18(1)(c):

"The Life Unit shall—

(c) develop a best care plan for the patient;"

But the Life Unit, as specified in this Bill, does not seem capable of developing a best care plan for anyone or anything, because that really is a function of a specialist medical practitioner and also involves clinical assessment. That section of the Bill needs to be looked at again. Usually it is done in conjunction with a centre abroad. If the Minister plans to rely on volunteers—I see medical and non-medical volunteers—to do that type of detailed work, we are starting with a dead engine. That is the bulk of—[*Interruption*]

I know you want to come across as though you know everything, but this is my strong recommendation. The Minister can take it or just reject it. It is a strong recommendation that a specialist medical officer be included in this unit, if that is the type of work that has to be done. You should not rely on the volunteers; there

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may be many in the country, but you should not rely on medical or non-medical volunteers to do this, because this is the heart of the operation of the entire system. It is just a recommendation. On the issue of volunteers, this is essential and time-consuming work.

The Minister addressed the issue of redundancy and clarified with regard to clause 18(2), so I am not going to dwell on that; she picked up on that one.

Clauses 17 and 18 really form a very disastrous element of this piece of legislation. They really do not indicate in any way how this system would work. It appears very bureaucratic, convoluted and very redundant. This entire section of the Bill is a bit of a mess. The recommendation is that two subcommittees should be established: a medical subcommittee headed by a paediatrician and a social or financial committee headed by a senior social worker, both free of political interference to do this type of assessment.

The medical committee would do the treatment assessment and the social and financial committee would assess the needs of the applicants and then a recommendation could be brought forward by the CEO to the board. That is an arrangement that has worked for the last 25 years for agencies such as Community Chest that has sent over 350 children abroad for specialist attention, with excellent outcomes. I strongly recommend it to the Government for consideration.

Again, clause 19(b), changing 16 years to 18 years is the recommendation and the issue of unmarried persons. Somebody needs to say what marital status has to do with demonstration of medical need.

A very strong note of warning to the Government on clause 20(3), it really does discriminate against children with some types of medical conditions. It specifies that:

"No further application shall be made on behalf of the beneficiary in respect of the same medical condition for a period of two years from the date of a grant."

But there are some conditions that would require more than one phase of treatment for the same medical condition, within a two-year span, and the fund needs to be flexible enough to take that into consideration.

I can give some quick examples; clearly the Minister did not consult with the distinguished Member for Tobago West on this part, because I know he has the

experience to make the recommendation. Some cardiac conditions, liver transplants, bone marrow transplants, pancreatic transplants and some leukemias would require more frequent courses of treatment at sometimes high expense that would suggest greater flexibility in this particular clause.

Mr. Speaker, clause 25(2) states that:

"The resources of the Children's Life Fund shall be—

(a) private contributions by persons and other associated bodies..."

I would have thought there would have been an amendment to the Income Tax Ordinance, because we recall the words of the hon. Prime Minister that such contributions would be tax deductible. It may have been useful to do that via this legislation; maybe the Government has some more clever approach to doing it and we would love to hear from them what their approach would be, in this regard.

Mr. Speaker, clause 31(3)—what a jokey fine; \$5,000 for a breach as described under this fund. We strongly recommend a stronger fine, a more efficacious fine, maybe even up to \$20,000 should be considered. That fine is more a nuisance than anything else.

We welcome any development that has the potential to improve or enhance the life of any citizen, particularly our nation's children. As I said before, this Bill is welcomed. We do have some very specific concerns. We welcome the indications from the hon. Minister and the Prime Minister that they may wish to make some specific amendments to ensure that this fund works as well as it is intended to and that our children would benefit as much as possible.

My time has been exceeded, but I look forward to any explanations that can be provided by the hon. Minister of Health, any clarifications that the Government may have on the grey areas of this Bill. We look forward to the Government taking maybe this positive step, following it up with evidence of genuine governance on behalf of the children and the people of Trinidad and Tobago. They can do better; I hope they do better.

Mr. Speaker: Hon. Members, it is a good time for us to suspend the sitting for us to have some tea. The sitting is now suspended until 5.05 p.m.

4.31 p.m.: *Sitting suspended.*

5.05 p.m.: *Sitting resumed.*

The Minister of Education (Hon. Dr. Tim Gopeesingh): [*Desk thumping*] Mr. Speaker, I rise to make my contribution to this important piece of legislation which has been piloted by the hon. Minister of Health and permit me to, first of

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all, sincerely congratulate the hon. Minister of Health [*Desk thumping*] for her magnificent presentation just a while ago; and we know we have great things on this side of the House and great people who will carry this country forward. We have tremendous confidence in our Minister of Health who we know has the heart of every citizen in Trinidad and Tobago and the health care of every citizen to her own heart on behalf of the Government of the People's Partnership.

Mr. Speaker, what is happening on the other side? That side has no leader [*Indicating by pointing hand*]; the leader is absent. This side, [*Indicating by pointing hand*] "their leader absent too." They are leaving all the children in the middle without any supervision whatsoever. [*Laughter*] So I do not know how you all are supervised. [*Desk thumping*] Their leader—"that side, leader missing; this side, leader missing—what happening?" I feel sorry for you poor children inside there. [*Laughter*]

Mr. Speaker, I wonder how my colleagues on the other side feel today after listening to what our hon. Prime Minister had to say in her personal explanation this afternoon. It is very—I wonder how comfortable they feel, though. Or do they really want to sit in Parliament any longer when they have heard that their Big Brother was spying on all of them for a long period of time, from 2005 to 2010; when their own Big Brother, who is supposed to be taking care of them, and they are supposed to be under the care of their Big Brother, was spying on them to determine what they were doing?

Then, there is a Minister of National Security. When I saw my Prime Minister speaking about this whole question of spying, I saw the former Minister in the Ministry of National Security slumped in her chair and her eyes were twitching and she was listening and wondering why her Big Brother was spying on her and whether she knew that was happening when she herself was Minister of National Security. Did she know that this was happening under her watch? Did she know that was happening under her watch? So I just wanted to bring that out this afternoon, that I feel sad for the Members on the other side, particularly the Leader of the Opposition, when "he know that" his Big Brother was spying on him for years that caused him to be separated from him over two to three years ago.

Mr. Speaker, I want to respond to the Member for Diego Martin Central first. He tried to make some points but, the question is—I want to deal with a few of the aspects he spoke about and one of his major concerns was attacking this side about the health centre and what has been happening with the Minister of Health. I just want to remind the hon. Minister the Member for Diego Martin Central,

who was a former Minister of social services, it seems as though we had been in government for nine years and you have been in government only five months. I want to remind you, you have been in government for nine years, from 2001 to 2010. So when you come here to criticize this Government which has been—the People's Partnership Government has been in power for only five months, you must be cognizant of what you are saying and what you are doing.

You were the same government that, over a nine-year period, promised this country a number of things in the health sector, and I do not need to remind you. You promised that you would have built the Point Fortin Hospital from 2001. You did not do it nine years later. You promised you would have a national oncology centre to take care of the cancer patients and the children who are suffering from cancer, you did not do it. You promised to improve Port of Spain Hospital; you promised to improve San Fernando Hospital, you promised to build Scarborough Hospital; nine years it has not been built. You promised to improve the Arima District Health Facility, the Sangre Grande Hospital; those were not constructed. What has happened? Yet you want to now come and have this pious approach as though, holier than thou, where you want to criticize this Government and the Minister of Health who has been there only five months?

You must remember, during your time, particularly not too long ago, people were dying on benches and on stretchers and trolleys in the Accident and Emergency Department waiting for care for 48 to 72 hours. You must remember that women were in labour pain on benches and delivering their babies on benches at the hospital. Patients were falling on the floor and dying on the floor. You must remember that. Those are the things that happened under your time, up to recently.

The overcrowding was there, it is—you tell me how many newspaper headlines have occurred within the last few months to show that this has been happening now. Show me. Show us what—we are taking this thing in a deliberate manner and we are improving the health sector. It cannot be improved in any short period of time. We know that; but, of course, you had nine years to do it and you did not do it so you have no moral authority to come and criticize this Government. [*Desk thumping*] When you talk about caring for children, it is sad to hear you say so.

You are my distinguished colleague. You are my younger colleague. I am very proud of you in the medical profession. You did a fantastic job. I have a great deal of respect for you as my younger colleague in the profession, but do not

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come and tell the population that your government really cared for the children of this country. You knew about the enterobacter poisoning of the children where 23 children died at the Mount Hope Maternity Hospital just a few years ago.

You know that children went for minor hernia operations at the Eric Williams Medical Sciences Complex and came out dead. You know about children who went for simple operations and came out damaged. You know children were dying in the arms of their mother [*Interruption*] in Accident and Emergency, [*Interruption*] waiting in the morning for care, and they were dying in their mother's arms, so I do not need to remind you too much of that. So do not try to criticize this Government, five months in office, and try to be—you are being hypocritical. You are being hypocritical.

Yours was an administration, for years you had time to sort out the health sector yet still 1,200 nurse's positions are not filled in the hospital institutions; 250 doctor's positions are not filled in the government institutions. Almost 120 of those are senior doctors. So what is it you are trying to say here? This is the picture that—we do not need to remind you and the population of your non-performance over those nine years but, as I said earlier on, do not try to come and criticize us and criticize us and criticize the Minister of Health for anything related to the health sector.

Now you want to also criticize the economy; and what were your words? Let me just see if I can—[*Interruption*]. Yes, he really did not say anything but I think I must respond to him. You said that the decline in confidence, the borrowings, we are unable to sustain the borrowings in this country and we are struggling to manage the economy and where would the money come from, the private sector—the private sector is grinding to a halt and we must start governing better.

Let me just remind you, let me just remind Members on the other side and the national population; you were in government for nine years. You borrowed close to nearly \$60 billion. This country has an economic situation where you have almost mortgaged the country and mortgaged the lives of future generations. This country owes close to \$60 billion, more than 50 per cent—close to 50 per cent of our GDP. We have \$23 billion in local and external borrowing. We have guarantees of \$19 billion. We have Letters of Comfort of \$18 billion. Then we have Petrotrin. Petrotrin is owing \$18 billion. They have a—there is before the courts now something close to a \$12 billion lawsuit.

What have you all done to the economy of this country? Last year alone you had to borrow \$7 billion. So you have had this country borrowing almost close to \$60 billion and you cannot even question our economic ability in this country.

You have us in this state where we are today. You have us in the state where you failed to deal with the Clico issue and we are in a state now where you owe close to \$19 billion; and then HCU is another fiasco which you supervised over the nine years that you were in power.

How could you all sit there and say anything about this side, this People's Partnership Government, when you have ruined the country? You have plundered the Treasury. You have—your last government stole from the Treasury. They stole from future generations of children in this country and you have mortgaged their lives, future generations, over the next 20 to 30 years where children will find it difficult.

Here it is we come to talk about a children's bill. We should have had no difficulty in providing health care for children of this country at whatever cost, but you have caused us to be in a situation where we have to be pushed now to even get support from private enterprise and the private sector and corporate entities as well to help support the health of our children. This is what you have done to this economy. This is what you have done and you want to talk about this economy grinding to a halt and the private sector is stagnated and so on?

We have—as the Minister of Works will tell you and the Minister of Finance will tell you, people come to them every day asking for money for work that they said they have done. There is no accountability in some of these ministries where you had participated, so they now have to try to find out if this work was really done and how much money we owe and the Minister of Finance stated that we really—we probably owe just in UDeCott fees alone close to \$8 billion—\$8 billion owing to people and contractors in just possibly UDeCott alone. So how can you talk about the economy?

I think the Member for Diego Martin Central needs to do his homework before coming to speak and not even venture to go there because where you venture to go there it is as a result you are saying—what you are trying to say is that it is as a result of your negligence, your corruption, your mismanagement that this country is in the state that it is today; but we are not going to be looking back. We are not going to be looking back as a government. We are moving forward.

We knew what we got—[*Desk thumping*] and we are very purposeful. We have a very competent and—a competent team on this side. You can see the brilliance of the team here on this side and there are smart-working and hardworking Members of Parliament and Ministers of Government. [*Interruption*]

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My four colleagues on the other side, I will look at all there, on the Back Bench. *[Interruption]* Well I know you want to come on this side. You could easily come on this side, you know. We will welcome you at any time. I do not know what you are doing on that side.

Mr. Speaker, the next point I want to continue about, it is very sad when the Member for Diego Martin Central can come to this House and make accusations and statements about the glamour of our Prime Minister and her beauty and so on. What a shame and disgrace. Mr. Speaker, if our Prime Minister has beauty and brain and brilliance, is he jealous about that? Is he jealous of that? *[Interruption]* Obviously he is very jealous that our Prime Minister has beauty and brain and brilliance, *[Desk thumping]* and our Prime Minister, in just a few five months, has carried Trinidad and Tobago and has leveraged Trinidad and Tobago on the world stage, Mr. Speaker. *[Desk thumping]*

Our Prime Minister has leveraged Trinidad and Tobago on the world stage; and, if we are to remind this population and remind those on the other side, when our Prime Minister speaks, she is the leader of—she speaks on behalf of 54 Commonwealth countries, Mr. Speaker, 54 Commonwealth countries which have a population of 2.1 billion people. She speaks on behalf of 2.1 billion people, which is one-third of the world's population. That is the power of our Prime Minister. When our Prime Minister speaks at the Commonwealth Business Forum or at Commonwealth meetings, she is the voice of 2.1 billion people, *[Desk thumping]* Mr. Speaker, and if she decides to leverage Trinidad and Tobago in the world and in the global society, is it a fault of ours? The Prime Minister is brilliant. She has charisma; she has dignity; she has class. *[Desk thumping]*

Mr. Speaker, our Prime Minister was honoured. Is he jealous of the honour that was bestowed upon her as being one of the ten most brilliant women in the world today—*[Desk thumping]*—one of the ten most brilliant women? Mr. Speaker, our Prime Minister, over the last few months, was able to address the United Nations Assembly on the Millennium Development Goals 2015. She was able to put forward a recommendation for consideration at the UN General Assembly on a position paper on women, disarmament, non-proliferation and arms control. This is what our Prime Minister did at the United Nations General Assembly. This is now being ratified. This is being supported by 52 countries already of United Nations countries and pretty shortly that will be debated at the United Nations. This is just one of the aspects. Our Prime Minister addressed Harvard University scholars, including some from Trinidad who were there at that

time, and was well received with a tremendous round of applause and acceptance and respect and adoration.

Our Prime Minister addressed the Organization of American States—34 countries. It is the first time that the people in the Organization of American States saw a Prime Minister or somebody from their standing address the organization and she was given a tremendous round of applause just for doing that alone, that is just one feat, and then for the respect that they gave to her. Do you know what she spoke about at the Organization of American States? She spoke about regional security, she spoke about arms control, small arms; and she spoke about reduction of poverty in the region, Mr. Speaker. This is the calibre of our Prime Minister and here it is—Diego Martin Central, I think you should hide yourself in shame for even trying to criticize our Prime Minister.

It is not like your Prime Minister, you know, Prime Minister—when the Big Brother is spying on all of you on that side. “Our big sister say that this is a thing of the past.” Nothing like this will be happening in the future—*[Interruption]* yes, and “big sister not tapping anybody’s telephone and not tapping anybody.”

It is important to remind the population what the Prime Minister was doing outside of Trinidad and Tobago. She was not running away from the country. She was running the country and she leveraged Trinidad and Tobago on the world stage. Do you know that at the Commonwealth Business Forum some of the world leaders in business have decided—

Mr. Imbert: Mr. Speaker, Standing Order 35(1).

Hon. Dr. T. Gopeesingh: Sit down, sit down. You had your chance.

Mr. Speaker: I would like you—I know you are coming but I would like you *[Laughter]* *[Desk thumping]*—I know you are coming to the essence of the Bill but I would like you to at least assist us in coming faster. Okay? Continue.

Hon. Dr. T. Gopeesingh: Thank you, Mr. Speaker. Mr. Speaker, I was just simply responding, first of all, to the comments made by the Member for Diego Martin Central and it is as a result of one of her trips abroad that she was able to get the Shriners institution, the Shriners—a group of 22 hospitals around the world, in the United States and other places, that she would—the Shriners organization decided to give support to Trinidad and Tobago’s Government and to our people so that we would—our children, when they go there, would get their medical attention free—*[Desk thumping]*—22 hospitals from the Shriners institution free. *[Desk thumping]* So I think I have dealt adequately with the

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Member for Diego Martin Central when he tried to speak about health and the economy and our Prime Minister. I do not think you have really any authority at all on that.

When they criticize us for governance, Mr. Speaker, on the question of governance, in terms of what people's expectations were, I want to quote something from the MORI Poll, confidential. That is their company that they had hired for years and that company told them that they were going to "lose election" but they never accepted it, this same MORI Poll, Opinion Leaders Panel Wave 16 presentation for Cabinet. I just want to read part of this.

Manifesto Pledges: confidence in achieving them in the next 12 months.

The question was:

For each one of these pledges, how confident, if at all, are you that the new government will be able to achieve them in the next 12 months?

I want to repeat the question.

For each one of these pledges how confident, if at all, are you that the new government will be able to achieve them in the next 12 months?

This was done between the 20th of June to the 25th of July. Sixty-nine per cent of the people said that they were confident that the government would bring the life fund on. Today, Mr. Speaker, we have introduced the Life Fund Bill—done. Sixty per cent at that time said that we may do this—we must give the senior citizens grant. We have given the senior citizens grant and we have satisfied 100 per cent of the population.

Forty-seven per cent thought that we will probably eliminate the property tax. The property tax has been eliminated, Mr. Speaker—done. Forty-three per cent said they felt that we would have probably been able to complete the laptop issue. That is done, Mr. Speaker. At that time 43 per cent thought that we would do that. Ministry of the People, 36 per cent wondered whether we would, in fact, do anything about the Ministry of the People and my distinguished colleague, the Member for Caroni Central, has been carrying the Ministry of the People by leaps and bounds and really assisting the people throughout Trinidad and Tobago.

So Mr. Speaker, when they talk about governance and accountability, this is what governance is about. When people were skeptical—some people were skeptical that we would have been unable to deliver all these things. We delivered

all that were discussed here, Mr. Speaker, and delivered them with pomp and with confidence and not arrogance. It is with confidence, so do not mistake confidence for arrogance.

He spoke about the labour protest; we are finding ourselves with labour protests. The labour protests that we are finding now is because you had not been able to satisfy and do what was necessary for the labour unions, for the unions and satisfy their wage demands and their increases in the bills that were—increases in the demands that they were making at that time. So we have to deal with it now and we will deal with it with sincerity and with dignity and give the trade unions—make sure that the trade unions and the people are satisfied, and this is the pledge of our Government on this side to work with the trade unions around the bargaining tables and make sure that the people get what is required.

Mr. Speaker, I want to quote a world leader, John Fitzgerald Kennedy, former President of the United States, the American's 35th US President in 1961 to '63. He said that:

“Children are the world's most valuable resource and its best hope for the future.”

“Children are the world's most valuable resource and its best hope for the future.”

So this Children's Life Fund did not come about just like that by “vaps”. It came about because of the brainchild and the brilliance of our Prime Minister, Mr. Speaker. Remember that our Prime Minister was dealing with children from as early—well, she is a mother and a grandmother. Our Prime Minister was Minister of Education between '97 and 2000—at some time during the '95 to 2000 period—and she ensured that every child must have a secondary education and she ensured that no child must be left behind and her heart is with the children. *[Interruption]* Yes, and she was a former teacher as well.

Her love is for children and when she saw—when our Prime Minister, who has been in Parliament for close to 20 years, saw the suffering of our children over a period of time, and that administration had not been able to do anything for our children, her heart went out and she bled into it. She bled. She felt the pain of the children of this country and she vowed that when she gets into government she will ensure that the children who were disadvantaged because of poverty must be able to get the health care that is required in a democratic society and in a society where there must be equality and dignity for life. The children she felt

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needed to have the care that they deserved and this is her conceptualization and thinking and the brainchild that brought on this Children's Life Fund.

Now this Children's Life Fund is bought by international countries around the world. They know it is a brilliant idea. It is one of the most progressive acts of human conscience to be undertaken by any government of the entire world, and certainly the Prime Minister was pioneering this in a developing world. You tell us where this issue has been discussed and where this has been brought forward before; and our Prime Minister is humanitarian in her thinking, humanitarian in her modus operandi and you could see it with the love and affection with which she greets children and she moves children and she takes care of children.

She was honoured along with several other people who were honoured recently, because of humanitarian efforts that they have made on the world stage, [*Desk thumping*] and the world leaders have recognized our Prime Minister is concerned about humanity, concerned about children and therefore she was recognized alongside other world leaders who had serious—who had done a number of humanitarian things in their own countries.

Mr. Speaker, we on this side of the House believe that the children must no longer suffer the way they have been suffering and the Minister of Health showed that just in a short period of five months we were able to provide for more than 70 children already—close to almost \$4.5 million help for our children. The Minister gave the figures earlier on and it is important for us to note what was happening under their regime, Mr. Speaker. It is not something that we can accept very easily. It is not something that we feel comfortable about and we just therefore want to prevent this from happening again.

Under their watch, just let me give you some examples of some of the issues that confronted them and they were not able to deal with. I want to quote from *Newsday* Friday, November 12th. "Government must save sick children". It is November 1st, 2008. "Government must save sick children". This was two years ago, eh. This was during your reign.

"Baby Maurisa Ramlal's family is hoping her death was not in vain and that the authorities will devote the resources to assist poor families whose children need life saving surgery."

Hear what one member of the family said.

"God sent her for a reason. This child died. We have resources but we are not utilising it."

That is a condemnation of your government. You had the resources but you allowed children to die.

“She said Maurisa’s death made it seem as if ‘the rich will live and the poor will die’.

Maurisa died on Tuesday while her family and concerned citizens rallied to raise the money she needed for a liver transplant at Johns Hopkins in the United States. She will be laid to rest in Penal today.”

That was the shame of that government; and you know what—the health Minister Jerry Narace at that time said—he indicated that he would contribute \$60,000. You know what was needed for that surgery? One point five million dollars; and he had the audacity to tell the population that he would contribute \$60,000.

5.35 p.m.

As my colleague said, he gave us a “jerry”. [*Interruption*] Here what happens again. Health Care Watch has been lobbying the Minister and Government to establish a children's unit dedicated to coordinating efforts between local and foreign medical institutions for sick children to get specialized procedures.

For nine years they were there: one by the Member for Diego Martin North/East, for two years he served as Minister, another few years by Minister Rahael, at that time the Member for St. Ann’s East/Port of Spain North and then subsequent to that by Sen. Jerry Narace. For nine years you all have failed this country, and in 2008 when a baby can die like this, requiring treatment, when you all were plundering the Treasury, when you were raiding the Treasury and children were dying who needed money—[*Desk thumping*] how could you all feel good about yourselves? I am sure you feel ashamed of your predecessors. Some of your colleagues who sat for nine years are still here. This is why one of your “Big Brother” now is missing in action, talking on the telephone. He wondered how this information came out that he was spying on everybody. For the last hour he was talking on the telephone.

We came to this Parliament as well. I want to quote on Saturday, November 01, 2008 from the *Newsday* again, “Tim Gopeesingh begs for medical fund”—this is it here [*Shows document*]

“Gopeesingh made this call as part of an unsuccessful attempt to convince Speaker Barry Sinanan that Parliament should debate the death of baby Maurisa Ramlal and children in dire need of life-saving surgeries as a definite matter of urgent public importance...Gopeesingh said the Government must accept responsibility for inadequate medical care ‘resulting in the death of these innocent children’.

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He said the death of baby Maurisa while her family was trying to raise \$1.8 million for her to have a liver transplant demands that 'the Government has to immediately provide a financing mechanism through the creation of a specialised fund to assist families to receive specialised care for their children'.

Sinanan"—who was the Speaker then—"told Gopeesingh while he sympathises with this issue, the matter did not qualify for debate..."

So, we have been speaking about this for a long while. What did your government do? Now when our Government decides that we are going to introduce the life fund and bring this important and valuable Bill to Parliament you want to criticize us. You should come out unanimously and say, "I support you wholeheartedly on this piece of legislation". You should go even further to atone for your sins and atone for the slaughter of our children. You should take a cut in your salary as well immediately, a 5 per cent cut. [*Desk thumping*]

The newspapers were filled with horror stories of children suffering all the time. Thursday, December 22, 2005; it started long before. I am not talking about 2006, 2007 or 2008. Look 2005 "Sick babies in danger", "Lack of drugs at hospital pharmacies", by Yvonne Web:

"Sick and premature babies at the neonatal unit of the San Fernando General Hospital are at risk because of a shortage of critical drugs and other items to treat them."

So you were not able to just treat the normal patients, the children who are a little ill. You do not even have drugs and pharmaceuticals to treat them, far less for you to be able to give any help for those requiring international intervention for a number of medical purposes for which surgery cannot be done here in Trinidad. A number of organizations came on board to help, because you were not working. You were not doing what you were supposed to do. [*Interruption*] When you think about the waste and mismanagement that you all had and you plundered almost \$30 billion, you all stole from the coffers of Trinidad and Tobago and you plundered the Treasury out of \$300 billion that you all had—[*Desk thumping*]

You could not give these children any money to go and have the surgery done internationally. You had to rely on private sector, bar-b-que and cake sale [*Interruption*] and mothers became exasperated and frustrated that they could only raise \$2,000 here and \$5,000 there. The poor people suffered under your hands! I feel very uncomfortable for saying this, your government literally slaughtered the children of this country. It is very sad. [*Desk thumping*]

Yes, you all did that. You saw children die at your feet and you did not do anything to stop the poor children from dying in this country. *[Interruption]* It went on again, on March 14, just a month before you all lost the election—a baby with a mystery illness, hear what happened:

“How does a mother deal...”—I am quoting from the *Newsday*, Sunday, March 14, 2010:

“How does a mother deal with this, just watching her child cry in pain and discomfort and not knowing what to do? This was Rowtie Singh's dilemma”.

Vakratunda Suryan Singh was born November 27, 2008 and had a medical problem and needed surgery and assistance and the mother was in pain to see her son just dying literally.

You all could not do anything about it. You could not help. When our colleague, the Minister of Health, brings a Bill to Parliament, you all want to criticize it and find all sorts of things wrong with it. As I said earlier on, take it with your heart and just say, “we support you fully and we endorse this”. *[Interruption]*

Hear what has happened to that poor child for the past 12 months: the boy has been referred to pediatricians, dermatologists and mucus membrane specialists, oral disease specialists, dental surgeons, ear, nose and throat specialist, oncologist, hematologist and immune specialist; but no answers were forthcoming. No diagnoses made. The child had to go to Great Ormond Street Hospital and they had to pay £20,000 for that child to be looked at. What help did the State give? *[Interruption]*

My colleague just advised me that we should ask the President of NGC to say what community projects they financed between 2007 and 2010; they spent billions of dollars on other things, but not one cent for the poor children of this country.

Mrs. Mc Intosh: How inappropriate!

Hon. Dr. T. Gopeesingh: So, I just gave some examples—*[Laughter]*

Mrs. Mc Intosh: Would you give way please?

Hon. Dr. T. Gopeesingh: Go ahead, go ahead.

Mrs. Mc Intosh: Hon. Member for Caroni East, very inappropriate suggestion there, very inappropriate. *[Laughter]*

Hon. Dr. T. Gopeesingh: I am glad you jumped to the defence of one of the directors of NGC. [*Laughter*] I expected that. I am glad you jumped to the defence of one of the directors. I do not hold that against you Member for Port of Spain North/St. Ann's West.

Mr. Speaker, I was just making the point that so many local organizations had to come to the rescue of children; a simple thing like cancer where they promised to build the oncology centre and they did not build it. You had an organization coming called Just Because Foundation, providing care and support for children with cancer. They have to be begging throughout the country to get assistance to have a wing at Eric Williams Sciences Medical Complex to look after children with cancer and for cancer tests. [*Interruption*]

The Member of Parliament for Fyzabad said that just Sunday people were launching things for the private sector to come on board. Let me just give you some other examples: Republic Bank, in those days had to go in to make a difference and the organization had invested an initial \$1 million into Make a Difference Fund for sick children. They said that they invited the staff members and the public to join in contributing to the Fund and the head of the organization said, "I am happy to note that their contribution totalled \$292,000."

Here it is, the private sector is begging people, scrimping for money and trying to help the poor children because they saw that the children were suffering, and you, as the Government, turned a blind eye and you decided that you were not doing anything and you let the children continue to suffer. How heartless have you been? [*Interruption*] There are many more examples but I do not want to continue to give any more examples on this.

It is important for this country to know that this piece of legislation, that has been piloted by the Minister of Health, has been the brainchild and the dream of the hon. Prime Minister. As a progressive act in pursuance of looking after the children of Trinidad and Tobago, we on this side are very proud to be able to bring this into Parliament and bring it as early as we are bringing it. You want to say on that side why we are bringing this piece of legislation here as early as now and we are leaving out other pieces of legislation, and you quoted the Children Bill and the Children's Authority Bill.

So you want to tell us that this piece of legislation is not important to save the lives of children when you all did nothing about it? You had nine years to bring the Children's Authority Bill and the Children Bill, and you are complaining now that it was not completed. You should have completed that during your term so that the Children's Authority Bill and the Children Bill would have been passed

and the children would have been taken care of by legislation and with proper legal framework for the governance of children and taking care of children. Do not blame us for your inefficiency and your inability to pass legislation when you had nine years to do that. We have just been here and we have brought the important pieces of legislation.

Corruption was a thing that was endemic of your government and we brought out the first piece of legislation on procurement within the first 30 days. Today, we had a meeting to deal with the whole procurement issue and other aspects of the Central Tenders Board Act and so on; so that is an important piece of legislation. This we consider to be another important piece of legislation. There are other pieces of legislation related to crime that we are bringing pretty quickly. The Prime Minister, today, indicated the bringing of a Bill dealing with the whole issue of spying and so on, which is very important to the fundamental democratic approach of governance in Trinidad and Tobago. We cannot continue the way that you were doing. We are doing things to protect our children and to protect our people.

Mr. Speaker, I want to say how privileged I feel and how honoured I feel to stand here this afternoon in support of my colleague, the hon. Minister of Finance, who piloted this Bill so beautifully—

Mr. McLeod: Minister of Health.

Hon. Dr. T. Gopeesingh: You could be Minister of Finance too, you are just as bright. I want to indicate to the Members on the other side that they should support this wholeheartedly. It is in the interest of the poor children of Trinidad and Tobago and it is in the interest of relieving the pain and heartache of parents who, when they find that their children have problems of health and cannot be looked at in a national situation, have to go abroad and they have to do all sorts of things to try to get the money.

So, Mr. Speaker, I feel very honoured to be able to make my contribution on this aspect of the Bill.

Mrs. Paula Gopee-Scoon (*Point Fortin*): Thank you, Mr. Speaker. Indeed, I too feel very honoured to make my contribution on this most important Bill. Sadly though, the Member for Caroni East has not touched on the legislation at all, so it really gives me—[*Desk thumping*]

He went to the UN, to the World Bank and beyond and did not touch on the Bill at all. So, here we are, Mr. Speaker, with nothing for me to speak about, but I

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will tell him what the PNM was doing with regard to primary health care, et cetera, and I would attend to the matters of the Bill. [*Interruption*]

Mr. Speaker, before doing so, I am trusting that my contribution will, in fact, be aired repeatedly on the Parliament Channel. [*Laughter*] Mr. Speaker, this is a serious matter that a decision will not be taken to excise it. The better side of my judgment is wanting me to trust that my voice is not being stymied or for that matter any other person on our side.

Noting that my contribution on the Appropriation Bill was not at all repeated, I made an enquiry as to the reason for this, when, in the fact, most others were being repeated. What I was informed is that the particular day's contribution was extracted entirely. Now, it is a fact that the Member for St. Joseph, his contribution preceded mine, and you know the apology that followed and the reason for this. But I am concerned that, in fact, we are being muzzled or that the Parliament Channel is—

5.50 p.m.

Mr. Speaker: It is a very serious—the Parliament Channel and its operations and guidelines are determined by the Parliament of the Republic of Trinidad and Tobago, and therefore, you have made some very serious allegations against the Parliament on this matter. I will investigate that matter, because if you are saying that your contribution was removed from the Parliament Channel during the period when it was being aired re the budget debate, that is news to me and it is a very serious allegation you are making against the communications staff of this honourable Parliament. So I am going to investigate this matter and I am going to report to this honourable House on this matter, because no Member's contribution, as far as I know, is muzzled or given preferential treatment on the Parliament Channel; as far as I am aware. So if you are complaining, I am going to investigate that matter and I shall report to this Parliament shortly. Continue.

Mrs. P. Gopee-Scoon: Thank you very much, Mr. Speaker. Indeed, I do await a response from you because this is, in fact, a very serious matter. All right?

Before us today is a very, very important piece of legislation; that I would admit to. It is on children and somehow, though, I felt that the afternoon's proceeding should have been punctuated with smiles because we are dealing with children and children do, in fact, bring warmth to our hearts as most of us are parents in here and we should be most delighted to deal with these matters, but sadly, this is not the mood that we are in, because this Bill, as I see it, is about politics and not really about the children. I see this Bill as being just another

promise made by the coalition-led Government, another promise which was made before the election and all that they are doing is ticking off. I am not saying that I am not going to be supporting this Bill; I am supporting this Bill, without a doubt, because it deals with children, but all this is yet ticking off another promise made pre-election, as usual. And here we are, ticking off, and, of course, making public relations gimmicks and politicizing the children.

What I would have liked to hear was a little more about a plan; a bit of a public policy on health, but there was nothing. Not that I expected very much, because in the manifesto there was very little, or perhaps nothing on the question of health, and that is the importance which this Government places on the question of health.

What is before us in this Children's Health Fund is just a limited promise; a limited promise to children under the age of 16 and, indeed, we are asking the question: why not the child who is 16 and a half; the child who is 18? There was no thought. That is an indication there was no thought put into this Bill. As I said, this is nothing more than pure PR and an attempt to make a "pappyshow" out of children. That is what it is, a "pappyshow". You have already seen that whenever these sums of money are, in fact, distributed, it is done within full glare of the cameras, with a big glossy cheque and, perhaps, without the permission of the parents, and that is what this was about, public relations; nothing more than public relations.

Again, I said before that I find it quite limiting that they are dealing only with children under the age of 16. I also find it very limiting that it is not dealing with life and death situations of all and, in fact, catastrophic situations. Maybe it is that the Government does not realize what its responsibilities towards health care truly are, and that the priorities should rather be that of prevention and that of primary health care where we would be taking into consideration the care of children, the care of mothers, the care of all adults, prenatal care and a proper primary care system, unless, of course, the Minister of Health probably wants to admit that she met a proper primary health care system in place.

I am saying that this just seems to be all about lights, camera and no action; lights, camera and no action. [*Desk thumping*] But here we are—and I am going to the Bill—this Bill attempts to do two things: The establishment of a charity and the creation of a body corporate. Whilst I would agree—and I said before I am supporting the Bill in its entirety—I would agree to the establishment of the charity for the sourcing of funds, et cetera, but I am not sure that the Authority, as

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a body, is needed and that this will just not amount to an unnecessary administrative burden and an undue cost on the State at a time when the economic situation is of great concern to everyone.

The Member for Tabaquite is asking: what do you recommend? He should know that the prior administration was, in fact, dealing with all of those cases, but under the medical aid programmes which the hon. Senator spoke about. The PNM government dealt with these matters under the medical aid programme and each case was looked at by a medical aid committee. So that I am not sure that you are going to need an entire board and a full-fledged administration to deal with this, especially when you look at all the limitations that we are looking at here, which is, children under the age of 16, to start with, and then you are confining it to life threatening diseases. So you are not talking about a great number of cases.

Indeed, in the last five to six months—the Minister of Health said it before—they have only dealt with 11 such cases and I am asking the question if the existing administration is not enough to deal with the administration of this fund and the distribution of expenses for the saving of lives of children.

Dr. Rambachan: But I thought you want transparency in government.

Mrs. P. Gopee-Scoon: I do want transparency, but we have been doing it for a long time and this is how the administration has taken place under your government under the medical aid programme and I do not see why, perhaps, we could not continue. Anyway, as I said, I am going along with the Bill. If there is a board, I make the point though—

Dr. Rambachan: Could you just give way? I have a question. What was the limit on the medical aid programme for emergencies for children or adults, and what is the limit under the Children's Life Fund? What is the difference between the two? How many children, from your best knowledge, approached the Government and could not get, under the medical aid fund, the required amount of money to do the surgery, but are getting it under the Children's Life Fund?

Mrs. P. Gopee-Scoon: In the course of the debate I will answer all of these questions that are posed by the Member for Tabaquite.

The very able Member for Diego Martin Central, in fact, commented on several clauses in the Bill, but there are some that I feel are worthy of repetition because the Member for Caroni East did not see it fit to speak on them at all. I will just speak to the few of them that I think are very, very important, in particular, clause 14. I want to make the point that the Minister's power under

clause 14 is, in fact, very, very wide and I want to ensure that there is some sort of insistence on serving the public's interest and that the Minister will not be tempted to be political. I want to ensure that there is absolutely no discrimination whatsoever. It is important, but I feel that, perhaps, some other form of word should be added to ensure that this is not political. Perhaps the Minister of Health may want to think of deleting it altogether.

Then, we looked at clauses 5(3) and 22, which involve the appointment of an investment manager and a board, including persons involved in investments as well. I am wondering if, perhaps, it may not be needed, some sort of consideration for including a conflict of interest clause, just to ensure that, in fact, these funds are placed without discrimination for one reason or another. So we want to be a bit careful about that.

Then with regard to clause 18, which deals with financial obligations in the fund, there is no idea whether or not the expenses of the parent or the caregiver would be included, where the financial circumstances of the individual are such that they can ill afford; and I want to ask about the case of a baby or a young child—baby Sarah-Lynne, perhaps, who was reported on in the press today—with a life threatening disease needing to remain abroad for a period of time after surgery or so when they are, in fact, unfit to travel and require some degree of care and attention. They will need the care and supervision of a parent or caregiver and I am not sure that any attention was placed on that or whether there will be some sort of financial obligation in circumstances like that where the parent cannot afford, because, indeed, these minors cannot be left unsupervised or alone.

There is another area which concerns me: clause 19(f) which speaks to the income of the applicants. In fact, there is a limit of \$500,000. It does not say whether it is per annum or not, but I am assuming it is per annum, and that is probably about \$40,000 per month. I find this bar is rather high and one would think that at those salary levels there would be some kind of provision of family medical insurance. So the question of insurance funding availability needs to be fully fleshed out when you are dealing with a limit bar so high, of \$500,000 per annum, because in a case like that, we would want to ensure that the financial burden is on the private sector firstly, rather than the public sector.

With regard to clause 23, again, I think the Member for Diego Martin Central may have spoken about the need for flexibility, as there is a restriction of non-application for a two-year period after the date of the grant. It raises the question as to what happens if this child has a relapse or takes an unexpected turn for the

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worst. The primary reason for this Bill and the primary purpose for this charity is, in fact, to save a life and, therefore, you would want to ensure that there is flexibility built into the fund in question.

Then in clause 21(4), a limit is put on the grant for \$1 million. I am not sure whether that is accumulative and that several approaches could be made on the same case totalling \$1 million. We need some clarity on that. Of course, there are those cases which exceed \$1 million and we saw this morning reported in the press, the case of baby Sarah-Lynne and her surgery is \$1.2 million and the question is whether this child will be turned away on account of the limit. So I think we need to look at some revisions between clauses 23 and 21(4) and, perhaps, at the committee stage we could probably mend some words to make them a little more suitable.

I want to address the whole question of at risk children in general, and to say that this is not at all a novel matter, as the Member for Caroni East tried to say. It is not at all novel, in that the PNM administration was attending to children under the medical aid programme. In fact, we did not attend to only children, we also attended to adults.

6.05 p.m.

In 2008, we had expended something like \$42.5 million under this Fund to all sorts of persons, not only with life threatening diseases, but also persons requiring some sort of critical care. People in dire circumstances were attended to, and more and more our health system was dealing with improving our capacity to treat persons suffering with these life threatening diseases and persons with cases requiring critical care. As we were dealing with improving our capacity to deal with them, it meant that less and less did these persons with life threatening diseases have to seek treatment abroad. More and more we were able to deal with these cases right here in Trinidad and Tobago under our system and, indeed, under the care of our own health care professionals. I am satisfied that the PNM was doing quite a good job in improving the system, and that their choice of going aboard would have been that of the individual.

As I have said before, the Government of the day has been dealing with these cases under the Medical Aid Programme which we had in place, giving aid to everyone. As I said, in 2009, we gave aid to more than 2,000 persons with sums expending in excess of \$40 million. [*Desk thumping*] If this UNC-led coalition government wishes to compare, they can probably look at the figures in 2001 when under the UNC, the Medical Aid Programme expenditure was \$2.6 million, compared with our \$43.5 million in 2009—1,534 per cent increase. [*Desk thumping*]

Mr. Speaker, we were moving further to a catastrophic fund which had in fact been approved by the PNM Cabinet in the last administration under the National Health Service Policy. That catastrophic fund would have been about \$250 million annually. As I have said before, not for children only, for patients of all ages to access medical treatment overseas. Again, not pinned to life threatening diseases, but also for other critical treatment. So it would have been for mothers, the elderly, et cetera, anybody in need of extensive tertiary health services abroad. This catastrophic fund, the Government is proposing now, as I said before, is not at all novel. This catastrophic fund was to have pooled funds through the public/private partnerships of Government's subvention and other private donations. The same with the Children's Life Fund. So this Children's Life Fund is nothing new at all. [*Desk thumping*]

Mr. Speaker, our government then understood, and this Opposition now appreciates the importance of good health. There was a vision and a transformational plan for health, and I am sure that the Minister of Health knows this and should do well to continually look at these. I want to continue as to how we were dealing with the critically ill. Over the last five years we were in fact supporting a Pediatric Cardiac Surgery Programme where specialized doctors from abroad conducted cardiac surgeries at the Eric Williams Medical Sciences Complex (EWMSC).

Organ transplants: We had contracted the services of specialist doctors from the United Kingdom, who had conducted surgeries locally and also trained local doctors in these procedures. [*Desk thumping*]

The telehealth linkage initiative: That is an agreement between the University of the West Indies and the hospital for sick children in Toronto, which enables patients to assess management and care through consultation with specialists in Toronto, and this promoted collaborative research and also served to strengthen the undergraduate, postgraduate and continuing medical attention.

In the area of oncology services, I would admit that we were not able to get the oncology centre finished, but in fact it is a baby of the PNM administration. It is a centre of excellence, a state-of-the-art cancer care and treatment facility. It is unfinished, yes, but the genesis of it is the PNM administration. In the meantime, recognizing the need for the oncology services for the young and the old, we began increasing the capacity at existing institutions, and in some cases, we even negotiated with private providers. The point is, even though the centre had not been finished, we were providing oncology services. [*Desk thumping*] What the Ministry of Health did was to undertake some serious infrastructural programmes at the National Radiotherapy Centre in St. James.

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I am sure if you pay a visit there you would realize the great transformation that has taken place in terms of equipment, sporting systems, human resource capacity, ensuring that there is a very efficient radiotherapy centre service, there is great comfort, improved record keeping, there is an appointment system, and there is an interface with well-trained and very dedicated staff. That is at the National Radiotherapy Centre in St. James. Approximately 75 patients are able to get treatment on the cobalt machines daily. We have also introduced the CT stimulator which can give you a full CT scan in five to 10 minutes as against the previous—in fact, in three to five minutes against the 10 to 20 minutes which it took before; the additional fume cupboards and so on; the installation of a block cutting machine focuses on the cancerous area only, reducing the level of radiation exposure and so on. Of course, there are more beds at the Radiology Centre as well.

Mr. Speaker, there is also a Padiatric Oncology Programme, and again, that is at the Eric Williams Medical Sciences Centre. With regard to the—this is a sad one—Renal Dialysis Programme, the PNM administration had in fact awarded a contract for two state-of-the-art renal dialysis centres—one in north and one in south Trinidad—and sadly though, this Government has cancelled them. These were to have begun in July 2010, and meanwhile, we were ensuring that these services were in fact given to the citizens of Trinidad and Tobago, free of charge. We were doing it at the Sangre Grande Dialysis Centre, the Eric Williams Sciences Complex, the Port of Spain General Hospital, the San Fernando General Hospital—Tobago was never left out—and at the Scarborough Regional Hospital. [*Desk thumping*]

In addition, the Government also subsidized dialysis treatment at private institutions whenever demand exceeded capacity at our public institutions. There was also the Cardiology Programme at Eric Williams Sciences Complex as well, and that is a public/private sector programme with Johns Hopkins University Hospital through the Trinidad and Tobago health services initiative.

Mr. Speaker, with regard to surgeries, in 2009—I think it is worthy to mention—we did something like 38,000 surgeries at our institutions. Do you want to compare it with what the UNC did in 2001? Just 20,000; an increase of 91.5 per cent by the PNM administration. [*Desk thumping*] There is more, but I could not go on to detail all of these in terms of primary health care. But whilst we were building and strengthening all clinical programmes, we also introduced as a support programme, the Chronic Disease Assistance Programme. [*Desk thumping*] Up to 2009, believe it or not, 510 persons benefited from this programme—almost half the population—and the question I want to ask the other

side is: what did they do in 2001 with regard to free medicine? The answer is absolutely nothing. There were no such programmes in place. [*Desk thumping*]

They were wondering what the PNM administration did in the last few years. I want to tell you, we were strengthening our very robust primary health care system. [*Desk thumping*] By the end of 2010, we would have already reached our goal of 105 primary health care centres across the country. By the end of 2010 our goal would have been completed. In 2007, we built several new centres, and, some of these would have included San Juan Health Centre, Debe Health Centre, Ste. Madeleine Health Centre, Gasparillo Health Centre, Gran Couva Outreach Centre, Chaguanas District Health Facility, Siparia District Health Facility, and of course in Tobago, Canaan Health Centre—[*Interruption*]

Mr. Roberts: What about the Point Fortin Hospital?

Mrs. P. Gopee-Scoon: I am coming to that—with the Roxborough District Health Facility to be opened by 2010, ensuring that there are health centres close to every person in all communities. There is more, Mr. Speaker.

We ensured that there were mobile health caravans in all of the very rural areas; point of care testing at all the district health facilities; voluntary testing; counselling and treatment for HIV/AIDS patients; a First World status emergency ambulance service, with an average response time of 30 minutes for 95 per cent of the calls. How many ambulances did we have on the road in 2010? Fifty-two ambulances. In 2001, believe it or not, seven ambulances. [*Desk thumping*]

We were working with a 10-year hospital infrastructure strategy and also accelerating our health education programmes. The Minister of Foreign Affairs, Member for Tabaquite, will know that we have received international recognition for the Port of Spain Declaration on Non-Communicable Diseases. There is going to be a high level conference on non-communicable diseases on the UN agenda in 2011, and that was in fact piloted and promoted under the PNM administration.

Dr. Rambachan: [*Inaudible*]

Mrs. P. Gopee-Scoon: Thank you, Member for Tabaquite. Then, of course, we joined a lot of First World countries in ensuring that—we have successfully passed and implemented the Tobacco Control Act as well. A very serious piece of legislation. We were working on all sorts of things in the future: workplace wellness, smoking cessation, violence and injury prevention and control, and a strengthened school health programme.

With regard to the school health programme, Mr. Speaker—I am not sure that I could put my hands on it, but I would have liked to detail a bit of that. I am going to find it in the course of my contribution. We were also working on our human resource development programme, as well as attracting and trying our best to retain local talent and continually training local professionals. Whilst we could not, in fact, fill all the vacancies with regard to nurses and doctors, countries like St. Vincent and Cuba—St. Vincent would you believe?—were able to supply us with doctors in the first instance. In the case of St. Vincent, nurses. A number of nurses were, in fact, able to help us. [*Interruption*]

Dr. Rambachan: Would you permit me a question?

Mrs. P. Gopee-Scoon: No. Let me finish and then you could respond.

Dr. Rambachan: I want to ask you a very important question.

Mrs. P. Gopee-Scoon: We introduced a performance measurement system to ensure that our IT development was top-notch. In fact, we spent something like \$65 million on IT. We invested in computer hardware and software for the sector to ensure that there is in fact a modern delivery of health care. We continually had new ideas and compared with the other side, if you read their manifesto, not a word on health care.

We, in fact, introduced the e-health card. Believe it or not, it was first piloted in the Siparia District Health Facility and a full roll-out would have been completed by 2011. This card gives users access to a secure online system containing patient demographics, accounting information and medical records, with many other services to follow by the complete roll-out. As I have said, our National Health Service Policy had been approved by Cabinet. It is a service to complement the existing public health service to ensure that quality health care for all citizens of Trinidad and Tobago, public or private providers of their choice, are well taken care of.

Mr. Speaker, as the former Minister of Foreign Affairs, I must add that all over the world—I am sure the Member for Tabaquite will agree with me—the health care issue is an urgent one. Same problems: very overburdened, very archaic systems, struggling, failing to cope with aging populations, a more demanding population than ever, and an ever growing variety of diseases. In fact, you know that President Barack Obama has his challenges in moving towards a public health care system. Maybe he should have looked at the health care system in Trinidad and Tobago

6.20 p.m.

In closing, I want to speak about this Government and its foot-in-mouth disease. They seem to have a chronic case of foot-in-mouth disease and should be cautioned as to how and when things are said.

I refer to the statement by the hon. Kamla Persad-Bissessar, the Prime Minister of Trinidad and Tobago, at the UN high-level plenary meeting at the 65th Session of the General Assembly of the United Nations on the Millennium Development Goals. That is the same one at which the Prime Minister spoke about her Government having a ministry of the people. In our time, all our ministries were ministries of the people.

That is the one at which the Prime Minister also said that she had the opportunity to serve as Minister of Education and introduced secondary education for all. We know that is a fallacy. That is completely untrue.

I want to quote here that in that speech it was stated:

Since my Government assumed office in May of this year, we have launched a Children's Life Fund.

It has not even been legislated upon and here the Prime Minister is trotting the globe already and talking about the launch of a Children's Life Fund—another cart before the horse situation, constant politicking, constant public relations. That is the same speech in which the hon. Prime Minister said that there were many things that divide us—race, religion, old grudges, territorial disputes—but the one thing that should unite us in the world community is our resolve to be our neighbours' keepers in the face of natural disasters and other humanitarian crises.

This was lip service and I would like to think when the Prime Minister speaks she speaks on behalf of all of us in this country and not just giving lip service to this whole question of how we treat our neighbours. I am terribly ashamed of the statement which was just one of lip service.

Mr. Roberts: Are you aware—

Mrs. P. Gopee-Scoon: I guess the next speaker is on the floor. I end my contribution to this debate.

The Minister of Sport and Youth Affairs (Hon. Anil Roberts): Thank you, Mr. Speaker. I must say that my energy level may be a little low because I am quite

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disappointed. Coming from a sporting background, you go through stages in life and would like to achieve greatness and move on to the highest levels and so on.

Growing up in a family of lawyers—mother, father and two others—debate was a serious thing. You sat on the porch and if you did not come with your facts, you did not research, you did not remember last week's debate, you would be summarily dismissed as being incompetent and not being prepared. Then moving to radio and television, interviewing and debating, I looked forward to coming to this Parliament, the highest level of debate in Trinidad and Tobago and, my goodness, I found Point Fortin. [*Laughter*]

It is remarkable that this—and it was on Channel 11 at which the Member for Point Fortin likes to look and about which she complained that she did not see herself—I wait for your investigation, Sir.

Imagine that the children are looking and the Member for Point Fortin is debating and regurgitating, on Friday, November 12, exactly what Minister Jerry Narace said in the Senate on February 9, 2009. For example:

The Ministry of Health has constantly increased the allocation of funds to the Medical Aid Committee and that all the money went missing. It moved from \$445,000 in 1995 to \$2.6 million in 2001. Do you know what they have allocated this year, Mr. Speaker, \$42.5 million? We went to the Faculty of Medicine and the UWI Telehealth and the National Health Care.

Member for Point Fortin, please.

Mrs. Gopee-Scoon: That was research.

Hon. A. Roberts: She calls it research. In journalism, they may call it plagiarism. [*Desk thumping*] I would not spend much time on that.

I spy with my little eye that the PNM Benches are floundering. There is no leader on that side. B side has no leader. Twelfth man has gone to bring water and they are left floundering just like their debate.

Let me deal with the Member for Point Fortin quickly. It will only take two minutes. It will be a good two minutes though.

You tell our Minister of Health—I commend the Minister of Health for coming to the Lower House—[*Interruption*] Member for Port of Spain North, I will deal with you just now. “You just come”. Behave. You are a school teacher, have some discipline.

The Member for Point Fortin said that our Minister of Health should be careful about being apolitical—do not get political. This is from a woman who was in the Cabinet of Trinidad and Tobago when \$45 million in scholarships went out from the Ministry of Community Development, Culture and Gender Affairs and we do not know who got and when we did find out, it was only PNM MPs, councillors, fathers, “nen-nen”, cousin. She now has the audacity to stand here—you have to leave; you gone already? Look at that! Oh my goodness! Member for Point Fortin, come on! I think you have gone to look for the Point Fortin Hospital. When you find it, come back.

Talking about transparency and being apolitical and not politicizing; the PNM saying that? Please, Mr. Speaker. I really was excited to come to try to impress you because over the years I have seen you with your research, your verve, your passion and your debating skills on the fly and I thought I would come and emulate you; but they are left wanting. It is like Usain Bolt running against Laventille West.

The Member for Point Fortin also said that \$42,500 a month is high and that we must reduce that because those people at that salary should have insurance. Again, the PNM has missed the whole point. A child is a child, is a child. If they are unfortunate to be born with a defect that could cost their lives, it does not matter whether their parents are rich or poor. They are citizens of the Republic of Trinidad and Tobago and with oil and gas, the number one priority should be to take care of our children. Please do not come here and talk about lowering the rate. There is no price on a child's life and that is what they cannot understand.

The Member for Point Fortin went on to say clearly that the People's Partnership is just ticking off promises. We are just doing things and ticking them off. That is what we are supposed to do. It upsets me that she does not understand that as leaders, put in positions of responsibility, that is what you are supposed to do. You tell people that you are going to do a Children's Life Fund to save children's life, do it.

I now understand why they are on that side. Their objective was to tell people things and not tick “nutten”. You did that successfully for nine years and \$300 billion.

Let us move on to the Member for Diego Martin Central, from whom I expected more. I understood the Member for Point Fortin because all the Member talked about was the Prime Minister's shoes and dress. I expected a learned doctor

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to contribute on a serious Bill, the Children's Life Fund Bill. I was really looking forward to some serious suggestions from him that we could have taken on board to make the Bill much tighter. *[Interruption]*

You are looking for “ting”. Do not open your mouth too much, Member for Port of Spain North. Where is Gary Hunt? He made that dress for you?

I listened to the first 45 minutes of the Member for Diego Martin Central, Dr. Amery Browne, because I wanted to make sure that you all know that he is a doctor, so he should be one to advise and be listened to. However, all the Member could talk about was that the Member for Caroni Central was in the newspaper and on TV. This kind of “tabanca” for media; if he wants to be on TV, I am looking for a host for Spalk since I moved on, he can take that work. It looks like this is political “tabanca”. He used the term “public relations” 28 times in one hour and 15 minutes.

Let me also tell the Member for Diego Martin Central, who is not here, that being poor or not having material means is not a sin. It is not something disgraceful or bad; something to be ashamed of. So if someone is asking for help and gets help with a TT Card, or for surgery for their child, or gets a loan to fix their house to put their toilet inside, that is nothing to be ashamed of.

Mrs. Mc Intosh: We never said so.

Hon. A. Roberts: We never said so. Listen to your people when they are talking instead of talking too much. The Member for Diego Martin Central said that. He said that what the Minister was doing was pure public relations and embarrassing people because when people saw them accepting a TT Card, they would be ridiculed and made fun of. Fun about what? That was the attitude that the PNM government had that allowed them to look at a dying child and say: “You are only getting \$60,000. Your surgery costs \$1.3 million, but our policy is that you get \$60,000.” That is the attitude. He said it here today and it did not even faze any of you it was a ridiculous, heartless statement. There is nothing wrong with being of little means.

Then the Member for Diego Martin Central went on to say that this Government leapfrogged this irrelevant Bill. How can a Bill that is going to save the lives of children, even one life, ever be described as irrelevant? It is clearly that children are irrelevant; “duncey” head, Form 1 children according to the Leader of the Opposition. We do not even know which one is the leader. None of them is here. Who is the leader now? You?

6.35 p.m.

The Member for Diego Martin Central—a doctor, in this House, when we are bringing a Bill to save children's lives—has the audacity to say that it is an irrelevant Bill, and we only leapfrog it to be in the papers to say that we do something. I must take that seriously and debate that? I am very sorry. I am really upset at the level inside here. I think a high school debate put on by the Rotary Club is better than this.

He then went on to attack the Prime Minister, poor Prime Minister, and said that she was going all over the place and that she was running away. "If is one man who know 'bout how tuh run away, is Diego Martin Central. Dey call election for Diego Martin local government." The PNM has three seats. "He run away tuh Europe an all yuh loss all the corporations, so he know 'bout run away. He could talk he is ah expert."

Now, let us move on. "Ah finish wid dem." Let us get on to the substantive matter. It gives me great pleasure to stand here and contribute to the Children's Life Fund Bill, 2010, because no matter what you do in your life—I represented my country in swimming, and the first time I put on that red, white, and black tracksuit and the feeling I got, whether I got a gold medal and heard the National Anthem, the first time I went to play on the National Team in football, or as a coach getting George Bovell to get up on that podium with his red, white and black, the feeling that I got, did not compare to the feeling that I got when my daughter Rebecca was born and I was in the maternity ward in the delivery room and then my son one year later. That feeling cannot be compared to anything else; whether it is Olympic medal, winning and beating a former Minister of Finance in D'Abadie/O'Meara when it was a safe seat, or being chosen by the Prime Minister to be Minister of Sport and Youth Affairs. Nothing beats that moment when your child was born and you witnessed it with your eyes. Do you know what made it great? "As she come out, meh daughter, first-born, yuh check de fingers, yuh check de toes. Yuh look tuh de nurse and yuh look tuh de doctor for dat signal to say a okay." That feeling is the greatest thing on this earth.

But, unfortunately some people do not get that feeling. Some people see a nurse's face or a doctor's face and they see worry. They see immediately that the child is taken away and put in an incubator and then "dey start getting bad news on top ah bad news" that their child was born with a congenital heart defect, or some sort of disease that requires surgery and they have no money, or they require millions of dollars for surgery and health care and what can they do? Now they

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can do something. Before they would go to the PNM government, the former regime and say: “please help me.” All they would say, the former Minister of Health, “Yuh could get \$60,000. The surgery cost \$1.3 million. Yuh could get \$60,000. That is our limit. That is our policy.” That is a policy? How can you have a policy on life? Just think about it for a mere moment and then link it to the Member for Diego Martin Central saying that this is an irrelevant Bill.

I commend the hon. Prime Minister, because this is her brainchild. She said so, from the onset. The reason that it is critical—the Prime Minister would have loved to lay this in Parliament much sooner, but obviously the Minister of Health and her legal team had to go through the process to make sure that we make a Bill that can stand scrutiny and do the process in an open and transparent manner, with 33 clauses, but the Prime Minister, from the onset, when she walks around and hugs children “is not no PR” like the Member for San Fernando East. “Every child he touch ended up in de hospital when I was on de radio. Touch de child, next thing yuh know is diarrrohea and vomiting, no joke. Is true, on de radio, ah telling yuh, fact. When he holding de child yuh could see like he never hold he own children. He holding dem like he go break dem.” When the Prime Minister sees children, you could see the real love and real care, and that is why this Bill is coming here.

The Prime Minister stated, on September 29, 2010, right here in this House, that the future of our country is inescapably tied to the good health and well-being of our children. Children are our most precious resources and our very best hope for a successful and prosperous future. Before that, she addressed the United Nations General Assembly. She stated:

“It is our belief”—said our Prime Minister—“that children must not die in the dawn of life in my country or any other country, because they cannot afford health care. Health care is a basic right in Trinidad and Tobago.”

Member for Port of Spain North/St. Ann's West, you were giving crosstalk about Maurisa Ramlal and said that was an act of God, no it was not, because God gives us the tools and intellect to be able to help ourselves to provide surgery to try to help. The denial of that scientific technology and the denial of that child, because of lack of funding was not an act of God. It was an act of insanity and inhumanity. “When yuh giving crosstalk doh do dat because we does listen carefully. I does give good crosstalk not ridiculous crosstalk like that.” That was not an act of God. The act of God was that the child was born with a defect. Not giving money—[*Interruption*]

Mrs. Mc Intosh: Extenuating circumstances.

Hon. A. Roberts: Extenuating circumstances? You are now going to embarrass yourself. You want to go further? Stand and ask me.

Moving right along, the Prime Minister not only said that this is the flagship Bill, because this Bill is more than just a Bill to provide health care to children and lifesaving surgery, this Bill epitomizes the policy, vision and governance of the People's Partnership Government. This Bill signifies that we are not about big buildings, Calder Hart, Uthara Rao, Devant Ramlal, Ken Julien and billions of waste. What we are here about is helping people, because one life saved here means more than all "dem tall useless building all yuh build over dem nine years."

Not only that, the Prime Minister and these Ministers, parliamentary secretaries, Members of Parliament and everybody, put their money where their mouth is. Everybody took a cut of 5 per cent. The Prime Minister took a bigger cut of 10 per cent in her salary. Already, as of now, there is over \$300,000 waiting to go in the Life Fund. What did you all do from 2002 to November 2006? You raised your own salary three times. While underperforming and allowing people to raid the Treasury, you all went to the Cabinet and raised your own salary. Furthermore, "what yuh do is take out 8 per cent of yuh salary and put in Balisier House." Balisier House and political machinery is more important than children. Here it is, we took out 5 per cent to give to children to save their lives and you all took out 8 per cent to put in Balisier House. That is why you will remain on that side and we will remain on this side.

They said that they had a plan. The PNM plan was neglect from 2001 to May 24, 2010. Here it is, we are bringing a Bill that, while we understand the Minister of Health and the Cabinet and the Minister of Finance, will do everything to ensure that nearly every surgery possible will be undertaken in Trinidad and Tobago by 2014/2015, and in the meantime we have to put in a short-term/medium-term measure to save children who our doctors are unable to save locally. While we localize it and prepare our hospitals and even one in Point Fortin, that the PNM refused to build, we prepare our doctors and nurses to do a wider range of surgeries right here. We have put something in place that no child must die because of that.

This Bill shows the priorities of the People's Partnership Government, but you sat in Cabinet, some of you. The ones who sat in Cabinet are not even here. "Dey doh even care to respect the Parliament." They are outside more than inside, but that is alright. "Dey go watch it on Channel 11, because now I talking after the

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Member for Point Fortin, so if they cut you they cut me too, so no big thing. You sat in Cabinet and approved salary increases three times, while children were dying. You sat in Cabinet and approved Calder Hart to be on 10 state boards and children were dying. You all sat there and went to Cabinet and put a note from the Office of the Prime Minister, through UDeCott, to build a palace, and “ah” ugly thing I must say—I pity my Prime Minister for having to stay there really and truly—at \$255 million. You all sat in Cabinet and said: “Yes massa go ahead. Let de children get \$60,000 who dying, but massa you want \$255 million, go ahead. You want \$3 million for drapes? Go ahead massa, but do not tap our phones, please, because we are allowing you to buy \$3 million drapes while children are dying.” A \$1million grand piano—he cannot play the piano. You all sat in Cabinet and approved that and you are now coming to talk about the Bill, health and that you did this and you did that. You did nothing, so please do not come to fool people. We remember. We are moving forward to take care of our children first and everybody else after. Our priority is children. That is number one; very simple. Any mother or father knows that.

You also sat in Cabinet, the former Minister of Sport and Youth Affairs brought a Cabinet Note to increase funding to \$800 million extra for Tarouba. You said yes. You did not know. You have to learn to listen. You were not there. They sat and said: “No, problem, \$800 million extra for a stadium that was supposed to have cost \$272 million, but let children die. Dey only give people children \$60,000.” No, more, you all would not bend on that, but \$800 million extra for a stadium that “eh even open yet and de ball rattin.” The Member for Diego North East came to the Cabinet and got \$74 million; \$42 million to buy the *Su* and another \$30-something million to fix it. “It eh float one day yet and you all approved that, but \$60,000 for people dying; little babies and children?” And you have the audacity to stand there and comment? Where is the *Su*? How many children? That is 74 children’s lives on dry dock. “It eh even taste salt water, except when de breeze blow.”

You all sat there and spent \$2.3 billion on two summits and you are criticizing the Prime Minister for flying to address the United Nations and for flying to address Caricom and Harvard University? You spent \$2.3 billion for the Member for Point Fortin to drape herself all over President Obama. Do you know how many children’s lives could have been saved with that money? “Not one investment, not one show of interest, nothing coming out of it, \$120 million to rent two ships to park up, so dey could go and eat free food and you are telling us that this Bill is irrelevant?” They spent \$1 million for the Queen of Spain to come visit “Treeneedad e Tobaago.” “I went World Cup and meet she and sit down

right dey. I eh spend nothing. One million dollars! That is one child's life. You sat in Cabinet and approved that for the Queen of Spain to come here. You spent \$1 billion for Napa/Sapa, de thing eh no use. De floor mashing up. Al Gore trip and fall dong on de stage." It could have been an international incident "ah billion dollars and talking about yuh have people at heart? Well ah go just run through de rest, \$2.2 million for the eye in the sky dat blind", because the Member for San Fernando East was always planning to spy from early. He buy dat since 2003."

6.50 p.m.

"Mr. Speaker, \$3 million, when you were trying to get people to vote for you yuh invited all de teachers, de club presidents and de principals to the palace; \$3 million on strimps and scotch, but \$60,000 for a child who is dying. I go beat this until all yuh understand what you all did; \$60,000. People crying and begging for their children; \$60,000, you say, 'No more'. Jerry Narace, former Minister of Health, have a elevator in he house in Fed Park costing probably \$500,000, but \$60,000 for a child life. And you all have the audacity to come here and talk about governance?"

Jerry Narace, the former Minister of Health, who you just quoted verbatim, as if you "come" to make a presentation in this House; the very said Minister of Health who, in this day and age, has a helper working by him dress up in a maid uniform like in plantation days. "I thought slavery done; massa day done. Dat is why all yuh will stay over there and we will stay right here." [*Desk thumping*]

"A \$2 million flag; dat is two children life; \$1.1 million for red lights to circle the stadium, another child life. You approved all this in Cabinet, but could not change the ceiling above \$60,000 for a child to get surgery? Dat is why none of dem could sit down here. [*Interruption*] You wasn't in no Cabinet; you still not in Cabinet and you will never get in Cabinet unless you go in de kitchen, so cool yourself." [*Laughter*] [*Desk thumping*]

Mr. Speaker, \$300 billion in eight years, yet Satesh Deonarine died in December 2007 because of a lack of funding from the caring PNM government. Marissa Ramlal died in November 2008 because of a lack of funding from the caring PNM government. "Amy Annamunthodo dead", and the list goes on and on and on. I will not keep going over it, because I might cry in the Parliament, but you all know it.

Then we had the Hannah Lendore situation. "I on de radio, I read a little newspaper report and I go and talk about it. Hannah Lendore required \$1.2

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million for a lifesaving liver transplant. So we talk on de radio, nothing happened; she start to get desperate, doctors calling me, I talk again, pong for about two hours. Then other radio talk show hosts like Marcia Henville and Harvey Borris start to pick it up. Mother Randoo calls in and starts de ball rolling saying, 'Anil, forget calling dat PNM government, dey deaf'; Mother Randoo, imagine dat. "She say forget all yuh because all yuh not listening, because I was begging all yuh to do something, but none ah all yuh was listening; yuh was approving \$3 million drapes and eating strimps, right, guzzling whiskey, blue, red, green, all kinda colour; traffic light of scotch; Louis Trez, showing off in de papers, San Fernando East, 'Hey, look I have a Louis Trez'; doh even understand dat if a man give him dat, dat cost more than \$15,000. For integrity in public life, you are supposed to let everybody know any gift above \$2,000. Yuh suppose to declare it; he eh declare dat, but doh worry."

"So while you all drinking Louis Trez, I begging for this little girl, Hannah Lendore. But then Mother Randoo said she having a march with the Baptists and she is going to ask people to put a little money, and dat started it off. Then all de public servants start to send money; people start to send money. All de radio talk shows take it up and the people of Trinidad and Tobago raise \$1.3 million, and all you put is \$60,000. And you know the hurtful ting? You know where Hannah Lendore living? Sea Lots, a PNM stronghold that has never budged for the entire history of Trinidad and Tobago politics. They never budged; dey still eh go budge. But no, 'Act of God, leh she dead'; \$60,000. Dat is what all yuh about; yuh have no shame, \$60,000. And de whole population got together, even Inshan Ishmael, and raised dat money."

I commend "de" people of Trinidad and Tobago for that effort; it was fantastic, but with the Children's Life Fund Bill 2010, they do not have to do that any more. Taxpayers' money belongs to the people, and if children need surgery, they will get their surgery. [*Desk thumping*]

Since we already have the former Minister of Health, Jerry Narace, in the Parliament by his words from the Member for Point Fortin, let me also just read one more for you as we welcome Jerry Narace. Where is he? "Look him dey; Jerry yuh looking different; same amount of make-up, but a little different." [*Laughter*]

This is a letter from the mother of Ishana Faith Beharrysingh. This lady is a public servant working in the Ministry of Sport and Youth Affairs:

"On the 31st of July 2009 we were told by the Paediatric Cardiology Department, Mt Hope that our eight days old daughter had to undergo cardiac

surgery and that she was being kept alive by a drug. She was diagnosed as having coarctation of the aorta. It was an emergency case in every sense of the word and the baby had to leave the country immediately to undergo cardiac surgery at Jackson Memorial Hospital, Miami.

Letter dated the 31st July 2009 was sent to then Minister of Health...”—for those of you who do not remember, Jerry Narace, PNM Minister of Health—“appealing for urgent funding. We did not receive a response until December 2009.”

Understand this so when you all want to get up like Diego Martin Central and talk about arrogance and pompous, a child is dying, you get a letter in July, “yuh doh” even respond until December?

The letter continued:

“The Social Work Department after much pleading released TT 63,000.00...”—this was one of the lucky ones, ‘she get \$3,000 lagniappe’—“to offset the costs of US 60,000.00 US.”

“Mr. Speaker, that is \$380,000 you all caring PNM government give de people eight-day-old baby—well, by the time you responded, it was four-months-old; lucky de baby survived to four months; \$63,000 TT. This is a public servant; somebody serving de country right through, carrying on governance, carrying on the machinery of government, this is how you treat public servants.”

The letter continued:

“It is clear that there were no systems in place to facilitate emergency cases, where moneys of the aforementioned sum had to be paid in the matter of two days to foreign Hospitals. If my family and I could not have raised the money...”—by selling everything we own—“my baby would have been dead. The money had to be paid in full to International Kids Fund, Jacksons, Miami (IKF) as US 60,000.00 was a discounted price...”

The child has to be monitored until she reaches the age of a teenager. Following the surgery she had to undergo catheterization, which took place in April, 2010.”—all yuh was still in power then, because Pena told him to call election on May 24. I thank her—“Again we made appeals to the then Minister...”—who is the then Minister? Jerry “elevator” Narace—“for assistance as this second procedure costed US 15,000.00. IKF gave the financial clearance to go ahead with the procedure. We still have a debt of US 10,000 to IKF and are still appealing to the Ministry of Health to cover the cost of US 10,000 and IKF will cover the other US 5,000.00”

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“Under the Children's Life Fund Bill 2010 of the People's Partnership Government, de child will get de money to live.” [*Desk thumping*]

She concluded:

“We cannot bear the financial burden by ourselves we need the intervention of the State as we are still in debt. Through the Children's Life Fund parents can feel a sense of hope that they can enjoy normal lives and access the medical treatment needed to keep their children alive.”

“And this is an irrelevant Bill; this is for PR and show and gallery? They do not understand that most of us here have been there, done dat; we already on television, radio and all kinda newspapers. Those things do not interest us. While you all are so impressed with it, the two people who contribute over there today, all they could talk about was PR, PR, TV, TV, picture, because that is what you all are about; taking picture, letting Calder Hart, Rao, Ramlal, Julien run away with de people money and looking good, taking picture, eating strimps and cuffing down scotch. On this side, we do not need no picture. Ah go send de cameraman by you.” [*Interruption*]

You still talking after all that. You are a glutton for punishment; anyway.

“Lemme go now to my learned friend, the Member for Caroni East, Dr. Tim Gopeesingh.” On Friday, December 12, 2008 I was not in the Parliament, but I sort of felt I was, because I used to watch that Channel 11 all the time. I used to see you too Point Fortin; you were not saying much then, but now you have to talk on every topic because your numbers have kind of dwindled.

The Member for Caroni East said, as he presented a Motion, and I quote:

“Mr. Speaker, the Motion standing in my name and which I am privileged to be able to bring to Parliament today with your permission, is the failure of the Government to provide adequate resources for the support of children in need of specialized, surgical, medical care which is not provided in Trinidad and Tobago. This was sent as early as November 12...”

So here he is on December 12 bringing the Motion, but he laid it on November 12—“almost a month ago” said the Member for Caroni East.

“...and at the end of the first week when this was due, the hon. Minister of Health...”—who was “Jerry Narace, elevator Narace”—“indicated that he was not going to be here and he sent a message through my colleague, the Member for Oropouche East, which we accepted.”—see him there, our learned Leader of Government Business—“Then he”—the former Minister, who is? Jerry, you all

sing along too, elevator Narace—“met me in the tea room subsequently and indicated that he would like to have it deferred for a week.” Caroni East said, “...of course, on the understanding that I am sure he will be here when we want to raise it. That was two weeks later.

Then last week when we were going to raise it, the hon. Minister of Health”—who was Jerry elevator Narace—“was not here, and today, the hon. Minister of Health was in Parliament for the joint select committee meetings and I find it very strange that the hon. Minister of Health...”—was not in the Chamber that afternoon.

So the Minister of Health on something critical, a question coming to save children's lives, it was delayed for a month, another two weeks, and even when it was brought to the House, the former Minister was right in “dat” room out there, but could not see it fit to come and sit to discuss children's lives. And you all have the audacity to come here and talk anything?

Dr. Gopeesingh continued:

“...I feel that he holds the Parliament in contempt by not being present to respond to very important issues facing the health sector, particularly the children, and we had a large Children Bill and so many things were debated on it.”

And this is you talking now about what you did for children and the Children's Bill?

“I raise this in the context of what was happening nationally particularly to children and other people who are unable to afford the type of health care they need. The first one that was of national importance was the Marissa Ramlal's case, I believe. That was the young child who had biliary atresia, which is the absence of the bile duct and, therefore, the liver becomes damaged and she needed to have surgery to reconnect the liver to the bowel area.

The Minister of Health was asked, and he said that he was only going to give \$60,000 because that is the maximum amount that they are allowed to give.”

—under the policy of the then government.

I have to pause, because although I read this quite a few times, reading it aloud I hear even in a different manner.

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“You all serious?” Are you all really serious, “people children”?

Hon. Member: Very serious.

Hon. A. Roberts: You keep talking. You go ahead.

So eventually on February 5, 2009, former Minister of Health, Jerry “the elevator” Narace, finally responded. Remember it was quite November 12, 2008, right, and it was put in a month before that. He finally responded, but “hear the problem now.” Jerry Narace stated, and this is *Hansard* and I quote:

The expenditure on children has increased from \$886,847 in 2007 to 2 million as of October 31, 2008.

So you see, Point Fortin, when you are reading from a man’s speech, “doh come in de Parliament” and try to mislead. You used gross figures of 42.5 million which was for all parents and adults and anybody and everybody. “We dealing with the Children’s Life Fund Bill, 2010 and on children, your loving, caring, sweet, passionate government, in 2007 spent 886 measly dollars, 847.” Less than a million dollars on children’s lives you all spent in 2007 when the price of a barrel “ah” oil was \$140, when gas was up at \$13.65 per MMBTU.

So please, I know as a mom—and I know your children, lovely children—you could never accept that. So how did you accept it in the Cabinet? You did not open “yuh” mouth? Today “yuh” talking. You were quiet in Cabinet because Big Brother was tapping your phone? No. We will talk. We will argue because the Prime Minister has put independent-minded thinkers “who not hungry here so we doh need nutten, [*Desk thumping*] we come to serve and we goin’ to argue” [*Desk thumping*] and that is what will protect us from being over there and doing “this kind a” senseless nonsense.

So that meant in 2007, they also—Jerry “the elevator” Narace said in 2007—now “dah” is \$886,000 you thought well at least we save one life, not so? Because a child could have been saved for that surgery, at least we “woulda” saved one life. You know what he went on to say? That that \$886,847 was spent on 110 children equalling \$8,062.24 per child. Eight thousand cannot even buy a child a nice swinging set and a pack a Pampers. So you all, the PNM caring government—[*Hand tissue handed to Hon. Roberts*] Thank you. “I go sweat because when it come to children I ain’ making no joke wit all yuh, right?” Eight thousand and sixty-two dollars, La Brea, per child. Please tell me—look you have doctors sitting down there—that cannot even pay for you to enter the hospital to “lie dong on de bed” to take Panadol.

Mr. Speaker: Hon. Members, the speaking time of the hon. Member for D'Abadie/O'Meara has expired.

Motion made, That the hon. Member's speaking time be extended by 30 minutes. [*Hon. C. Sharma*]

Question put and agreed to.

Hon. A. Roberts: Thank you very much, Mr. Speaker. Time goes fast when you are making sense. Anyway, then in 2008 Jerry Narace, the honourable Minister of "elevator" and Health said that the PNM government—

Mrs. Mc Intosh: Sir, can I ask a question?

Hon. A. Roberts: "Nah, I have no time for you right now." No thanks. Yes. Now, he went on in 2008 to say, right, that the PNM government increased spending on children from 886,000 to 2 million. Two million now they spent in 2008, but you know how much? That was spent on 148 children. So you know what that works out per child—\$13,513.51 per child; caring PNM government, and I quote now from Jerry "elevator" Narace.

"Hon. Senators the Ministry has expended approximately \$5.6 million for over 200 children seeking local and overseas treatment for fiscal year via the Medical Aid Committee, the UWI Tele-Health Initiative and the National Heart Care..."

"All that she regurgitate earlier", Point Fortin, so 28,000 per child. Here it is that children, through the board, through the functioning of the life fund, no matter what their costs, once they qualified and the doctors on the board approve, their lives will be saved. They will not die due to lack of funding or lack of love or lack of caring because you on that side—so you "cyar kill dem any more". We will save them on this side. [*Desk thumping*] "Now I done with elevator but I ha' to deal with somebody, boy."

Mr. Speaker, you know what a "pomme cythere rasta" is? You ever heard that term, "pomme cythere rasta"? Well "leh mih tell de Parliament what a pomme cythere rasta" is. It is a Rastaman who just wears the hairstyle, "go by the hairdresser and twist it, it looking nice and clean and neat, grease it dong"—[*Interruption*] Could be; "sound like somebody", but a "pomme cythere rasta" is just about fashion, so the hairstyle—because Rastafarianism is a serious religion. It is a serious lifestyle.

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It is where you feel one with the earth; you do not want “no Babylon t’ing. Big buildings and smelter plant and industry, dat is Babylon t’ing. Yuh chanting Haile Selassie I”. Dah is de real Rastafarian; but dey have a “pomme cythere rasta” up in de nex House dey” who clearly does not understand one thing about Rastafarianism. He goes around even on the radio today defending “smelter plant” that will kill children, kill mothers, kill people because “he say it could make ah lil’ bit ah money”; but this Rastafarian, no, sorry, this “pomme cythere rasta”, because Rastafarians are serious people and is “nuff respect to dem, right”, but the “pomme cythere Rastafarian, in a Ria Taitt—Political Editor, she did an article on November 8th, 2010, “Hinds criticises Kamla US trip”. So “pomme cythere rasta” says:

“We are yet to be persuaded that the reasons offered by our Prime Minister to leave Trinidad and Tobago, I think for the sixth or seventh time...”

Mr. Jeffrey: Mr. Speaker, 36(7).

Mr. Speaker: Okay, hon. Member, I would like you to refer to the Member of Parliament as—you cannot refer to him as a “pomme cythere rasta”. [*Laughter*] He is a Senator in the other place and the rules are very clear that you refer to other Members by their titles. So I would like you to refer to him as Sen. Hinds [*Desk thumping*] rather than “pomme cythere Hinds”. Please? Please?

Hon. A. Roberts: Mr. Speaker, I humbly apologize for referring to this hon. Senator as “pomme cythere rasta” [*Laughter*] and I shall refrain from doing such and I throw myself on your mercy to please forgive me. The person in the other House, the hon. Senator, said:

“We are yet to be persuaded...”

Anyway, I am not going to quote him. Forget that—I am just going to deal with him, right? So in his statement he said, the Prime Minister is “galavanting” all over leaving the country six or seven times. “We need the Prime Minister here to resolve crime issues.” Well the hon. Senator from that other side had nine years.

Not only was he there, at one time he was supposed to be the junior—the Minister in the Ministry of National Security but then he did not want to go under Howard Chin Lee so he step out for a bit and then he took another position, you know, he was just flip-flopping, but for nine years \$300 billion—\$30 billion in National Security, murders in 2002 were 160 and under his watch and his

government's watch it went up to 558 and is now coming down, slightly, but "it coming down" and it will come down further, and this gentleman is saying, after nine years, \$300 billion, that the Prime Minister must stay here to fight crime.

I would tell him, hon. Senator, the Prime Minister has a team of totally competent people, [*Desk thumping*] all respected, all qualified to handle "de country business". It is not like the former Member for San Fernando East who went in search of, "Yes massa; whatever you say massa; a million dollars for strimps, massa, yes massa, you go ahead; it is very nice, massa; you do what you want, massa? Children dying, you go ahead, massa. Calder Hart on ten boards—yes massa. He in Uff Enquiry, money disappearing—yes massa. You go massa. That is what he search for."

This Prime Minister is so confident in herself and her ability, she put people of "all kind of" experience, expertise, of means who have opinions, who are not afraid to voice them because she knows that the people's job is a major job as we welcome back the B team into the House. Welcome back. It is nice to see you all. So the honourable one also said, right, that when that nine years was going on and "murders running rampant", this Senator is saying the Prime Minister must stay here and fight crime, but his Prime Minister, when a little child was bludgeoned to death in "Lavantie" and the whole country was mourning, got up in a PNM convention and said, "All yuh doh worry with dat, you know. They have more to dat story."

You see the difference? That is why you all will remain there because there is no other story when a child is murdered. All it is is a sad, sad story, no more story; "but da' why San Fernando East dey." Then, his government, murder rate "going out a whack, every year is a world record, from 160 to 250 to 310 to 420 to 540 to 558; and Martin Joseph remain and San Fernando East refuse to move Martin Joseph", would not try anything else as citizens were dying and that person, that Senator from the other side, has the audacity to attack the Prime Minister and say, "Stay home to fight crime"? Furthermore, it was 2005 when Keith Noel was murdered.

The Keith Noel 136 Committee was formed by the hon. Member for Chaguanas East and he organized the death march. One week before the death march, a Member of Parliament and a Minister's nephew was murdered, his head was cut off, and all on that side refused to join the 25,000 citizens as they walked to say to not only the government and the authorities, to say to the people, "Let us take back our country." "They start to call it death march. Dey say because ah de

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name dey cyar go”; and as I was walking down to the death march, “Peep peep”, pulls up a black vehicle, somebody winds down the window, back then.
[*Interruption*]

Who it was? The hon. Member—I cannot say “pomme cythere rasta” again, Speaker? No. Well the hon. Member “from up dey”, ‘Anil, ah want to talk to you.’ Ah say, ‘Well if you want to talk to me, come. I am going down to Brian Lara Promenade to walk in the death march. We will have two hours to walk and talk together.’” This man who is saying the Prime Minister must come and fight crime sat there are told me—I say, “But brother, your colleague’s nephew was murdered. Come and walk. Let us go. This crime t’ing let us fight it.” “Boy no, no, no! Come in nah! I cyar let dem see mih”; and he talking about coming out to fight crime? I beg to differ. I wish I was up in “dat House with all yuh Senators you know”, Minister of Health. So let him give my Prime Minister a rest.

He then says she has to stay here. “The Prime Minister must stay here to resolve the economy because she has to get it going”, but \$300 billion spent in eight years and public servants, especially those in Hilton Hotel, still operating on 2002 salaries while we all went through a gas and oil boom, you never negotiated, never gave the public servants anything and you are saying that we have to fix the economy? We will fix it because we have a Minister of Finance who understands, [*Desk thumping*] we have people in energy [*Desk thumping*] who know what to do so we will fix it, but you all have us in this spot. So “doh” sit there in any, as my colleagues said, in any pious manner, it is you all. So the hon. Senator from upwards said also that—

Mr. Imbert: Mr. Speaker, Standing Order 36(1). This is absolutely irrelevant to this matter.

7.20 p.m.

Thank you, Mr. Speaker. I see even you would ignore the Member for Diego Martin North/East, arrant nonsense as usual Elias “geh he” money yet? [*Interruption*] The hon. Member from up top says, “the Prime Minister must not be travelling because she has to stay and fix the economy”. Well, we will fix it. Let me tell the honourable House something, let the people march, because people marching is a way of letting their voices be heard and this Government will listen. The people could not march before because the Member for San Fernando East, the wiretapper, the phone tapper, the abuser was holding down people and putting them under fear and infraction.

Mr. Jeffrey: Mr. Speaker, Standing Order 36(7). You cannot refer to the Member for San Fernando East as wiretapper and abuser. That is incorrect.

Mr. Speaker: Member, just refer to the Member as Member for San Fernando East, please. [*Crosstalk*]

Hon. A. Roberts: Sorry, Mr. Speaker, not the wiretapper, phone tapper, but anyway, the Member for San Fernando East had people in such fear that they could not speak, even in Cabinet or out of the Cabinet. People were afraid to come out to march because they would be victimized, and now the people are free—

Mr. Imbert: Mr. Speaker, point of order, Standing Order 36(1). The Member must confine his observations to the subject under discussion. That has nothing to do with the Children's Life Fund Bill.

Mr. Speaker: Link—please! Please! Please! Just link your contribution. I think the Member is saying that it is a point that you need to consider; just link your contribution.

Hon. A. Roberts: Mr. Speaker, it is amazing that he could just come in and understand what is linked and what is not. He was in Cabinet for nine years and did not know that Calder Hart, Ken Julien and himself were linked.

However, this is the Children's Life Fund Bill [*Desk thumping*] and the point I am making here is that the hon. Prime Minister, Kamla Persad-Bissessar, in her policy for her Government and on each trip that she makes abroad, she is proposing her life fund, not only keeping it for Trinidad and Tobago, she has proposed it for Caricom and the world. The OAS is impressed, the UN is impressed. Caricom wants to deal with it, and in this situation a Member from the other House has attacked the Prime Minister, leaving the country to deal with the life fund. I am saying that the Prime Minister went away to deal with the life fund and, therefore, I am clarifying and linking the two together. [*Desk thumping*]

We must also remember that the San Fernando East regime also held and beat, now Sen. David Abdulah and others who were single filed and walking quietly, citizens protesting; he was held, beaten, locked up, kept without food; their shoelaces were taken off and so on, by that regime led by the Member for San Fernando East. This is not the way of the People's Partnership Government. People are free to protest and show their views. This Government would listen, take into account all that is necessary and make positions that are more amenable to all.

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Then the Senator upstairs said, reckless statements were made by the hon. Prime Minister on the hurricane, about the aid. Now, when this hon. Prime Minister is speaking, just as she is speaking about children, that we must take care of our children; while we do it, and we need international help now, we will pay, right now, through the Children's Life Fund, for surgeries that cannot be done locally. But we will also, through the Ministry of Health, the Ministry of Finance and other offices, build the capacity of our local health system so that eventually, all surgeries could be done here, but in the meantime we will localize it. This is the same philosophy as enunciated by the Prime Minister. We will always help our brethren, our brothers in the Caribbean, but what we are saying is we would not help in a superficial manner, like the former regime who gave \$1 million to Haiti and we do not know where it is.

Hon. Member: US \$5 million.

Hon. A. Roberts: US \$5 million to Haiti and we do not know where it is. People are dying of cholera, not a house built and people are starving. Where did that money go?

This People's Partnership Government says they will get US \$5 million help, but it will be, if you need “galvanize” you will get from our local people; you need some bricks, you will get from our local manufacturers; you need some input in technology, construction and project management, our local people will come and help you. That is responsible Government for our people to get the Government going. [*Desk thumping*]

You all would not understand that because your government gave everything to foreigners. Foreigner for traffic plan; crime plan, Mastrofski, water plan; foreigners to build everything; over budget, over cost. You all would not understand that philosophy, but here, we respect our people, we respect our children first and foremost. The other person also continued to say that he was marginally embarrassed that our Prime Minister would accept an award from *Glamour Magazine*.

Sen. Fitzgerald Hinds said he was marginally embarrassed that the Prime Minister of Trinidad and Tobago would accept an award from *Glamour Magazine*, because *Glamour Magazine* is about fashion. What is wrong with fashion? I explained before, real rastas are about religion, but then others who just wear the hairstyle and known as “pommercyythere rasta”, so fashion is fashion. [*Laughter*] He then said that *Glamour Magazine* is about beauty, so the Prime Minister—

Mrs. McIntosh: Speak about the level, look at the level of this discourse in this Parliament.

Mr. Speaker: Could you link your contribution!

Hon. A. Roberts: Yes, so when we are linking—I would link it for you. The hon. Prime Minister went to deliver an address at Harvard University where in the feature address she spoke about her primary objective, which is children; children first, children foremost and children before everything. [*Desk thumping*]

While she was there at Harvard she also went to collect an award from *Glamour Magazine*, and the Senator is taking umbrage with the fact that she took this. *Glamour Magazine* has segments and we would advertise the speech of the Prime Minister, the Children's Life Fund would get wider spread and fame so that people could support and put into the Fund.

The Senator from upstairs said that magazine is about beauty. Well, I could understand his aversion to beauty, because our Prime Minister has it and he just does not. [*Laughter*] Then he said that the magazine was about sex. Well, I do not know if sex is bad, it is sex education; it is safe sex. The Children's Life Fund will be accessible to HIV positive babies who require life-saving surgeries. You like that link “eh”, Mr. Speaker? We are going good so I do not see what is the hang-up about sex? I think that Sen. Fitzgerald Hinds should have taken the advice of the Member for San Fernando East. He should have really taken the advice of the former Prime Minister and Member for San Fernando East when he suggested that we should watch more television. If his parents took that advice we may not have had to listen, we would have been better off. [*Interruption*] The country would have been better off if his parents had taken that advice and watched more television. I am sure it could have been a Curtis Mathis. [*Laughter*]

Hon. Member: A Sylvania.

Hon. A. Roberts: He said also that the Prime Minister should not accept an award from *Glamour Magazine* because it is about make-up. Well, I do not know what the problem is with make-up. All he had to do was to ask the former Minister of Health about how he “does” wear his make-up and everything would have been all right. So what is the problem? Leave the Prime Minister alone. [*Interruption*]

The Senator from upstairs is not embarrassed that his constituents, when he represented them before he was merrily kicked out, had no water, no roads and no sporting facilities and they were suffering under the hands of criminals. That did not bother him, but only—

Mr. Jeffrey: Mr. Speaker, Standing Order 36(1)—

Hon. A. Roberts: Mr. Speaker, just deal with him quickly there. [*Crosstalk*]

Mr. Speaker: Just link your contribution! Just link your contribution!

Hon. A. Roberts: Nice, you want link? So, Sen. Fitzgerald Hinds was not embarrassed that his children in Laventille were suffering; that the children had no water; that the children had no lights to do their homework; that the children had no sporting field to play football. That did not bother him. That did not embarrass him, but he is marginally embarrassed that our Prime Minister got an award. They have no life fund.

He was not embarrassed that his Government only gave children \$60,000. He was not embarrassed with that, but he is embarrassed that our Prime Minister is world renowned and is receiving awards without having to beg for it. He was not embarrassed that his leader, the Member for San Fernando East, had bestowed upon him an honorary doctorate from an unknown college, while our Prime Minister is addressing Harvard. An unknown college gave the Member for San Fernando East an honorary doctorate, and just a few months later somebody comes to be Minister of Finance and we realized that his sister was a power broker in that university. That did not embarrass him? However, he is embarrassed that the Prime Minister got an award. I am shocked! What would the children say about that you got an honorary degree? [*Desk thumping and laughing*]

Mrs. Gopee-Scoon: That is an absolute insult to the Parliament and you all are laughing about that.

Hon. A. Roberts: The Senator was embarrassed that the Prime Minister got an award from *Glamour Magazine*, but he was not—[*Interruption*] Yes, the Prime Minister is meeting with Hillary Clinton and he is marginally embarrassed about that, even though, before he said she was wrong to go because she said she is not going before Parliament called. He was not embarrassed when the former Minister of Foreign Affairs was draping herself all over Obama in a waist hug, that did not embarrass him, but our Prime Minister getting an award marginally embarrassed him. What would the children say?

Then he said that our Prime Minister is called the “karaoke kid”, she goes all over singing. Well, this is the same Senator, who, when he was in local government trying to win and they lost everything, was bad talking Bob Marley on a platform live on radio because we cannot call it singing, and I feel he is just a bit jealous that our Prime Minister could sing Bob Marley better than him. [*Laughter*]

I think I have dealt with the Senator now. [*Interruption*] The children were singing praises when the Prime Minister sang. Now with the Children's Life Fund even the sick children could look with hope as we save their lives.

Mrs. Gopee-Scoon: You are making a mockery of the Parliament.

Hon. A. Roberts: Mockery of the Parliament, you made a mockery of the country by hugging up Mr. Obama like that.

The Children's Life Fund Bill, 2010: Ladies and gentlemen, Mr. Speaker, there are 33 clauses that show transparency, accountability and process and this was done in a mere six months by the Minister of Health, so give her a little knock on the table there. [*Desk thumping*] Nine years and \$300 billion, countless children dead for no good reason while the twelfth—sorry, I wrote that there—whilst the Member for San Fernando East spent all his energy on defending Calder Hart and Ken Julien. Why you did not defend our babies? Why did you not defend our children? Why were you defending Calder Hart, even in the light of overwhelming evidence, why did you not defend our babies?

Mrs. Persad-Bissessar: And the rest of them.

Hon. A. Roberts: The rest of “all yuh”, the Cabinet Members, some were in and some were out. Is this really the philosophy? You told the people, “We love you so we take good care of you, only the PNM has a plan”. Well, let me tell you, only God Almighty has the plan, that is why you are on that side and we are on this side, because no more shall the children suffer under your administration.

As I end, Mr. Speaker, I say to you, great are our nation's children, great are their loving parents, with the Children's Life Fund in place, our nation shall prevail.

Thank you very much.

7.35 p.m.

Mrs. Patricia Mc Intosh (*Port of Spain North/St. Ann's West*): Mr. Speaker, I am thankful for the occasion to be able to make a contribution to today's debate. Before I turn my attention to the Bill under review I should like to thank the hon. Member for Tobago East who, during her tenure as acting Prime Minister, put in place certain arrangements that, indeed, saved the life of one of my young constituents who was critically injured. [*Desk thumping*] I would also like to thank in his absence—because he is not in the House—the hon. Minister of National Security who ensured that threats against the members of a family of my constituency were expeditiously and appropriately dealt with by the relevant authorities. [*Desk thumping*] On behalf of both—

Hon. Member: They will fire “yuh for complimenting the Government, yuh know.”

Mrs. P. Mc Intosh: I give due where it is due. On behalf of the respective families and on my own behalf, I thank the hon. Members.

When I came in this afternoon I was asked to present myself for an interview to speak on abuse and violence against women. I have never been in this situation but I know of women who have been in the situation, so I said my piece, but as I sat here this afternoon, I understand exactly how a woman who is abused feels. That display by the Member for D'Abadie/O'Meara was the most unacceptable decorum, unbecoming for this august Chamber. [*Desk thumping*] That boisterous, discourteous display! Who on this side ever shouted anybody down when they attempted to ask a question? Who did that? I was shouted down like that: “I have no time with you.” Whoever does that? I am shocked at this display of discourtesy! I am appalled! Hon. Members—[*Interruption*] it does not matter if I am new. The same children, hon. Prime Minister, we are talking about, they are listening to us. [*Desk thumping*] How could we tolerate such decorum? Are we expecting our children to emulate this sort of behaviour? I am shocked!

After the Member for D'Abadie/O'Meara decried us; he criticized us; he spoke about the level of our debate. [*Interruption*] I am making my point, Sir. He spoke about the level of the debate, yet he said—and I quote him; it is in the *Hansard*: “a high school debate is better than this”. What is he telling those children in high school? Has he ever been to a high school to see how those children prepare for a debate? Has he ever seen the time, effort and pain those children put into a debate? How could he say that?

Mr. Sharma: What is the point?

Mrs. P. Mc Intosh: I am making a point. Listen and learn. [*Desk thumping*] How could he ever say that? Down crying those children! That is exactly what he is doing. After he said our debate is at a low level, a high school debate is better than this. He compared the children to a lower level of debate, put on by the Rotary Club. Both the Rotary Club and all the children who debate should be insulted by his comment. I am shocked, and his language; his language: “strimps”, and his—you know, terrible! And those very children whom we say we care about, those are the ones who are listening to us. [*Desk thumping*] We need an atmosphere of calm and dignity in this House, Mr. Speaker. We do not need that boisterous display. Certainly our children, if we want them to emulate us, we do not want to project that sort of image. [*Interruption*]

As I turn my attention directly to the Bill, the Children's Life Fund, I would like to refer to the *Guardian* newspaper of October 05, 2010 where the hon. Minister of Health was quoted as saying:

“The Government of Trinidad and Tobago created the Children's Life Fund to provide funding and critical support specifically for children needing life saving, tertiary level health care services.”

She added:

“It is our belief children must not die at the dawn of life in my country or any other country because they cannot afford health care. There must be new arrangements and relationships between countries that have advanced medical technology and those without so children and vulnerable groups of the poorest nations can grow as healthy human beings and achieve their full potential.”

As a natural mother of three children and a surrogate mother of thousands of children during my 33-year tenure in the field of education, this Children's Life Fund Bill that was laid in Parliament on Friday, October 29, 2010, is of particular interest to me, and I do agree with the hon. Minister of Health that we have to produce healthy human beings who can achieve their full potential.

Indeed, from the outset, may I say that the hon. Members on this side are very much in favour of this Bill. When we come here and we put forward our views, hon. Members opposite, and we offer our suggestions, we are doing the job for which we were hired. We are not being conscientious objectors and obstructionists. Why do you all get on as though we are? What are we supposed to do? Is it supposed to be a “yes” Parliament? “Yes, Sir; No, Sir; three bags full, Sir?” That is not our job. We come here to advise.

Mr. Sharma: “Yuh” sounding like a leader.

Mrs. P. Mc Intosh: I am a leader. From the outset, may I say, we are in favour of this Bill. Who would not be? We all either have children of our own or have family and friends who have children and, most importantly, our constituents have children and, by extension, many of our constituents are, indeed, themselves children and there was a time when we were all children, so we do understand the causes of children and we always empathize with children.

As a Member of Parliament—and I could speak for the hon. Members on my side, we are continuously making efforts to assist our children. Recently in my own constituency we staged activities for our youth, for our children to develop

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them. I want to thank the hon. Minister of Arts and Multiculturalism and the hon. Minister of Community Development for the assistance they gave to me to make these events successful, and I am looking forward, indeed—he is absent, but you can tell the hon. Minister of Sport and Youth Affairs, the Member for D'Abadie/O'Meara, I am also looking forward to a contribution from him for a sporting activity for children. We are interested in children, hon. Members, so we can identify with the causes of children, especially with children afflicted with critical illnesses and especially those who are disadvantaged, in urgent need of medical attention for survival and those who cannot afford it.

In these dire circumstances, I do believe that it is indeed incumbent on the State to assume responsibility for providing the necessary financial assistance to those in urgent need of medical care and who cannot afford it.

Mr. Warner: Why did you all not do it?

Mrs. P. Mc Intosh: Therefore, the present Government is to be commended for raising close to a quarter million dollars—even more I heard today—for this Children's Life Fund from monthly deductions: 5 per cent I understand, from the salaries of Ministers and 10 per cent from the salary of the Prime Minister; highly commendable.

Mr. Warner: Nothing from you.

Mrs. P. Mc Intosh: The Prime Minister was quoted as saying in the *Sunday Guardian* of November 07, 2010, that a special Children's Life Fund of \$100 million is the fulfillment of a pledge made during the last general election. She said, and I quote:

“The Fund would be established for meeting the cost of life saving specialist medical treatment and surgery for children.”

Again, I commend the present Government for bringing this Bill to Parliament, but more so I commend them for continuing the rich legacy of health care left by the People's National Movement. Indeed, we can come here and itemize all the cases—and I empathize with those cases that have fallen through the cracks. When we do an audit of your tenure, let us see the cases that will fall through the cracks. You always have cases that fall through cracks, but what you are doing, instead of acknowledging, “Well, you did do so much but there are cases that fell through”, it is as though the PNM did absolutely nothing. This is not true and I cannot stand here and pretend that you are right. You are not right.

This Bill that proposes to render financial assistance to the sick and needy children is by no means a novel idea; it is not novel. The precursor of this

Children's Life Fund would most definitely be the series of social intervention programmes introduced in 2004 by the then Ministry of Health under the PNM administration. You, yourselves, admitted that the Children's Life Fund has not been enacted as yet and children are benefiting from the Medical Aid Fund that was initiated under the PNM. That is what it was there for. [*Desk thumping*]

These social intervention programmes included: the Medical Aid Programme; Surgeries Waiting List Programme; the Radiation Therapy Programme and the Dialysis Programme. I will not go into them. My hon. colleague, the Member for Point Fortin, gave a detail of them. The PNM targeted all these critical areas in health care. Through these programmes, the People's National Movement was able, over the years, to provide specialized—or specialist, as some people say—health care to many citizens, especially children, who were unable to access health care because of their limited financial resources. These programmes sought to complement the services offered to the public by the general hospitals.

In addition, the Ministry of Health, under the administration of the PNM, had over the years partnered with several NGOs in providing financial assistance for children in need of critical medical attention. This aid was directed mainly to children with congenital heart diseases, because so many children are born with defective hearts.

When the Medical Aid Programme was established, the then Minister of Health sought to use this fund to directly assist children in need of surgeries abroad, in most cases funding the total bill. While we can speak about all the cases that I do not know the entire history of; I do not know the extenuating circumstances, we come here and we itemize and dramatize. What about all the cases that the PNM helped? There are people in the public who can come here and stand up and say: “My child was helped; my child was helped; I was helped.” I know several people who were helped. [*Desk thumping*]

We cannot pretend that the PNM did nothing. Many children were able to receive surgeries abroad from this fund. It was felt, however, that using the Medical Aid Fund to assist patients suffering from rare and complex diseases was not entirely practical due to its financial limitations, so a new fund, a Catastrophe Fund, was established to treat such cases in a more sustainable and equitable manner.

This Catastrophe Fund catered to children as well as adults in need of very costly, specialized, health care that was not available in Trinidad and Tobago. This fund was governed by a multi-sectoral board consisting of various

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stakeholders with a mandate for making sure that the fund was viable at all times. Do not say the PNM did not do anything. The sustainability of this fund was also built into the intended—

7.50 p.m.

PROCEDURAL MOTION

The Minister of Housing and the Environment (Hon. Dr. Roodal Moonilal): Mr. Speaker, I beg to move that this House do continue to sit until the completion of the debate on this matter.

Question put and agreed to.

CHILDREN'S LIFE FUND

Mrs. P. Mc Intosh: Thank you, Mr. Speaker. The sustainability of this fund was also built into the intended national health scheme which was supposed to be the new platform for financing health care in Trinidad and Tobago. I can distinctly recall, in my capacity as an ordinary citizen, opening the daily papers and reading about the several deserving cases that benefited from the PNM's benevolence in respect of health care. There can be absolutely no doubt in the minds of the public that the PNM has faithfully facilitated the delivery of health care to the needy, especially to children.

Mr. Speaker, when the UNC government demitted office in 2001, they left an extremely long list of patients, as well as children, awaiting surgeries. It was then left to the People's National Movement to correct this anomaly and ensure that the necessary medical arrangements were put in place to expedite the process and bring relief to the old as well as the young. The PNM never sought to gain political mileage and make a big hurrah over such initiatives of goodwill and support for those in need.

Hon. Member: What!

Mrs. P. Mc Intosh: I could read. I was a member of the public. Such acts of benevolence were considered the duty, the responsibility and the obligation of a caring PNM government.

So, Mr. Speaker, I can safely proclaim, as I stand here in this honourable House, that this Children's Life Fund has its genesis indeed in the PNM's social intervention programme, particularly, the Medical Aid Programme, which is being used right now to fund the cases that we spoke about. [*Desk thumping*] So, do not say the PNM never did anything. If cases fell through the cracks, we accept, but do not stand here and say that nothing was done by the PNM. No, it is unfair!

The fact that this present Government has brought this Bill to be enacted in Parliament is just an endorsement of the rich and the inimitable legacy of health care that was forged by the People's National Movement during its tenure in government. So this is yet another very good reason why we on this side are so happy to support this Bill. I have to say imitation is the best form of flattery, and hon. Members on this side, we do feel flattered and we do graciously accept your compliment by continuing the legacy left by the PNM. [*Desk thumping*]

The hon. Prime Minister continued by saying in her pre-independence address, "I read somewhere recently, poverty being defined as a punishment for a crime that you didn't commit." The Prime Minister felt that the definition was certainly appropriate when applied to the underprivileged children in urgent need of medical care. I am totally in sync with the sentiments expressed by the hon. Prime Minister, having spent most of my life working with children, particularly with children from low income backgrounds to ensure their holistic development into strong citizens, capable of making a meaningful contribution to our society.

Mr. Speaker, if children do not enjoy reasonably good health, it will be virtually impossible for them to develop their true potential. Poor health would surely inhibit them from optimizing the educational and developmental opportunities presented to them. When students stay away from school due to urgent medical problems, they lose very precious learning time which invariably results in poor performance and, more significantly, in negative student outcomes. What is regrettable, is that most of these students cannot afford the requisite specialist medical attention critical for them to regain the quality of health necessary to benefit from the educational opportunities provided for their development. Many of these students drop out of school and face a lifetime of diminished opportunities in terms of employment, in particular, and enjoyment of life in general; diminished opportunities for their development into holistically independent citizens capable of contributing meaningfully to our society.

As a professional who has dedicated her life to the nurturing of the disadvantaged young people, of very humble origin, I am certainly very interested in the Children's Life Fund. One of my concerns is the specific medical criteria for qualification to become a beneficiary of this fund. So far, we have had—I heard the hon. Minister say 11 beneficiaries were funded from the Medical Aid Programme, but their medical problems I have noticed, have been chiefly physical in nature.

Mr. Speaker, my burning question this evening is whether children afflicted by psychological and mental disorders—I would like to ask through your Chair,

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to the hon. Minister—stand to benefit from this fund? During my tenure in education over the past 33 years, from Point Fortin to Port of Spain, I have had occasion to encounter children suffering from mental deficiencies, running the gamut from learning disabilities—gentle—as mild as dyslexia, as acute as autism, to the other end of the spectrum where there were children suffering from mental disorders, such as schizophrenia and bipolar disorder, all of which if left unchecked would undoubtedly inhibit the holistic development of the child.

I have seen students unable to access the appropriate specialist medical treatment for mental disorders due to their parent's inability to pay exorbitant fees and, as a result, literally drop out of school because of their inability to continue with their education. I have seen students, because of their inability to access this specialist attention that would assist them in the learning process, become disenchanted and demoralized. This was especially evident to me as an educator from 1995 to 2001—that is part why I am here—when the then UNC government assumed the reins of power, and all students were promoted into the secondary school system without the proper strategies being implemented to assist those with learning disabilities and mental disorders to survive in a very competitive, highly educational environment. I have seen them drop out of school without learning to read and write, knowing that the prospects of obtaining employment were negligible. I have seen the look of hopelessness in their eyes. I have seen them develop feelings of inadequacy and low self-esteem. I have seen them turn towards a life of crime and become a menace to the society but, most horrifically, during my 33-year career, I have known six students to have committed suicide because of mental disorders.

Mr. Warner: What did you do?

Mrs. P. Mc Intosh: I am appealing to you now, Sir, that is what I am doing.

Mr. Warner: What did the PNM did?

Mrs. P. Mc Intosh: I am appealing to you now, Sir—if you were listening, Sir, I said from 1995 to 2001 it was very evident. When the People's National Movement—take an audit, Sir, you will see—came into government in 2001 recognizing the fallout in the holistic development of the child, they placed particular emphasis on student learning disabilities, students' psychological deficiencies and students' needs. A Student Support Services Department and a Special Education Unit were established to address these deficiencies. These initiatives undertaken by the PNM did make a meaningful impact on improving students' psychological and mental conditions—[*Interruption*]

Dr. Rambachan: Would you allow a question? How many guidance counsellors were appointed by the PNM in the last nine years; and how many schools were without guidance counsellors over the period of nine years between 2001 and 2010?

Mrs. P. Mc Intosh: Hon. Member for Tabaquite, I do not have the exact figures, but I do know and the various schools to which I was attached, nine in all, most of them had guidance officers. Three of them to which I was attached did not have guidance officers. However, we had access to these departments which I just mentioned. The Student Support Services Department, a phone call away, would send their officers. The fact that there were not sufficient guidance officers, hon. Member, that was due to the fact that there were not sufficiently qualified people applying for the jobs. I questioned them. I was concerned about that and there were not sufficient qualified people to be employed as guidance officers. There were many who wished to be in the post, but we did not have qualified people to put into the post.

Dr. Rambachan: Did the PNM government put in effect a programme to develop guidance counsellors?

Mrs. P. Mc Intosh: Yes, they did, because in the schools—I can answer the question because I was in education—many of the PE teachers, especially, went to the University of the West Indies through the Government to be qualified as guidance officers.

Dr. Rambachan: You still did not tell me how many were without guidance officers.

Mrs. P. Mc Intosh: Sir, I do not have that exact information.

Dr. Rambachan: At least 30 per cent of your school—*[Interruption]*

Mrs. P. Mc Intosh: Mr. Speaker, I think I have answered the hon. Member suitably. So these initiatives undertaken by the PNM did make a meaningful impact on improving students' psychological and mental conditions, thereby allowing them to better avail themselves of the educational opportunities presented to them, enabling them to fulfil their true potential. This is what the hon. Minister of Health was speaking about when I first began, enabling children to achieve their true potential

Mr. Speaker, what I am saying is that while there is a real need to address children's physical ailments, there is also an urgent need to address their mental and psychological deficiencies. When we are talking about suicides due to mental disorders, are we not talking about life and death? Should we neglect to do so we

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shall surely be running the risk of only addressing the urgency of saving lives in the immediate or short term, without having regard for those lives that are gradually self-destructing and contributing to the degradation of our society in the long term.

Mr. Speaker, the exclusion of any deserving cases will be tantamount to setting a dangerous precedent which may have negative consequences for the individuals concerned as well as for our society in general.

As I speak of exclusion, I would like to draw the attention of this honourable House to clause 3 of the Children's Life Fund Bill which is the interpretation section of the Bill and which outlines that:

“‘beneficiary’ means an unmarried person under the age of sixteen who is eligible to receive a grant to access medical treatment under this Act;”.

Mr. Speaker, are we to assume, therefore, that the children of the Muslim faith who are permitted to marry at the age of 14 under the Muslim Marriage Act, will be excluded from benefiting from this fund? Are we excluding them? That is what the clause says.

8.05 p.m.

That is what the clause says. The clause says:

“‘Beneficiary’ means an unmarried person under the age of sixteen who is eligible to receive a grant to access medical treatment under this Act.”

Mr. Peters: Hon. Member for St. Ann's West, do you know it is illegal in this country to marry at 14 years?

Mrs. P. Mc Intosh. No. You need to know your Act.

Mr. Peters: Does the Constitution of Trinidad and Tobago not supersede anything else?

Mrs. P. Mc Intosh: There is the Muslim Marriage Act. I would like to know if these people who are allowed to marry under this piece of legislation will be excluded. It says so in clause 3. So we have to look at that. It could be a dangerous precedent.

As I sit in this august Chamber, five months now, I always hear the refrain on the other side. You give thunderous applause to the Prime Minister and the other Ministers. You say: “Serve the people; serve the people; serve the people”, and I like it. However, you need to modify it and say: “Serve all the people; serve all the people; serve all the people.” I really believe all the people are not being served.

We talk about the children. The children need to be served. *[Interruption]* Who is denying that? I am not denying that. I have been serving the children all my life. What about the aged? They need to be served. What about the people? What about my constituents, Mr. Speaker? We talk about the Community-based Environmental Protection and Enhancement Programme (CEPEP). The crews in my constituency have shrunk. The composition of the crews has changed. Anyone who belonged to the PNM is gone. They come to me every day. They have no jobs. They have children. Whom are we serving? In my constituency that is what I am facing. They are afraid to say that they are PNM or they get no jobs. I am speaking about people who have children to feed; children who are dying because they have no food to eat.

URP, CEPEP—

Mr. Peters: We are only in power for six months, how can you talk about that?

Mrs. P. Mc Intosh: Earlier I heard a Member speak about all the CEPEP crews. I have few or none. They have been relieved of their jobs. These are honest, hard-working, ordinary folk. I am appealing for my constituents. They have children and we stand here and talk about children.

Mr. Warner: We are matching the PNM.

Mrs. P. Mc Intosh: If you think it is wrong do not try to do that. Let us do the right thing. That is what we are here for; to do the right thing and help people. People are suffering. I know that I am speaking for all my colleagues here. They are suffering, Sir. I beg for jobs. Those children come to me. Yesterday I had to give a donation to help people buy milk for their children, people who were employed with URP and CEPEP.

Mr. Warner: We did that for years.

Mrs. P. Mc Intosh: Is it payback time now? I thought this was a change. Oh Father.

My other concern is the cost and management of this Fund. The establishment of the Children's Life Fund requires the dedication and meticulous application of resources, human, financial and otherwise to ensure that the children of our less fortunate citizenry benefit.

In this regard, I must ask a question which is of major concern. How do we efficiently and effectively implement this proposed legislation to meet the needs of all children? Please permit me to analyze the Bill. Under clause 4(2) of the

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Bill, a corporate body called the Children's Life Fund Authority is created to execute the following functions—they are short; I will go through quickly.

- “(a) operate, manage and administer the Children's Life Fund;
- (b) assist in providing specialist medical treatment to children from families who are unable to afford such treatment;
- (c) manage the Life Unit; and
- (d) collect and invest funds.”

The charge of this authority is laid with a board created under clause 5 of the Bill. This board has a long list of duties and responsibilities. I am not going to read it out. As a matter of fact, it has a gigantic task which will necessitate the formation of a new company with skilled and committed staff.

The Bill further requires a CEO, a secretary, staff for a life unit and an investment manager. The life unit comprises, according to the Bill, a manager, an administrative officer, medical and non-medical volunteers and finally an investment manager mandated under clause 3 to manage the assets and the resources of the Children's Life Fund in accordance with the prudent investment standard of an investment manager engaged in the asset management profession. Costly business we are talking about there.

Mr. Speaker, I invite your attention as well to clause 24 whereby the board, with the approval of the Minister—we have a lot of approvals of the Minister and I wonder sometimes if the board is not just rubber-stamping the decisions of the Minister.

With the approval of the Minister, the board has to employ staff as required by the Authority. Mr. Speaker, I wish to alert the attention of hon. Members of this House to the cost that will be incurred in executing the management of the Children's Life Fund as proposed by this Bill. I would like it noted in *Hansard* that my concern is not about the Fund itself; I am for the Fund. If you proffer advice or your opinion in this Parliament, it seems that you are not for it. We are for the Fund but my concern is with the management of the Fund.

I would like to ask the hon. Prime Minister—she is not here—whether the Fund would be managed—the hon. Minister could probably answer—by an entirely new corporate entity or whether this company would be incorporated within the functions of the Ministry of Health. The latter option would seem to be a much more prudent one given the financial constraints of our economy. While

an entirely new corporate entity would generate new jobs which we all would like for our people, we must consider that this might not be a viable option given that the Government could hardly pay its current employees.

If indeed a new company is being formed, is the current administration suggesting that the Ministry of Health is so hopeless and deficient in its organizational structure that the Government has little or no confidence in its ability to manage this Fund?

In his budget presentation, the Minister of Finance left a permeating thought that continuously lingers in the hearts of our population. The country is in an \$8 billion deficit as a result of which we have to be financially prudent in our operations. For example—I see the Minister of Education is not here—he has already cut his staff. Contract workers have gone; schools are suffering and the Early Childhood Education Centres' staff has been cut. The Government has said to the union that they can only afford a minimal increase in the salaries of public servants. There is also contentious bargaining with the Clico policyholders. In addition, we are hearing that the IMF has stated that we should pay our contractors. I can go on and on as to the myriad things that ought to be done but which we are unable to do effectively because of our limited means.

Mr. Speaker, our public purse is already heavily burdened and to make matters worse in yesterday's *Newsday* and *Guardian* newspapers, November 11, on the front page, the hon. Minister of Finance announced that the Government is seeking an \$8 billion IDB loan to jump-start the economy. The proposals are good; they are wonderful. It is not that we must not do them. We must do them but we have to do them in a very smart, cost-effective, efficient and effective way and that is what we are saying here.

There is no question of the benevolent idea of this Children's Life Fund but the efficacy of management is indeed a thorn. We are probably speaking of expending millions of dollars employing more public servants and increasing our labour cost. It is good to employ but can we afford it at this time? The irony is that the Government may have to resort to using the money coming into the Fund to manage the board, the life unit, the staff and the investment manager. It is with all humility that I advise that prudence does not favour the brave but the meticulous.

May I also respectfully suggest that a prudent Minister—I think she is prudent—examine the expansion of the function of public officers within the

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Ministry of Health to adopt and absorb the role of the life unit and other functions? If that is effectively done, it will minimize the spending and optimize the resources we have in a scarce economy.

It must also be noted that most times when we the public hear of someone, especially a young child in dire need of specialized health care that is only available overseas, the cost being quoted is not the final cost. It usually is an estimate of the very basic attention that may be required. Intensive and convalescent care is usually not included; neither is the cost for follow-up and additional procedures that are very likely in these cases. Sometimes up to five surgeries are necessary, not to mention medication. All of this is provided the child survives the initial procedure.

One has to appreciate that for these funds to be viable in the long run strict criteria for selection must be adhered to. Criteria must be such as to ensure the highest survival rate possible, therefore, Madam Minister, the most likely to survive the initial surgery and make a full recovery in the shortest possible time should be given first preference.

In establishing such a fund, the issues of equity and sustainability must be addressed. Limiting the Fund to children may place the Fund in jeopardy. Why? As I stated before, sustainability is largely a function of the success rate of patients. Unfortunately, in many cases, children, especially babies, are considered high risk and have a reduced chance of surviving the initial procedure and going on to live a normal, productive life.

To treat with this risk, the scope of the Fund should be extended to all teenagers as well as young adults. This latter group has a better chance of full recovery from these complicated cases and returns on the investment by their recuperating and going back to work and being able to make a meaningful contribution to society is much more realistic.

Mr. Speaker: Hon. Members, the speaking time of the hon. Member has expired.

Motion made. That the hon. Member's speaking time be extended by 30 minutes. [*Miss M. Mc Donald*]

Question put and agreed to.

8.20 p.m.

Mrs. P. Mc Intosh: Thank you, Mr. Speaker. May I humbly advise that illnesses covered under this plan be clearly defined, since it will be easy for the

fund to be abused, if there are not lucid guidelines to follow. In addition, the fund should be strictly allotted for ailments, itemized in a schedule for clarity and accountability. May I also reiterate that such ailments cover physical as well as severe mental illnesses?

Furthermore, I am certain that there have been improvements in the health care sector in our country, whereby treatment overseas should be restricted to those cases that cannot be successfully treated in Trinidad and Tobago.

Having said this, a point that must be raised is: What arrangement is the State going to make with the USA Embassy to ensure that these children and their parents and guardians are granted visas? Although some of these procedures can be performed in South America or Cuba, most are done in institutions in the United States of America, thus making this a very valid point. Case in point, of a young man named Hakim Prime, from Claxton Bay, who was diagnosed with a rare neurological disease. He was denied access to treatment, because his mother was not granted a visa and his father was unable to accompany him to the United States.

Speaking to the *Trinidad Express* on the topic of the Children's Life Fund on the eve of Independence, the hon. Prime Minister was quoted as saying:

“This was perhaps the most fitting way to honour the day, as it defined what should be most important to us if, we are to have any sense of having evolved as a more caring, compassionate, modern and civilized society.”

If we are to take the words of the hon. Prime Minister in all sincerity and if we are to give credence to the rationale for the establishment of the Children's Life Fund by the hon. Minister of Health, the children and vulnerable groups of the poorest nations can grow as healthy human beings and achieve their full potential, then we are speaking here of the holistic development of young people, of the nurturing of body, as well as minds, of the saving of body, of minds, or creating a society of wholesome, compassionate and caring people which, incidentally, is one of the pillars of the People's National Movement Vision 2020.

Mr. Speaker, I thank you. Members of the gallery, I thank you. Members of the viewing and listening public, I thank you.

Mr. Speaker: I just want to advise the hon. Member for Port of Spain North/St. Ann's West that when you are addressing the Chamber, you address just the Members. We know we have members in the public gallery, but they are not taking part in this debate, so the only people whom you address at the end of your statement, would be the hon. Members of the House.

Mrs. P. Mc Intosh: Thank you, Mr. Speaker.

Mr. Speaker: No problem.

Mr. Fitzgerald Jeffrey (La Brea): Thank you very much, Mr. Speaker. In 1961, I was a student attending the Vance River RC School where I had the sad and unfortunate experience of seeing an 8-year-old classmate of mine, who was born with a hole in his heart, die. It was a most sad and traumatic experience for me. His mother was a poor, single parent with a “stringband” of children to support and living on a janitorial stipend to support her family. Mr. Speaker, she watched helplessly, because she could not afford the high medical bills to save her son. He languished and died.

Mr. Speaker, it is an experience I will never forget. Like my other colleagues on this side, in principle, we support the overt intention of the Children's Life Fund Bill, 2010. Before I go to my concerns on the Bill, as I listened to the hon. Minister of Health speak in glowing terms of her caring Government's concern for very sick children, I wondered what would happen to the children in my La Brea constituency. With rising unemployment in La Brea, the abortion of the construction of the Alutrint smelter and nothing tangible in place, nor in the foreseeable future, our children will become very vulnerable to illnesses and, therefore, will put tremendous strain on the Children's Life Fund.

Mr. Speaker, the people of La Brea are not too really interested in the Children's Life Fund for the people in La Brea. What we are interested in is getting employment so that the people in La Brea will be able to support their families and take care of their children. Parents want to be able to continue to provide nourishing meals for their children. They want health care for their children, but if they are not going to get employment, the Children's Life Fund will be exhausted in less than no time. The few public servants who live in the La Brea constituency also have concerns, zero per cent, zero per cent, one per cent. I wonder how those public servants under the rising prices in this country would make out—a rose by any other name is still a rose.

It is being touted about that the Children's Life Fund is a unique thing for the world. In the United States of America, there is something called the Catastrophic Illness in Children Relief Fund, which is just another name for the Children's Life Fund. The fund has been in existence since in the 1980s. I want us to understand that initially, when the idea of this fund came up, it was known as the Prime Minister's Children Life Fund and later the name “Prime Minister” was dropped. Do you know what concerns me? When we look at this document, it is said that it

is Government's policy. In one page, it states that the fund would be administered by an independent board in a fair, equitable, transparent and accountable manner. I ask my question: If that board is supposed to be independent, how is it that there are seven of the eight persons being nominated by Ministers? I could say eight, because even the CEO's approval is based on the consent of the Minister of Health. Not only that, we see here that the Minister is also involved in the whole question of rules and regulations. The board has to get the approval of the Minister.

If you look at level one, the exceptional meeting of the board, with those two people, notice what has to happen. In clause 14(1) and (2), the Minister may give the board, in writing, general directions as well as special directions. In clause 15(1) it states that the board shall appoint the CEO on such terms and conditions approved by the Minister. In addition to that, the Chief Executive Officer is subject to the general directions of the Minister.

We know what happened at CNMG. There was a CEO who fired Fazeer Mohammed. Why? It is all because whatever was said by Fazeer was not sounding good in the Government's ear and they fired him. What is more than that? [*Interruption*]

Dr. Browne: Apologize.

Mr. F. Jeffrey: In clause 15(5), it states that the board may terminate the appointment of the CEO by giving three months notice in writing or paying three months salary in lieu of notice. There is nothing about conditions. As a matter of fact, once they feel like firing the CEO that is it, no questions asked. We see what happened in the case of Fazeer Mohamed; no serious reasons given.

I want to go to clause 13 of the Bill.

"A member shall disclose any direct or indirect interest in any matter being considered or about to be considered, by the Authority, by writing to the Chairman or by requesting to have entered in the minutes of the meeting of the Board the nature and extent of the interest."

Nowhere does the member, despite disclosing his interest, recuse himself from participating in the minutes. It does not make sense. If he has interest in what is being discussed, he should recuse himself from the meeting, so that the matter could be discussed, and this is extremely important.

I want to go a step further and try to explain why it is that we are talking about the independence of this Children's Life Fund and we have so much Government

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interference. Why cannot the President, as he select and appoint Independent Senators, be given the same authority? Why is it the Minister? I have a very strange feeling that this fund would be manipulated for political reasons. That is the reason the Minister is so embroiled as to who is sitting on the board and how the thing is operated. We have nothing against the whole question of the fund. We believe the fund is a good fund, but the question is; what is the integrity of the fund? The Member for Fyzabad could talk from now until doomsday; the situation still remains the same.

We need to come to grips with the reality in this Bill. We have a situation in clause 10(3), where the senior civil servants must be present for the meeting. At least two of them must be present for a meeting to be held. We, know the tremendous responsibilities that those senior public officers have and they may not be able to attend those meetings all the time. Therefore, I think we should think this thing over before trying to put that stipulation in. We need to understand that this Bill is extremely important. We are dealing with children. I want to ask a simple question: The initial fund is \$100 million by the State, what will happen next year, will there be another \$100 million?

8.35p.m.

Are we going to top up or bring up the balance to \$100 million? What happens if, for some reason, the drawdown on the fund is beyond what is available in it? This is something that warrants our concern.

In clause 6, the board is mandated to meet at least six times annually. What happens if in the first three or four months of the year the board meets about six times, are you telling me that for the other eight months in the year the board will not have to meet? We should say, at least, once per month; that would sound better. [*Interruption*] This is not Fifa at all. [*Crosstalk*]

Hon. Members: Teacher!

Mr. F. Jeffrey: The Children's Life Fund reminds me of the food card. In my constituency, citizens experienced tremendous difficulty in accessing the food card, and this is serious, despite all the regulations and so on. What is important is that in this Children's Life Fund it should be spelt out in detail, so that the constituents will know exactly what it entails to access it. That is extremely important, because in this Bill there is no mechanism for appeal. So if a member feels aggrieved, there is nothing to take into consideration a redress. I humbly beg the Minister of Health to review that situation so the constituents can feel a little relieved.

I want to urge hon. Members on the opposite side—[*Interruption*] [*Laughter*] [*Crosstalk*] Chaguanas West, leave me alone. "When yuh pay de footballers and dem the money, you could talk to me." When you pay them, you could talk to me. You have no authority to talk to me now. Pay the footballers, so they could take care of their families and their children. [*Laughter*] Let me leave Chaguanas West; I do not want to waste my time.

This Bill is not for us to play PR with; this is not for PR. We are talking about the lives of children. Like the Member for Port of Spain North/St. Ann's West, we were principals of schools, maybe we could appreciate the importance of the Children's Fund more than you.

Mr. Warner: "You are a children." [*Laughter*]

Mr. F. Jeffrey: I do not worry with him. The Member for Chaguanas West could do what he wants; he could say what he wants; he is not responsible for what comes from his mouth.

Mr. Speaker, as I wind up—[*Interruption*] [*Desk thumping*]

Hon. Members: Aaah!

Mr. F. Jeffrey:—I trust that those observations which we made on this Bill, the hon. Minister would give them serious consideration. This seems as though it is a "kicks ting"; we talk and laugh and "kicks", but this is serious business we are dealing with. We are dealing with children's lives.

Mr. Speaker, I thank you for these few minutes to make my contribution.

The Minister of Health (Sen. The Hon. Therese Baptiste-Cornelis): Mr. Speaker, I wish to thank all the Members who contributed to the debate on this critical piece of legislation, which will have a positive impact on children facing life-threatening health issues. Though sometimes some of the contributions were a bit unfocused, I welcomed them nevertheless.

The establishment of a Children's Life Fund is one of the fundamental requirements of developing a first-class nation. It should be noted that developed countries, such as the United States and New Zealand, have already instituted such a measure. It is important to note that the Ministry of Health has several initiatives, as said over and over by the Opposition, that continues to assist with the funding of persons seeking overseas medical treatment.

The Member for Port of Spain North/St. Ann's West attempted to attack my honourable colleague from D'Abadie/O'Meara, because he chose to defend our

Prime Minister. I guess she is accustomed to a government which came to the Parliament and attacked each other. It was indeed heartening to hear her commend my hon. Ministers from the People's Partnership Government on the excellent work we are doing. We thank you. In fact, her contribution was sounding truthful until she had the nerve to imply that the health care system, which I inherited as Minister of Health, was first-class; far be it from the truth.

Overcrowding of hospitals was mentioned by the Member for Diego Martin Central and he sought to blame that on us. Was it not your government who refused requests from public officials at the Ministry of Health for a 100-bed hospital in Point Fortin? That would have eased the onslaught on San Fernando General Hospital. The Member for Diego Martin Central talked of understaffed hospitals and the Member for Point Fortin talked about the great capacity they had built, so they were going against each other.

When I inherited the health system, there was a deficit of 240 doctors and over 2,300 nurses. Please note that the Member for Diego Martin Central sought to have selected hearing, as far as my statement in relation to the length of stay at a hospital. This was related to best practices and he made reference to an exceptional case of sickle cell anemia. As a professed doctor he of all persons should have known better. I am alarmed that he had the nerve to mention e-health, when they did not provide funding for it to be actually carried out as planned, as I explained in detail in my contribution to the budget debate in the other House. I would suggest that Members read a copy of my *Hansard* contribution.

He referred to building on the foundation of what the previous government did. I guess that he was referring to the \$1 million foundation that they built for the Oncology Centre. All the moneys assigned to this project were spent under the previous administration, with nothing to show to the Ministry of Health but a foundation. The Member for Diego Martin Central continually went off topic, even condemning the public's demand for accountability and transparency in wanting to know to whom such large dispensation of taxpayers' funds were made via press releases, as, I guess, they are accustomed to giving away hundreds of thousands or millions without anyone knowing.

Member for Port of Spain North/St. Ann's West, I am using the medical fund to help. This means that the previous government also had the ability to do so, but they apparently did not consider children's lives more important than palaces.

I make this reference again to the fact that in the year 2009 the total medical aid given to children was \$2,164,182, which works for 80 persons to an average of only \$27,052 per child.

Mr. Warner: Shame! Shame!

Sen. The Hon. T. Baptiste-Cornelis: Mr. Speaker, the Member does not understand net income and gross income. Why did he think we had a gross income of \$500,000 and also mentioned we needed a detailed income and expenditure statement which we would help them fill out? There was a major true statement uttered by the MP for Port of Spain North/St. Ann's West, when she said that she did not know. That was accurate. She does not know what really exists at the Ministry of Health.

The Member for Point Fortin, in her attempt to make a contribution, complained why the Children's Life Fund did not include adults. I guess I should lend her a copy of an Oxford Dictionary to understand that adults are not children. It appears that the Opposition is confused and they query why we have put "unmarried" and "under 16". It is not to say that people who are married and under 16 will not be helped, but they will not be helped with this fund. There is a Medical Aid Fund that will cater for them. This fund is for children. If you get married, are you still a child? [*Crosstalk*]

Hon. Members: Yes, yes.

Dr. Browne: Once you are under 18 years.

Sen. The Hon. T. Baptiste-Cornelis: I will not boast, as the Member for Point Fortin did, of the fact that \$40 million was given out in medical aid. After an internal audit was done, the unit has been recommended for major changes so that transparency and accountability could finally be introduced into the Medical Aid Fund. As such, we have discovered many anomalies in terms of how money was distributed over the past few years under the previous administration.

The Member for Point Fortin referred to paediatric cardiac care for children, but it should be noted that all the children who have gone abroad for cardiac treatment were actually recommended by the same paediatric cardiac specialist in Mount Hope, as they believed that performing such surgeries in Trinidad and Tobago would be too risky for the children. You see, we consult as a government, and never attempt to speak without knowledge.

Once again, the Member for Point Fortin was wearing blinkers in her review of the health system. While she spoke of all the buildings they built, and we know they like to build, they never maintained them. Two weeks ago, I had the pleasure of PAHO inviting me and paying for me to go to Surinam to look at different designs for a new public health lab, as they considered ours to be substandard. I found out when I went there that even with a new building, their old building was better than our current one.

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I was shocked and that shock turned to alarm when, during the Senate sitting this Tuesday, I got word that part of the roof of the public health lab—the one they left for me—had collapsed. That was indeed, a shame. We are going to build a new public health laboratory and the Pan American Health Organization was very glad to see a Minister of Health who was concerned for public health.

One of the Members talked about the limit being \$1 million and indicated that they had read a report in the newspapers of \$1.2 million being needed for Sarah Lyn Dupont. I have here a press release from the Ministry of Health dated November 12, 2010:

“The Ministry of Health would like to confirm that it has received a request for assistance for Sara Lynn Dupont and will be making arrangements for Sara Lynn to receive the necessary diagnostic and therapeutic care, either locally or overseas. Whereas there is a figure of \$1.2 million being quoted in the media, the Ministry has not yet arrived at a final determination for the medical treatment required and is in the process of acquiring this information from the hospital. The Ministry has been in contact with the family members and will keep them fully apprised of the status of their request for assistance. The Ministry of Health remains committed to assisting Sara Lynn and to ensuring a satisfactory outcome in collaboration with Sara Lynn’s relatives.”

There were a few issues raised and my dedicated team who were all sitting there has supplied some answers to you. In reference to clause 14(1) and (2) which was continually brought up by the Opposition asking where we said the Minister has the authority to issue general and special directions, it should be known that general directions are policy based and specific directions would arise in special circumstances, but both set of directions must be in accordance with law. Further, this is a standard provision in health legislation; for example, the Regional Health Authorities Act, Chap. 29(5), to date we have had no complaints.

8.50 p.m.

Another issue was raised that social workers should be able to sit on the board of management and, as such, they objected to the definition of “senior public officer” and that should be amended to include their range which they said ended at 53. It should be noted, it was a policy decision that only highly technical senior officers should sit on the board and, as such, there is no need to include social workers thereon. They would be included in the life unit which does the clinical and financial assessment.

Another issue raised was clause 19(f) where they said it should be \$500,000 net income. It is amazing they wanted it to be net income and not gross income

because they complained about the high level that we had placed. The purpose of the fund is to assist low- and middle-income families and, as such, net income would serve to include every single person on the face of this planet.

Another issue they asked us about was to amend clause 19(f) and they wanted us to put in the words “annual gross”. This is no need to do that as “income” was defined in clause 3. Another issue raised by the Member for Diego Martin Central was, “What are the functions of the CEO?” I guess he does not understand the functions of the CEO so my team has supplied the answers according to regulations. The CEO will be the accounting officer for the life fund and the life unit. He is responsible for carrying out the decisions of a board, responsible for recommending to the board the awards to be made and will proceed to mobilize contributions, establish strategic partnerships and relationships with foreign health care institutions and donor agencies and prepare annual reports of the operation of the life fund and the life unit.

Another thing asked, “Why was that not there, ‘permanent specialist medical officer’?” This is not necessary. The Ministry of Health will be able to provide specialist support for the life unit if needed, as we mentioned in clause 24, which allows the board, with the approval of the Ministry, to employ such staff, as required, for the proper administration of its functions. This measure would allow for a reduction in the administrative cost of the said unit.

Another issue they raised was that we should include a member from the Chamber of Commerce and the medical board on the board of management. Clause 5(2)(d) allows for four individuals to be nominated by the Minister of Health from various categories. As such, these persons may be included and considered therein.

Another issue which was raised by the Member for Point Fortin, “Why not continue under current arrangement?” Please note, Minister—no, sorry, my God, you are not a Minister, you are just an MP, sorry [*Interruption*]*—the Medical Aid Fund does not allow for the investment of funds received. [Interruption]* How does it allow for the contribution of the private sector? We cannot use private sector funds via the medical unit and that is why we needed that fund.

Another issue raised by the Member for Diego Martin Central was, “Will individuals contributing to the fund be entitled to a tax exemption?” The individuals contributing to the life fund will be entitled to a tax concession of up to 15 per cent of the total annual income of that individual. This already exists for companies contributing to charities. The necessary amendment to give effect to this policy was contained in the Finance (No. 2) Bill, 2010 which was laid in this House earlier this afternoon.

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Mr. Speaker, I also take this opportunity to call on the national community, and in particular the business community, to contribute to this fund as it will directly impact on the children of our beloved nation. It is our hope that this fund will be handsomely supported by all and will be commensurate with the enormity of the requirements thereby allowing for all affected children to get the required assistance.

Mr. Jeffrey: Minister, could you give us your input on clause 13, in terms of, that person who has an interest in what is being discussed at the meeting, whether that person would recuse himself or will be allowed to sit?

Sen. The Hon. T. Baptiste-Cornelis: This will be done at the committee stage.

Mr. Speaker, the Government remains committed to contributing to this fund on an ongoing basis. The Children's Life Fund will realize its mission through the energy and talent of our dedicated teams of doctors, nurses, social workers and other health providers, as the work of the life unit involves a high level of volunteerism and we have had many people coming forward willing to volunteer their services free of charge, including from the insurance agencies.

Mr. Speaker, I have no doubt that the health professionals, the business community and the nation as a whole will rally around this noble cause. The proposed governance model before us lends itself to a high degree of transparency and accountability. As such, persons will feel comforted to know that their contributions are held and invested in a safe manner and that contributions are made to persons who are indeed, Mr. Speaker, in need of assistance. Payments will only be made after the applicant satisfies the provisions of the Act. Social workers will have that task of verifying the information contained in the applications.

Mr. Speaker, I have heard continuously, over the course of this afternoon, people asking us why we chose this method. In preparing the policy document, the Government considered several options for the management of this fund. Some options included a statutory authority, like what we have here, a committee within the Ministry of Health, as suggested by the Member for—one of them.

Hon. Member: La Brea.

Sen. The Hon. T. Baptiste-Cornelis: —La Brea, a statutory—a committee, a charitable trust was another option as well as a special purpose state enterprise. We did not want to go that way and all, except the statutory authority, presented shortcomings and according—this was due to the many Ministries involved. This

was not a singular Ministry of Health effect. The Ministry of the Attorney General, the Ministry of Finance, they all came together and all technical officers, legal officers, worked on this, and accordingly the creation of an authority was deemed the most viable and beneficial of all.

The authority, Mr. Speaker, will be in a position to accept funds from both the public and private sectors. It would also have the authority to invest and disburse these funds to qualifying applicants to assist their children to access medical care abroad. Mr. Speaker, this Government wishes to assure this honourable House and the nation that great care will be exercised in the selection of the members of this board, similar to the care we have taken in selecting members of all boards and that the Ministry of Health will maintain oversight of the operations to ensure that it operates at the highest standard with integrity, transparency and accountability which is what the People's Partnership Government is all about.

I beg to move. [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

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

Clause 3.

Question proposed, That clause 3 stand part of the bill.

Dr. Browne: Mr. Chairman, clause 3—

Mr. Chairman: Yes.

Dr. Browne: —I wish to recommend an amendment.

Mr. Chairman: Before you go, the Government has an amendment.

Dr. Moonilal: Mr. Speaker, the definition of “family”, in the first line, it should be “parents” and not “parent or guardian”—“parents or legal guardians”.

Mr. Chairman: So the amendment is to “guardians”?

Dr. Moonilal: “parents or legal guardians”.

Dr. Browne: Mr. Speaker, thank you. I wish to recommend to the Government an amendment with regard to clause 3, the definition of “beneficiary” to amend the age “sixteen” years to “eighteen” years in compliance with the international obligations of this country, the definition of child as 18 years.

Mr. Chairman: Could you repeat your amendment?

Dr. Browne: The recommendation, Mr. Speaker, is to amend age “sixteen” years to age “eighteen” years.

Mr. Chairman: That is which particular—

Dr. Browne: The definition of “beneficiary”—

Mr. Chairman: Okay the—

Dr. Browne:—“...means an unmarried person”, well—

Mr. Chairman: Right.

Dr. Browne:—“...under the age of sixteen” years. I would recommend an amendment, “a person under the age of eighteen years who is eligible to receive a grant to access medical treatment under this Act.”

Mrs. Persad-Bissesar: The Minister of Health had indicated that the ones above 16 will be taken care of with the Medical Aid Programme so it is not that they will not receive assistance.

Dr. Browne: Mr. Chairman, the hon. Prime Minister has some expertise in this matter and I am sure she is also aware of the—well she is aware of the International Convention on the Rights of the Child and the desire of, I would assume, all governments to harmonize our legislation with regard to this—

Mrs. Persad-Bissesar: Mr. Chairman, we will amend it to “eighteen”. In fact, in this very Parliament we—and in all the children’s legislation we did really take 18 as being the age, so we can change “sixteen” to “eighteen”.

Dr. Browne: Thank you, hon. Prime Minister. [*Desk thumping*]

Mr. Chairman: So we are removing “sixteen” and we are replacing it with “eighteen”; okay.

Mrs. McIntosh: Mr. Speaker, may I recommend that “unmarried” be changed to “married” for the purpose of accommodating people of both the Muslim and, I understand, Hindu faith, who, under the Muslim Marriage Act and Hindu Marriage Act are allowed to marry at 14—the girls at 14, the boys at 16. So by having “married” we are excluding them and they can become ill too and they have their legislation which allows them to marry, but they are children.

Mrs. Persad-Bissesar: Yes, they will be catered for, I understand, under the other programme. I think that the point is that it is a Children’s Life Fund and the issue raised by the hon. Minister is whether, once you are married, you are still a child, so that it is not that they will not get assistance. They will be given

assistance, I am advised, under the Medical Aid Programme, but they will not be caught within the jurisdiction of the Children's Life Fund.

Mrs. McIntosh: But they are children.

Mrs. Persad-Bissessar: They will be given assistance. They will get the help.

Mr. Jeffrey: Hon. Prime Minister, does it mean that under the medical programme you would be entitled to the same amount as if you were under the children's fund?

Sen. Baptiste-Cornelis: As I have indicated already, the medical programme allows a Minister, with the approval of the medical committee and recommendation of the CMO, to go to as much as one million to receive aid. This is what you all did not do.

Mr. Chairman: The question is—

Dr. Browne: Mr. Chairman?

Mr. Chairman: You are still on clause 3?

Dr. Browne: Yes Mr. Chairman. Unfortunately, on the same definition, we may not be speaking about a very large cohort of children under the age of 18 who are married and who may be applicants and I am wondering, it seems the Government is flexible, if there is a particular reason we are seeking to exclude these individuals.

9.05 p.m.

It may be found acceptable to the Government to remove that phrase and just refer to persons who are under the age of 18 years. I strongly recommend it, because now we are creating a bit of a caveat or exception to an express acceptance of the definition of child. It may not be many people or a great burden added to the fund if we seek to include all children including those, whether they are married or unmarried.

Mrs. Persad-Bissessar: What the Minister is advising us is, should you do that, such a person may fall out of the qualifying criteria when it comes to income, because then they would be considered a child and, therefore, the income of the parents as well as the income of the spouse will be taken into account in deciding on the qualifying income criteria, so it will become mine. Whereas if they stay under one or the other, the Medical Aid Programme, that will not be the case. If you put them on the Children's Life Fund some may end up being above the income criteria.

Dr. Browne: Hon. Prime Minister, I know you are being advised by the Minister in this matter, but that is why the objective of the financial assessment is to assess means. You are describing a valid consideration, if the family is in possession of significant means then maybe they should be excluded, either under this arrangement or any other arrangement to provide financial assistance.

Sen. Baptiste-Cornelis: Excuse me; we are about making aid accessible. Once you are included in this fund you would not be for the medical aid. Before in the medical aid, if you were married and under the age of 18, your spouse alone would be assessed for income. Now, if you put them as married and under the age of 18 under this fund, then they would have to go in this Fund and you are going to assess their spouse, their parents, and therefore, you are actually asking me to exclude them from any aid. They would not qualify under the medical aid because they are in this fund, but just because they go \$501 they are out of it. Because you are now taking three incomes to assess them, which is not fair to the child that you want to protect.

Mr. Chairman: The question is that clause 3 be amended as follows:

Under “beneficiary”, delete “sixteen” and insert “eighteen”. Under “family” we add “s” to “parent” so it now becomes “parents” and “guardian” we add “s” so it becomes “guardians”.

Question put and agreed to.

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

Clauses 4 to 13.

Question proposed, That clauses 4 to 13 stand part of the Bill.

Mr. Jeffrey: I have a problem with clause 13.

Mr. Chairman: All right, I will put clauses 4 to 12 and I would come to clause 13 after.

I just want to remind Members, I mean it is the first time that we are going through the committee stage in a detailed way and amendments are being proposed, but consistent with the Standing Orders, I would like before I propose any question that the amendments that are being proposed are put in writing, sent to the Clerk and circulated. Because the Government side is at a disadvantage, I am going to be at a disadvantage, because I would now have to write what you are proposing. So I am just advising that from the next round—I will permit some flexibility here—but I want to remind Members, consistent with the Standing Orders, please provide your amendments in writing so I can pass them to all Members of the House so they would not be at a disadvantage.

Clauses 4 to 12.

Question proposed, That clauses 4 to 12 stand part of the Bill.

Dr. Browne: Clause 9(g), “make payments from the Children's Life Fund to the beneficiaries”. The debate covered a concern with regard to making payments to beneficiaries as opposed to making payments to health institutions.

Mr. Chairman: You see, again, I want to remind Members, you are putting the Chair in a very invidious position and I am just reminding persons. We just said that we are going from clauses 4 to 13 and then the Member for La Brea said he wants to deal with clause 13 and then we went to clauses 4 to 12. So now you are saying that you have a problem with clause 9?

Dr. Browne: Mr. Chairman, we have not approved clause 9 as yet, so in keeping with the committee stage I have a concern—

Mr. Chairman: All right, may I ask Members as a concern, are there any amendments to clauses 4 to 8? If there are none I would like to put the question that clauses 4 to 8, now stand part of the Bill.

Clauses 4 to 8 ordered to stand part of the Bill.

Clause 9.

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

Dr. Browne: Mr. Chairman, there is a recommendation that the Government consider phrasing that suggests payments would be made directly to beneficiaries, given the experience of various units in administering these types of assistance, because that is what this subclause suggests.

Mr. Chairman: You want to repeat what you have said, I have not heard you properly?

Dr. Browne: Mr. Chairman, the subclause indicates, “make payments from the Children's Life Fund to the beneficiaries”. The suggestion is that payments should not be made to the beneficiaries but payments should be made on behalf of the beneficiaries to the institutions that would be providing—

Mr. Chairman: That is clause 9 what?

Dr. Browne: Clause 9(g).

Mrs. Persad-Bissessar: Could we stand down this clause, please, and call the others and then we could come back to it?

Question put and agreed to.

Clause 9 deferred.

Clause 10.

Question proposed, That clause 10 stand part of the Bill.

Dr. Browne: Given the trend in the debate, the recommendation is that clause 10 be amended. I know your difficulty, Mr. Chairman, and I accept it. "The Board shall meet at least once per month at such time and place as necessary or expedient for the efficient performance for its functions."

Dr. Moonilal: Mr. Chairman, as it is now, they shall meet at least six times annually, but they can meet, I imagine, on more occasions.

Dr. Browne: Mr. Chairman, with due respect to the coming of the Government, to trigger exceptional meetings there are additional requirements. The suggestion is, and it is my view that this is standard convention for many boards throughout Trinidad and Tobago; the recommendation is a monthly meeting, and if there should be the need for more frequent meetings, that those emergency measures or extraordinary measures be triggered. I am not sure why, given the workload that the Government has indicated exists, there would even be a suggestion that there would be a need to meet this infrequently. Maybe the Government has some very specific reasons, but in this case we on this side would recommend a monthly meeting stipulated and the possibility of more frequent meetings, and they probably get paid by the month.

Mrs. Persad-Bissessar: I have been advised that clause 11 provides for other meetings apart from this minimum of six. I do believe that is sufficient coverage for the Board to carry out its business, because an emergency meeting can come. They can meet at any time and if there is need to meet more often, it is provided for in the proposed legislation.

Mr. Jeffrey: It begs the question of how we arrived at six then; why not four? How did we arrive at the figure six? What is the rationale for six then?

Sen. Baptiste-Cornelis: Because six is the minimum.

Dr. Browne: Now, what kind of answer is that?

Mr. Jeffrey: It does not make sense!

Mr. Chairman: Can I put the question?

Question put and agreed to.

Clause 10 ordered to stand part of the Bill.

Clauses 11 and 12 ordered to stand part of the Bill.

Clause 13.

Question proposed, That clause 13 stand part of the Bill.

Mr. Jeffrey: Mr. Chairman, after the word "interest" we should include, "and shall not participate in the deliberations of the Board if such an interest exists".

Mr. Chairman: Just repeat that for me?

Mr. Jeffrey: "...and shall not participate"—

Mr. Chairman: Read the whole thing!

Mr. Jeffrey: Okay. After the word "interest" insert or add, "and shall not participate in the deliberations of the Board if such an interest exists".

Mr. Chairman: So you are saying what? A Member shall disclose any direct or indirect interest?

Mr. Jeffrey: Yes.

Mr. Chairman: And shall not participate in any matter?

Mr. Jeffrey: No, of that particular matter.

Mr. Chairman: What particular matter?

Mr. Jeffrey: That particular interest.

Mr. Chairman: Does the Minister of Health understand what the Member for La Brea is saying?

Mrs. Persad-Bissessar: I am sorry, we were looking at the other clause, but I think you were talking about a possible conflict of interest?

Mr. Jeffrey: Yes, if he has an interest.

Mrs. Persad-Bissessar: The existing law of the land at this time is that, where there is a conflict of interest you declare your interest, and having disclosed your interest you are entitled to stay. That is one thing that can be done. The other is that you disclose the interest and you recuse yourself or you would be asked to recuse yourself. So it depends on the circumstances of the nature of the interest that you disclose as to whether it would go that far as to recuse yourself totally. *[Interruption]* That is the law of the land. It is the law of the land on the issues of conflict of interest.

Mr. Jeffrey: I think for good governance and for transparency and accountability I think—

Mr. Warner: The law of the land is the law of the land.

Mr. Chairman: Are you finished with the question?

Mrs. Persad-Bissessar: Yes.

Question put and agreed to.

Clause 13 ordered to stand part of the Bill.

9.20 p.m.

Clause 14.

Question proposed, That clause 14 stand part of the Bill.

Dr. Browne: Clause 14, Mr. Speaker—

Mr. Chairman: I think the Government had an amendment and maybe when you hear the amendment, if you wish to add—

Dr. Browne: All right.

Dr. Moonilal: At clause 14(2), to replace "special" with "specific".

Dr. Browne: Mr. Speaker, can I just ask on a point of clarification, what is that change in the Bill?

Dr. Moonilal: It is just for consistency with other pieces of legislation.

Dr. Browne: Well, Mr. Chairman, that is interesting, but the suggestion on this side is that clause 14 be removed from this piece of legislation. The concern as expressed previously was that given the nature of this particular arrangement; it is a charity entity that is being established. This gives the impression that there is facilitation of undue political involvement in the operations of the board.

Mr. Sharma: That is to allow donations. How do you accept the donations? It has to be charitable.

Dr. Browne: We are on clause 14; it has nothing to do with donations; it has to do with directions.

Mr. Chairman: Are you insisting that we put that proposal for deletion?

Dr. Browne: Well, I am putting it to the Government.

Mrs. Baptiste-Cornelis: Mr. Chairman, we are not accepting the proposed amendment.

Mr. Chairman: Do you want me to put it to the House?

Dr. Browne: Well, Mr. Chairman, if the Government insists on having that facility for political interference, I cannot—they have the vote, Mr. Chairman.

Question put and agreed to.

Clause 14, as amended, ordered to stand part of the Bill.

Clause 15 ordered to stand part of the Bill.

Clause 16.

Question proposed, That clause 16 stand part of the Bill.

Mr. Chairman: I think the Government has an amendment and the Government may wish to advance the amendment and then—

Dr. Moonilal: Mr. Chairman, the amendment as circulated reads as follows:

Delete sub-clause (2).

Mr. Chairman: Do you have that amendment?

Dr. Browne: Yes, Mr. Chairman.

Mr. Chairman: And are you going to propose—do you have any additional amendments?

Dr. Browne: We are in agreement with that deletion but there is another amendment with regard to clause 16(d) again, recommending to the board the payments to be made to beneficiaries. The suggestion is "on behalf of beneficiaries."

Mrs. Persad-Bissessar: I accept that. We will take that: "to be made on behalf of beneficiaries".

Question, on amendment, [Dr. Browne] put and agreed to.

Mr. Chairman: The question is that clause 16 be amended as follows:

Delete sub-clause (2)

In sub-clause 1(d) delete the word "to" and replace it with the words "on behalf of".

Question put and agreed to.

Clause 16, as amended, ordered to stand part of the Bill.

Clause 17 ordered to stand part of the Bill.

Clause 18.

Question proposed, That clause 18 stand part of the Bill.

Mr. Chairman: I think there is an amendment.

Dr. Moonilal: Mr. Chairman, the amendment reads as follows:

- A. In sub-clause (1), delete paragraph (d) and renumber accordingly.
- B. In sub-clause (2), in paragraph (f), delete the word “practice” and substitute the word “price”.

Question put and agreed to.

Clause 18, as amended, ordered to stand part of the Bill.

Clause 19.

Question proposed, That clause 19 stand part of the Bill.

Mrs. Persad-Bissessar: Mr. Chairman, we propose that clause 19(b) be amended by deleting the word “sixteen” and inserting thereof the word “eighteen”. This will be consistent with the earlier amendment.

Dr. Browne: Might you consider removing “unmarried”?

Mrs. Persad-Bissessar: No. I think they would be better served in the way we have it, as explained by the Minister.

Dr. Browne: Mr. Chairman, a question to the Government on clause 19(a) and I am not sure if it came up during the debate, with regard to the issue of citizens residing abroad and as well, the issue of permanent residence within Trinidad and Tobago. Maybe the Government has considered those matters and is minded to remain with this clause?

Mrs. Baptiste-Cornelis: There was a lot of discussion and it was decided to be only nationals, because we decided we have to creep before we could walk and to be able to fulfil the needs now, we had to do it that way, otherwise it might be too big and we would be unable to fulfil anyone.

Dr. Browne: But the question, though, Mr. Chairman, is with regard to citizens who may be resident abroad, in Norway, in Japan or the United States—abroad being outside of Trinidad and Tobago.

Mrs. Persad-Bissessar: I think it is very clear. It says the citizens of Trinidad and Tobago. There is absolutely no restriction. It says, “citizen of Trinidad and Tobago”. It did not say: citizen resident in Mars or where; it says, “citizen of Trinidad and Tobago”.

Dr. Browne: The recommendation to the Government is to consider whether or not you are minded to exclude citizens who may be resident abroad from—

Mrs. Persad-Bissessar: We are saying, no. Once it is our citizen, it is our citizen. It could be one of us; your child is abroad studying or something, may fall ill and cannot afford the health care where they are. Our concern is with the citizens of Trinidad and Tobago. You are asking us to exclude some of them and we are saying, no.

Mr. Imbert: Prime Minister, could I just make the point, I mean, this is an unprecedented move. I am not aware of any legislation that is similar, but the official figures of Trinidadians resident abroad are in the hundreds of thousands. There are views that there are at least half a million Trinidadians resident abroad. So that this is a serious undertaking if you extend it to people who are not resident in Trinidad and Tobago.

Mrs. Baptiste-Cornelis: I think people may have misunderstood. Preference, of course, would be for those who are resident in Trinidad and Tobago, but as the hon. Prime Minister said, there are some children who go abroad and they assume residency for a small period of time while they are studying. If we put in the condition that they had to be resident in Trinidad and Tobago and they fell ill, they would be excluded from that aid, because, remember you went up to the age of 18, and people do go abroad to study from 16. So we have to be very careful on that aspect. Again, the final decision is with the board. It will not be, as he says, if the entire family is living there, that would happen.

Mr. Imbert: If you will allow me. I understand the point that is being made, but I would suggest between now and the time that this Bill goes to the Senate that you think about a control mechanism that would achieve that objective that you have in mind, because once you put into this legislation that non-residents are eligible, you will face judicial review, unless there is some sort of control mechanism.

Mrs. Persad-Bissessar: We can find a compromise. What we can do, if we say "resident in Trinidad and Tobago" we will exclude the ones the Minister just spoke about. We can do, "is a citizen of Trinidad and Tobago ordinarily resident". Because "ordinarily" means you could be abroad for study purpose, whatever, so we will catch them. We will still have the ones who are really basically from here. So I think we will compromise it. Mr. Chairman, may I then propose that clause 19(a) be amended—

Mrs. Gopee-Scoon: Mr. Chairman, if I may, please, with regard to clause 19(f). Are you finished with clause 19(a)?

Mr. Chairman: No, no, we are still with clause 19(a).

Mrs. Persad-Bissessar: I was just about to propose the amendment. Mr. Chairman, we would really like to help all our citizens, but the Opposition is expressing a concern that we should exclude some of them because of the floodgates that may come from those who may be abroad and who would already have access or may have access. In that regard—you see, I want our words to be very carefully taken—in light of your comments, given our constraints at this time as well—to take care of “citizens ordinarily resident”. Therefore that will take care of those who may travel abroad and fall ill and so on; maybe abroad for a year or two or whatever the case may be. You may have somebody posted abroad on a job, for example, and therefore that person would not be resident here and therefore be excluded; that person may fall ill; the person children fall ill up there. So “ordinarily resident” as I say, will be a compromise we can offer. I propose an amendment as follows:

Clause 19(a); “is a citizen of Trinidad and Tobago; is a citizen ordinarily resident in Trinidad and Tobago.” Or do we need to do it both ways? Our draughtsman will tell us: “is a citizen of Trinidad and Tobago ordinarily resident in Trinidad and Tobago” to be absolutely clear. If there is any need to tighten it when we get between now and the Senate we can do so; “is a citizen of Trinidad and Tobago ordinarily resident in Trinidad and Tobago.”

Mrs. Gopee-Scoon: Mr. Chairman, clause 19(f), just for the sake of clarity, would you consider, perhaps, including the words “per annum” after “five hundred thousand dollars”?

Mr. Chairman: Clause 19(f), the Member for Point Fortin is proposing that after the words “five hundred thousand dollars” we put “per annum”.

9.35 p.m.

Mrs. Persad-Bissessar: Okay. The annual income does not exceed \$500,000.

Mrs. Gopee-Scoon: Okay! Fine!

Dr. Moonilal: It is in the definition.

Mrs. Persad-Bissessar: I am advised that in clause 3, the definition section means gross annual income received by a family.

Mr. Chairman: It is already in the definition.

Mrs. Persad-Bissessar: It is defined as annual gross.

Mr. Chairman: The question is that clause 19 be amended as follows:

19(a) After the word “Tobago” add the words “ordinarily resident in Trinidad and Tobago”.

(b) Delete the word “sixteen” and replace it with the word “eighteen”.

Question put and agreed to.

Clause 19, as amended, ordered to stand part of the Bill.

Mr. Chairman: We are going to clauses 20 to 30. Could I be advised by the Opposition if there is any—

Dr. Moonilal: And where it is.

Mr. Chairman: Identify the clause, so we will know exactly how to—

Dr. Browne: Mr. Chairman, clause 20(2)(b).

Clause 20.

Question proposed, That clause 20 stand part of the Bill.

Dr. Browne: Mr. Chairman, the concern here, as was raised, is with regard to the consideration of medical insurance or health insurance in determining eligibility. Clause 20(2)(b) specifies:

“receipts of all sources of revenue, perceive or pending to address the medical expenses relating to the application...”

This is very specific in the way it is phrased and there is the possibility that an applicant family, especially those close to the \$500,000 threshold, may be in possession of health insurance that may be relevant to the case. It is possible before applying they may not have made an application to the insurance company.

It is to ensure that the Government is mindful of the consideration of health insurance in this broad category of potential applicants. If the families do have that insurance, it should be taken into account in making this assessment. So maybe a broad phrasing and any other relevant consideration— The Government has the expertise in the draughters.

Mrs. Persad-Bissessar: Certainly, we will want to leave it like this because I am advised that the revenue and the word “pending” would include what you are suggesting. However, I would ask the draughts people to look at it between now and in the Senate. So we will ask you to approve it.

Dr. Browne: I appreciate the explanation, Mr. Chairman, but “pending” would only be triggered if a claim is made to the insurance company. The suggestion is that even if a claim is not made, the fact that there is insurance coverage, it should be taken into consideration in this subclause.

Mrs. Persad-Bissessar: All right. I am asking you to allow us the time to consider it before the Bill is finalized in the Senate.

Dr. Browne: Your word is gold, hon. Prime Minister. There was another consideration in 20(3). This is a very specific concern, given the nature of some of the applications which have been made in the past and which we can anticipate in the future. The specification of no further application being entertained for a period of two years from the date of a grant is very specific and very limiting. There may, I would suggest, be cases that would require the ability to be more flexible on the part of the authority and, I gave some examples in my contribution, particularly some of the transplant cases. The Government has medical expertise on their side, so they will be aware of that. It is very specific in this clause.

Sen. Baptiste-Cornelis: That is actually in reflection of the medical aid. The normal thing in the medical aid is that a person is entitled to US \$10,000 and the person cannot access such for a period of time as well. So, if we look to make it unlimited here, naturally, you would also have to make it unlimited in the medical aid which could be opening up the Government to some problems at this point. As I said, we are creeping before we can walk.

Dr. Browne: I am not sure the explanation is targeted to the concern. The concern really is that a significant number of applications to this fund would require the ability of the board to be more flexible, and maybe the clause can be amended to suggest in special circumstances or to give the board the ability to make another determination. The Government was very clear in its desire to apply this fund to save lives and there are cases where, if it is only every two years an application can be made, the life will not be saved and the initial tranche of money will be wasted because the child will not survive unless the board can be more flexible. I do not know if I could be more direct than that, Mr. Chairman.

Mrs. Persad-Bissessar: We can compromise this to make it more useful. I would propose the following amendment to clause 20(3):

“Where a beneficiary has received a grant under this Act, no further application shall be made”—I am reading it and then adding, Sir—“on his behalf in respect of the same medical condition, for a period of two years from the date of the grant save in exceptional circumstances and is recommended by the Life Unit”.

Again, it is to avoid abuse. So if it is absolutely necessary, the Life Unit is the one that will determine, assess and recommend. Is that okay?

Dr. Browne: I thank the Prime Minister, Mr. Chairman. My only concern would be specifying the Life Unit as making the recommendation because the Life Unit recommends to the board, in my understanding, and then the board will make the determination. I think you have covered my concern in introducing a caveat which would give some flexibility. My additional concern is specifying the Life Unit as recommended. Just for the consideration of the Government.

Mrs. Persad-Bissessar: To the CEO, to the board. That is what is in clause 21. We can say “save in exceptional circumstances” and leave out “life unit”. The question is who determines save in exceptional circumstances?

Mr. Chairman, I beg to move that clause 20(3) be amended as follows:

Insert after the word “grant”, “save in exceptional circumstances”.

Mr. Chairman: The question is that clause 20 be amended as follows:

Clause 20(3): After the word “grant” add the words “save in exceptional circumstances”.

Question put and agreed to.

Clause 20, as amended, ordered to stand part of the Bill.

Mr. Chairman: We are going from clauses 21 to 30. Is there any area?

Clause 21.

Question proposed, That clause 21 stand part of the Bill.

Mrs. Gopee-Scoon: Mr. Chairman, could the Government consider whether we can create some sort of exception for the case that may require us to go over and above the \$1 million?

Mr. Chairman: Do you want to be more specific? In clause 21, which particular—

Mrs. Gopee-Scoon: Clause 21(4). Again, I am asking for some words for exceptions, where more than \$1 million may be required.

Mrs. Persad-Bissessar: What is your amendment?

Mr. Chairman: What is your amendment?

Mrs. Gopee-Scoon: Except as recommended by the board in excess of \$1 million—save and except for exceptional circumstances or something to do with that effect.

Mrs. Persad-Bissessar: Mr. Chairman, I am advised that at this time the Government is prepared to grant not in excess of \$1 million.

Mr. Chairman: Member for Point Fortin?

Mrs. Gopee-Scoon: I am just pleading for very, very exceptional circumstances.

Mrs. Persad-Bissessar: Certainly, if we get more contributions from salaries and so on, we can—*[Interruption]*

Dr. Moonilal: From Members of the Opposition. *[Laughter and desk thumping]*

Mrs. Persad-Bissessar:—increase.

Mrs. Gopee-Scoon: Not on the paltry salaries.

Sen. Baptiste-Cornelis: The reason \$1 million was put as the limit is just a reflection of the fact that, for instance, the Permanent Secretaries cannot approve any limit above \$1 million either. Any limit above \$1 million has to go to Cabinet. So this is just to make sure that there is no abuse of this fund.

Mrs. Persad-Bissessar: Not just to Cabinet, it has to be tendered out and so on.

Clause 21 ordered to stand part of the Bill.

Mr. Chairman: May I go from clauses 22 to 30? Are there any objections?

Clauses 22 to 30 ordered to stand part of the Bill.

Clause 31.

Question proposed, That clause 31 stand part of the Bill.

Dr. Moonilal: Mr. Chairman, in response to the request from the Opposition, we amended clause 31:

In subclause (3), delete the word “five” and substitute the word “fifteen”.

Mr. Chairman: Members of the Opposition, you heard the amendment? Do you have any problem?

Hon. Member: No.

Question put and agreed to.

Clause 31, as amended, ordered to stand part of the Bill.

Clause 32 ordered to stand part of the Bill.

Clause 33.

Question proposed, That clause 33 stand part of the Bill.

Dr. Moonilal: Mr. Chairman, there is an amendment to clause 33 that reads as follows:

Insert after the word "Regulations" the words ", subject to negative resolution of Parliament,".

Question put and agreed to.

Clause 33, as amended, ordered to stand part of the Bill.

9.50 p.m.

Clause 9 reintroduced.

Mrs. Persad-Bissessar: Mr. Chairman, I beg to move that subclause (g) be amended as follows:

Delete the words "to the" after the word "payments" and insert the words "on behalf of".

That should take care of the concern.

Question put and agreed to.

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

Clause 20 reintroduced.

Mrs. Persad-Bissessar: I crave your indulgence that we revisit clause 20. Based on the conversations we had earlier, we had undertaken to reconsider the suggestion made about insurance and to deal with it in the Senate. We worked fast enough and we can deal with it now. We propose that clause 20 be amended as follows:

Insert a new subclause (d) which reads:

"statement of medical insurance coverage of the beneficiary where such coverage exists."

Dr. Browne: We congratulate the Government on its very swift work on this clause.

Question put and agreed to.

Question 20, as amended, ordered to stand part of Bill.

First and Second Schedules ordered to stand part of the Bill.

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

House resumed.

Bill reported with amendment.

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

The House voted. Ayes 31

AYES

Moonilal, Dr. R.

Persad-Bissessar, Hon. K.

Warner, Hon. J.

Mc Leod, Hon. E.

Sharma, Hon. C.

Alleyne-Toppin, Hon. V.

Gopeesingh, Hon. Dr. T.

Peters, Hon. W.

Rambachan, Hon. Dr. S.

Seepersad-Bachan, Hon. C.

Volney, Hon. H.

Roberts, Hon. A.

Cadiz, Hon. S.

Baksh, Hon. N.

Ramadharsingh, Hon. Dr. G.

Ramadar, Hon. P.

Indarsingh, Hon. R.

Baker, Hon. Dr. D.

Partap, Hon. C.

Roopnarine, Ms. S.

Seemungal, J.

Khan, Mrs N.

Mc Donald, Ms. M.

Imbert, C.

Hypolite, N.

Mc Intosh, Mrs. P.

Jeffrey, F.

Browne, Dr. A.

Thomas, Ms. J.

Hospedales, Ms. A.

Gopee-Scoon, Mrs. P.

Question agreed to.

Bill accordingly read the third time and passed.

ADJOURNMENT

The Minister of Housing and the Environment (Hon. Dr. Roodal Moonilal): Mr. Speaker, I beg to move that the House do now adjourn to Friday, November 19, 2010 at 1.30 p.m.

On that day the Government would like to serve notice that it intends to deal with two matters: Motion No. 1, that the Census (2011) Order, 2010 be affirmed and Bill No. 1, the Finance (No. 2) Bill, 2010.

Clico Policyholders Issue

Mr. Colm Imbert (*Diego Martin North/East*): Mr. Speaker, as you know, I sought and obtained your leave to raise a matter relating to the delay in settling the Clico policyholders' issue. I understand the Minister of Finance is not here. Through you, could I get an undertaking from the Leader of Government Business that I would be permitted to raise this matter next week whether or not the Minister is here?

Dr. Moonilal: Just for the record, the Minister of Finance is absent from the House today having sought and obtained leave from the Speaker. The Minister is prepared to respond and I am sure if he is in the House next Friday he will respond.

Mr. C. Imbert: Mr. Speaker, with your permission, I understand that but I am asking, if for some reason the Minister cannot address this issue next week, could some other Minister deal with it? It is a burning issue.

Dr. Moonilal: We will consider the request of the Member.

Eid-ul-Adha Greetings

The Prime Minister (Hon. Kamla Persad-Bissessar): Thank you very much, Mr. Speaker, for affording us the opportunity to extend greetings to the Muslim community and the nation on the celebration on Eid-ul-Adha, which will be observed on Wednesday, November 17, 2010. The House will not meet before that time.

In the religion of Islam, we are very familiar with the celebration of Eid-ul-Fitr, which is celebrated as well. This is celebrated at the end of the fasting during the month of Ramadan. The second festival called Eid-ul-Adha or the Festival of Sacrifice will be celebrated on Wednesday 17 and, according to Islam, is of greater significance than Eid-ul-Fitr hence it is also called Eid-ul-Kabir. It is celebrated approximately 10 weeks after Eid-ul-Fitr on the 10th of Dhu al-Hijjar, the last month of the Islamic calendar.

This day marks the close of the Hajj ceremony of pilgrimage to the House of Allah in Mecca. Hajj is one of the five pillars of Islam. During this season pilgrims from all over the globe flock to Mecca and the finest example of the true brotherhood of man is exhibited to the world otherwise torn by political and economic strife. Hajj is performed during the period 8th—13th of the last month of the Islamic calendar.

Mr. Speaker, hon. Members, I am advised that there are over 300 Muslim brothers and sisters in our beloved country who have made the journey to Mecca to undergo the blessed rituals of the pilgrimage. It is also to say a prayer and make supplications to God Almighty that he out of his special grace and mercy protect, assist and remove them from every possible impediment. As he has taken them to the safe and sound place of Mecca for this event, may he bring them back safe and sound to our country.

We extend to all Muslims and the national community, on behalf of the Government and people of Trinidad and Tobago, a blessed Eid-ul-Adha.

I thank you, Mr. Speaker.

Mr. Speaker: Hon. Members, I join in extending to the Muslim community blessings on the occasion of the Festival of Sacrifice as outlined by the Hon. Prime Minister.

Muzzling by Parliament Channel
(Allegations of)

Mr. Speaker: Hon. Member, I had indicated, based on a statement made earlier by the Member for Point Fortin when she spoke about an attempt by the Parliament Channel to muzzle her, I would research the matter and I want to make the following statement.

10.05 p.m.

Earlier in the sitting, the Member for Point Fortin alleged that she was dismayed that her contribution during the budget debate was not repeated on the Parliament Channel and expressed concerns about being muzzled. I wish to confirm that no officer or functionary of the Parliament muzzles any Member of Parliament. The Parliament Channel, both television and radio, broadcast each sitting of both Houses live, from gavel to gavel.

Additionally, for the most part, the channel rebroadcasts each sitting immediately after every adjournment and would often repeat sittings, as the schedule of meetings permits. Whilst the channel seeks to repeat its broadcast of each sitting as often as possible, it has a duty to protect itself and the Parliament, especially when doubtful issues of privileges and immunities arise.

Recent Privy Council decisions require a Parliament, collectively and Members individually, to exercise caution in relation to the repetition and effective repetition of statements that are made in the House. It is against that background that the sitting of the House, held on September 16, was not rebroadcast. This was a unique situation and was done in the interest of caution in the face of uncertainty in the law. It is important to note that some 13 Members spoke on that day from all sides of the House. This includes the hon. Prime Minister. So, there is absolutely no basis for the presumption that any particular Member or group of Members is being muzzled by the channel, nor its staff. The Member for Point Fortin should, therefore, rest assured that her contributions are always live on the channel and that there is equality of treatment by those who operate the channel, regardless of office.

Hon. Members, I would like to now propose the question, but before doing so, I want to advise that dinner has arrived, so on your way out, you can have some dinner in the lounge. [*Interruption*] You wanted to raise a matter.

Eid-ul-Adha Greetings

Mr. Colm Imbert: (*Diego Martin North/East*): Mr. Speaker, on behalf of the People's National Movement, we want to join with the Government in expressing our best wishes to the Muslim community on the celebration of Eid-ul-Adha, the festival of sacrifice, as the Prime Minister has indicated, which is also a celebration of the lives of Ibrahim and Ishmael, two Muslim prophets. As a multicultural and multi-religious society, it is incumbent on all of us to recognize these religious festivals, and we think it truly fitting that we send the blessings of this House of Representatives to the Muslim community, on the celebration of this most important festival in the Muslim calendar.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 10.09 p.m.