

**HOUSE OF REPRESENTATIVES**

*Friday, March 09, 2001*

The House met at 1.30 p.m.

**PRAYERS**

[MR. SPEAKER *in the Chair*]

**LEAVE OF ABSENCE**

**Mr. Speaker:** Hon. Members, I have received correspondence from the Member for Princes Town (Mr. S. Panday) requesting leave of absence from any sitting of the House of Representatives during the period March 6—20, 2001. Leave has been granted.

**VISIT OF THE TOBAGO HOUSE OF ASSEMBLY**

**Mr. Speaker:** Hon. Members, today we have visiting with us members of the Tobago House of Assembly. We have had a full day today—a very exciting visit. The Chief Secretary has taken time from his very busy schedule to join us with the Assemblymen—this definitely means the women, too—the Councillors and Clerks of the THA.

We are happy to have them here with us in the Parliament in this very historic visit. It is the first time since 1980—since the inauguration of the Tobago House of Assembly—that we have had a visit of the entire group to the National Parliament.

We are happy to welcome them. I am sure Members would want to show their appreciation. [*Desk thumping*]

**The Prime Minister (Hon. Basdeo Panday):** Mr. Speaker, this is indeed an historic occasion for more reasons than one. Those of us who are in public life would have been told early in our careers that change is not expected to be more than incremental. Probably, intimidated by this caution, many of us proceed through our political lives to deliver to societies crying for meaningful change, nothing more than exchange. I think that I can say with no fear of contradiction that Chief Secretary London is in no way intimidated by the prospect of change.

In his short period in office, his initiative has fundamentally altered the status quo that has been constructed over decades by his predecessors. Over decades, others have built nothing but barriers between the Tobago House of Assembly and the Central Government and, indeed, between the people of Tobago and the people of Trinidad.

In his tenet to date, Chief Secretary London has been building bridges between the Tobago House of Assembly and the Central Government and among the peoples of our two islands. Chief Secretary London has been a welcome guest and an appreciated participant at one of our Cabinet meetings. Today, the Chief Secretary again breaks new ground in bringing the Tobago House of Assembly closer to the Central Government. Mr. Speaker, through you, I direct these remarks to the Chief Secretary and say, it is my pleasure to welcome you to this Parliament, Sir.

I am immensely pleased that the President of the Senate and the Speaker of the House of Representatives arranged to host you and your colleagues of the Tobago House of Assembly today at lunch and now to admittance into this august Chamber. Seldom, may I say, has Parliament laid the red carpet for a visiting dignitary with greater sincerity. Seldom, may I say, has a visiting leader been more deserving of such a reception.

Today, Mr. Speaker, is a reminder of how easy it can be to reshape a destructive paradigm. All it takes are leaders who put the people's purpose first and who possess the character and political will to remove the shibboleths that continue to shackle the nation to the past. There is a message here for all of us.

To my parliamentary colleagues, I wish this session would be a productive one; and to the members of the Tobago House of Assembly, I wish you many, many productive sessions over the next four years. I thank you.

**Mr. Patrick Manning** (*San Fernando East*): Mr. Speaker, I, too, would like to join Members on the other side in welcoming to this Chamber the very distinguished Chief Secretary and members of the Tobago House of Assembly.

I have very fond memories myself of a time when I held the portfolio of Minister responsible for Tobago. I was Prime Minister at the time the then Chief Secretary was Mr. Denoon and when even our worst critics today acknowledge that perhaps that was the period in the history of relations between Trinidad and Tobago where things went as smoothly as they could have it. Indeed, it was the best period in relations between Tobago and Trinidad.

Mr. Speaker, the Tobago House of Assembly, at this time, is controlled by the People's National Movement. I think I am in a position to assure the hon. Prime Minister and Members of the Government that our approach to governance is far more responsible than approaches to which they have become accustomed. They, therefore, should not at all be surprised if they receive from the members of the Tobago House of Assembly a level of maturity in the conduct of relations between Tobago and Trinidad which hitherto they may have found lacking.

Members of the Tobago House of Assembly, on both sides, in coming here this afternoon will, no doubt, observe how we conduct our business here in the Parliament. In Tobago, things are slightly different. I recall the words of His Excellency the President at the inauguration of this session of the Tobago House of Assembly. Reference was made to the fact that the table around which they sit is a semicircular one. In other words, there is continuity. Really, everybody is sitting on the same side of the table.

In the Westminster system, as we operate it here in Trinidad and Tobago, there is a government and an opposition, even though at levels different from the level of Parliament—the House of Assembly and others in our political system—modifications have been made which cause the system to operate slightly differently. Nonetheless, the system was designed to ensure that the interests of the people of Tobago, the interests of the people of the respective bodies, are properly looked after.

I, too, welcome Chief Secretary Orville London. I also welcome the Presiding Officer, whose eyes I was just able to catch. Again, dawn breaking in her case—a female heading the Tobago House of Assembly in the capacity of presiding officer—I would like to congratulate her and also welcome her and all members of the Tobago House of Assembly on both sides of the political divide to this Chamber. I wish them, on behalf of those of us on this side, a very successful term of office.

God bless you!

#### PAPERS LAID

1. Report of the Auditor General on the accounts of the Arima Corporation for the year ended December 31, 1991. [*The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj)*]
2. Report of the Auditor General on the accounts of the Arima Corporation for the year ended December 31, 1992. [*Hon. R. L. Maharaj*]
3. Report of the Auditor General on the accounts of the Arima Corporation for the year ended December 31, 1993. [*Hon. R. L. Maharaj*]
4. Report of the Auditor General on the accounts of the Arima Corporation for the year ended December 31, 1994. [*Hon. R. L. Maharaj*]
5. Report of the Auditor General on the accounts of the Public Library of Trinidad for the period January 01, 1998 to September 09, 1998. [*Hon. R. L. Maharaj*]

*Papers Laid*  
[HON. B. PANDAY]

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6. Annual Report of the Trinidad and Tobago Securities and Exchange Commission for the financial year ended September 30, 2000. [*Hon. R. L. Maharaj*]
7. Annual report and annual audited statement of the Central Bank of Trinidad and Tobago for the year ended September 30, 2000. [*Hon. R. L. Maharaj*]

*Papers 1 to 6 to be referred to the Public Accounts Committee.*

**1.40 p.m.**

8. The Administrative Report of the Betting Levy Board for the period July 01, 1999 to June 30, 2000. [*The Minister of Enterprise Development, Foreign Affairs and Tourism (Hon. Mervyn Assam)*]

*To be referred to the Public Accounts (Enterprises) Committee.*

9. The Noise Pollution Control Rules, 2001. [*Minister of the Environment (Dr. The Hon. Adesh Nanan)*]
10. The Environmentally Sensitive Species Rules, 2001. [*(Dr. The Hon. A. Nanan)*]
11. The Environmentally Sensitive Areas Rules, 2001. [*(Dr. The Hon. Adesh Nanan)*]

#### ELECTIONS AND BOUNDARIES COMMISSION

##### (COMPREHENSIVE ELECTORAL LIST UPDATE)

**The Prime Minister (Hon. Basdeo Panday):** Mr. Speaker, I wish to inform this honourable House that yesterday Cabinet acceded to the request of the Elections and Boundaries Commission for \$10 million to further its work. This decision comes in the wake of calls for an enquiry into the Elections and Boundaries Commission. In fact, three months after the general elections, minority Members of the honourable House continue to be entombed in a state of denial over the democratic expression of the people's will on December 11, 2000. [*Interruption*]

**Mr. Speaker:** May I appeal, once again, to the Member for Laventille East/Morvant, that he just cannot—and I will not permit, in this House—sit in his place and yell thievery across the floor. I am cautioning him once again that he should desist from that type of behaviour in this honourable House. [*Interruption*]

The hon. Member is also asked to remain silent when I am speaking. You may press on, hon. Prime Minister.

**Hon. B. Panday:** Thank you. Mr. Speaker, hardly a week passes—I am explaining to this House why it was necessary to respond so quickly to the request of the Elections and Boundaries Commission—some would say, hardly a day passes that does not bring a new proposition from the Members opposite attempting to discredit the conduct of the last general election. The same applies to the Opposition cohorts outside of Parliament whose occupation is the manipulation of the media and prejudicing public opinion.

Mr. Speaker, it has been instructive that there has been no Opposition attempt to discredit the conduct of the Tobago House of Assembly election which was won by the Tobago branch, and the Tobago's leadership of the People's National Movement.

Nothing is wrong with the Elections and Boundaries Commission when the PNM wins. Nothing is wrong. Heaven helps the nation, however, when the PNM is defeated. Mr. Speaker, it is then, as we have witnessed, erupts the most calculated, cynical, the most malevolent assault upon the institution responsible for the conduct of national, local and the Tobago elections. [*Interruption*]

**Mr. Assam:** Why do you not shut your mouth? [*Laughter*] Let the Prime Minister speak.

**Hon. B. Panday:** Mr. Speaker, I am glad my friend referred to 1995 and the past because it gives me the opportunity to explain that political parties have had cause to complain about the conduct of elections in the past. The 1976 General Election was a case in point. The distinguished Prof. Selwyn Ryan, as you will recall, Mr. Speaker, recorded his conviction that gerrymandering was involved. He made no bones about it. I quote from Prof. Ryan on PNM's gerrymandering of the election of 1976.

“The party (The United Labour Front) had been a victim of the gerrymandering operation which had removed a number of polling stations in which Indians were predominant, from that constituency to Couva South while others from Tabaquite and Naparima North, which have black majorities, were included.

The same type of exercise was carried out in Fyzabad, which the PNM had narrowly won in 1966 but feared they might lose. Pro-PNM polling stations were taken from Siparia which the party conceded to the Opposition and relocated in Fyzabad which it felt it could carry.”

That was Prof. Ryan speaking, Mr. Speaker.

I am not surprised that spawned in a culture of corrupt electoral practices it is, perhaps, inevitable that hon. Members opposite should be fixated on electoral fraud, as they remain entombed in their denial of the reality that theirs is, indeed, the minority party in this country. The culture of electoral mal-practice in the PNM did not begin in 1976, we had the introduction and manipulation of the nefarious voting machines by the PNM.

In the 1966 General Election, ANR Robinson, the PNM candidate for Tobago East was shown on November 8, as having gathered 5,825 votes. Nine days later those figures were revised and Member of Parliament, Robinson, ended up with 3,876—a drop of 1,949 votes.

Mr. Speaker, that was not the only alarming election anomaly, which, up to this day, has not been explained. In the same election, Mr. Basil Pitt, the candidate for Tobago East, first had a vote count of 5,485, nine days later his total was cut to 3,703—a drop of 1,782 votes.

Mr. Speaker, in the face of such abominations, there was no assault to discredit the Elections and Boundaries Commission such as the PNM is now conducting. There was no demand that the commissioners of the EBC be burnt at the stake, as they are now demanding. Mr. Speaker, there must be an end to the malevolent Opposition campaign to destroy the credibility of this pivotal institution of our system's democracy.

Factual, reasoned submissions from the EBC officials have drawn nothing but intensified *ad hominem* attack against commissioners and officers of the EBC. A factual reasoned report from the Commonwealth Observer group drew a similar response from the hon. Members opposite and from their cohorts outside of Parliament who were engaged in manipulating public opinion. Each documented dismissal of Opposition allegations of electoral impropriety is replaced by a new concoction, as though there was a resource factory generating allegations on demand.

We may have hoped that the lucid exposition of the registration exercise and the overall electoral process, which was given by EBC Commissioner, Mr. Raoul John, in his address to the Port of Spain West Rotary Club, would have earned the Commission some respite from the battering it has been receiving from the Opposition but we would have been disappointed.

**1.50 p.m.**

As Mr. John has observed, having been condemned for being silent, the EBC has also been condemned for having the temerity to correct misinformation.

Mr. Speaker, the Opposition must not succeed in its manifest intention to destroy public trust in the electoral process. Indeed, we must do everything within our power to preserve that trust and to enhance the integrity of the EBC in the perception of the public. To this vital end, Cabinet has agreed to the provision of the necessary funds to enable the EBC to conduct a comprehensive update of the electoral list. The last countrywide exercise to update Trinidad and Tobago's electoral register was carried out in 1985, three administrations ago. The update will commence this month, I am told, and should be completed by mid-year, this year.

It is intended that every resident in each of the country's 1,184 polling divisions will be visited by EBC personnel. The objectives of the update exercise will be:

1. To confirm that each elector whose name appears on the list of electors for every polling station resides at that location;
2. To obtain information as to the electors whose names appear on the electoral register who are either dead, removed, migrated or unknown at that address;
3. To effect the transfers of those persons now living at addresses in polling divisions other than where they are registered;
4. To ensure that the addresses of the electors correspond to those contained on the electoral list; and
5. To ensure that the persons registered in the geographical area that comprises a particular polling division are, in fact, placed in that polling division.

Mr. Speaker, to enable the EBC to update the electoral register, Cabinet has approved funding, as I have said, in the amount of \$10 million as requested by the commission. It is the intention of the EBC, I understand, Sir, and indeed the obligation of the EBC, that the general public, and the political parties in particular, be made aware of every step in the process and the progress of the registration update. To this end, the EBC has budgeted \$2 million for publicity, using all the media. Thank you kindly, Mr. Speaker. [*Desk thumping*]

**DOCTORS' SICKOUT ACTION****(DETAILS OF)**

**The Minister of Health (Dr. The Hon. Hamza Rafeeq):** [*Desk thumping*]  
Mr. Speaker, I thank you for the opportunity to make a statement on the recent sickout action taken by doctors at the major public hospitals. In so doing, it is imperative that I outline to this honourable House a general background surrounding the doctors' actions on Monday and Tuesday of this week. It is also my intention to clear up a certain amount of misinformation that is currently circulating in the public arena.

Mr. Speaker, there exists in the health sector the dual track of employment in which some officers are employed by the public service and others by the Regional Health Authorities. The RHAs presently employ about 95 per cent of all house officers in the public sector, that is, approximately 250 of them. These house officers or junior doctors are on individual contracts ranging from one to three years. Approximately two to three years ago an offer was made to these doctors for permanent employment but they declined on the ground that they wanted contract employment so that they could benefit from contract gratuity. Many of these contracts came to an end on December 31, 2000.

Mr. Speaker, the last compensation revision for institutional doctors was in late 1997 and for community doctors in late 1998. Institutional doctors then received increases in their compensation packages ranging from 35 to 43 per cent and community doctors around 50 per cent. In addition, normal salary negotiations between the Chief Personnel Officer and the Public Services Association are ongoing for all public servants, including health care personnel in the public service. Normally, the collective bargaining process would prevail in a situation only where there is an existing recognized majority union which has more than 50 per cent of the workers in the appropriate bargaining units. The recognized majority union would have attained that status after submitting an application for certification to the Certification and Recognition Board and satisfying all the relevant criteria outlined in the IRA.

Section 40(1) of the IRA provides that:

“Where a trade union obtains certification of recognition for workers in a bargaining unit...the employer shall recognise that trade union as the recognised majority trade union; and the...employer shall, ...in good faith, treat and enter into negotiations with each other for the purposes of collective bargaining.”



In the present situation, the contract doctors have opted to be informally represented by the Public Services Association in negotiations. In an act of good faith, the RHAs have agreed to meet with the PSA as representatives of the contract doctors.

The RHAs are fully cognizant of the fact that:

- i) the PSA is not the recognized majority trade union, and,
- ii) the traditional tenets and principles of collective bargaining cannot be completely satisfied or applied in such a situation.

Nevertheless, the Ministry facilitated a joint negotiation exercise between the contract doctors, the Public Services Association and the Regional Health Authorities in mid-February.

Mr. Speaker, provisional proposals for medical doctors were submitted to the RHAs by the PSA. In December 2000 some doctors' contracts at the South West Regional Health Authority (SWRHA) expired and there were threats to withdraw their services. In an effort to remedy this situation, the SWRHA held a meeting with the San Fernando Doctors Association on the issue in December 2000. At that meeting, it was proposed to enter into joint negotiations with all the RHAs on behalf of all the doctors employed by them.

On January 15, 2001 the ministry convened a meeting of a committee to discuss joint negotiations between the RHAs and the contract doctors in all the RHAs. The main objective of the meeting was to determine the framework to be used in order to conduct the joint negotiation exercise in light of the following:

1. The Ministry could only play a facilitative role in the entire process.
2. There was need to determine how many doctors wished to negotiate individually and how many wanted to be represented by the PSA or the San Fernando Doctors Association.
3. If the contract doctors opted to be represented by the PSA, the RHAs would be giving the doctors collective rights which they do not have under the law. Thus, some caution would have to be exercised re:
  - (a) what expectations were created, and
  - (b) what framework should be used to hold the discussions if the doctors should choose to be represented by the PSA in their negotiations.

The first joint negotiation meeting was held on February 2, 2001 and the Permanent Secretary at the Ministry of Health facilitated the discussions at this meeting. At the meeting the following was decided:

1. The contract doctors unanimously agreed to be represented by the PSA in the negotiations for new terms and conditions of employment.
2. The RHAs and the ministry agreed on the content of the ground rules.
3. Mr. Ramesh Sharma, CEO of the North West Regional Health Authority, was identified as the liaison between the RHAs and the PSA.
4. The RHAs agreed to submit counter proposals by Friday, February 16, 2001.
5. The RHAs agreed to attend the next meeting with clearly outlined objectives.
6. The date of the next joint negotiation meeting was set for Thursday, February 22, 2001.

Mr. Speaker, the committee convened a meeting on Wednesday, February 14, 2001 to discuss the counter proposal to be submitted to the Public Services Association. The discussions highlighted the fact that in light of the upcoming consultancy to implement the recommendations of an Ernst & Young management audit on the RHAs, the RHAs should offer an interim allowance. The offer of an interim allowance would allow the Regional Health Authorities to conduct a job evaluation exercise and establish some of the structures and processes which would have been recommended by the consultants and which would ultimately impact on the compensation package that should be offered to doctors in the RHAs. In February 2001, an offer of a 10 per cent interim allowance on basic salary was made to the PSA. This was rejected resulting in a sickout for two days this week by the doctors.

Mr. Speaker, there are a number of reasons why it has become necessary to make this interim offer as a measure of good faith while the job evaluation and performance appraisal exercises are being undertaken. Changes in the environment, be they economic, social, technological or other, require that we review jobs within the organization on an ongoing basis. In the health sector we are on the threshold of making major changes in the delivery of health care. We are seeking, for example, to:

1. shift emphasis from hospital care to primary health care. Certain specialist medical officers from the hospital, therefore, will be required to conduct clinics in the community as an extension of their normal work. It means that their job descriptions may have to be altered and therefore they will be compensated differently;
2. change the old system of the "firm" in the hospital, where the focus was on beds, to a department system where the focus will be on the patient. For example, Mr. Speaker, presently under the firm structure where the number of patients outnumber the number of beds on a particular ward and there are other wards with unoccupied beds—under the current structure these beds cannot be used to ease up the overcrowding on another ward simply because they belong to another firm. With a new structure in place, situations like this will be a thing of the past. This will also have a direct impact on the organization of medical work.

Mr. Speaker, once the job analysis exercise has been completed, an evaluation of all the medical positions will need to be formalized. Job evaluation is a systematic assessment of positions which determines its relative worth or contribution of the position to the overall attainment of the organization's objectives. When we make decisions about the nature and worth of jobs, we raise issues of equity and value. For example, should we pay a doctor who sees only 10 patients a day the same salary as one who sees 50 patients a day? Should we pay a surgeon who performs complex and complicated surgeries the same salary as one who performs minor surgeries? Should we pay an officer on call who comes out once a night the same as one who comes out 10 times per night? Mr. Speaker, a detailed job evaluation exercise will help to answer questions of this nature.

Another related organizational development activity that regional health authorities are seeking to carry out relates to performance management. Performance appraisal, as it is commonly referred to, is the ongoing assessment of an employee's abilities, performance and potential. Performance appraisal, if carried out effectively, will result in the employee's awareness of whether he or she is satisfying the expectations of the job, build the employee's confidence, boost morale and improve performance. Employees, including doctors, need to know what is expected of them and this should include:

- a) a properly developed job description;
- b) identifiable, attainable standards of performance—these should indicate quality, quantity and timeliness of the work to be performed; and

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- c) the job description and performance standards should be used to provide objective yardsticks against which to measure performance.

Mr. Speaker, the benefits of these exercises will be invaluable to the delivery of health care in this country. There is no doubt that the Regional Health Authorities wish to adequately compensate our doctors who work in the public health care system. However, we cannot continue to operate and manage our hospitals and deliver health care in the old-fashioned way of not having proper systems in place to monitor performance and output. For too long our citizens and taxpayers have been calling for a greater level of accountability and performance appraisal at the public health facilities.

In this regard, the Regional Health Authorities are undertaking these exercises which were initially estimated to be undertaken within a nine-month period, but which has been reduced to six months ending in June 2001. A task force to oversee these exercises has already been established and it includes, as part of its composition, all medical chiefs of staff of the hospital and the county medical officers of health. The Public Services Association has also been invited to recommend two additional medical doctors to serve on this task force which will be supported by a private consultancy.

Mr. Speaker, the Regional Health Authorities consider the negotiation exercises very important but are not now in a position to treat with these proposals until they have completed their critical job evaluation and job appraisal exercises which will benefit both doctors and patients. In the interim, I would like to appeal to all RHA employed doctors to desist from any further action which could jeopardize the level of health care delivered at our public health care facilities. We in the Ministry of Health and the RHAs understand the justification for better compensation and we are working towards creating a situation whereby all our stakeholders will stand to benefit.

Six months and an interim increase in basic salary have been suggested by the RHAs. It is my understanding that the Regional Health Authorities have invited the doctors, through the Public Services Association, to continue discussions next week in order to secure a better understanding and arrangement between the two parties. Mr. Speaker, I thank you.

**2.05 p.m.**

**CINEMATOGRAPH AND VIDEO ENTERTAINMENT  
(AMDT.) REGULATIONS**

**The Minister of Communications and Information Technology (Hon. Ralph Maraj):** Mr. Speaker, I beg to move,

*Whereas* section 24(1) of the Cinematograph and Video Entertainment Act, Chap. 20:10 (hereinafter called "the Act") provides that the Minister may make regulations for prescribing anything under the Act which is to be

prescribed, generally for carrying the Act into effect and in particular inter alia as to the form and duration of licences issued under the Act and the conditions or restrictions subject to which a licence may be issued;

*And whereas* section 24(3) of the Act provides that the regulations made under the Act shall have no force or effect until they have been approved by Parliament;

*And whereas* the Cinematograph and Video Entertainment (Amdt.) Regulations, 2001 were made under section 24 of the Act, whereby the Cinematograph and Video Entertainment Regulations were amended in the manner set out therein;

*And whereas* it is expedient to approve the said regulations;

*Be it resolved* that the Cinematograph and Video Entertainment (Amdt.) Regulations, 2001 be approved.

Mr. Speaker, currently, cinema operators are granted licences to operate theatres subject to the condition that films are not exhibited before 3.00 p.m. on Sundays, Good Friday, Corpus Christi and Christmas Day. The prohibition is to be found in the Cinematograph and Video Entertainment Regulations made under the Cinematograph and Video Entertainment Act, Chap. 20:10, which provides in the first schedule, in Form B that a building is licensed for use as a theatre subject to the condition inter alia that the “theatre shall not be used for exhibiting films before 3.00 p.m. on Sundays, Good Friday, Corpus Christi and Christmas Day”.

Mr. Speaker, this provision is clearly archaic and has its roots in the colonial period in keeping with the British Sunday Observance Act, 1769. In modern times, value standards and religious beliefs have undergone such radical changes that the basis for the restriction is clearly outdated. The West Indies Film Board of Trade has indicated that Trinidad and Tobago remains one of the few countries which still has this restriction on the exhibiting of films. The Board also highlighted the hardship that the cinema industry has had to endure as a result of the prohibition.

Indeed, it appears that even the general public considers it a disadvantage as cinema operators have received numerous requests from patrons to have films exhibited before 3.00 p.m. on the holidays mentioned. Consequently, the Cinematograph and Video Entertainment (Amdt.) Regulations, 2001 presented today seek to remove that restriction by deleting the offending provision in Form B of the first schedule to the Cinematograph and Video Entertainment Regulations. However, the regulations can have no force or effect until they have been approved by Parliament.

This, Mr. Speaker, hon. Members, is the background against which I now present to this honourable House the Cinematograph and Video Entertainment (Amdt.) Regulations, 2001 and I request that the House unanimously lend its support for the approval of this resolution which, whilst being neither momentous nor revolutionary, is part of a slight adjustment we are making and part of the general framework of the modernization upon which we embark in this administration.

I beg to move.

*Question proposed.*

**Mr. Fitzgerald Hinds** (*Laventille East/Morvant*): Thank you, Mr. Speaker. Hon. Members, it is to be noted that the Member for Naparima, the Minister of Communications and Information Technology, was rather short in his presentation of this Motion. He regarded it as being just a small part in the movement of his Government to the modernization of affairs in Trinidad and Tobago. He described it as being other than momentous. He said it was not any momentous bit of legislation.

I happen to see this thing very differently. In order to justify this apparently innocuous amendment to the regulations of the Cinematograph and Video Entertainment Act, the Minister spoke rather briefly of the hardships of those involved in the industry—theatre, or cinema, as we call it—and he supported that by saying that it has come to his attention that members of the public had been clamouring with these managers, the people in the industry, distributors and the like, for the opportunity to go to the cinema before 3.00 p.m. on a Sunday and on some public holidays.

Mr. Speaker, I am convinced in my mind, and I will support it later in my presentation, that this Government could properly be described as evil and wicked. I am convinced in my mind that this Government does not share in common with many other persons in Trinidad and Tobago, the sense of decency and the sense of morality that the large majority of citizens of Trinidad and Tobago would expect. I am convinced that this Government, by its conduct, by its statements, by its refusal to act prudently on many occasions, has one concern—and this is about money, money and more money! Power, power, and more power to the detriment of all of Trinidad and Tobago! [*Desk thumping*]

There is much more that I can say about my convictions about that Government, but I will reserve those for another time. What do we have before us? We have before us an opportunity here today in this Motion that the Minister

describes as being of “little moment”. We have an opportunity to have addressed some serious social concerns in this country, issues of public decency, of public morals and certainly, the vexed question of crime. Crime is on the tip of all of our tongues.

Only a few days ago, the nation went into a tailspin and a debate about the fact that a young man in Trinidad and Tobago chose strange means to protect his property, having had the experience of intruders over a period of time. We are at a time when this Government has just completed a full five-year term, coming to office in 1995 and claiming that it would deal with the crime situation in Trinidad and Tobago. What do we do? Rather than deal with these issues, we half-heartedly address the technical issue about a few words in the regulations, and by so doing, we are actually, in my humble view, worsening the social circumstances in Trinidad and Tobago.

In respect of the Cinematograph and Video Entertainment Act, let me bring to the attention of Members of this House, the Inter-Religious Organization, writing its concerns on a proposed amendment to the very legislation in 1993, said at paragraph 2.3 of a document emanating from that organization:

“Law has to concern itself not just with the regulation of behaviour which harms others, but with the enforcement of a society's fundamental moral values, an integral part of culture. The heads of the various religious bodies in this nation pledge themselves to support Government in its enactment of laws which uphold these fundamental moral values.”

In Trinidad and Tobago it is quite trite, but it must be said that in our parliamentary situation, the Executive, or the Government, has the majority in the House. Therefore, when we talk about legislation, apart from legislation that might require specified majorities for its passage, we can safely say that legislation in general reflects the position of the Government. Therefore, when the IRO spoke of laws, having to concern themselves with the regulation of behaviour which harms others—not only with that which harms others, but with the enforcement of society's fundamental moral values—it has to do with the Government. It has to do, in effect, with what the Government sees as being the standard that we should pursue in moral terms, and what have you.

Before I go on, this IRO which was speaking in 1993 may very well not be constituted as it is today. I remember only a few weeks or months ago in the heat of election 2000, the Member for San Fernando East suggested to the national community that it was unkind and improper and unthinking of the Member for Couva North, the Prime Minister as he then was, to call a general election in the

holy month of Ramadan. When I heard that, I thought to myself that that was a very good call and a good issue of which to take some note.

I am not Muslim. I am a Christian, but it astounded me when I heard members of the IRO led by—I do not know if he is a member or if he just attached himself—one Kamaluddin Mohammed, criticizing the Member for San Fernando East in what I considered to be his sincere effort to protect the religion that we know as Islam. They launched an attack on him and demanded an apology. That demonstrates to my mind how upside down and topsy-turvy our society could be. I do not know whether the IRO was consulted as the Minister prepared to file this Motion.

**2.20 p.m.**

I do not know whether the Christian community, in particular, was consulted. I do not know whether the Hindu or Muslim communities were consulted; the Minister said nothing about it, but if I assess this Government on its past record and conduct, I can reasonably be satisfied that there was no consultation. This Government has assumed the dastardly habit of bulldozing its way through this Parliament and this country without concerns for the rights and feelings, indeed, of any other person. If I may quote Sparrow, “If yuh bold enough to open your mouth and criticize, one time you are ostracized and/or victimized.” [*Crosstalk*]

**Mr. Partap:** You are talking about the People's National Movement.

**Mr. F. Hinds:** I do not know if the Inter-Religious Organization was consulted on this, but I know one thing: the regulations as they now stand, debarred the theatres from operating before 3.00 p.m. on Sunday, Good Friday, Corpus Christi and Christmas Day; Christian religious holidays.

Mr. Speaker, I have heard the argument—and I noticed that the Member for Naparima did not put the argument, so I am not going to address it, per se—that some of the laws in Trinidad and Tobago seem to protect only one religion and not the others. Therefore, it may be argued that in these regulations there should have existed the holidays of Eid and Divali, for example. If the Minister had come here today to include these two holidays and the other religious holidays observed by the other religions, the Spiritual Baptist Liberation Day and what have you, in these regulations, I would have more easily understood.

I would have understood the Government's philosophy, recognizing its role as purveyor, keeper and director of public morals, and the role that it must play in taking a leadership role in those. I would have supported this more easily. I would have more easily understood, because I would have seen the Government placing



the other religious observances and the effect of the cinema playing before 3.00 p.m. on those days, as lifting this thing up, levelling up, as it were. But to remove these is, to my mind, an effort to level down, so you want to create a level playing field, but rather than level everyone up, you want to level down. I do not propose to address that beyond those few words.

It is interesting to note, however, that the Inter-Religious Organization is absolutely, at this point, silent on the matter. Maybe it was not consulted; maybe the Members did not read the daily newspapers to see that this matter was up for debate in our Parliament today. Therefore, I have heard no word from the gentleman to whom I earlier referred, Kamaluddin Mohammed. I have heard no word from the IRO and others who make it their business to speak on these matters whenever they arise.

From a more technical standpoint, hon. Members, there is in place, under these regulations, the Film Censors Board. The purpose of the board, in broad terms, under the cinematograph legislation, is to censor all films that would be shown to the public. The test they use, basically, is to remove from these films any material that would, loosely put, corrupt public morals, whatever we as a society agree that they should be. All societies have trouble dealing with this very vague concept.

I read a newspaper article—and it has not been denied—about three months ago, where a young man was using obscene language to the Prime Minister, the Member for Couva North, at a public meeting. He was arrested, properly so, by the police, and charged for the offence of obscene language. Obscene language remains an offence in Trinidad and Tobago. To demonstrate the difficulty a society, including ours, has, in dealing with these issues: while we would charge someone for using obscene language, we, as a society, permit, via cable television, all manner of obscenities to be aired to the nation's children and, indeed, to the adult population, on an ongoing basis.

I wondered to myself how do we justify that to the younger people in society. How do we say to them that they ought not to be using obscene language? How do we explain to people that obscene language is an offence, when within the very society, permitted by the very laws, it is the norm on the television via the cable television.

Part of the board's function is to censor films to take out that kind of thing and, of course, to remove scenes that deprave public morals and scenes that lend themselves to sympathizing with criminals in the manner that will cause hostility to law enforcement agencies in the country. These are very old tests from the

1930s and what have you, in the United States, and long before that. When the cinema and the film industry were developing, they had put in place their own standards to deal with some of these problems that afflict us even today.

The board has its function as well to monitor. Members of the board have the right, under these regulations, to enter any cinema free, of course, at any time, sit and observe the film to see whether anything that was expunged from the film upon censorship, is shown to members of the public. That has happened: cinemas have been raided, people have been charged in the past, and so, as I said, that is partly the function of the board.

Under this Act, however, while there are some broad offences, those who enforced this legislation found it necessary to make use of the Summary Offences Act in order to prosecute people for offences such as obscene language, nudity, lewd and suggestive behaviour and that sort of thing.

In respect of the video recordings, there is precious little regulation. The Act in the law books, in the black volumes, says the Cinematograph Act, but yet today, we see the Act is entitled the Cinematograph and Video Entertainment Act. While the words "Video Entertainment" are appended here, there is no regulation whatsoever in respect of videos. Therefore, people are free to bring in videos; they rent them in the shops; they are lent from friend to friend and they proliferate in the society without any regulation whatsoever.

So in a sense, dealing with the films that would be shown in the cinemas or theatres, as we call them here, renders that almost otiose—useless—if, at the same time, video recordings have emerged to be even more popular than films. In fact, the cinema operators and distributors complained about 15 years ago, when we had a proliferation of video recordings coming in, that their industry was shrinking because of the challenge from the video industry. Yet there are no regulations to cover those.

I do not know if we can, but I would have thought that the Minister would have applied his mind to that, if he agrees that there is some level of public morality that we as a society observe, and if, as he indeed agrees, that the censored films which are shown in the cinemas, need some kind of attention.

In respect of the Film Censors Board, hon. Members, the police service had a member on the board; it still does, but the police played a more crucial role in the operation of the Film Censors Board. In fact, the secretariat of the board rested, if I may say so, with the Commissioner of Police. It made life a lot easier, because when the film censors took out part of a film that was to be shown publicly, the police were present. They formed the secretariat and were better able to enforce the legislation.

Today, the situation is marginally or significantly different, as I am sure the Minister is aware. The police simply have a representative on the Film Censors Board, and oftentimes the police do not know what was censored and what was not. So if the police went into a cinema, they could not know what was offending the law. Maybe that is something that needs to be looked at a second time, otherwise it makes a mockery of the legislation, and all the talk and time we spent in this Parliament would count for precious little, or sometimes, indeed, nothing.

The police have become virtually ineffective in dealing with all of this. Perhaps that is the way the society wants it. Perhaps, as is the position that some societies have taken, it should be freedom of information; it should be a question of freedom of choice; freedom to write and publish, and, therefore, people could do and say what they like. Therefore, it is up to the individual to see whatever he wants to see in the cinema or otherwise. If he does not want to see it, he could turn off the box, and so be it. But I do not think that is what Trinidad and Tobago is saying.

Trinidad and Tobago has not gone that way as yet. We still pretend to observe these standards, and if we are doing that we need to address that kind of issue so that we would make enforcement of the standards that we put in place via regulations and legislation, sensible, and people will be willing to observe that. We in this society have respect for certain things. There are social controls.

We had a situation in this country—well, to some extent it still exists—where, if a schoolchild or otherwise in this society was misconducting himself or herself on the streets, some adult would usually speak to that child. So there was a tier, if you like, of social pressure, of social control, before the law intervened. Oftentimes, by the time the law intervened in the life of some young man or woman who might be misconducting themselves, you would find that there was a fair opportunity for members of the society to correct that young person or child before the police intervened.

Today, sadly, in our society, people are becoming afraid. People are becoming more uncaring, and many of our young children—children are not always blessed with original thought—mimic what they see adults doing. They are mimicking many adults, including, of course, some of the things they see from our friends on the other side, and they misconduct themselves in some ways. When they do, the first intervention of the society is with Constable Brown or Dick or whatever may be his name. He places them under arrest oftentimes, and what follows is often tragic indeed. The Government needs to set the agenda; to do things that will encourage these social controls and not dismantle them.

I submit to the hon. Member for Naparima that these holidays, like Good Friday, may not mean anything to everyone, but they mean something to some persons; a large number of persons in the society. Before he just whimsically and crazily decides to remove any of the society's protection or observance on those days, there should be some kind of consultation. At least, the Minister could have satisfied this House that there was consultation with the Christian community and the Inter-Religious Organization, and they had no problem doing this. I would like to hear whether, in fact, the Minister, had consulted.

Every bit of that kind of encouragement of social control helps, because no sensible person in this world, would deny that when people look at cable television, regular television or videos and they see certain scenes, they are influenced by them. In my professional capacity, I had to conduct an appeal where three young men were charged with murder. It was the second murder that they had committed. While running from the police in south Trinidad, they came to hide out in east Trinidad, where they killed another man.

### **2.35 p.m.**

I was asked to conduct an appeal on certain legal matters, but when I examined the facts of the issue, one of the young men with whom I had a conversation—and the matter is no longer sub judice, it has been completed. I am not calling any names so I will not be accused of any professional misconduct, as certainly, the Attorney General could quite easily be accused of, as he spoke two nights ago in Marabella on a matter that was sub judice when he—and again it was shown to the nation's children on the television so it supports the point I am making when we see things.

Pictures paint a thousand words and when we see things on the television, particularly when we see them coming from the likes of the Attorney General of this country, the man who holds an office as the guardian of law in this country, who is supposed to be going around to schools talking to the nation's children edifying and educating them on what is legally and morally right and proper. The guardian of the law. He is supposed to be protecting the integrity of the Judiciary, the independence of the Judiciary, that is the nature of his office, and rather than that, he launches a nasty attack, a dastardly attack, a vicious attack on a young man, a professional man, and more than that, a Judge of the Supreme Court of Trinidad and Tobago, making reference to a very personal and private matter where the Judge, like every one of us, sought, under the terms and conditions of his office or otherwise to acquire for himself and his family. A man, who makes sacrifices.

People do not understand, but judges are not at liberty to walk the streets as a Member of Parliament can. I did not say “does”, because some of my friends on the other side live in ivory towers and they know what they do with the electoral list to win the election. Some of them walk around with bulletproof vests, they are afraid of the people who elected them. Why this fear? The Attorney General behaved in that fashion. The matter at the time was sub judice and every time we get up in this Parliament and make mention of the Sumairsingh murder, every time we speak to that matter, the Attorney General is the first to be on his feet to talk about sub judice, but he did not understand that two nights ago. Putting this country's Judiciary at risk as if he does not know right there in South America, judges are at serious risk: they bomb their cars, they shoot them, right in Jamaica—

**Mr. Speaker:** The hon. Member is straying from the Motion and I caution him to get back to the Motion. I have allowed some latitude, but I think it is going a bit too far, so would you please get back to the Motion?

**Mr. F. Hinds:** I was talking about the effect of what happens to the human mind when they see things, as I saw that horrible scene on the television. That twisted face, spewing venom, but I would continue to deal as far as I can with the technical aspects of the Motion.

Mr. Speaker, hon. Members, we have a situation now and I want to bring this to the Minister's attention if he is not aware or does not know, that you have—I am informed—a situation where the Film Censors Board, an independent body set up to censor films, which ought obviously to be separate from those who have an interest in distributing and purveying these films, but there is a situation now—that at least two distributors are members of the Film Censors' Board, and they sit in judgment as it were—and I use that word loosely and advisedly—on other distributors whose films come up for censorship. So that one distributor can sit and cut another distributor's film to his own advantage and give himself a competitive advantage in the circumstances. I think that something is absolutely wrong with that and it needs to be rectified promptly, and the Minister can use his office to address that problem. It is clearly a case of a conflict of interest and ought not to be so.

Only two censors look at a film in order to censor it although the board consists of about 11 members, and members of the public are indeed concerned about what is shown publicly. I remember there was upheaval in Trinidad and Tobago and around the world when there was a certain film shown called “Victory at Entebe”. That was a film I seem to recall where some Jewish soldiers

or mercenaries perhaps went into Uganda to free some persons there, and that caused an uproar around the world and it had its impact here. I think a cinema was set on fire in Trinidad and Tobago when that issue arose. So members of the public are indeed very concerned about what comes out. So for the Minister to say it is of no real consequence and it is of no moment, I think the Minister is clearly misreading that. It might surprise the Government, but there are still very many decent people in this country who want to observe certain standards of decency. It is difficult under a UNC Government I must admit, but they still want to see it and it must be encouraged.

Most of the films today are driven by the need for money. Of course, it is a very lucrative industry and, therefore, it seems to be that the more violent films could be, the more money they might attract. The more films with sex scenes, the more money they might attract. So most of the films today are packed with violent scenes all through. I look at a few from time to time if I do not have a choice. Sometimes you are sitting some place and one is in front of you. I do not have cable in my home. I got rid of it, I thought it was too threatening to my three children, but sometimes you visit a friend who may have cable running and you may happen to be looking at it for a few moments and it is pure violence, even the cartoons.

I read a study in preparation for this debate written by one Jason Hall and he highlighted the fact that when people witness scenes of trauma and very violent scenes, they have a serious effect on the mind and no sensible person in the country could gainsay that and, therefore, we need to be careful about what we show. This legislation gives us an opportunity to address those issues but the Minister paid no attention to that, he came here with the rather technical issue just to remove public holidays, just to deal with that, and so be it. I am not at all impressed.

I remember as a child the family-type movie which I saw with my entire family, a nice movie called "The Sound of Music". Up to today, young children of the nation still sing that song "The Hills are alive with the Sound of Music" and "Doh, Ray, Me, Fah, Soh..." That kind of family movie seems to be a thing of the past, and I maintain adults in any society, and moreso the government of that society, have a duty to try as far as it could to direct the society along certain ways and maintain respect for public holidays, religious holidays and the things we do on those days.

This is the same Government that came here two years ago and I remember my friend and my brother, the Member for Port of Spain South dealing very vigorously with the issue right here. This is the same Government that passed legislation permitting groceries and shops to sell alcohol on a Sunday and they

argued that in any case people bought the alcohol, so just make it law. If that was the logic that followed everything, then the amount of things we will pass and make legal in this Parliament will be frightening, they will make corruption legal because that is quite normal on that side. *[Interruption]*

I am hearing the Member for Chaguanas. I have much to say about the Member for Chaguanas you know, lewd dancing and thing. I understand he knows a lot about that, but I will deal with him at a later stage if he continues to provoke me. We come here and pass domestic violence legislation. *[Interruption]* Yes, I will come to you in a little while, you wait, bear a little patience and continue to provoke me. *[Interruption]* I am proud of my dread locks, you know. I am very proud of my rasta, nothing is wrong with that, this is mine and it is natural, it is beautiful. I love them and if you could show me anywhere in the *Qur'an*, the *Gita* or the *Bible* where this is a sin, then I will give you the privilege of cutting them. Meanwhile you will keep your slimy hands to yourself and touch not the Lord's anointed, and get thee hence.

Mr. Speaker, I am being provoked, and I need your protection.

**Mr. Speaker:** Member, if you need my protection you could simply ask for it, but let me caution you again. If you ignore the asides, you would not get sidetracked. I think you are going very good as far as the Motion is concerned, but you are allowing asides to sidetrack you. So I ask you to ignore the asides and proceed with the Motion.

**Mr. F. Hinds:** Thank you. As I was saying a while ago before the asides, the police have been neutralized in all of this because although we have the Film Censors' Board, they relied largely over the years, traditionally, on the police to make the raids on the cinemas and deal with the legislation and to enforce it. Right now there is effectively no enforcement, and if that is what we want, let us say so and remove the restrictions altogether, but that is not what we want, that is not what the Minister has come here today to ask for. So we need to enforce the legislation—to use the words of the Member for Couva North—“that is the law”, and he uses them only when it is convenient. “That is the law, and the law must be observed” but this Government does not encourage enforcement of legislation; this Government does not encourage enforcement of standards and this is why today an element of the police is being referred to as “rogue police” and as I said earlier, it is only when they are cueing in on the voter padders and trying to get behind the perpetrators of a certain political crime that they have suddenly become rogues and annoying the Member for Couva North, but the police service was here long before he came, and it will be here long after he has gone whether he likes it or not. They have a job to do, and no doubt they will do it.

I would like to see or hear the Minister say something about the regulation of the video entertainment industry. I admit and I recognize that because of the private elements of that—that is to say you go to a private video club, you rent your video, or you may bring it in from abroad, or what have you, then it is more difficult. I would like to hear if the Minister ever applied his mind—because there is absolutely no regulation in that—and the same films that we censor before they are shown to the public, they exist, and perhaps, even in graver terms, in the videos that are proliferated around the society.

Of course, my friend, the Member for Naparima would want to argue that that reflects the difference in what is public and what is private, but when an individual's mind becomes depraved privately, it affects all of us very publicly. Does it not? Because if he learns to murder and to kill by way of some video film, or some uncensored film in the theatre, he goes ahead and does it.

I was telling you about the matter earlier with the young men. One of them told me that the technique they had used to kill the driver of the car was actually learnt from some movie he saw. So there is no doubt in my mind, and I am sure there is none in yours that these things have a serious effect, and this Bill today gives us an opportunity to address some of those issues and none has been forthcoming.

As I wind to a close in my very short submission on this matter, I say to the hon. Minister that he needs to think again about removing the protection or the observance, or the concerns for what happens on these religious holidays. I think he needs to have a second look at that, and if he is at all contemplating that as the legislation stands, it only supports some and not all, what he can do is include the others rather than remove the protection on some.

May Archbishop Pantin so rest in perfect peace. He died, according to a newspaper report—somewhat of an unhappy man.

**2.50 p.m.**

He is reported to have responded to one of the seven losers that this Government insists on foisting on this beloved country of ours—the then Minister of Culture, Sen. the Hon. Daphne Phillips—she had made some comment about Trinidad and Tobago being a destination for—I think it was—sex tourism, and Archbishop Pantin was quick off the mark and properly sought to point out to her that is not the Trinidad and Tobago that he knows and wants. He said he was absolutely unhappy about it.

[*Mr. M. Assam stands*]



**Mr. F. Hinds:** I am not giving way to the Member. I am so sorry to be that discourteous but I remember the last time the Member for Tunapuna was speaking and the Member for San Fernando East asked him, politely, to give way, that he refused. He has a short memory. He has risen today for me to give way and I reject it.

A large number of persons in the society, having listened to what the Minister and the Archbishop said, when they had an opportunity to let their voices be heard in Diego Martin West, they rejected that person. She received a sound beating at the polls by the current Member for Diego Martin West; and when we thought that would have been the end of her and her strange philosophy, she is back, foisted upon us by the very ignoble Member for Couva North.

That does not surprise us, that is the conduct of this Government. They are interfering with every institution. There are no sacred cows in this country any more. Everything is under attack; whether it is the police service, the Judiciary, whether it is the Office of the President, whether it is the Chief Justice, the media, the Opposition or the trade unions, as long as you attack the Government, so they say, you will not remain unscathed.

I want the Minister to say clearly if these groups have been consulted, if not, he needs to adjourn this Motion so that he can get his head right and come to this Parliament with a more sensible amendment to these Regulations. I wish to thank you.

**Mr. Martin Joseph** (*St. Ann's East*): Mr. Speaker, I join my colleague from Laventille East/Morvant in expressing my concerns with the brevity in which the Minister of Communications and Information Technology has brought this Resolution to this House. There are some concerns that I wish to bring to the attention of the Minister for clarification.

As my colleague indicated, we come here and we pass legislation designed to enhance the operation of our society; and issues of morals and values are things that are still near and dear and I still believe that they have relevance in our society. The Member for Naparima indicated that this is a colonial piece of legislation about which the people in the industry have expressed some concerns. As a result, it needs to be amended. What mischief is this amendment intended to correct?

My colleague from Naparima has indicated that the owners and patrons have indicated the fact that they cannot go to the movies—and I want legislators to understand what obtains now—as the industry stands now they can have 12.30 p.m.; and then 4.30 p.m. and sometimes movie houses mount special shows. They may have a 9 o'clock or a 10 o'clock show, especially during the vacation.

[MR. JOSEPH]

As it is now, outside of Sundays, Good Friday, Corpus Christi and Christmas Day, movie houses can be opened any time; but as the law is now, movie houses cannot open their doors before 3 o'clock on these days. I want the hon. Member, if it is possible, to explain to us what is really the motive behind this? And I have a right to ask.

I understand that there is a group of persons who intend to have movies being shown from Monday to Saturday, from 9 a.m. right through, but the law as it stands now restricts them—and I am not bringing the religious argument—I ask the Minister to indicate to us precisely what is the motivation behind this piece of legislation. It is legislation for their friends and family. This UNC Government—and I am joining my colleague—between 1995 to 2000 has not managed the affairs of this country in the way it has for all Trinidadians and Tobagonians. This is a multi-racial, multi-cultural, multi-ethnic and multi-religious society and you need to take these facts into consideration when bringing legislation or when you are amending legislation. You cannot be concerned with just one group of persons. This is the problem we have had with respect to some legislation brought by this Government. I do not want to recount what my colleague, the Member for Laventille East/Morvant, said when they decided to amend the Liquor Licence Bill two or three years ago.

As my colleague indicated, if it is you have left out some of the religious holidays, because when this legislation was being implemented those were, perhaps not religious holidays, then you need to really include them. We have serious concerns. Then we ask: why is there so much violence in our society? What is happening to our young people? It is as a result of some of these other influences that we do not seem to be very critical about, that come into play and, as a result, instead of the improvements that we should be making in this 21st Century, we are going backwards. I think we need to be concerned about those things.

My colleague also introduced the question about videos and the movies and he said he has removed cable from his house. I would love to do that but when I look at what is on the scene now; two television stations, TTT and TV 6. You do not want to watch TTT because of what TTT has become. This Government has forgotten that there is a big difference between government-owned and government-controlled.

**3.00 p.m.**

I am aware that the last PNM administration, 1991—1995, had to deal with that, because there were some people who wanted that administration to control TTT. They wanted TTT to always be saying things favourable to the Government; they wanted TTT to become an arm of the Government and they had to resist that

and they had to realize there is a difference between government owned and government controlled. How is that showing itself up? What is happening? Here you have a television station that had a monopoly for a number of years—a headstart; learning curve experience; experiencing curve experience—another player comes on the scene and within a number of years has taken over the market from TTT. People do not want to watch TTT anymore, because they realize when they turn on that television station, it is a propaganda station, Mister Minister, with all due respect! [*Desk thumping*]

I read recently where he was hiring some consultants to go and see how to turn around TTT. Save that money! You do not need any consultants to tell you what is wrong with TTT. You do not have to! They have to change their focus and their philosophy. It continues to be government owned but not government controlled, which is a big difference. [*Desk thumping*]

I want to say something else as I am on that. Like the 1.3 million Trinidadians and Tobagonians, I think most of us are proud of what we consider to be the greatest show on earth, our Carnival. A few days ago I was watching Jeopardy and the question was: The country that boasts of the greatest show on earth; and the person said, Trinidad and Tobago, and I smiled. I look at what has been happening with respect to TTT's dealing with our culture, our Carnival, the greatest show on earth—a multimillion dollar industry. I am sure that Carnival is a billion dollar industry and we do not know it; the greatest show on earth; people coming from all around the world to observe it, but Trinidadians and Tobagonians cannot stay here—for those who cannot afford to go to the various shows; because if all of us decide to go to the shows, we cannot go, so you want to watch it on television. TTT obtains the exclusive rights to bring all Carnival shows. How they did it? God in heaven knows. But they have exclusive rights to bring all the Carnival shows, so the only other station cannot bring it, which is TV6. Then they cannot bring all the shows. Why? Because enough business sponsors are not putting their advertisements on TTT. [*Desk thumping*] So you see what is happening? Those of us like me, who are accustomed to watching the semi-finals in San Fernando; sit in front of our televisions, and the thing "ain't" coming. Panorama—nothing! We stay at home Carnival Monday; we are accustomed watching, at least from one o'clock we sit to watch—nothing! Again, why? Because of how TTT is being managed.

I understand one cannot stand up and say anything in TTT, you know, because just like this Government, anytime anybody criticizes or makes any suggestions, they are anti-UNC and are kicked out. I understand there is an exodus in NBN. [*Desk thumping*] They are just kicking out people left, right and centre.

Mr. Speaker, you see, all these things are related and this Government seems not to understand. Take for example in previous administrations—people complain that they do not know what is happening in Parliament—there used to be something called the National Report where there were contributions of various parliamentarians from both sides of the House. What has happened to that? Gone! Because all they do now is bring spokespersons from the UNC.

Do you know what is also amazing? We have—I think at the last count; I may be wrong—about 10 or 12 radio stations. Obviously, some of them are doing well. But you cannot have two television stations. TTT will continue to lose its market share if its philosophy does not change.

These are my brief comments as they relate to this piece of legislation. No. I want to say something else. Do you know why? We come here Friday after Friday and we try to contribute towards the debate. When we contribute towards the debate they tell us to “shut up; sit down, you are going too far”. But that is our role. The last time we were here, the Member for Tunapuna made some comments. We were dealing with the question of persons who contested elections and not successful being brought into the Parliament. In his normal dismissive way—know it all—he said the same thing happened in Canada. He said “The successor to the late Pierre Trudeau was not a member of the House; ran in the leadership race; became the leader of the Liberal party and was elected without a seat. They do not read!”

**Mr. Maharaj:** Mr. Speaker, on a point of order. I do not think that the Member is entitled to raise and revive a matter which was a debate on the last day. He is referring to what the Member for Tunapuna said in the debate the last day. He cannot continue that debate—

**Mr. Hinds:** Sit down!

**Mr. Speaker:** Member, you are straying a bit from the debate and, indeed, you are making reference to a matter that was dealt with at the last sitting of this Parliament. So while I am somewhat overruling the Member for Couva South, [*Desk thumping*] I am going to ask you to get back to the Motion, because you are straying and you are going a bit too far.

**Mr. M. Joseph:** Thank you very much, Mr. Speaker. I am winding down, but I was just putting it in the context of the question about our morals and values, and I am saying that here at this highest forum, where the question about truths and beliefs, et cetera, is critical. I just wanted to give a little instance of how the last time—

**Mr. Speaker:** Yes, but I think the little instance is going a little too far and I trust you will abide by my ruling and get back to the Motion.

**Mr. M. Joseph:** Okay. Thank you very much, Mr. Speaker.

The point I want to make is that there is nowhere—especially in the Caribbean islands—quoted, where it is that persons who were not successful, were placed in the Parliament. Mention was made of Barbados where five persons who faced the polls lost and they came in. What was not accurately conveyed was that two came from the Opposition; three came from the Government, as opposed to the impression being given that all five came from the Government and none of them was placed in executive positions, so that they did not occupy ministerial positions; an example again of misleading and not providing accurate information.

Thank you very much, Mr. Speaker.

**The Minister of Communications and Information Technology (Hon. Ralph Maraj):** Mr. Speaker, the hon. Member for Laventille East/Morvant, in his contribution, talked about the engendering of depravity by excessive exposure to violence—

**Mr. Speaker:** Hon. Members, nobody else caught my eye. If a Member wishes to speak, the Member stands in his place or he raises his hand and if he catches my eye then I will call him. No one has caught my eye. Is there someone on the Opposition Benches who wishes to make an input?

**Hon. Member:** Yes.

**Mr. Speaker:** Well, in future, please stand or raise your hand so you can catch my eye. Hon. Minister, I will permit the Member on the Opposition Bench to make her input. Who is it? Member for Laventille West?

**3.10 p.m.**

**Mrs. Eulalie James (Laventille West):** Mr. Speaker, in noting the type of motion that has come before the House today, I could not allow it to pass without saying a few words, and I am grateful to you for giving me the opportunity.

Like my colleague before, I really want to find out the reason for bringing such a motion. I want to speak, particularly, on the religious side of this Motion. We have respect for all religions in this country as we are, in fact, a multi-religious society. This Motion deals, specifically, with removing the restrictions from Sundays, Good Friday, Corpus Christi and Christmas Day that are clearly associated with the Christian church; specifically the Anglican and Catholic churches.

Mr. Speaker, we have noticed, in particular, the degradation of the youths in our society and enabling these cinemas to have showings all day on Sundays and the other days mentioned, I think, would further add to that. It is in our interest, as parliamentarians, to do whatever we can to encourage more spirituality in our nation and allowing these cinema houses to open all day on these days certainly would not help. We are noticing that, as a result of some of the pictures shown in cinema or on video, some of our young people are copying what they are seeing in these films. I vividly remember one little boy who, after watching one of those videos, practised what he saw by putting a rope around his neck and lost his life as a result.

Mr. Speaker, when we look at all these things, they are of concern to us. The Minister talked about the law being archaic and outdated, but that does not justify the removal of this clause from the statute books. I believe that, because our society is moving downhill, we should attempt at all times, to do what we can to prevent that and I see this Motion as one that would bring our young people to further degradation. Therefore, I hope that the Minister would rethink this Motion. In fact the 3.00 p.m. showing on these days should be removed completely.

Mr. Speaker, on the days mentioned, families are able to come together to reflect on what is taking place in our society and even allow them more time with those children who may be tempted to go astray; there is the possibility that not allowing these cinema houses to be opened all day on these days mentioned, would help our society somewhat. I also see this as sidelining the churches. The churches have activities on these days that involve the wider community, and, as such, I do not think that this clause should be removed. In fact, I would again advocate that the restriction could be removed, but not to allow any cinema showing on those days. We must remember that our society, at least the Christian society, believes in one god. Our God is supreme and there is none other than him. At any given opportunity we should, as the Parliament, encourage our society to do things in line with that belief.

Mr. Speaker, I remember the Baptists, in having their celebration on Liberation Day, made a hue and cry to remove the playing of Play Whe and Lotto on that day and it was done. Why would they want to encourage cinema to be held all day on these Christian holidays? They should look at it in that line as well, and give the Christian churches those days to worship God and have their reflections.

I also looked at the children who go to these video places during the day when they are supposed to be in school. They are in those places with the video or whatever it is and I think the Government could think about regulating that because our children should be in school and not in these places enjoying themselves. I believe that the Government should think carefully about what it is trying to do, and not allow our society to go further downhill by seeking to have this clause removed.

Mr. Speaker, I just want to submit this very short presentation and hope that the Minister in replying, or winding up, would give us the real reason behind the removal of this clause from the Cinematograph and Video Entertainment Act, Chap. 20:10, because the reasons he gave—which were very short—do not justify that. Thank you.

**Mr. Hedwige Breaux** (*La Brea*): Mr. Speaker, I rise to make a very short intervention in this debate on the following Motion:

“*Whereas* section 24(1) of the Cinematograph and Video Entertainment Act, Chap. 20:10 (hereinafter called ‘the Act’) provides that the Minister may make Regulations for prescribing anything under the Act which is to be prescribed, generally for carrying the Act into effect and in particular *inter alia* as to the form and duration of licences issued under the Act and the conditions or restrictions subject to which a licence may be issued;

*And whereas* section 24(3) of the Act provides that the Regulations made under the Act shall have no force or effect until they have been approved by Parliament;

*And whereas* the Cinematograph and Video Entertainment (Amendment) Regulations, 2001 were made under section 24 of the Act, whereby the Cinematograph and Video Entertainment Regulations were amended in the manner set out therein;

*And whereas* it is expedient to approve the said Regulations:”

**3.20 p.m.**

Unfortunately, I was not here when the honourable Minister made his presentation in this House, and as such, I am doing it, as it were, in a vacuum. Because of the importance of the length of these particular regulations—or should I say the brevity, notwithstanding—I feel it is necessary that I must make a contribution. Mr. Speaker, before I do that, you know I am a very generous person. I see the loser from La Brea sitting in the gallery. I want to welcome Mr. Stanley Ryan to the House. He lost by 2,100 votes.

**Mr. Speaker:** I want to inform the Member for La Brea that Mr. Stanley Ryan is Sen. Stanley Ryan. He has full rights to be in this House.

**Mr. H. Bereaux:** Mr. Speaker, I call you Mr. Speaker and I will call him Sen. Stanley Ryan. It is not my fault. The fact is that I was just making a historical statement as to the number of votes he lost by. Are you upset with that, Mr. Speaker?

**Mr. Speaker:** I am not upset, but I would like you to press on with the Motion at hand.

**Mr. H. Bereaux:** I know who he is and you would note that I never made any objection. *[Interruption]* You keep quiet. I am not speaking about you. If you have \$12 million that is your business. Do not boast. I have no problems. You will note that I never make comments. I am never upset about that. I take whatever happens in a most comfortable manner. As you say, my profession is as such that I can fight on any side. I can argue any point at any time. It does not matter. I accept things as they go.

To come back to the question of the regulations that we are trying to introduce that deal with form B which talks about the theatre shall not be used for exhibiting films before 3.00 p.m. on Sunday, Good Friday, Corpus Christi and Christmas Day, it brings in a wider spectrum of things. We are talking about the theatre. In Trinidad and Tobago I cannot remember when last I went to a cinema simply because there is video and cable. I point out that maybe, rather than the Government passing a Bill changing regulations in order to allow the cinemas to show whatever films they want at any time on Good Friday and other holy days—the word holiday came from holy days—whereas I do not agree with it, I am not surprised.

This is a government that came to this Parliament in another incarnation which is illegal. Although at that time they had several Members of the Muslim faith as Members of the Government holding ministerial offices, they went ahead and allowed rum shops and restaurants selling rum to open on any day any time. The fact is there. So, we could expect anything from this Government. I say plainly from time to time—notwithstanding their having done that—there are Members of Parliament and Ministers in particular talking about morals and what is going on in the country. How can a government of this nature talk about morals? I would say more or less, when they say moral they should add “im” in front of it.



I want to deal with videos in particular. There are cable companies which show a number of stations, about 80. Quite recently, I heard the hon. Attorney General and Member for Couva South saying that he wanted to bring laws to deal with illegal copying of works. I have no doubt that if people are doing what is wrong, we can enforce such laws to deal with that. There is a Member of this Government who is a member of a company that is illegally collecting money for displaying or transmitting Cable TV to various houses in Trinidad and Tobago, on stations for which they have not paid their royalties.

We have to be careful when we try to piddlingly change things around. I do not know if the Minister of Communication and Information Technology is aware of the company of a Member of the other House collecting money. I cannot help it if I have to pay money. I want to see legal cable. I have the ability to do certain things on my house and when a dish is spraying to pick it up. I am not going to do that. I will pay my bill as difficult as it is to pay sometimes. When I am doing that I do not want to be an accessory to the fact that a company is breaking the law and one of the owners of the company is a Minister of Government.

I am calling on the Minister of Communication and Information Technology. At another time I could not talk about that in this House because it was like himself to himself. Now a different minister is in charge and I have great integrity in the Minister of Communication and Information Technology, his companions notwithstanding. I am saying to the Minister and Member for Naparima that the company of one of his colleagues is involved in breaking the law.

I was here when the hon. Member for Siparia was piloting the Bill dealing with the copyright of the works of people. She was very eloquent in her statement. I am so glad to see the Member for Ortoire/Mayaro here, although he is not sitting in his proper seat now. I know he also supported that. He may not be here for very long. I know he is against—[*Interruption*] I am not going there today! I am dealing with something closer to the heart of the Minister. I know he is a person against people pirating the works of others.

Here is a situation in this country where the company of a Minister of the Government to which he belongs is involved in piratical acts. I do not mean in the narrow definition of the word, but moreso in the definition of making use of other people's broadcasts without paying the necessary royalties. In this country, we have suffered tremendously when people come for Carnival, take pictures of the greatest show on earth and works of our bandleaders and calypsonians, show them abroad, make profit and leave us out.

**3.30 p.m.**

We have to take care of that. We have the Copyright Association of Trinidad and Tobago and other people dealing with copyright, but what are we doing about this? We are closing our eyes to people in high places breaking the law. We used to talk about that in this House to a man sitting somewhere around there. Today he is before the court somewhere else. I will not call his name; we all know who he is. We warned this Government about it. I am warning them again about the piratical acts of one of their Ministers and the company he owns. There is a situation in this country where those very persons are involved in other things and nothing is happening. There is one law for those persons with money and those who sit in high places, and another law for all other persons.

When the little man at the side of the road sells the tapes that he copied improperly, the police take him away and lock him up. They even came to Palmiste and grabbed some man who was doing some things there. That is not far from where I live. *[Interruption]* I do not have the kind of expertise or the incentive to do things like that. They come there but they would not find the Minister. I know the Prime Minister is prone to tell you name him. He would not do that today because he knows him. I do not have to name him.

Mr. Speaker, that is in respect of video. My hon. colleague from St. Ann's East spoke earlier about TTT's behaviour, why it is losing money and why people are not paying attention to them. TTT is operating as a one-man operation. My daughter calls it HATV—Hansley Ajodha TV—because every time one turns on one's television, one sees Hansley Ajodha, an eternal and perennial apologist for this Government. If someone says something, he explains it over. Mr. Minister, spare us the horrors of having this man disgrace our bedrooms and our livingrooms. Some of us have more than one television. Unfortunately, when I run from upstairs, I meet him downstairs. I go to the basement and I meet him there. *[Interruption]* The other problem is that I do not use cable. If I did I would be an accessory before the fact to breach of copyright. I have to go to TV6.

This is not a joke. In Trinidad and Tobago, we were accustomed going to TV6 by flicking six. Now, in order to get TV6, we have to flick five. They do that just to obstruct the people.

Mr. Speaker, you will recall that during the Olympics the same people who pirated and disseminated certain stations on cable television, without a right to do so and collected money for it, were involved in preventing a number of us who have cable from seeing the Olympics live. We are now talking about shifting. We are trying to put a plaster on a sore, but we have to see about curing the diabetes that exists in the system, if we want to deal with that sore.

They have done tremendous harm to the population. It is not that people would not have done something about it but, like everything else, they tell you to go to the courts. My very short sojourn in the courts tells me that to take it to the courts is plenty cost just for the lawyers; not even big time ones like the Member for Couva South professed to be when he was in practice, but even those who are not so well known. It costs a lot of money. The average man in Trinidad and Tobago today—everyone who has cable television—is guilty of accessory before the fact because we are paying money for television that is not licensed, like HBO.

I was skewed off on the question of Hansley Ajodha being up and down on my television every day. The whole point is that there is an important function of management, which is to train and develop people. When there is only one man in TTT doing almost everything, there is no training. For instance, they ignored Tobago and broadcasts from Tobago, but during the elections, when the hon. Prime Minister was there, they sent a whole battalion there. I do not mean a battalion in the ordinary sense of the word, but they sent a large crew there, yet, Hansley Ajodha was there manipulating all the statements made.

If the Government wants to have a propaganda station, have it. They are the Government; they want to have a propaganda station; they want to use a station for disseminating information on their Government's situation, then do it. However, if TTT is intended to be a commercial station, then let it be a commercial station. Do not use that station in a manner where, when people want to see the various programmes, it is all laced with Government propaganda. They are annoying people in their living rooms—private property.

There is the question of the manner in which these stations behave. Mr. Speaker, do you know why they did not bring the semi-finals? It was not only because business houses refused to advertise. It was also because a large number of calypsonians sing at the semi-finals and sprinkled among them would be a few social commentaries that may comment unfavourably on the Government.

**3.40 p.m.**

Mr. Speaker, since, therefore, Mr. Hansley did not have the opportunity or was unlikely to have the opportunity to explain each one away, he decided not to bring the calypso semi-finals on television.

Mr. Speaker, I have to congratulate the Member for Ortoire/Mayaro. He was there. He got plenty boos, but like a true calypsonian and a top class person, he took it. I wish he would teach his Prime Minister how to accept criticism. There might be many things he could learn from him. The Prime Minister might be

more educated than he is, he might have a degree or two more than he does, but he could definitely learn about behaviour in public office from the Member for Ortoire/Mayaro. [*Desk thumping*] [*Interruption*] Well I do not want to say that, Mr. Speaker, but I am really concerned.

Mr. Speaker, here is a situation where, on a holy day and I now want to go back to moving the 3 o'clock— First, I think we should go with what is shown in the cinema. Even if we leave it at 3.00 p.m., we should stipulate. When I was young I went to cinema on Good Fridays, Corpus Christi and Christmas Days, and would normally see [*Interruption*] I know that hon. Member for Couva South was supposed to be a Presbyterian Minister at one time so I know he will know all those things. I thank him for that information. Unfortunately, Mr. Speaker, good promise in the beginning but he has certainly ended up very far from where he started, and the direction from which he was supposed to go.

I was saying, Mr. Speaker, I recall that on Good Fridays one would go to the cinema to see some biblical films and so on, but not now. If you were not careful, especially, if one has cable and turns on the wrong station, like channel 46, one would see X-rated movies. It is a good thing I am too old to be corrupted. That is what is going on and then we complain about the behaviour of young people. They say we should not beat the children in school but there is nothing else in place. We complain about the youths' behaviour and there is the corrupting influence being illegally brought into the country so that it could fill the pockets of a company in which a minister has shareholdings—not a Member of this House, a Member of the Senate.

I am saying we need to start somewhere. I am totally against this Regulation where you will now want to exhibit films before 3.00 p.m. I am saying there is no reason to do it. Some people have the ability to stay in their cloistered homes and be as sacrilegious as they want. They should continue, however, to practise sacrilege home alone. They should not bring it into the public domain and then encourage the young people to see it and when they practise what they see, we complain about them being a problem. The youths are not the problem, Mr. Speaker. When a Government fails the youth and when a Government does things like, have conspicuous consumption—everybody feels the way they must live is to be able to afford the Johnny Walker Blue that certain Ministers drink. Now I like that if I get it free but I cannot afford it—that is why we have some young people who feel they could get what they want by the barrel of a gun.

When you have a Minister of Government in this country having 27 charges being brought against him for fraud—I am not going any further on that you know. [Laughter]

**Mr. Speaker:** Hon. Member, I am glad you said that because I cautioned you on the last occasion. Let me do it again, however. That matter is still before the court and I would prefer if you do not make any references to it.

**Mr. H. Breaux:** Mr. Speaker, when I am in full flight like this I am not going to break any rules for you to put me to sit, you know. I am just referring to it *en passant*. I am not going to deal with that. [Desk thumping] [Laughter]

**Mr. Speaker:** Well, even *en passant*, I would prefer you, at this time, not to refer to that matter. Please press on with the Motion.

**Mr. H. Breaux:** As I was saying, Mr. Speaker, you have the kind of behaviour that causes the problem. When you tell a young person you will take him to court before a judge, what happens when you have the hon. Attorney General and the hon. Prime Minister, get up publicly, and berate the Judiciary? I have asked for all sorts of things from people and if they do not give it to me it does not mean that I will change my considered opinion, Mr. Speaker, No! What upsets me with them is that they know! If they really believe that the judge was going to be biased, they have the ability to object to him and tell him that. If I know that, and I consider myself the least of the lawyers, you could imagine the persons occupying those exalted offices must know that they must not do that.

Mr. Speaker, I want to come back to these 3.00 p.m. days. I am saying that there should be a particular restriction on the kinds of movies that are shown, not only on Sundays and so on. When you have a movie for general consumption, there should be stricter rules as to those movies to which young people can go and stricter rules as to what you can show at certain hours of the day or night.

### 3.50 p.m.

So, Mr. Speaker, I cannot, and we on this side definitely would not, support the removal of the restriction that on Sundays, Good Friday, Corpus Christi and Christmas Day you must not show any movies at 3.00 p.m. I go even further than that. There are some holidays—this Government professes to love the Baptists so much. I would put Baptist Liberation Day on that list and also a number of others because what we are trying to do is to build the moral fabric of the society. [Desk thumping] I will give you an example.

Sometimes, and at other times when I have to stay home on Saturdays in the morning, I usually would take a look at those American television shows, the ones for young people. That used to happen a long time ago, when my children were younger, when I would look at those shows. If you look at all those shows you would usually see a common thread running through them. Those were shows designed to teach people patriotism, teach them to take care of the environment, teach them not to cause fires—the dangers of fire and several other things—teach them the virtues of thrift and teach them about the environment, as I am advised.

I say, rather than come here with this piece of legislation to remove what little shelter there is for morals in respect of the cinema, what we should be doing in fact is—and I think the hon. Minister should be looking at that in conjunction with the hon. Minister of Education—looking to create shows in Trinidad and Tobago that will operate to teach our young people some of those values. You could give it in comedy, you know. As they say, give the pill of good advice in the jab of banter. You could put it in comedy and that is what we must be doing here.

You see, everything this Government does has some kind of sting in the tail to benefit somebody who may support them or something. [*Desk thumping*] That is what they come about. They are not about the business of Trinidad and Tobago. They are about the business of themselves and their friends. So as a result of that, why did they come with this? Mr. Minister, I know you. “How you come to get into this?” [*Interruption*] No, you see, Mr. Speaker, nothing—look at this. Is it that they did not have anything to deal with in this Parliament today? I came here prepared and wanted to discuss the Occupational Health and Safety Bill. I have been studying it for weeks now. I came to discuss that but here it is we come with this “lil’ piece” of thing and I do not know if they are suffering from shock, Mr. Speaker. They should not be suffering from shock because they knew what would happen, because they know the law.

Mr. Speaker, I just want to say forcefully that this Motion cannot—and as much as we would want to, we are unable to support this Motion. I thank you. [*Desk thumping*]

**Mr. Colm Imbert** (*Diego Martin East*) [*Desk thumping*] Mr. Speaker, this matter before the House today is simply another example of the anti-Christian posture of this Government because this Regulation—I shall read it:

“The theatre will not be used for exhibiting films before 3 p.m. on Sundays...”

A Christian day:

“Good Friday...”

A Christian day:

“Corpus Christi...”

A Christian day:

“ and Christmas Day”.”

A Christian day.

So that this Regulation had its underpinnings in traditional religious observances by Christians, particularly the observance of the Sabbath, and of very important Christian holidays, especially Good Friday and Corpus Christi, [*Desk thumping*] and the purpose and intent of the Regulation was to allow Christians a period of reflection on those particular days [*Desk thumping*] so that they would not be subject to distractions that occur in cinemas and videos.

So it follows the move by this Government to abolish the Regulations that prohibited the sale of alcohol on Sundays and Christian holidays. That is another anti-Christian move by the present administration and this is just them following through with their intent to change the culture of this country and to remove [*Desk thumping*] protection for the majority of persons in this country because the majority of persons in this country are Christians. Whether they are Catholics, whether they are Presbyterians, whether they are Pentecostals, whether they belong to the Full Gospel Movement, whether they belong to the Baptist religion, whether they are Anglicans, Protestants, Methodists and all the various Christian faiths, we represent the majority of persons in this country and yet you have a government bringing yet another attack on Christians in this country. [*Interruption*] Anyhow, you carry on. You will reap your rewards in another place.

Nevertheless, the whole point is that the cinema and video entertainment are the only forms of entertainment available to a large number of persons in this country. It is not a well-known fact that cable television is only available to maybe 20 per cent of the population in this country and the Minister will know this, I assume. I assume, having taken over the portfolio of telecommunications and done some reading—I assume he reads—he will be aware that cable television is available to approximately 20 per cent of the population in Trinidad and Tobago and there are vast areas, especially in the southern part of Trinidad, and Tobago, where there are no cable services available. In these areas, the alternative is the cinema and video entertainment. It brings into perspective exactly what this Government is seeking to do.

While I am on the whole question of cable, it is interesting that for many years we had several cable companies in Trinidad and Tobago. We had AJ Cable, Cableview, Rainbow Cable and so on. Then a certain administration came into power and a certain member of that administration came into public office. Then progressively, you had a creeping dictatorship, so eventually all of the cable companies were bought out, forced out, thrown out or whatever it is—they were muscled out of the business—and you had a takeover of all the cable operators by one company.

As my colleague from La Brea has pointed out, there is a minister of Government who has an interest in that monopoly cable provider; quite apart from the fact that when that monopoly cable provider came into being they changed the whole structure and content of cable programming and changed the shows and you now have a situation where there are many popular shows on cable television that are not broadcast in English. You know, there are children's programmes like on the Nickelodeon channel, for example, which is watched by a large percentage of children in this country. It is no longer in English, it is in Spanish, because you have this monopoly situation and you cannot change to another provider. There are certain channels like The Learning Channel and so on that no longer are available as they used to be because it is a monopoly situation.

Now you have the obscene spectacle of this monopoly created by a minister of Government unilaterally raising cable rates by 25 per cent. The Government is doing nothing about it. They talk a lot of nonsense about monopolies and regulated industries and so on but they do not take any action. [*Desk thumping*] The reason is that the Minister of Government has an interest in this monopoly cable provider and I am calling on the Government today to put the monopoly cable television service under the regulated industries authority or commission, or whatever it is, and let them examine the charges that we, citizens of Trinidad and Tobago, are now being forced to pay.

I know there is a large body of people in the country that is simply refusing to pay these increases in cable charges because it is dictatorial. It is part of this whole creeping dictatorship in this country and it must be regulated. Something must be done about it; [*Desk thumping*] but you know this Government, because one of "dey partners involved an' getting money from it", they are going to drag their feet. They may not do anything effective about it and we will continue with this oppressive situation where you have a monopoly provider, you have no choice and you have to pay whatever charges they tell you to pay otherwise they will disconnect your service.



What is the alternative? As my colleague from La Brea asked, “What is the alternative?” If you do not want to go to the cinema, you do not want to watch the cable and you do not want to pay these oppressive charges for cable television, all encouraged and orchestrated by a member of the Government, you have to turn on TTT and, as he said, watch this guy, all over the screen. You know, TTT has really gone into significant decline in the last couple years. It is evidenced by their declining revenues, the fact that they cannot command an audience and that they are viewed as a propaganda arm of the Government. They do not even make a pretence of it.

As a matter of fact, it was most striking to me during the Tobago House of Assembly election—and we have some of our colleagues here from the House of Assembly—as I was switching between the coverage on TV6 and TTT, just to hear what people were saying. TTT had assembled a group of people, some of whom were quite vocal in their anti-PNM sentiment. I remember, as the results began to come in on that night, the House of Assembly election night, and I was switching to TTT, and I saw results coming in for seats in Tobago where they had one particular party allegedly getting 150 votes and another party getting 200 votes and they said, “The PNM get three votes and the UNC get four votes”.

Then you had these commentators on this Government propaganda mouthpiece laughing and saying, “Look at that, look at that, the UNC beating the PNM in Tobago”, and this rubbish went on until I picked up the telephone and I called TTT and said, “What nonsense is this? I am just watching TV6 and I see the PNM winning ‘hands down’ in nearly every seat in Tobago and you have rubbish on the television saying that the NAR get 150 votes, the PEP get 200 votes, PNM get two and the UNC get three?” They said, “Oh, oh we just realize is a mistake.”

Then they have the commentators extrapolating and postulating and going off on all sorts of philosophical lectures about, “Oooh, look at that. Look at how the PNM is getting beaten in Tobago.” Next thing, the screen went blank [*Laughter*] for about 10 minutes and then when it comes back on you see in reality it is the PNM getting 300 votes and 400 votes [*Desk thumping*] and winning all the seats, and the commentators saying, “Oh, or hor! That looks more like it”; [*Laughter*] and that is what I had to see on my television. That is where TTT has reached and that is why that company is bankrupt.

#### **4.05 p.m.**

Just the other day, they were bringing the match, Jamaica vs. Trinidad, and they falsely advertized the match time as 1 o'clock but the match time was 2 o'clock. So, we turned on the television at 1 o'clock and we had to face a barrage

[MR. IMBERT]

of UNC propaganda for one hour, UNC garbage on the television, before we could see our boys kick off in Jamaica. No wonder they lost the match. [*Laughter*] This is what is going on in this country.

The Minister cannot come here and give us this half-picked document. We want to know what is going on in the cinematographic and video entertainment industry. [*Desk thumping*] We do not want to know about this nonsense, this trivia that he tells us. We want to know what he is doing about the cable television monopoly. I want him to tell us what he is doing because that is an alternative to cinema and video entertainment. He must tell us today whether he is going to put the cable monopoly under the Regulated Industries Commission and he must explain this anti-Christian sentiment of his administration. Why are they against Christians so? Why do they want to remove all the protective mechanisms that have been put in to allow Christians quiet enjoyment of their religion on their religious holidays, so they will not have distractions such as blue movies in the cinema? Tell us why!

We really have to wonder what is going on with this Government. They do not look at anything from any sort of serious angle. Everything is some racket, some “ratchiffee”. It is “What is in it for me?” Clearly, there are some cinema operators who are cronies and supporters and financiers of the Government—some of them probably have shares in cinema—who have decided that they want to run films all day long! And the Christians could go jump in a lake! That is how they think. They do not care about the Christians in this country. [*Desk thumping*] That is how they approach Government. They just do not care about the majority religions in this country.

I am calling on the Minister to tell us why his Government is against Christians. Tell us what they are doing about the cable monopoly; about that rubbish that is called Trinidad and Tobago Television (TTT); what he is doing about that propaganda mouthpiece that just disgraces our television screens every night.

I thank you, Mr. Speaker.

**The Minister of Communications and Information Technology (Hon. Ralph Maraj):** Mr. Speaker, I really stand amazed here this afternoon that a simple amendment, a progressive enlightened amendment to an archaic piece of legislation, should have provoked so much comment, a lot of them—Mr. Speaker, with respect—irrelevant to the debate at hand. There is a lot of sensationalism, many inaccuracies and trivia.

The Member for Laventille East/Morvant talked about how overexposure to violence and gratuitous sex in movies can lead to depravity of the mind. I agree with that, but trivia can also lead to depravity of the mind. One can be depraved by preoccupations with trivia, seeing evil in every little thing, looking for shadows around every little corner, trying to sound profound on the simplest of issues, having analyses on matters that are not worth it at all. That is what happened here today. I know a number of speakers opposite used the opportunity to make a lot of statements and score political points. I will deal with all of that in a while.

One got the impression from hon. Members opposite that amending this regulation to allow cinemas to operate before 3.00 p.m. would cause Trinidad and Tobago to become Sodom and Gomorrah. That is the impression one got! That it would lead to degradation of the youth, it would lead to cultural corruption, and all kinds of decadence in the society.

How can we, at this point in time, supposed to be an enlightened society, Mr. Speaker, moving into the technological age, deregulating the telecommunications sector, dealing with the knowledge-based industry where there is information flow on a borderless world, see this as opening the floodgates of depravity into the country? I really do not understand it! With due respect to my colleagues from the other side, they sounded like voices from the past. [Laughter] Effete minds! Obsolete thinking! That they would come and use an opportunity like this to talk about decay, cultural corruption, decadence and depravity.

They wanted to know the reason. All of them asked me what is the reason for this piece of amendment. Does one know the reason? The reason is simple. It is rational, reasonable, modern, an enlightened approach and it is a practical thing. We are living in the 21st Century.

**Mr. Panday:** Not they. They are not! [Laughter]

**Hon. R. Maraj:** These are the reasons. People have been asking for it. The cinema owners have been asking for it for a very long time. The citizenry has been asking for it. They want to tell me that if we amend these regulations to allow people to go to the cinema before 3.00 o'clock, that will destroy religiosity and devotion to God? Somebody talked about us having one God and believing in one God as though— [Interruption] Would that encourage atheism and disbelief in God? I really cannot understand it. Honestly.

Mr. Speaker, we can characterize the contributions from the other side as really trivial and superficial, and they use the opportunity, of course, to score political points and to be sensational and inaccurate. I think I must deal with some of those inaccuracies and that sensationalism.

Let me deal with my friend from Diego Martin East. He talked about the Government being anti-Christian. Because we amend the regulations to allow cinemas to open before 3.00 o'clock on a Sunday and on the holidays outlined, we are anti-Christian? The amendment allows for all other public holidays, including Divali, Emancipation and so forth. It is not written here because it was not in the original colonial Act. How can they accuse us of being anti-Christian? Where is the validity of that argument; the rationality in that argument? In fact, if we look at this Government—

**Mr. Imbert:** Why are you interfering with it?

**Hon. R. Maraj:** Because it is modern, progressive, enlightening, necessary, rational, because it is needed! How does removing it from 3.00 o'clock make us anti-Christian? What kind of foolishness is that? What kind of rubbish is that? I understand that he did not swear on the Bible. Is that anti-Christian?

**Mr. Imbert:** What! Nonsense! Lies! They will lie for anything.

**Mrs. Persad-Bissessar:** You affirmed!

**Mr. Speaker:** Okay, let us have some order so that the Member can make his contribution.

**Hon. R. Maraj:** Mr. Speaker, I do not think there is anything during the last five years or during this present administration that we have done on this side that can justify any accusation of being anti-Christian. If we look at this Government, at the Cabinet, it is one of the most cosmopolitan Cabinets in the history of Trinidad and Tobago! [*Desk thumping*] We have a few Hindus, some Muslims, Christians of all faiths, Anglicans, Catholics, Baptists and Presbyterians. We have people of East Indian decent, African, Chinese, mixed. We are very cosmopolitan! Possibly the most cosmopolitan Cabinet we have seen in the history of Trinidad and Tobago! [*Desk thumping*]

**Mr. Manning:** Mr. Speaker, I thank the hon. Minister for giving way and I just wanted to find out from him whether he believes that the Cabinet was chosen on the basis of the need for a cosmopolitan Cabinet, or whether there was any reference in the selection of the Cabinet to ability and integrity? What does he say?

**Mr. Assam:** He is not the Prime Minister! How can he answer that?

**Hon. R. Maraj:** What you see reflected here is part of the natural evolution of this beautiful Trinidad and Tobago. [*Desk thumping*] That is all. It is part of the natural evolution. It involves meritocracy, plurality, everything naturally emerging in Trinidad and Tobago.

Let me now deal with this anti-Christian foolishness they are talking about and debunk that immediately; the policy of inclusion, as the Prime Minister said, which we are putting into practice. My friend from Diego Martin East, in addition to his anti-Christian nonsense, was wondering about the cable companies.

**Mr. Imbert:** You do not even know what a Bible looks like!

**Hon. R. Maraj:** My friend, I am very versed in the New Testament. I am versed in the New Testament! I do not know all of the Old Testament, but I know most of the New Testament. He talked about the cable companies.

**Mr. Manning:** Is it a Bible Mr. Maraj has in his hands?

**Mrs. Robinson-Regis:** It will soon burn in his hands!

**Mr. Speaker:** Member for Arouca South, please allow the Member to make his contribution. Your outburst was loud enough that it distracted the Member. I am cautioning you to allow him to make his contribution.

**Hon. R. Maraj:** Mr. Speaker, we are in an environment in the information sector which is a new environment. It is virtually a new environment. Cable companies, a liberalized media environment, a liberalized information sector. It is a new environment. We have a number of television companies, radio stations, the growth of the Internet, the possibility of the knowledge-based industry, development of electronic commerce and so forth.

We need to regulate the environment, and that is my answer to him about this cable thing and alleged piracy, and so forth. I will tell him what we are doing about it. There is no doubt that there is a measure of chaos—chaos is too strong a word. There could be chaos if the sector is not regulated. There could be a situation where market forces are not fully at play and we are taking steps towards it.

We now have before the Parliament, the Telecommunications Bill which will regulate the entire sector. If they read the Bill, they will see it. In addition to that, Cabinet only recently approved the setting up of an advisory council to the Minister of Communications and Information Technology which will help me to regulate the sector and which will act as a kind of halfway house towards the establishment of the Telecommunications Authority. So, we are seeking to bring into the sector, some measure of management where previously a certain degree of unilateralism took place.

**4.20 p.m.**

No chief, no partner; no, Sir. I have recommended that, because I am not prepared—[*Interruption*] [*Crosstalk*]

**Mr. Manning:** “He ‘fraid dem.”

**Hon. R. Maraj:** I am not prepared to have any unilateralism take place in a sector which is very, very lucrative. I do not want any one kind of advice coming to me. [*Desk thumping*]

**Hon. Member:** You are sounding like a real PNM!

**Hon. R. Maraj:** I answered your question about that issue and the cable matter, and that will take care of the Member for La Brea’s concern as well. [*Interruption*] Do you want me to finish or not?

**Mr. Imbert:** I thank the Minister for giving way. I am very happy to hear that he intends, in the future, to deal with monopolies such as the present cable television monopoly. But until such time as the authority is in place and regulations are enforced, what is the Member doing about the cable television monopoly now?

**Hon. R. Maraj:** Apparently you have not heard. We have set up the advisory council. Cabinet approved the membership of the council. I am going to put all these things in the hands of the council. I, as the Minister, do not want to take these decisions; these are the experts who must advise me. [*Desk thumping*]

**Mr. Manning:** You have learned a few things. [*Crosstalk*]

**Hon. R. Maraj:** That is what I have done, and that is what the Cabinet has approved. That is the direction we are going in. [*Crosstalk*]

**Mr. Speaker:** Hon. Members, the Member is appealing for my protection. Please allow him to make his contribution.

**Hon. R. Maraj:** I am glad to be creating so much excitement in the House this afternoon. [*Laughter*]

The other matter is this: a lot of talk came up about Trinidad and Tobago Television. I suppose they are referring to the National Broadcasting Network (NBN), because TTT is one part of NBN. There is no doubt that NBN needs serious review, serious overall, serious re-engineering. [*Desk thumping*] We in the Government are aware of that. The Cabinet took a decision recently to give me the green light, as the Minister, to restructure fundamentally the operation of the National Broadcasting Network and to even give consideration to private sector participation as an option in NBN. This is what the Cabinet has decided upon.

**Mr. Valley:** Watch dem! They have their friends waiting. [*Crosstalk*]

**Mr. Manning:** Who talked to you?

**Hon. R. Maraj:** Nobody has spoken to me, my friend; let me tell you that as the Minister, I made the recommendation to the Cabinet.

**Mr. Assam:** Are you against the hand that fed you? Are you against Clico?

**Mr. Speaker:** Order please!

**Hon. R. Maraj:** Gentlemen please; you got your chance to speak.

The Cabinet has agreed that we should go in that direction. We have hired a firm of independent consultants, PriceWaterhouseCoopers. They are doing the diagnostic at the present time. They are going to be presenting me, as the Minister, with the various scenarios and the possible direction that we could go, whereupon I will go back to the Cabinet. That is the rational, modernized approach with which we are approaching the National Broadcasting Network. All these things you are bringing up are being dealt with, so let us not get sensational and so on.

The other inaccuracy that was brought up had to do with Trinidad and Tobago Television's (TTT) participation in the carnival. Somebody made the foolish suggestion that we did not broadcast the calypso semi-finals because the Government was afraid of the anti-government calypsos or something like that. That is utter foolishness! Trinidad and Tobago Television took a rational decision; I did not tell them to do it. The management informed me—and I do not interfere in management—that it was not in their economic interest to broadcast these carnival shows, because in the past they were subsidizing all these shows and it was not in their economic interest.

**Mr. Valley:** Mr. Speaker, if the Member would just allow one question. Given that they knew that in the past they were subsidizing these shows, why did they then seek the exclusive right to the shows? Why did they? [*Crosstalk*]

**Hon. R. Maraj:** That is not true! How do you know that is true? That is not true! Trinidad and Tobago Television did not have the exclusive right to the show that the Member is talking about. As far as I know they did not; that is not accurate.

**Mr. Valley:** The Chief Executive Officer reported that they did.

**Hon. R. Maraj:** No.

**Mr. Joseph:** Check your facts.

**Hon. R. Maraj:** I was informed, as the Minister, that they were not going to be as heavily involved in the transmission of carnival shows as they were in the past, because it was not economical for them. As we all know, the station is facing significant financial problems; that is the situation. So please, do not, as I said, see evil behind every action. You can become depraved mentally. It is not only violence that makes your minds depraved; trivia makes your mind depraved as well.

**Mr. Assam:** That is why he became so depraved! [*Crosstalk*]

**Mr. Joseph:** I thank the Member for giving way. Can you clarify—you might not be able to do that now—whether or not TTT got exclusive rights for the telecasting of Carnival 2001?

**Hon. R. Maraj:** My friend, all I will reveal to you at the moment is that I was informed by the management of TTT that it was not going to be as heavily involved in the carnival of this year as it had been previously, because it was not economical for them to do so. [*Crosstalk*] That is it! So we go on. [*Crosstalk*] No; you all are based on rumour and so on, that is why this debate— [*Interruption*] [*Crosstalk*]

**Mr. Speaker:** Order please!

**Hon. R. Maraj:** Somebody was talking about sex on cable television. How is the Government going to be able to deal with that? What is the role of the home? What about censorship in the home? What is the role of parents? If there is sex on cable television, is the Government to be blamed for that? What about the home? In the final analysis, in a situation like the liberalized environment that we are living in, it is the home that is to be the ultimate censor.

**Mrs. Robinson-Regis:** What about the horning unit?

**Hon. R. Maraj:** We are going to talk about censorship and the video, and the updating of regulations, in a while. But it is the responsibility of the home; you are being prudish if you do not believe that. [*Interruption*] I hope that you do not end up thinking like those people in Salem, Massachusetts, at that point when they were burning witches. Please, watch it very, very carefully.

Mr. Speaker, I think I have dealt with the majority of issues that they raised. As I said, a lot had to do with their belief that by this simple amendment of allowing cinemas to open before 3 o'clock we would be creating Sodom and Gomorrah here in Trinidad and Tobago. Please, let us not get that extreme; let us not be irrational. This is a simple amendment.



**Mr. Manning:** That was from the Old Testament.

**Hon. R. Maraj:** This is a simple amendment. It does not have the dire implications that they are talking about. This is a modern world. If people are allowed to go and see a movie at 12 o'clock on a Sunday, that does not make them incarnations of the devil; that does not make them less religious; that does not make them less inclined to be good and decent citizens. Please, let us think carefully and clearly about what we are saying.

The other matter that was brought up had to do with censorship and the censorship laws. People talked about the video. [*Interruption*] Yes, I am winding up now. Let me just take two minutes and I will wind up. Thank you, Mr. Speaker.

I want to say, very briefly, that I have asked the Film Censors Board to bring the new legislation to deal with the videos and to develop some kind of mechanism. It is going to be very, very difficult to deal with what really is sold in the video shops and so forth. It is almost impractical to implement that legislation. The legislation is drafted, but when I asked them how are we going to implement it, they do not know, so I asked them why are we putting it on the books? In the final analysis, as I told you all, it has to do with the home.

**Mr. Valley:** That never stopped Ramesh before. [*Laughter*]

**Hon. R. Maraj:** It has to do with the father telling the children. It has to do with the parent. It has to do with the individual censorship that you exercise in your life. You have the power of discernment. You encourage your children in the power of discernment, so that they can decide what is good for them, in the final analysis.

Mr. Speaker, I beg to move.

*Question put and agreed to.*

*Resolved:*

That the Cinematograph and Video Entertainment (Amdt.) Regulations, 2001 be approved.

**Mr. Speaker:** I think this is a good point for us to suspend for the tea break.

**4.31 p.m.:** *Sitting suspended.*

**5.05 p.m.:** *Sitting resumed.*

#### EDUCATION (LOCAL SCHOOL BOARD) REGULATIONS

**The Minister of Education (Hon. Kamla Persad-Bissessar):** Mr. President, I beg to move the following Motion standing in my name.

*Whereas* it is provided by subsection (1) of section 86 of the Education Act, Chap. 39:01 (hereinafter referred to as “the Act”) that the Minister may make Regulations generally for the purpose of carrying the Act into effect and in particular for prescribing anything that is, by the Act, required to be prescribed;

*And whereas* it is provided by subsection (2) of section 86 that Regulations made with respect to section 23 shall be subject to affirmative resolution of Parliament;

*And whereas* the Minister has on the 28<sup>th</sup> July, 2000 made the Education (Local School Board) Regulations, 2000;

*And whereas* it is expedient that the Regulations now be affirmed;

*Be it Resolved* that the Education (Local School Board) Regulations, 2000 be approved.

Mr. Speaker, I am very pleased to move for yet another time that these Regulations be adopted by this House. What the Education (Local School Board) Regulations, 2000 seek to do is to provide a framework for setting up of local school boards in schools throughout Trinidad and Tobago.

This is the second time that the Regulations have come before the House and the issue of the creation of school boards in schools was debated here and in the other place on several occasions in the year 2000. This was because, in order to set up the local school boards it was first necessary for us to amend the Education Act, Chap. 39:01, and we came with the Education (Amdt.) Act first and when we were debating that, we attached a copy of the draft Regulations so whilst we were debating the amendment to the Act to allow for Regulations to be made, the Regulations were also before us in draft form and had formed part of the larger debate in this honourable Chamber.

In the Education Act, by section 23, the Minister of Education is empowered by order to create committees of management for any government school. The committee of management was to have such functions, powers and duties as were conferred on that committee by the Minister of Education. In the absence of the appointment of such a committee, the school supervisor for that school was, by section 24 of the Education Act, automatically empowered to exercise powers of control given to him or her by the Minister.

Mr. Speaker, it would appear that from several reports over the years and studies on education over a period of almost 50 years, the local school boards were thought to be something that could work for the development of education and of the nation's children, but it appears that that power to appoint committees of management in government schools was never exercised by any Minister of Education since 1966 when it formed part of that Education Act, 1966.

It was for this reason that in order to create a local school board instead of a committee of management, the 1966 Act had been set up for the establishment of committees of management. Those were the provisions within the Act. As I am saying, over the years—1966 to the present—no committees of management were ever set up, and based on the research and the studies that have been done, it was felt that local school boards would better serve the purpose for more efficient management of schools for the benefit of the development of children within the schools and for the overall benefit of the education system as a whole. So we found it necessary to delete from the Education Act, those sections that had initially set up the committees of management and put in its place provisions for the power to appoint local school boards.

Following the amendment of that Education Act which we did in the year 2000 in that manner, we drew up Regulations and those Regulations which are now the subject of debate today came up for debate, as I said, last year. After several hours of debate, we passed the amended Act. We listened to the comments from Members on the other side and Members from the other place with respect to the draft Regulations that were there and taking all those comments into account, we redrafted the Regulations which are the Education Regulations 2000 as I say, now subject for debate.

These Regulations were approved by all of us who were in this Chamber up to late last year prior to the dissolution of the Parliament, but before we could take these Regulations to the other place, Parliament dissolved and, therefore, they lapsed. So I am saying that since this has been the subject of substantial debate in this Chamber and in the other Chamber when it was in the form of draft

Regulations, it is my respectful view that we should have very little difficulty from Members on the other side, having once already given their approval, and we look forward to their support for these Regulations again.

So I am saying that over the years, several studies—in 1957 a Maurice Committee was set up on general education under the chairmanship of Mr. Hamilton Maurice and their remit was to consider the operation of the education system of the country and make recommendations for future policy related to curriculum improvement of academic and other standards, the integration of diverse elements which comprise our population. The Maurice Committee reported in 1959 and their recommendations in so far as is pertinent to local school boards were as follows:

That the country be divided into eight education areas which each have their department of education and a local education advisory board; persons on the newly created local school or interest group, religion et cetera, representative boards would be on this education advisory board.

Other recommendations were that a CEO be created in place of a Director of Education as technical advisor to the Minister and that both the education department and the Ministry of Education be housed in the same building, and create a new central council of education to replace the National Education Board. This should allow representation for the newly delineated education districts; the Minister would chair the board.

Finally, establish a board of management in both assisted and government schools in each local education area at both primary and secondary level which should be small with six members drawn from the locality and representation for the richest groups.

These were the recommendations in 1959 with respect to establishing local school boards. Seven years later, the Education Act, 1966 repealed the existing 1953 Ordinances and attempted to set up the educational system into a more national framework. This included, as I said, provisions for the committees of management for government schools. It was this power which we deleted late last year with the Education (Amdt.) Act, 2000.

The next major report in education was the draft plan for education and development 1968—1983, and whilst addressing the pressing need for more and better trained administrative staff, the report did not specifically consider the question of school boards, but did indicate that there was an acute need for a better administrative system and better training and development of teachers, but

the solutions proposed addressed more the need to streamline and modernize the ministry and the head office and to increase establishment of staff to deal with the ever increasing school population.

The 1968 report, prepared around the same time the 1966 Education Act came into force, was followed by the very major policy document, the Education Policy Paper 1993—2003 produced by the National Task Force on Education, the very famous White Paper on Education which was set up under the previous government and which policy document was accepted by this Government when it came into office.

In that White Paper, in reaching the conclusions and recommendations, the committee had embarked on the widest possible consultation on what was then a Green Paper on the same topic. They saw decentralization of service and decision making by the creation of divisional boards of management as a solution to the problems of rigidity and relevance of existing rules and procedures. Numerous recommendations within that White Paper included decentralization of the decision making to allow for quick and appropriate responses to the needs for educational development and problem solution to enhance participation among professional and non-professional groups. Divisional boards of management would be instituted to assist in the necessary support operations; election and nomination of members to these boards should not be contested for, or based on party politics, but rather based on membership in educational interest groups; and the School Supervisor III would head these divisions.

Further recommendations were that divisional boards of management and boards of management of denominational schools be established to assist in the operations of educational services in the local areas. They should have the supportive and facilitative functions. Their composition should reflect the educational interest groups; denominational as well as secular membership and representation should be determined by the character of the local population.

The White Paper recommended that school boards should help with the support and other programmes within the school; school boards should not be given the power to overrule on professional and educational matters; and members of the school board should be elected or nominated to divisional boards of management to provide for continuity and co-ordination of the effort.

Mr. Speaker, it is this last recommendation which is perhaps most closely aligned with the model that is envisaged today by the Regulations which are before the House. If one looks at the Regulations they are very straightforward.

Regulation 3 outlines the proposed composition of the school boards and this is set out as follows:

“3.(1) A Board constituted by Order made under section 23 of the Act shall comprise—

- (a) the Principal who is an *ex officio* member; and
- (b) no more than nine other members drawn from among the following groups...”

Basically what we are looking at is taking up the main stakeholders within the locality where the school is. So it is the Principal;

- “(i) a member of the school staff other than the Principal;
- (ii) a member of the union most representative of teachers nominated by the union;
- (iii) two members of the majority Parent-Teacher Organisation of the school, nominated by the members of the Organisation, at least one of whom must be a female;
- (iv) a representative of the past pupils’ association, if any, of the school nominated by that association;
- (v) a member of the student body;
- (vi) three persons nominated by the Minister as he deems necessary after consultation with the relevant interest groups and stakeholders within the Community in which the school is located.”

So Regulation 3 sets out the composition of the proposed local school board and the other most important Regulation here would be 18, which sets out the duties and powers of the board. It says:

“18. (1) The Board shall have the duties and powers, including but not limited to those listed hereunder, to manage the school—

- (a) in the development of a strategic plan for the school plant;
- (b) in the conduct of an operational and environmental audit of the activities of the school;
- (c) in the development and implementation of school improvement plans;

- (d) by receiving information, complaints and expressions of concern and hope from the public concerning the school and its members, and to make recommendations as they see fit and relay them to the competent authority;
- (e) by encouraging, promoting, sustaining and fostering mutual understanding, good fellowship and co-operation among the Minister, staff, parents, pupils and other persons associated with the school;
- (f) by requesting the assistance of local government bodies and other agencies and departments to assist in the maintenance of the school;
- (g) by liaising with all relevant agencies in order to ensure that the school is adequately served with water and electricity and sanitation services;
- (h) by liaising with members of the community particularly those in the vicinity of the school;
- (i) by mobilizing community support for the school;
- (j) by strengthening community relations with specific bodies and individuals in the community;
- (k) by making recommendations for the better performance of the school in the assessment of school plant;
- (l) in preparing short, medium and long term plans for capital improvement and the upgrading of plant and equipment;
- (m) in the development and implementation of a maintenance programme for the plant and equipment of the school;
- (n) in the development and implementation of plans to improve the security of the school;
- (o) by promoting fund raising activities on behalf of the school and controlling the expenditure of funds so raised;
- (p) by making recommendations for the better performance of the school to the Minister through the Permanent Secretary;
- (q) by liaising with a past pupils' association of the school; and
- (r) in taking such other action which may redound to the benefit of the school."

**5.20 p.m.**

These, basically, are the powers and duties of the local school boards. In essence, the legislation is to empower the local community to have a closer link with schools in the district. It is our view that the closeness within the community will make for greater efficiency in the schools than obtains with a centralized head office. Many of the difficulties in the schools stem from the fact that everything feeds back into that central core. So that with the boards, problems can be dealt with at the core immediately they arise, whether they be with respect to sanitation, security or matters pertaining to the running and management of the school.

Local school boards are not new in other jurisdictions. For example, local school boards have been functioning in Jamaica, and in fact, they have far more powers than are proposed here in Trinidad and Tobago. In Jamaica, the local school boards have the authority to hire and fire. They are there to assess, to evaluate, to monitor and to assist in the running of the schools. In Trinidad and Tobago, at this point in time, it is not envisaged that the local school boards are given that kind of power. We can certainly work together in the community.

When we were dealing with this matter at another point in time, comments had come from Members of the House in terms of the kind of persons who should comprise the local school boards. There was concern that we should list the specific type of personnel and there were those who were of the view that we should name them according to profession. At that time we had indicated that that might not be possible. In every locality you may not have the kind of professionals, especially in the rural areas, that we have in the city areas; and we do not want to restrict the type of personnel within the community to sit on local school boards. It is better to draw upon interested persons from within a particular community, to sit on school boards.

As I said, I look forward to the support of all Members of this House. This is the third time that these Regulations are being discussed and on the last occasion we did have the approval of the entire House. I thank you.

*Question proposed.*

**Mr. John Rahael** (*Port of Spain North/St. Ann's West*): Before going to the Bill, let me first of all, with all humility, say how honoured and pleased I am to be here representing the people of Port of Spain North/St. Ann's West. I wish to put on record my gratitude to the people for giving me this opportunity to serve our country.



As you know, I have spent some time in the other place during the 1991—1995 period. I must admit that there is quite a difference between here and there. The calibre of contributions is different and so, too, is the behaviour of some Members on the other side.

I sit here and wonder sometimes if Members remember that their prime purpose here is to represent the people of Trinidad and Tobago. I take the issue of representation very seriously and so do Members on this side. I recall looking at television when some of the Tabaquite constituents were, in fact, calling on their representative to visit them because they were having some difficulties with their roads that needed some repairs. When the hon. Member for Tabaquite was interviewed on television, he said he was not going; and that if the constituents would like TTT or TV6 to pave the roads for them, let them continue campaigning. That is the kind of representation we get from the other side.

Let me refer to the Motion before us. I need to express some of my concerns. This is not a new initiative. During the 1986—1991 term of government, I served on one of those school boards, so this initiative is not something new. I realized that the deficiency that I saw then still is not being addressed now. I understand there are approximately 75 Government secondary schools and about 150 primary schools; and what I see in these Regulations is that all these boards for all these schools will have to report to the permanent secretary in the Ministry of Education. To me, this is very cumbersome. We are going to have over 225 boards and according to the Regulations, they are supposed to meet monthly, if not more regularly, and the minutes are to be submitted to the Ministry. I wonder who is really going to be looking at those minutes. Who is really going to be reading those minutes? We need to put things in place that would be effective and that will really have substance.

We are suggesting and recommending—because we do not say things idly and not offer alternatives, so, yes, I have a suggestion—that the country be divided into eight or 10 educational divisions and that divisional boards be established, having the individual school boards in each division, reporting to that divisional board and then you will have the divisional boards reporting to the Ministry. That will make it less cumbersome and would provide the opportunity for the Ministry to really become effective in ensuring that the boards are functioning.

It is also useful to look at the situation with the denominational boards. While most of the individual denominational schools have boards or management committees, they report to the denominational boards, which in turn liaise with the Ministry of Education. So their system is not that each school's management

committee or board reports to the Ministry. In fact, they have what is being suggested. A concern that was voiced also is whether the present legislation will affect those denominational schools. The Minister should make it clear that the legislation deals only with Government schools.

If we look at what precisely is the scope of these boards, we would realize that these boards have the authority that comes without any kind of financial support. How can these boards really carry out some of the functions that we are asking them to carry out? What I have noticed is that most times, even then, that the boards really sat, made recommendations, referred them to the Ministry and nothing happened. What I found as well was that some of the things that the school boards can effectively put into place, they do not have the necessary wherewithal to do that, mainly financially, and I do not know if they have the authority to do it.

Let us take school repairs. Certainly some of the school repairs that are necessary can certainly be handled at that level. Whether it is a defective tap; or a defective toilet; or a leak in the ceiling, which, if left to continue, when the rain comes, not only will the ceiling get damaged, but certainly the electrical fittings and the desks, and if it has a wooden floor, the floor as well.

### **5.30 p.m.**

That, too, can, of course, be damaged because of neglect.

I deliberately raise the issue of school repairs because I believe that the effective school boards possessing the authority and the financial resources, can play a critical role in ensuring that our schools are properly maintained and constantly in a state of good repair. Of course, there would be levels of school repairs beyond the scope of these individuals or even divisional boards, but the point I wish to make is that the school boards should have at least the responsibility and the resources to deal with routine repairs. More often than not, repairs do not happen suddenly. It is not something that you just see everything becoming decayed. In fact, it takes time. That is why I think it is important to try to arrest the problems of disrepair as early as possible. So if we were to do that, of course, that will save your ministry and the taxpayers quite a number of dollars.

On a related point also: Is it not time for us to consider Government schools having their individual allocations which are disbursed on a quarterly basis? Certainly, we must allow them to budget and set up systems of reporting and accountability. Access to funds will allow them to deal expeditiously with a range of problems. The denominational schools are able to respond more quickly

because they have more streamlined financial systems. I am not for a moment suggesting that these schools are adequately served with respect to money. I am only referring to their financial systems.

Another important point is with respect to the purchasing of goods which relates to bonded suppliers. My experience has also shown me that the whole question of bonded suppliers needs to be reviewed. We need to decide which items are more profitably purchased in bulk and which can be purchased on a smaller scale, because if the boards have the authority to effect some repairs and are given the financial resources, then they would be able, not only to deal with the repairs immediately, but also source the materials, whether it is a defective tap, as I said, or some other minor repairs. So we need to give the boards—Madame Minister, as you said in Jamaica, they have additional authority. I think we should move in that direction as well.

I am sure we are all concerned about violence and security in our schools. During my tenure as Mayor of Port of Spain, I realized that many schools were being vandalized. *[Interruption]* I like that you all ask these questions, because it gives me the opportunity to respond as well. I solicited support from the business community to implement electronic burglar alarm systems in over 20 schools, not only in Port of Spain but in the environs as well, as far as Diego Martin, Sangre Grande and San Fernando. We were able to implement electronic burglar alarm systems. Of course, we all know what that is. The minute an intruder makes an attempt to get into the school, the alarm would go off. It was monitored by a security firm, so that the minute the alarm system went off, the computer would send up a flag and they would immediately contact the nearest police station to that school and both the police and the security firm would then respond. I am very happy to let you know that one attempt was made to the Belmont Boys' RC School after we implemented that electronic burglar alarm system in that school, and since then there have been no further attempts in any of the 20 schools where we had installed those electronic burglar alarm systems.

Unfortunately, the security issue that faces us today in our schools is a totally different one, in addition to the question of vandalism. May I also add that we provided the principal with two panic buttons, as we call them—two panic devices—that even during the day if an intruder were to go in, they can set off that panic button and that, too, would send the signal to the security company that is monitoring the alarm system so they can respond to that as well.

Like I said, the issues now, in addition to those, are much greater. Today we have national security helicopters hovering over our schools. Recently in Marabella, that was the case. We have in our school, kids toting guns. There is gang warfare. Teachers are under threat. Is it that the Ministry is going to try and decentralize operations to the extent that school boards will assume responsibility for school security? I am not seeing that in the Regulations, although I see some mention of security here. But, again, will they have the authority? As you said, in Jamaica the school boards hire and fire. Why should we not give them the authority to ensure that the security personnel on the school compound is, in fact, carrying out the work that we expect of them? That is the whole question of decentralization, and that is something I certainly will recommend.

Again, the relationship between the board and the PTA, while that is all well and good, there are many parents who do not belong to the PTA, and while I support the idea of having persons from within the community serve on the board in order to get the community as part of what is happening in the school and get the community more involved in all aspects of education, I think it is also important to have these school boards, at least once a quarter, have an open house, where they will invite parents and other persons interested in the school, to come to a forum and for the board to hear firsthand some of the ideas and suggestions that they may have for the improvement of the school. It would give the board the opportunity also to let them know what is happening.

So these are some of the things that I would like to see implemented, and that the school boards be given wider scope, so that they can be effective. There are many things that are said, duties and powers of the board but, really and truly, they are a lot of words. Unless they have the authority and the financial resources in order to effectively do their work, then certainly it will go by the wayside similar to what happened to a former regime.

I urge you to look into these things and try to give the boards the kind of authority and responsibility and the resources necessary for them to be effective, because I am sure that we would all like to see these boards function in a very positive way and have a positive impact on the schools and in the community.

You know, there is another aspect to this whole question of education and that is, what do we really teach our children at school? We tell our children they must go to school, study hard, get good grades and then find a secure job. Mr. Speaker, let me tell you, in today's world, that is not good enough. In today's world, we need to teach our children financial literacy. A wise investment is not selling land, which is an asset, to buy a motor car, which, in fact, is a liability. It is better to use

your asset to generate income that would allow you to purchase a motor car. Perhaps the Member for Oropouche should take lessons from the hon. Member for St. Joseph. The hon. Member for St. Joseph took whatever capital and resources he had, bought real estate and invested in the stock market, and out of that, not only did he buy one, but he bought a few expensive vehicles. You are most deserved, Sir. I am not taking that away from you. What I am saying, though, unfortunately, you are not sharing that acumen that you have with some of your colleagues.

**5.40 p.m.**

Mr. Speaker, I must tell you though, that I am also disappointed with the hon. Member for St. Joseph, who is my dear and good friend. Up to today, I cannot understand how the Member for St. Joseph sat in the same Cabinet that approved the rental of the building for the Model School in Port of Spain. This is a building that was available for sale. It was on the block for a while with an asking price of \$11 million. The Ministry of Education, through the Government, rented that building, on a two-year lease for \$1.8 million per annum. They then went on to spend over \$7 million to effect repairs on that building, making it a total cost of \$10.6 million for two years—\$7 million in repairs and \$3.6 million as rental over the two years. That is an investment of \$10 million.

I have a bit of a difficulty in understanding how the Member for St. Joseph and the Member for Tunapuna can sit in a cabinet that allowed that to be passed. I know some of their other colleagues may not have the financial ability to understand what I am saying, but certainly these two Members, coming from the private and banking sectors—especially the Member for Tunapuna, a former manager of a bank and president of business organizations—would have known that it would have been much wiser to purchase the property. What is going to happen after two years?

**Mr. Hinds:** Who is benefiting?

**Mr. J. Rahael:** Well, whoever owns the building. That is a question that we would put. The question now is: At the end of the second year, what is going to happen?

**Mr. Assam:** Did you ever hear of lease purchase?

**Mr. J. Rahael:** That was never disclosed. When we asked if there was an option to purchase and what was the price, that was never disclosed. Since the hon. Member for Tunapuna seems to know that there is an option to purchase, then I would like to know at what price.

**Mrs. Persad-Bissessar:** The same price.

**Mr. J. Rahael:** Fine, then let us know. I would like you to let us know.

Mr. Speaker, the school boards could also be instrumental in promoting programmes that really address life's issues. I would like to urge the Minister not to create just another level of bureaucracy. Give the school boards responsibility, and with that, the authority to really make a difference. When I look at clause 5(3) I see that:

“The Minister may revoke the appointment of a member, other than Principal, where –

- (a) he is absent without leave from the Chairman for three consecutive meetings of the Board;
- (b) he is adjudicated to be bankrupt;
- (c) he is convicted of a criminal offence...”

This is where I had to pause. Is this the same leader, who in Tobago, asked: If someone had a criminal record, what does that mean? And said that he was entitled to serve in the Tobago House of Assembly? [*Desk thumping*] I have a problem in really trying to comprehend what is the Government's philosophy. Where does the Government stand with respect to persons with convicted criminal records? Here you do not want to allow them to serve on a school board, yet, you are saying that they are fit to be a representative of the people sitting in the Tobago House of Assembly and, by extension, the House of Representatives; only that the law does not allow criminals to sit here. [*Desk thumping*] We need you to explain to us, why. It is not that I am against it, I am just trying to find out what is the policy of the Government.

Mr. Speaker, another thing is that we need to encourage our teachers to be able to teach our children not only the academic side of learning, but the whole question of respectability and decency. They need to be taught not only by words, but by action as well, so we need to take the teachers into our confidence. We need to pay them properly. [*Interruption*] Right, but at the same time we cannot refer to them as criminals. [*Interruption*] I am not quite sure of the extent of that remuneration. [*Interruption*] Is it your leader who referred to them as criminals as well? Again, let us not speak from both sides of our face.

Then there is the whole question of the exposure for our children. I see that the hon. Member for Couva South, the Attorney General, has been visiting schools. While I welcome the opportunity for the children of our schools to be

exposed to information and knowledge, I have to question the timing and motive of the Attorney General, especially when I see him on television trying to explain the statement by the hon. Prime Minister about the attacks on the DPP. He is trying to explain it when, in fact, there is no explanation. All he had to do was to tell his leader to apologize to the DPP and his office, let us move on. Leaders and “big” men should have no problem admitting when they are wrong and apologizing. These are some of the examples we must set for our children. We must also allow—*[Interruption]* Mr. Speaker, can I have some protection, please?

**Mr. Speaker:** Member for Tunapuna, the Member for Port of Spain North/St. Ann’s West is asking for protection. He is entitled to it.

**Mr. J. Rahael:** Thank you, Mr. Speaker. I myself have been involved with a group of citizens who have been visiting the upper levels of some of our schools. We have been going into these schools and actually relating our experiences in success. We have had tremendous success in doing that and I thank all those who were part of that programme. We had successful people visit these schools and they were able to tell of their life’s experiences; how they overcame all the obstacles that faced them. They were able to tell the students that regardless of where they were today, whatever their circumstances were, that they too can overcome those obstacles and be successful as anyone else. We need to do that.

When we went, there were no speeches, people just spoke from their hearts. We had no publicity because it was not meant for publicity to be gained out of that. It was meant to try to win over some of the children who have given up hope because of our system. This is where the school boards could be instrumental in identifying successful persons, regardless of what field they are in, who could give of their time by going to these schools, voluntarily, and talking to the school children—not to lecture to them—to let them know what are the requirements. They could let them know the difference between an asset and a liability. They can let them know that when they go out into the workplace and get their first salary that they should not run out to try to buy a motor car; that, in fact, they should use whatever assets they have to invest and to save and by doing that they too, one day, could achieve financial success. These are some of the things that I would like to see our school boards get involved in.

Mr. Speaker, with that, let me say that while this is not a new or innovative idea, it is nevertheless one that we should make an attempt to ensure its success. It does not make sense just putting things on paper with a lot of nice words telling the boards that they must be “promoting, sustaining and fostering mutual understanding, good fellowship and co-operation among the Minister, staff,

parents, pupils and other persons associated with the school". These are a lot of words and we must move away from just saying things and putting words down on paper so that it appears to be a lot of paper.

**5.50 p.m.**

I would like to see some of our boards take an active role, not only in the schools, but also in the community. If there is the right personnel on these boards, they can reach out in other areas in the community. The Regulations talk about the local government bodies assisting these schools. That has happened in the Port of Spain area. During my tenure, we played a critical role in all the schools in Port of Spain. We paved. We did not have the resources as the hon. Minister of Infrastructure Development and Local Government. However, when they were paving any of the streets in front of a school, we used to beg the contractor to pave the yard that may have required paving. We were able to assist in getting some of the schools repainted by approaching paint manufacturers who willingly provided the paint. We gave them a small plaque promoting their brand and then used members of the Parent-Teacher Association and members of the community to assist in painting these schools.

We must tell the school boards this is what we would like to see them get involved in. I know that is the intention, but just having the intention is not good enough. We need to encourage it. I recommend that in every one one of those school boards, there should be a member of the business community. The board would be able to use that member and his network to assist. Of course, the other avenue that is open is the whole question of adopting a school and trying to get some of the corporate citizens to assist in effecting the cost of the binder repairs.

I thank you for giving me the opportunity to speak on these Regulations. Madam Minister, I want to let you know that we stand willing and supportive of this initiative. We will do whatever we can to ensure that these boards function. I am sure that all of us—as representatives in our various constituencies—would take an effective role in assisting these school boards to ensure that they are successful. At the end of the day what is important to all of us is the success of our school children and the country, and not just criticizing and seeing a ghost attacking every institution in our land, all the professionals: whether they are doctors, teachers, lawyers, the office of the Director of Public Prosecutions, the Chief Justice, the police and the list goes on and on. We are not in that. We are into supporting what requires support and offering suggestions to fix what needs fixing.

Thank you.



**Mr. Speaker:** Let me take this opportunity to compliment the Member for Port of Spain North/St. Ann's West on his virgin speech in this honourable House.

**Mr. Manning:** Maiden speech.

**Mr. Speaker:** Is that his maiden speech?

**Hon. Member:** Same thing.

**Mr. Speaker:** If it makes the Leader of the Opposition happy to say maiden speech, that is fine. I think he knows what I am talking about.

**Mr. Fitzgerald Hinds** (*Laventille East/Morvant*): Mr. Speaker, this is certainly not either maiden or virgin for me.

**Mr. Manning:** Either way, he would not know what to do with it. [*Laughter*]

**Mr. F. Hinds:** According to one guy I met some time ago, either way I have a few things I would like to say. I feel absolutely proud at 5.55 p.m. on this day, to follow the very proud contribution of the Member for Port of Spain North/St. Ann's West. I join all the Members of this House as they expressed unified admiration for a meaningful presentation in this Chamber.

**Mr. Assam:** You had better follow in his footsteps.

**Mr. F. Hinds:** I know that at the top of his contribution, the Member said that he was proud to represent the people of Port of Spain North/St. Ann's West. By implication, he meant that he was properly elected. Naturally, he feels proud. Of course, even if the Member for Tunapuna rose this evening and had to make his virgin or maiden speech, he would not be able to enjoy that pride because there can be no implication of propriety. At any rate, I want to proceed and not be distracted by the loud mouth of the Member for Tunapuna to whom I will never be kind, because every time I see him I remember the number 2577. I remember the fact that he was dislodged from St. Joseph and went into Tunapuna.

**Mr. Assam:** You cannot even pay your mortgage.

**Mr. F. Hinds:** I remember him pompous as he is, cocky as he is, voter padder as he is. I pay mine too. It is perfectly up to date, to the month. I want you to come out of the House and say it. Let me get a little more to pay off the balance of it. Come out of here and say it!

**Mr. Assam:** Imbert says that is true. [*Laughter*]

**Mr. F. Hinds:** The Member for Port of Spain North/St. Ann's West also spoke about the business acumen of certain persons on the other side and other persons. He thought that we should set an example to the children of this nation by encouraging and teaching them some elements of this business acumen in addition to the formal education that we offer. They should be given an opportunity to see how they can take their pennies and invest them so that they would become hundreds and thousands of dollars. I agree entirely with him. Again, there is the implication of "propriety"—propriety as he proceeds.

**Mr. Assam:** Propriety.

**Mr. F. Hinds:** That is quite all right. I will never know the English Language as well as you; that is why you are able to use the words voter padder and voter padding. You came into the House dishonestly. I know that is how you can speak. I cannot speak so, not in substance nor in style. I was properly elected by the constituents of Laventille East/Morvant. *[Interruption]* I need your protection.

**Mr. Speaker:** Member, I want to give you my protection, but you are letting the asides distract you and you keep finding yourself where you are straying from the issue at hand. You are very experienced in this House to let such asides distract you. Please carry on with the Motion.

**Mr. F. Hinds:** Indeed. I agree. I will ignore him.

I also heard the Member for Port of Spain North/St. Ann's West, my dear Friend who spoke about the security efforts that had been made in some of the schools, including Belmont Boys' R. C. School. I commend him for that. I thought that it was an insightful contribution in the sense that it opened our minds to the importance of it and what could be done.

**6.00 p.m.**

I wonder if he can find a solution to some of the problems of security at the Elections and Boundaries Commission. Can he find some way to keep the bandits out of the EBC? However, we will deal with that.

I rehash briefly some of the things he so wisely said. *[Interruption]* That is all right. It is my privilege to speak here. To interfere with my speaking is an obstruction of my parliamentary privilege. That, too, he wants to interfere with. Let me speak.

The Member spoke about decency and morality and the fact that we must communicate these high principles to the nation's children. *[Interruption]* It matters not. He knows it well. We in the PNM all know of it. Do not worry. They all must learn.

I agree with my Friend, the Member for Port of Spain North/St. Ann's West, but I have noted and continue to note that the Member for Couva North, as the Prime Minister of this country, has never once to these ears spoken to the young people of this country about decency and morality. I have never heard him. Perhaps this is because he cannot, so your wishes for him will fall on stony ground.

We need to be careful that yet again we do not pass legislation that is of no meaning in the society. We came here some time ago and passed the Dangerous Dogs Bill. The Attorney General made a big song and dance about it, but to this day this legislation has not been implemented in this country. It is not the only piece. There are many others. As important as they were, as critical as the Attorney General said they were, to this day they are not law in this country. So people now enjoy a false sense of security. They would have heard the Attorney General and the Prime Minister speaking about this law and that law, only to discover, when the occasion arises, that these laws are not there to protect them. However, he takes his time to deal with extraneous matters and to behave in a very unministerial fashion. However, you have heard about it from the Member for Port of Spain North/St. Ann's West. [*Interruption*]

I think the Member for Port of Spain North/St. Ann's West is quite right. Whatever the nature of this debate, this is the Parliament of Trinidad and Tobago. We represent all the people of Trinidad and Tobago—at least we are supposed to. This is the first opportunity the Member is having, in a normal parliamentary sitting—of course a press release is open to her—to talk to the Parliament about some of the issues affecting education. They were broached by the Member for Port of Spain North/St. Ann's East. There is the question of school violence. There is no point coming here this afternoon to talk about this Bill and not at least tell this Parliament, so that we can tell the people we represent, the Government's position and the state of affairs in respect of the upsurge of violence in the nation's schools. To disregard an important matter like that, notwithstanding that we are debating the introduction of school board regulations is, to my mind, a serious omission indeed.

We are aware of the state of affairs in the country. I think a Parliament has to have some kind of respect for representatives of the people. They came here, first opportunity. Tell us the state of affairs so that we can tell the people whom we represent. Instead, we have to rely on the newspapers. She has missed her opportunity here today. The newspapers, for the last few weeks, have been replete with stories of all kinds of serious armed conflicts; of attacks on teachers in schools.

In Siparia recently, we are all aware, a gentleman walked in a school and gave the Vice-Principal a real licking. I understand the Minister knows the gentleman particularly well. What came into him? However, that is the way of the world. We are genuinely concerned. This is no fun. The Member said it. We are genuinely concerned about what is happening in the nation's schools. I hope that in her winding up, the Minister will tell us what has been done.

I read in the newspaper that some committee has been put in place to look at the situation. I read in the newspaper, as well, that the Minister had conversations with the Commissioner of Police, but today she brings regulations talking about school boards and when we look at the duties and the powers of the school board, we see at number 18, and I am quoting:

- “(1) The Board shall have the duties and powers, including but not limited to those listed hereunder, to manage the school—
- (d) by receiving information, complaints and expressions of concern and hope from the public concerning the school and its members, and to make recommendations as they see fit and relay them to the competent authority.”

I must agree with the Member. Of course, the board can reach out to the community—based on pieces of legislation and the Regulations—and have meetings. When I look at some of the powers and duties, at least one of them completely and totally overlaps with what was the traditional role of the Parent-Teacher Association. That is at (o) in those powers and functions.

One of the functions:

- “(o) by promoting fund raising activities on behalf of the school and controlling the expenditure of funds so raised;”

The school itself is not permitted to raise funds; therefore, it largely uses the PTA to do that. Some of the other functions overlap with what were traditionally the functions of the PTA. I notice that in its structure, two members of the PTA sit on the board. It may very well be that with the introduction of the boards we see, over time, the demise of the Parent-Teacher Association. If we consider the PTA an important institution, the home and school arrangement for the benefit of children, we have to be very careful what we do and the policies we put in place, so as not to bring about, unwittingly, an end to that important institution.

It would be remiss of me not to raise another important matter—the question of corporal punishment—as I criticize the Member for Siparia for not telling us

the state of play in respect of violence in the nation's schools and what is being done to alleviate the problems, short of locking up these children, whom the Attorney General feels should be rehabilitated. This has been debated across the national community and is still engaging the national community in very serious debate.

Trinidad and Tobago Unified Teachers' Association (TTUTA) has said they were very concerned and they ought to know. Many people on the talk shows have expressed concern that when the Minister out of the blue removes that corrective measure—it might be a little antiquated one might argue; it might be a little painful others might argue; it may be traditional, but some people really hold the view that it works. Others hold another view.

### 6.10 p.m.

[*Interruption*] Listen, to say that I passed legislation in this Parliament—We spoke on the Bill and many times we speak against a bill in this House, including every budget for the last five years, it is still passed by the House of Representatives. So do not say that. It is only when a bill requires a special majority that our view is really taken into account. Your Government has a tendency to railroad legislation, whatever we feel is not important in most cases. I want to give you, however, a marginal amount of credit because I see we told you in the debate—when you brought the first copy of the draft—that we felt that with the principal as an *ex officio* member on the school board, and the principal not being able to be the Chairman of the board, we may have ended up with the situation of a teacher, who is junior to the principal, being the chairman of the board.

We pointed out to you, in that debate, Member for Siparia, that it may very well be that the principal holds one view and the board holds another and in that case the chairman of the board, his junior teacher, could take the lead in something that the principal did not subscribe to and that could have been a recipe for confusion. I note with some pleasure and some amazement, perhaps, that you have rearranged that particular subclause so as to remove the confusion that we had signalled, if you had continued in that way. I have taken note of that. That is one of the things that you have taken on board as we recommended it. Mr. Speaker, to say that we voted for it is fine but you know it goes a lot deeper than that.

With respect to the question of corporal punishment, as I was saying, there is the view in the national community that when you simply remove that measure of correction, that form of discipline in children, and do not immediately put in some solid kind of replacement, then you leave the teaching environment in chaos,

[MR. HINDS]

unprotected, as it were. Children are now acting terribly, telling teachers: “You cannot beat me anymore; you cannot do me anything; I could do what I want.” That is the state of affairs. Shortly after that there was a host of examples of misbehaviour on the part of some of the students across the nation. Of course, I would like to hear something from the Minister on that, whether she takes that into account, because you could pass legislation, the Attorney General told us—  
[*Interruption*]

We dealt with another piece of legislation—permit me, Mr. Speaker, I am not going into the substance but I pointed out to the Attorney General in the legislation to regulate private security firms that there was no consultation. I have evidence that there was no consultation with a host of the in-house security firms. I have the document here. Then I saw in the *Newsday* of, I think, March 06, where the President of the Estate Police Association launched an attack on the Parliament in the media. Maybe Francis Joseph wrote it in the *Newsday*, I do not know. Well if it is Francis Joseph, the Attorney General would know about it. At any rate, however, [*Interruption*] I am getting the familial connection but I will leave that for another time.

You know, Mr. Speaker, the chairman never spoke with me, he does not know what information I have, he does not know anything but in the daily newspaper he tells the country that I was dishonest, misled, I got it all wrong and that there were—[*Interruption*] Yes, that is freedom of speech. So that he is attacking a Member of Parliament who is here representing—and legitimately so—the interest of other people. He tells the nation in an article—but I did not bother with him because I know, and the Attorney General knows full well that he did not consult across the board. I am making the point that you can pass legislation without consultation and you could wind up with people disrespecting the law and bringing it into disrepute, Mr. Speaker, people react to that sort of thing.

I know it is uncomfortable for my friend from Caroni East. They do not want people to hear what is going on. [*Interruption*] I know it is nothing new but it has to be said. I hope to get it through your skull. [*Interruption*] That is quite all right. It has to be said. One of the things I want to say right now is that another important issue which I thought the Minister would address, because this Minister, for the last year and, particularly, throughout the election campaign, told audiences up and down this country that the Common Entrance Examination was abolished. Every single week since then, Mr. Speaker—I do not have any children doing Common Entrance at this point; my son has gone through that.  
[*Interruption*]

Yes, and you might fail it if you write the examination. You know, quite seriously, they say if some of us adults had to write the Common Entrance or the SEA examination today we may not even succeed at it because it is a fairly trying examination. Every single week since the Minister has been telling this country that the Common Entrance Examination has been abolished, I can get a pull-out in the *Newsday*; the *Express* and the *Trinidad Guardian*; four, five and six pages long, preparing children for the new SEA examination.

I want the Minister of Education to stand up today, with a sense of finality, and tell this Parliament that the Common Entrance Examination was, in fact, abolished, meaning, as I told her before, [*Interruption*] I have to remind you, that when in 1961, that examination was introduced, it got the name Common Entrance Examination because it replaced several examinations. All the schools had a separate examination, so you could have written the examination to go into Fatima College and Queen's Royal College. All the schools had their own examinations and, therefore, a student could have written, if he wanted, four and five separate examinations, hoping to get into one school.

It was rationalized in 1961, and a single examination was introduced for all students across Trinidad and Tobago. Mr. Speaker, because it became a single examination which all children could write, it got the name Common Entrance Examination. [*Interruption*] Just a moment, hon. Minister. Since it got the name Common Entrance Examination, nothing sophisticated, it was because all of the children had to do that single entrance examination. I submit to you, Madam Minister, again, for the nth time, that all the children of this nation must still write the SEA examination. That examination, therefore, is still a common entrance examination. While they would have changed the name, Mr. Speaker, the Common Entrance Examination still exists. [*Interruption*]

I am not speaking to anyone on this side, I am speaking to you because we were telling the country throughout the elections campaign that you were misleading and fooling them, and you continued. To make matters worse, about a week after the December 11 election, I was walking across Independence Square and I saw a young man—it turns out that he was from the constituency of Laventille West—in a UNC jersey. Under that ugly, logo there were written the words: "Common Entrance Exams Abolished". I got out and I spoke to the young man and I sought to rationalize the issues with him. I sought to educate him. [*Interruption*] Yes, I parked my car and I came towards him. Madam Minister, when I was through educating the young man with this jersey, he literally took it off. He told me had he known the truth in advance he would not have even worn the jersey, you understand.

I want you to tell us, categorically, that all the misleading you put on this country—you need to apologize for that—that there is still a single examination. To make matters worse, under the other system, before the Minister did what she had to do with the education system and the entrance to secondary schools, children who were 11-plus, 12-plus, 13-plus and 14-plus could have written the exam on their way to the secondary school. That Minister overseeing the Ministry of Education issued a circular about five months ago telling all the schools that were to register children to write the examination, that if children were 14-plus they could not write the examination. That, I am told, accounts for something like 7,000 to 8,000 children. While the Minister tells us that all children will get a place in secondary schools she secretly issues a circular telling the principals—

**Hon. Member:** If it was secret how did you know?

**Mr. F. Hinds:** Because it was never published with prominence.

**6.20 p.m.**

It was a secret missive sent quietly to the principals telling them that those who were 14-plus could not have written the examination when, under the traditional Common Entrance system, those children had a chance. So on the one hand the UNC tells the country all children will have a chance at Common Entrance and everybody will get a place, and on the other hand, thousands of children are denied, merely because of their age—a significant difference from what traditionally existed. I want her to get up here today and to deny that.

So these are just some of the issues that we will want to raise in any debate touching and concerning the issue of education and it will not be good enough to say, “Well, these are Regulations and you do not have to deal with those substantive issues”. We want to hear the state of affairs on these matters. So we have raised the question of security in schools. We have raised the question of putting a businessman, perhaps, on the boards. We have raised the question of corporal punishment, violence in schools, the misleading of the people, that the Common Entrance Examination has been abolished.

Some people even at the initial stages got the impression that there will be no examination. Now they know that there will be one and they still know they have to coach their children even much more thoroughly because this examination they say will be a lot more challenging than the other. Nothing is wrong with that. Once it raises the academic and the other levels of the nation’s children, we will support that, but you must speak the truth and speak it loudly. So these are some of the issues we have raised and we would like you to address some of them as you rise.



Altogether, there is one other matter before I conclude that I want to bring to your attention because this will affect, perhaps, the Member for San Fernando West terribly because he has a close association with the MTS. We know of it. In terms of the powers and duties of the board, at (l) and (m), and I will quote them, one of the duties is to prepare:

“...short, medium and long term plans for capital improvement and the upgrading of plant and equipment”

of the schools; and at (m), they must assist:

“in the development and implementation of a maintenance programme for the plant and equipment of the school;”

These are traditionally issues that were dealt with by the MTS and if the school board is going to take up these as part of its powers and duties, then the question remains, how does the MTS fit in, in that particular regard? I would like you, if it pleases you, to touch that issue in your winding-up.

So with these very few words and raising these issues that concern others and me on this side, I would like to conclude and I thank you for an opportunity to have presented. [*Desk thumping*]

**The Minister of Education (Hon Kamla Persad-Bissessar):** Mr. Speaker, it is very clear that the Member for Laventille East/Morvant remains in total denial. Ever since the election of December 11, 2000 the hon. Member has been in denial and that is very clear from what we heard here this afternoon. [*Interruption*] Yes, because he stood here in this Parliament and he is there shouting at the top of his lungs and challenging the Minister of Education to get up to say whether the Common Entrance Examination has really been abolished. He picks up a newspaper and says, “I am seeing every week in the newspaper S-E-A, the new assessment, I am seeing S-E-A”, but yet he believes he is reading Common Entrance Examination—total denial, Mr. Speaker. [*Interruption*] When I asked him what was the purpose of the Common Entrance Examination he said, “Simple; everybody would write one examination.”

Mr. Speaker, you see, that is where they continue to deceive and then he accuses us of deception because for years the PNM said, “We were giving you a Common Entrance Examination”, as you said, “to mark your transition from the primary school into the secondary school” when, in fact, what you were doing was getting an examination to determine who failed to get a place in a secondary school. That is what was happening. You did not provide the spaces in the secondary school [*Interruption*] so you gave a Common Entrance Examination to determine who should be left behind—not who passed, you know, [*Interruption*] because, Mr. Speaker, the statistics are clear.

There were children in St. Patrick, for example—nine out of every 10 children got a place after the Common Entrance Examination in a secondary school—90 per cent transition rate. That means they passed? Ninety per cent passed. When you came here in St. George and you came into Port of Spain and environs 60 per cent—six out of every 10 children—four children failed. So St. Patrick children, only one out of 10 failed, but here, four out of 10 failed. So what, the “children up here dunce”? They “more dunce” than the St. Patrick children?

What was happening is they did not provide the spaces and so the Common Entrance Examination that he keeps harping upon [*Interruption*] was an examination to determine who failed to get a place. It was not to determine who passed for a secondary school. [*Interruption*] The whole structure and format of the Common Entrance Examination was not designed to deal with developing the children academically. It was designed for tick-tack-toe to say who failed to get a place. That is the deception that has been perpetrated for years in this country, that they failed to provide the spaces. So all of you write one examination to determine who will get a place and who will not get a place. So now that we have the SEA, what this is doing is that at the end of it every child will get a place. Every child got a place [*Interruption*] and every child will get a place, Mr. Speaker, when they write this examination on March 29. [*Interruption*]

**Mr. Speaker:** Order please.

**Hon. K. Persad-Bissessar:** The examination is not going to be used to determine who does not get a space but on merit—and we are a meritocracy, we are a democracy. We are based on merit. Today the Minister of Communication and Information Technology talked about it, meritocracy, when you asked him what criteria to determine the Cabinet—meritocracy. So that based on merit in the SEA, students will be given their choices—merit. [*Interruption*] No, it was determined whether nine out of 10 got a place or six out of 10 got a place. That is what it was.

So, Mr. Speaker, that is why I say the Member is in denial and it is so unfortunate because you know I really intended to get up this evening—we had such a wonderful contribution from the Member for Port of Spain North/St. Ann’s West and I want to congratulate him [*Interruption*] on his first speech in the Parliament in this Chamber and for the suggestions and recommendations that he made. I do not know why the Member for Laventille East/Morvant felt he had to come to try to outshine him in some way and repeating everything he said. He just went about repeating. I do not know why he felt that he had to overshadow the Member for Port of Spain North/St. Ann’s West. [*Interruption*]

So I congratulate you for that first speech, hon. Member, but you know, I know we both—you mentioned 1991—1995 and when you were in the other place, we were both in the other Chamber together and I notice you said that the quality of debate and contributions in this House are so very different from that one. However, hon. Member, I see that you have learnt very quickly from your colleagues because you immediately went on to lambaste the Member for Tunapuna and the Member for St. Joseph and so on, so you have learnt very quickly from the Members on the other side.

Mr. Speaker, there were a few issues really raised on this and I would just like the Member to know because the issues raised by the Member for Laventille East/Morvant really do not need much answers to them. Perhaps it is because, Member for Port of Spain North/St. Ann's West, you are not aware but a lot of the things you have raised are already happening. For example, you spoke about school repairs as to whether the local boards will be empowered to do school repairs. As it is at present, [*Interruption*] we have been disbursing funds from the Ministry to the schools through a school maintenance grant for the school to do their own minor repairs and the every-day running of the schools. So that when the school boards are there, they will be able to assist that taking place.

You talked about quarterly allocations for schools. That has been happening—in fact, long before my time. In fact, during the course of last year when I became the Minister of Education, the various principals' associations had met to say that for 17 years they had not received adequate funding allocations. [*Interruption*] We took proposals to Cabinet so that the quarterly allocations to the secondary schools, both assisted and the government schools, have been receiving very high increases, in some cases over 300 per cent increases in the grant funding that goes to schools [*Interruption*] and they get it on a quarterly basis. They have already received their second-quarter grants [*Interruption*] for this fiscal year. So now these school boards again would be able to assist in the way this funding is done.

I would like to clarify something I think that is very important because the press has carried this story repeatedly about national security helicopters circling the Marabella Junior Secondary School. I want to state categorically—in fact, the Ministry of National Security put out a release that has been carried that no national security helicopters were hovering at any point in time over the Marabella Junior Secondary School. That is totally false. [*Interruption*] Well,

maybe they were over the house of the Member for San Fernando East, I really cannot say, but they were not hovering over any school in the country, so let us clear that up once and for all. The Ministry of National Security has put out its own release denying that there was ever such an activity taking place.

Indeed, the Member for San Fernando East will know, since he lives not too far away, that the Petrotrin compound is fairly close to that school and the flight path is the flight path of the Petrotrin people. [*Interruption*] I do not know about your house, Sir. I am speaking of the Marabella Junior Secondary School. So I think that it might have been over that home; but there were no national security helicopters flying over any school in the country—totally false.

On the issue of corporal punishment in schools; Mr. Speaker, there is so much we can talk about violence and indiscipline in the schools and it is very clear that this is not an issue that happened this month or last month or last year. It has been in the schools from since time—in fact, worldwide you will see that there is a trend. We are seeing what is happening in the United States where we have to say thank God that we are not licensed to carry guns generally because we are seeing what is happening in those countries. It is a phenomenon that is worldwide. Secondly, it is something that has been ongoing for some time.

You know, Mr. Speaker, again the Member for Laventille East/Morvant spoke about violence and indiscipline in the schools and so on, and holds his head in horror. In 1989, the national consultation on violence in schools was done. Since 1989, all the recommendations were there. Why was that done? Why was the whole national consultation—it was because since then—and if you go even further back, since the 1980s there was a Mr. Brown who set up a whole security company, registered a security company to offer security to schools. So it is not that this thing has happened this month or last month, it has been ongoing. That is the first issue.

The second issue on the corporal punishment—you know, the Member again in denial, he sits here and when I said to him, you know, corporal punishment, the abolishing of it, that he sat here and passed that law together with all of us who were in that Chamber, do you know what he said, Mr. Speaker? You heard him. He said that, you know the laws are passed in here but their voices are not heard. They speak but it makes no difference. It is only when there is a special majority then their voices are heard, which is totally false.

**Mr. Manning:** So what did he say wrong?

**Hon. K. Persad-Bissessar:** It is totally false, because if it were a simple majority, Mr. Speaker—and he was against that taking place. He could have voted and said no. Voted all—you will see the record will reflect what has happened. Totally voted—no nays. There was no one in this Chamber who voted against the Bill. There was no one in the other Chamber who voted against it. In fact, Mr. Speaker, the record will show, and I need to clear that up, there was no unilateral decision on the part of the Minister of Education or on the part of the Ministry of Education to place a provision in the law to abolish corporal punishment. That is the first point.

**6.35 p.m.**

When the Children (Amdt.) Bill came to this House, there was no provision whatsoever in it to abolish corporal punishment. We passed the Bill in this Chamber and it went to the Senate. When it went to the Senate, a select committee of the Senate was set up, and it was that committee which comprised Independent Senators, Opposition Senators and Government Senators. Within that committee was where that provision to abolish corporal punishment was unanimously inserted in the Children (Amdt.) Bill. That Bill was passed in the Senate by the Independents, Opposition and Government Members, and then it came to this House and all of us who were in the last Parliament passed it. There was not one “no” in the law.

There was no unilateral decision. In fact, the record will show very clearly that it was not a proposal of the Ministry of Education. It did not come from the Ministry. It came out of the Senate, in fact, it came from the Independent Benches. Let us make that very clear because there has been a whole barrage of attacks levelled against the Minister of Education that it was the Minister of Education who got up one day and banned corporal punishment in the schools. It never happened! It was from the Independent Senators and we respected their views.

To say that there was no consultation, again, is totally false. If they pick up that same 1989 consultation on violence in the schools, we would see that it recommended that corporal punishment be phased out in the school. That was 11 years ago. It was 11 years ago that stakeholders in this country spoke about abolishing corporal punishment, and all through those years there has been ongoing debate and consultations on that issue. It is totally false to say that there was no consultation.

Mr. Speaker, when in January of this year it was brought to my attention that this was the law—that the Cabinet had taken a decision that that law was to be proclaimed on January 31, because it would affect all the schools, all the teachers and all the children of this country—the Ministry began, as is our duty, a series of sensitization seminars. It was at that first sensitization seminar which comprised officials of the Ministry and principals and so forth, held at the Learning Resource Centre, that we talked about it and said this was the change in the law. We said, “Let us hear your views and see what we can do together to deal with this situation. This law is to be proclaimed on January 31, 2001.”

Mr. Speaker, when I made that statement, again, there were many who attacked the Minister of Education as being the person who banned the corporal punishment and then, having banned it, caused the violence in the schools as if overnight. The Member today talked about an upsurge of violence, as if overnight from those words—TTUTA, the President of TTUTA said the Minister, because she said that—the place went wild; the children went wild; they were beating teachers!

He agreed with it at first and then suddenly had an about turn and said it was because the Minister said that. Total back out because it was a matter that engaged the attention of TTUTA and the Ministry, but it was a cop-out, so blame the Ministry, blame the Minister. That is why we have violence and indiscipline in the schools. That is not why, Mr. Speaker.

Every one of us who is honest enough will know it is a problem of the society as a whole and the solution is also in the hands of society as a whole. It cannot be the Minister, the Ministry and the teachers. It has to be all of us. All of us must deal with it together, because if we fail to do that, it will be chaos for all of us in this country. If we want to hide our heads in the sand and say “Because Kamla stood up and said ‘We ban corporal punishment’, suddenly the schools have erupted in violence”, we will be like ostriches and we will not deal with the issue. I want to make that position very clear because it has been totally unjustified.

**Mr. Manning:** So it is not you?

**Hon. K. Persad-Bissessar:** It is all of us, Mr. Speaker.

**Mr. Manning:** Mr. Speaker, I thank the hon. Minister for giving way. I would just advise the Minister that if an idea is put to her and she adopts the idea, the idea becomes hers. Especially if she has executive authority as she does, if she carries out the idea, she accepts full responsibility for it. What she is really saying is that “she gave me and I did eat”. That is what she is saying.

**Hon. K. Persad-Bissessar:** Mr. Speaker, it is every one of us in this Parliament. In the same way that if we gave them an idea and they did not say no to it, they also accepted it! Yes, fine, I agree that I accepted it. So did every one of us. For the Member for Laventille East/Morvant to get up and say it was not him, it is all of us in this Parliament! I am saying that Independents, Opposition and Government, of all us accepted that decision.

It was on January 31, 2001 that the law was to be proclaimed. Since then, the Cabinet has subsequently taken a decision to defer proclamation so that the status quo remains. I met with all the associations; the Principals' Association and TTUTA, and we advised them of this when Cabinet took the decision to defer the proclamation from January 31. So, the status quo remains the same. That is to do with corporal punishment.

Mr. Speaker, there are several strategies we have devised and several things that have been happening in the Ministry over time to deal with the issue of indiscipline and violence in the schools. We can spend a little time talking about that. There is so much we can say on it, but I want to give the assurance that we are dealing with the issue. It is not an overnight solution, but we have put things in place and other matters had been put into place, even before I became Minister, by my colleague, the Member for Tabaquite, when he was Minister of Education.

In fact, it was under his watch and under this Government, not theirs—he talked about how a man walked into the Siparia Union School and beat up a vice-principal. A parent of that school walked in and allegedly, because the case is in court, attacked a vice-principal. It was this Member for Tabaquite who began placing on a phased basis, security personnel at the primary schools. There was never any before. Only recently, another 57 primary schools were provided with security personnel. It was necessary since 1989, the National Consultation on Violence and Indiscipline in Schools.

Mr. Speaker, there are two things we must look at when we look at the issue of violence in schools. I saw a column here written by the Chamber which is saying we cannot put security personnel in the schools, and why must we spend all this money putting security personnel in the schools. It is a different matter and we must stop being soft with the kids. We must deal with them in a serious manner. That is a failure to understand the problem, because the problem is twofold.

There is a problem of external violence, that is, people walking off the street or running from the street to attack those within the school compound or the property of the school. Think of a school with the children and the teachers

sitting there. They are like sitting ducks, so vulnerable that if anybody just runs in, there must be some sort of security personnel. That is one area of the issue of violence in the schools.

The other issue has to deal with indiscipline among the children within the school compound itself. The Chamber is misunderstanding the extent and nature of the problem because we cannot say "Do not put the security personnel at the school". I agree that we cannot put them in every classroom, but certainly the compound must be protected in some way from outside incursions.

I must congratulate the security guards where I saw recently that a man had come into the school compound and the guards were able to capture him and call in the police. Fortunately, in that case they were able to do their job unlike what happened at the Siparia Union School where there was no security personnel. The Ministry of Education spends \$43 million a year on security personnel and still there is not security in all the schools. That is one aspect of it.

The idea of these national security helicopters over the school is horrendous, and I tell you categorically, that did not happen! Within the issue of, and indiscipline in the schools, it has to do with some events and things that happened which are purely criminal in nature, as different from breaches of the school rules which have to do with indiscipline. Where there is criminal activity, it is the jurisdiction and purview of the Ministry of National Security. The Ministry of Education cannot deal with criminal activity. That is not within our jurisdiction.

**Mr. Manning:** You are one Government!

**Hon. K. Persad-Bissessar:** If there are issues concerning criminal activity, this is where the Ministry of Education has been liaising with the Ministry of National Security for us to deal with that issue. When the Member mentioned that I met with the Commissioner of Police, this is why we are holding meetings with that Ministry in order for us to work hand in hand.

Where there are things that are criminal in nature, those are matters that have to be dealt with by the police. For example, possession of drugs, weapons, assault, battery, injury, personal injury, those are criminal matters that are not for the Ministry of Education to deal with. They are matters for the police and for the Ministry of National Security. Together, we can deal with that problem.

Breaches of the school rules, indiscipline, and otherwise, will be matters dealing with the code of conduct being set up for the students, the discipline matrix that is being developed for the students, infusion of morals and values within the school curriculum which will begin this month. For the past year, I



have had the consultant to develop the curriculum. Within this month and next month we will begin the infusion of these morals and values; it will be here. Those are some of the other strategies which are being employed.

We have set up six teams, each with very clear mandates. One will be the overseeing team; one is a projects team that will go in and actually implement the projects. For example, right now there is a project that is being run in the schools, the Drug Abuse Resistance Education (DARE) programme, which we are doing jointly with the Ministry of National Security in the schools, where they go in to educate the children about drug abuse.

There are other projects we are going to be doing with UNESCO for development of a cultural piece in the classroom. So, there is a whole team just dealing with projects within the classroom and the schools. Another team really meeting with each school dealing with them on a school-by-school basis, because some of the things that may be needed in one school will not necessarily be the same strategies needed in another school. We set up a team to meet on a very rapid basis with every secondary school on a school-by-school basis, gathering information and data to see how best we can assist the schools. It is a whole range of strategies that are being developed, some of which are already being implemented.

On the issue of the local school boards, again I thank the Members for their suggestions, some of which we will certainly look at for longer term implementation; the idea of the clusters, and regional boards. At the moment, the boards will be set up for each school, but we already have eight education districts. In the regulations, the reports will go to the Permanent Secretary, but really they go to the education districts.

At the moment, what happens is that every single school in the country sends their reports. Every school—not board—sends them, and they are broken down into eight districts. To the Permanent Secretary, however, this is delegated. The Permanent Secretary is the functionary, but it is delegated in the Ministry into the eight education districts. So, there is already that district regional cluster to assist us to deal with what the Member was worried about, the bulk of paper work that will come in. Those were the main issues that the Member for Port of Spain North/ St. Anns West raised.

With respect to the denominational boards, this does not apply to denominational schools. They already have their school boards. These are only for the Government schools. With respect to financial support, if one looks at the regulations themselves, one will see that there is a secretary who is to be paid, so they will have some assistance, and for the persons functioning on the boards, I think a stipend will also be given.

*Education Regulations*  
[HON. K. PERSAD-BISSESSAR]

*Friday, March 09, 2001*

The Member mentioned that each church school has a board and then each reports to the Board of Education. Every school still reports to the Ministry. It is still like that. In this way, I believe that with each school and principal, there is a board there and I thank the Member for giving us the commitment that he will ensure that these school boards work. I hope he can convince some of the other Members to make sure that the school boards work. I do believe that these can make a big difference in the functioning and management of the schools.

Mr. Speaker, I thank the Members again for their comments and I beg to move.

*Question put and agreed to.*

*Resolved:*

That the Education (Local School Board) Regulations, 2000 be approved.

#### ADJOURNMENT

**The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj):** Mr. Speaker, I beg to move that this House do now stand adjourned to Friday, March 16, 2001 at 1.30 p.m.

On that day we will complete the Private Security Agencies Bill. We will also do the Supplemental Police (Amdt.) Bill and if we have time, we will do Bill No. 4 on the Order Paper, the Administration of Justice (Miscellaneous Provisions) Bill.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 6.51 p.m.*