

**HOUSE OF REPRESENTATIVES***Wednesday, June 23, 2004*

The House met at 1.30 p.m.

[MR. DEPUTY SPEAKER *in the Chair*]**PRAYERS****PAPERS LAID**

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts and financial statements of the National Agricultural Marketing and Development Corporation for the period August 16, 1991 to December 31, 1991. [*The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts and financial statements of the National Agricultural Marketing and Development Corporation for the year ended December 31, 1992. [*Hon. K. Valley*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Siparia Regional Corporation for the period January 01, 1998 to September 30, 1998. [*Hon. K. Valley*]
4. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Trinidad and Tobago Racing Authority for the year ended July 31, 1998. [*Hon. K. Valley*]
5. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Trinidad and Tobago Racing Authority for the year ended July 31, 1999. [*Hon. K. Valley*]  
*Papers 1 to 5 to be referred to the Public Accounts Committee.*
6. Annual Report of the Trinidad and Tobago Postal Corporation for the year ended June 30, 2000. [*Hon. K. Valley*]
7. Annual Report of the Trinidad and Tobago Postal Corporation for the year ended June 30, 2001. [*Hon. K. Valley*]
8. Report of the Police Service Commission for the year 2002. [*Hon. K. Valley*]

**WRITTEN ANSWERS TO QUESTIONS**

*The following question was asked by Mr. Winston Dookeran (St. Augustine):*

**Relocated Residents  
(Oropune Village, Piarco)**

- 65.** Would the hon. Minister of Finance state:
- (i) the reasons for the delay in settling compensation packages for relocated residents of Oropune Village Piarco;
  - (ii) the names of residents of Oropune Village, Piarco, who are on the list for compensation;
  - (iii) the amount of monies allocated to each relocated resident of Oropune Village, Piarco;
  - (iv) the date anticipated for payment to the relocated residents of Oropune Village, Piarco?

*Vide end of Sitting for Written Answer.*

*The following questions were asked by Mrs. Kamla Persad-Bissessar (Siparia):*

**Appointment of School Boards**

- 70.** A. Would the hon. Minister of Education list:
- (i) the steps and the date/s of each step taken, since January 2002 to implement the law relating to the appointment of school boards in the nation's schools;
  - (ii) the number of schools in which school boards have been appointed and the date of appointment of same;
  - (iii) the number in which no school boards have been appointed;
- B. Would the Minister state:
- (i) the reasons why there is a breach of the provisions of the law in the failure to appoint school boards to each school;
  - (ii) whether school boards have been provided with terms of reference and a manual for their proper functioning and if so, the nature of same?

**Secondary and Primary Schools  
(Filling of Teacher Vacancies)**

- 74.** Would the hon. Minister of Education list:
- (i) the steps and the date/s of each step taken, since January 2002 to fill teacher vacancies in the nation's schools;

- (ii) the names of the secondary and primary schools in which there are teacher vacancies, whether permanent or temporary vacancies or otherwise;
- (iii) the number of vacancies per school and the subject area together with the dates these positions became vacant;
- (iv) the steps and the date/s of each step being taken to fill the vacant positions and the expected date for the filling of each vacancy?

**School Intervention Strategies Committees  
(Establishment of)**

- 80.** Would the hon. Minister of Education state:
- (i) as at January 2002, what were the existing School Intervention Strategies (SIS) Committees which had been established to address school violence and indiscipline;
  - (ii) the composition and role/functions of each committee as at January 2002;
  - (iii) whether there are any changes in relation to (a) and (b) above since January 2002 and could she state the date/s of each change;
  - (iv) the dates of and attendance record for each committee meeting since January 2002;
  - (v) the specific work actually done by each committee and the record of implementation of each of their recommendations;
  - (vi) the actual cost of implementation of each recommendation from January 2002 to date?

**SEMP Secondary Schools  
(Second Batch)**

- 81. A.** Would the hon. Minister of Education state:
- (i) the estimated costs of construction, furnishing, and equipping of each of the second batch of SEMP secondary schools?
  - (ii) the names of the persons/companies contracted, the names of the directors of each company and the contracted cost of construction, furnishing and equipping of each?
  - (iii) the start up and completion dates of construction, furnishing and equipping of each school?

- (iv) in the case of completed schools the actual cost of construction, furnishing and equipping of each?
- B. Would the Minister also state:
  - (i) whether tenders were invited for the contracts awarded and if so, the bids made by each tenderer for construction, furnishing and equipping of each of the schools?
  - (ii) the procedure and criteria used to award each contract?

**Primary and Secondary Schools  
(Statistics of)**

- 87.** Would the hon. Minister of Education state:
- (i) the number of students in each primary and secondary school;
  - (ii) the total number of teachers actually employed and the number of teachers on the establishment in each school;
  - (iii) the schools in which there are librarians;
  - (iv) the estimated date/s of construction of a library in each school?

*Vide end of sitting for written answers.*

**POLICE SERVICE BILL**

Bill to make provision for the efficient management of the police service, to consolidate, amend and revise the law relating to the police service and for other related matters [*The Prime Minister and Minister of Finance*]; read the first time.

*Motion made*, That the next stage be taken on Tuesday, June 29, 2004 at 10.00 a.m. [*Hon. P. Manning*]

**The Prime Minister and Minister of Finance (Hon. Patrick Manning):** Mr. Deputy Speaker, in moving this motion, I have taken note of, together with my colleagues, the fact that these three Bills have been the subject of a campaign within recent times designed to secure its passage in Parliament. [*Interruption*]

Mr. Deputy Speaker, the Bills initially were in the other place and yesterday, in accordance with the Standing Orders of the Parliament, the Bills were withdrawn so that we could introduce them here today. We have decided that these Bills ought to be debated in the House of Representatives first— [*Interruption*]

**Mr. Deputy Speaker:** Mr. Prime Minister, have a seat!

Hon. Members, you are gaining nothing by behaving like this. Would you please let us carry on with the business of the honourable House? [*Interruption*]

Hon. Member for Couva South, that is not the way to behave.

**Hon. P. Manning:** Mr. Deputy Speaker, we had asked the members of the national community to speak to their Members of Parliament seeking to secure their support. In those circumstances, we thought that the appropriate thing to do was first to debate these Bills in the Lower House before we go to the other place. That is why these Bills have been introduced here today for debate next Tuesday.

*Question put and agreed to.*

#### **POLICE COMPLAINTS AUTHORITY BILL**

Bill to establish an independent body to investigate criminal offences involving police officers, police corruption and serious police misconduct and for other related matters [*The Prime Minister and Minister of Finance*]; read the first time.

*Motion made*, That the next stage be taken on Tuesday, June 29, 2004 at 10.00 a.m. [*Hon. P. Manning*]

*Question put and agreed to.*

#### **CONSTITUTION (AMDT.) BILL**

Bill to amend the Constitution by providing for the establishment of a Police Management Authority and for other related matters [*The Prime Minister and Minister of Finance*]; read the first time.

*Motion made*, That the next stage be taken on Tuesday, June 29, 2004 at 10.00 a.m. [*Hon. P. Manning*]

*Question put and agreed to.*

#### **SHIPPING (MARINE POLLUTION) BILL**

*Order for second reading read.*

**The Minister of Works and Transport (Hon. Franklin Khan):** Mr. Deputy Speaker, I beg to move,

That a Bill to provide for powers and jurisdiction in relation to pollution of the seas from ships, intervention on the high seas in cases of oil pollution, dumping of wastes at sea, prevention of pollution from ships, preparedness and response for oil pollution emergencies, liability and compensation for pollution damage and matters incidental thereto; be read a second time.

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[HON. F. KHAN]

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Mr. Deputy Speaker, this Bill was first introduced in the Senate on January 18, 2000. At that time, some Senators had concerns with the Bill in its original form and it was referred to a Special Select Committee of the Senate. It was then re-introduced in the Senate at the end of 2002 and passed.

The Bill lapsed before a debate could take place in the Lower House. As you would realize, this Bill is comprehensive and voluminous in nature. It has 228 clauses and, while I will pilot the Bill and there will be some debate, it is the intent of the Government to refer this Bill to a Special Select Committee of the Lower House after its second reading.

As I mentioned before, the Bill is a very timely piece of legislation, which provides a uniform regime for the protection and preservation of the marine environment of Trinidad and Tobago. As we are all aware, Trinidad and Tobago is an archipelagic state, meaning that it consists of more than one island, and sometimes we fail to understand how much of a marine territory we really are, especially since most of the natural resources of this country reside offshore.

Every student, from at least the primary level, knows that Trinidad is 1,864 square miles. I think Tobago is 116 square miles, which makes the total land area of Trinidad and Tobago in the vicinity of 2,000 square miles. What we fail to understand sometimes is that the marine jurisdiction of Trinidad and Tobago is significantly more than that. If we take our borders with Trinidad and Venezuela and move eastward into the exclusive economic zone, the surface area of the earth that is under the jurisdiction of Trinidad and Tobago is almost 20 times the size of our land area.

In that context, in terms of our natural resource development and the jurisdiction over which the Government and the people of Trinidad and Tobago are in charge, we are, by no stretch of the imagination, a small island State per se. There are significant sedimentary and sedimentological basins, which exist in the Gulf of Paria and off the east and north-east coast of Trinidad and Tobago and over which we have jurisdiction. So this piece of legislation, obviously, is fundamental to the long-term legislative and resource management capability of Trinidad and Tobago, especially as it relates to our maritime environment which, by and large, is the custodian of our wealth in this country vis-à-vis fishing, oil and gas and maritime services in its broadest sense.

As a child growing up in Mayaro, I always heard the phrase from the older people and from the fishermen that the sea cleans itself. I guess that came through the years where the society was subsistent in nature, so you knew if something went into the sea, with the action of waves and what-have-you, by tomorrow it no

longer smells bad, or it has cleaned itself. However, that could not be further from the truth. We have to understand that the marine environment is a very fragile ecosystem and it is the duty of any responsible administration and country, especially since we depend so greatly on that resource, to protect it in every sense of the word.

It is in that context that we are tabling this important piece of legislation this afternoon, entitled the Shipping (Marine Pollution) Bill. The key driver behind this Bill is really Trinidad and Tobago being a party to several international conventions, which demand that we put this type of legislation in place. Specifically, Mr. Deputy Speaker, Trinidad and Tobago is a party to the United Nations Convention on the Law of the Sea (UNCLOS). Article 192 of the Convention provides:

“States have an obligation to protect and preserve the maritime environment.”

It is in that context that legislation of this nature has been drafted.

This legislation will also replace a very old piece of legislation dating back to 1951. That legislation is called the Oil Pollution of Territorial Waters Act, Chap. 37:03, and makes provision for the discharge or escape of oil by vessels into the waters of Trinidad and Tobago. As I said, that was way back in 1951 when the shipping environment was not as modernized as it is today and, more importantly, there was not that level of toxicity that is plying the international and local waters of Trinidad and Tobago. The old legislation dealt only with oil and oily waste discharges into the territorial sea and makes no provision for the compensation of parties affected by the damage.

In August 1994, the then Cabinet appointed a committee to look into safeguarding the marine environment from oil spills. This committee recommended a plan of action that involved the adoption of several international treaties to protect the environment. It is as a result of the work of that committee, in 1994, that the template was laid for the drafting of this voluminous document.

I want to share some information with this honourable House as it relates to the type of situation we have here in the Caribbean. These issues do not only affect Trinidad and Tobago. While we have our international jurisdiction of territorial waters and the high seas, the entire Caribbean chain of islands, in a large sense, is one province as it relates to the oceanography of the Caribbean Sea and the Atlantic Ocean. Ocean currents and waves and wave action, all make the islands interrelated, so what is done in Island A will ultimately affect Island B.

I want to share some statistics with this honourable House to indicate why there is the necessity for legislation of this nature. We asked the question: What

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are the implications on the marine environment when shipping activities go unregulated?

Mr. Deputy Speaker, all vessels generate waste. The Caribbean is a very special cruising area and about 90 cruise ships regularly visit, bringing 400,000 visitors per month to the Caribbean. A typical large cruise ship may carry between 1,400 to 2,000 passengers and a complement of 600 to 900 crew members and each person will generate 0.3 to 3.5 kilograms of waste per day.

Modern cruise ships have active waste management programmes on board and can hold their garbage for several days, incinerate it and take it back to their port of origin. However, there are still a large number of smaller and older ships, which need to discharge their garbage at sea or in port more frequently.

Although cruise ships are responsible for about 77 per cent of all ship-generated garbage, it is important to remember that all ships produce solid waste, including fishing vessels and recreational boats. On smaller vessels, the common practice is still to throw everything overboard. Mr. Deputy Speaker, it puts into perspective why this piece of legislation is so important and actually it is becoming fast to say that time is now of essence.

Added to the issue of cruise ships, right here in Trinidad and Tobago, we all know that maritime activities have been increasing exponentially. Trinidad and Tobago is now the world's largest exporter of ammonia and methanol. By exporter, we mean that these products leave Trinidad and Tobago by ship to their port of destination, be it North Western Europe or the eastern seaboard of the United States.

We now ship LNG out of Point Fortin. BP continues to ship crude oil off Point Galeota and there are at least 14 international ports in Trinidad and Tobago that handle a significant amount of maritime traffic. On the face of it, that is the major risk this nation has to bear, and it is very important that the required legislation is in place so that if something untoward or unforeseen happens as it relates to pollution, be it from oily substances, toxic substances or from basic garbage and waste, we must have the legislation in place to protect the nation as it relates to the creation of offences, penalties and compensation.

You will recall that some time last year, there was a major oil spill in Chaguaramas, and while the Maritime Services Division was able to identify the culprit vessel, there was no legislation in place to take punitive action against the ship's owners and the licensees of the ship and the guy just sailed on his merry business to where he came from. As I said, it is in that context that we feel—and I know the Opposition also shares a similar view—that this legislation is important.



As we speak on the 14 points of entry, I take this opportunity to inform the Parliament that we are supposed to become ISPF compliant for security reasons on July 01. I want to inform the honourable House that on or around July 01, we will be issuing certificates of compliance to the 14 ports in Trinidad and Tobago. Trinidad and Tobago has in fact met the deadline to the International Maritime Organization (IMO) and the ISPF.

Mr. Deputy Speaker, this Bill seeks to give the force of law to six major international conventions administered under the auspices of the IMO. Four of them deal with pollution prevention, disaster mitigation and cooperation. Just for the record, I will outline these six international conventions.

- (1) The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the protocol of 1987.
- (2) The Convention for the Prevention of Marine Pollution by Dumping of Waste and Other Matters commonly referred to as the London Convention.
- (3) The International Convention relating to the Intervention on the High Seas in cases of Oil Pollution Casualties 1969 and the protocols of 1973.
- (4) The International Convention on Oil Pollution Preparedness Response and Cooperation commonly referred to as OPRC.

The remaining two provide for liability and compensation for pollution damage, which is extremely significant. While we are trying to prevent pollution, if it does happen, we have to have modern systems in place for liability allocation and compensation to the so aggrieved.

The remaining provisions are the International Convention on Civil Liability on Oil Pollution Damage of 1992, called CLC, and International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage of 1992, again commonly referred to as The Fund.

Mr. Deputy Speaker, as I mentioned earlier, the first draft of this Bill was introduced in the Senate on January 18, 2000. During that debate, some pertinent issues were raised by Senators, which resulted in the Bill going to a Special Select Committee of the Senate. Some of the concerns that were raised at that time and which in my view were valid concerns, were as follows:

1. The Senate at that time felt that the administrative machinery for the implementation of the Bill was not properly identified.

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You will see that these issues have subsequently been corrected.

2. They indicated that the objects clause of the Bill did not provide adequately for all forms of pollution including land-based sources.
3. This is very fundamental. No reference was made in the Bill in its original form to the role and functions of the Environmental Management Authority (EMA).
4. It was felt that the language and terminology of the Bill, primarily based on IMO convention language, did not properly reflect local drafting style.

I guess our local lawyers had a field day thereafter to put it into the context of our unique drafters here in Trinidad and Tobago.

5. Questions were raised as to whether there was adequate consultation with stakeholders potentially affected by the Bill's provisions.

During the Special Select Committee, all these issues were addressed and a report tabled for consideration and most of the recommendations were adopted in the redraft of the Bill. [*Interruption*]

I want this honourable House to note that the following are the major findings and changes to the Bill:

- (1) The objects clause has been amended so that the purpose of the Bill is clear, to provide a regime for the protection of the marine environment and ship-generated waste.
- (2) The administrative machinery for the Bill has been clarified, therefore, within each part of the Bill—if you go through, you would see—the administration or agency responsible for its enforcement has been clearly identified. In other words, while the Minister with responsibility for maritime services—in this case the Minister of Works and Transport—had overall responsibility for shipping and retains overall responsibility for the Bill, coupled with the ability to delegate such authority or to enter into Memorandum of Understanding with another agency, the EMA has been given specific responsibility for the administration of Part IV of the Bill, which gives effect to the London or the Dumping of Waste Convention.

Another section gives the Minister of Energy and Energy Industries responsibility for the National Oil Spill Contingency Plan and to deal with major oil spills offshore emanating either from vessel or from platforms. This part, Mr.

Deputy Speaker, complements the EMA's waste management procedures and rules established under the parent Act and therefore makes good administrative sense.

The Ministry of Energy and Energy Industries has been given specific responsibility for the administration of Part VI of the Bill in the person of a national controller for the National Oil Spills Contingency Plan. *[Interruption]* Once you become available as the most experienced oil spill man in the country. When the legislation comes into effect that will be handled.

Finally, the drafting style of the Bill in its previous form has been changed in terms of definitions, technology, penal provisions, et cetera, while ensuring, as far as possible, that the original intent of the convention has not been compromised.

I would just spend the next couple of minutes, without going into major detail, to deal with what each part of the Bill handles to convince the House that the Bill has been well put together and that we have done our homework.

Obviously, Parts I and II deal with preliminary issues and the powers of jurisdiction under the International Law of the Sea. This, under the United Nations Convention on the Law of the Sea (UNCLOS), confers the rights and obligations consistent with the convention in the main marine jurisdiction established by the convention, that is, Trinidad and Tobago's internal waters, its territorial seas, its exclusive economic zone and the high seas where all coastal steamers share a common obligation. It gives us the right, in cases of emergency, to go into the high seas and take action for the prevention of pollution and destruction to the environment.

Part III deals with intervention on the high seas and gives the State, which is a signatory to the United Nations Convention on the Law of the Sea, the right to intervene on the high seas if it deems that necessary in a case of emergency.

Part IV of the Bill deals with the dumping of waste at sea. Again, this will now fall under the purview of the EMA in the Act and basically it outlines technical specifications as to what type of waste can or cannot be dumped. This is probably the most important part of the Bill in the sense that it is intended to reduce the level of pollution coming from the marine vessels.

The EMA will be responsible for granting general and specific permits to control the dumping operations through record keeping and for causing scientific monitoring of the conditions of the seas under its jurisdiction.

So, Mr. Deputy Speaker, very shortly will go the days when a ship's owner or captain could go outside the view of authorities and dump anything into the sea.

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You may want to ask, Mr. Deputy Speaker, how we would police this operation because, with legislation alone, the guy may still be willing to take a chance. As you are all aware, the Prime Minister has been announcing that there will be a major upgrade in the capacity of the Coast Guard and its ability to patrol the territorial waters of Trinidad and Tobago, not only from a national security point of view—

**Mr. Singh:** I thank the hon. Minister for giving way. The only blue water vessel is the TTNelson, which is a frigate bought in 2000/2001, and that, because of an accident that took place on the port, is out of commission. What measures are the hon. Minister taking to ensure that this only blue water capability we have in Trinidad and Tobago to protect our coast, is out there serving the interest of the country?

**Hon. F. Khan:** Mr. Deputy Speaker, I probably bought that cheap. I should not have talked about the Coast Guard. I only wanted to make the point that there will be an issue of policing the legislation that will naturally fall under the purview of the Coast Guard. The Coast Guard will not only see its role in relation to issues of national security, but also the issue of maritime pollution. The Minister of National Security will in time indicate to the honourable House the status of the fleet of the Coast Guard. [*Interruption*]

Part V deals with the prevention of pollution from ships. Ships do generate a significant amount of pollutants. Specifically under this legislation, Part II provides a framework for the prevention of pollution by oil, one of the most important legal regimes applicable in this piece of legislation.

Mr. Deputy Speaker, the current regulation of the shipping industry worldwide has, in large part, been driven by oil pollution over the years. In 1981, 1.47 million tonnes of oil entered the sea as a result of maritime transport. In 1989, this figure decreased by over 60 per cent to 568,800 tonnes. This is significant because the amount of oil transported by sea had climbed steadily. In 1985, it was 1.16 billion tonnes and in 1992, the figure had climbed to 1.63 billion tonnes.

Mr. Deputy Speaker, it shows that even though the amount of tonnage transported internationally has climbed substantially, the actual number of oil spills has been dropping. This has been due largely to the work of the International Maritime Organization in putting legislation across the world through these international conventions and most States are becoming compliant.

Mr. Deputy Speaker, while accidental oil spills are the most visible source of maritime pollution from shipping, operational discharges are also a very big

problem. Consider the implication of illegal discharge, such as the pumping of bilge overnight on board or discharging other oily waste between ports, multiplied 514 million Gloston world fleet as at December 31. I am saying that even though we have legislation, there is still the tremendous potential for wrongdoing on the high seas and we are hoping by these pieces of legislation, in consultation with the IMO which is the international body that deals with this matter, we would, with the passage of time, get more control of ship owners and operators as they impact on the denigration of the environment.

Part III deals with noxious gases and it handles what types of liquids are in this category and the protocols for the transportation of such material.

Part IV deals with packaged forms of pollutants. It covers the prevention of pollution by harmful substances carried by sea in packaged form and again it outlines in great detail the protocol of all these operations.

Part V covers the prevention of pollution by sewerage. This section gives the protocol of how sewerage should be treated, what type of certification is required and what type of dumping can take place. To be more specific, ships will not be permitted to discharge sewerage within four nautical miles of the nearest land, unless they have an approved sewerage treatment plant in operation on the vessel. Between 4 to 12 nautical miles from land, sewerage must be treated and disinfected before discharge. At distances greater than 12 nautical miles from land, ships will be permitted to discharge sewerage when it is proceeding en route.

Mr. Deputy Speaker, under this section, the Minister is empowered to make regulations prescribing the requirement for ship treatment plants, holding tanks and other conditions deemed appropriate for the preservation of human health and other matters.

Subpart 6 deals with garbage which is defined as plastic garbage into the sea, including synthetic fishing nets, ropes, plastic garbage bags, dunnage, lining packages with float, which is basically floating material and the protocols for disposing of that and food waste and other garbage, including paper products, rags, glass, bottles and crockery. Also, every ship trading internationally of over 400 gross tonnes, will be required to carry a garbage management plan indicating procedures for collecting, storing, processing and disposing of garbage.

I now quickly move on to Part VI, which deals with oil pollution preparedness and response. Part VI is extremely important to Trinidad and Tobago because, as an oil-producing State, we incur the risk of a major natural disaster or an accident offshore that could have major consequences on oil pollution.

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The first part of Part VI deals with a very important area of mutual assistance. This convention recognizes the importance of mutual assistance and international cooperation in dealing with pollution incidents, which constitutes a threat to the maritime environment. This issue of international cooperation and mutual assistance is very fundamental in the field of maritime pollution. In more cases than not, if you have a major incident, the host country will not have the capacity to ameliorate the incident. In other words, international help will be required at very short notice.

For those of you who know Red Adair, if there is a well blowing offshore, he can come into Trinidad within 24 hours or less to control the well and specialized equipment to deal with a major oil spill will have to be brought into Trinidad and Tobago at short notice. The whole administrative bureaucracy to source this type of equipment internationally, very likely from the United States in our instance, is taken into consideration in terms of mutual cooperation under the Act.

Finally, and probably most importantly, is Part VII, which deals with liability and compensation for pollution damage. We will all remember the Exxon Valdez case in Alaska. Had Exxon not been the world's largest oil company at the time, it would have gone. The Valdez incident even weakened the Exxon stock. For almost 24 months, Exxon stocks were dropping largely because the market at the time was unsure as to what would be the ultimate environmental liability that would be implemented by the United States on the Exxon group as it relates to the Exxon Valdez incident, especially since there was negligence in the case with the captain. The final compensation figure ran into several billions of US dollars.

If an incident of that nature had occurred in Trinidad and Tobago, the State would not have been in a position to draw a single cent from the Exxon Corporation or any other major international oil company in that regard. I guess if we had negotiated directly in an instance like that, some form of compensation would be forthcoming. This Act gives us the legal stronghold to deal with matters of compensation and liability, which has been sadly wanting in the legislation of 1951.

The final part of the legislation deals with enforcement, legal proceedings and jurisdictions—how we would prosecute persons, ships or any marine vessel, including offshore platforms, so accused of polluting the environment.

In summary, I think the legislation is timely. It covers most of the issues that we currently face. It is driven by international convention and deals with a whole suite of issues that have been covered by the legislation; from the largest ocean-going tanker, the super tanker, to the small yacht and even sometimes the little pirogue guy fishing off Maracas or off Mayaro.

Mr. Deputy Speaker, I think it is good legislation and I hope we get the support of the Opposition as we hope to get next week Tuesday. In that context, I beg to move.

*Question proposed.*

**Dr. Adesh Nanan** (*Tabaquite*): Mr. Deputy Speaker, we heard from the Minister of Works and Transport, who piloted this Bill, that it is the intention of the Government to have a special select committee for this Bill. I want to ask the Government: Will this Bill suffer the same fate as the police reform bills? These were sent to a joint select committee [*Interruption*] It is a special select committee? [*Interruption*]

**Mr. Deputy Speaker:** Hon. Member, allow the Member to continue, please!

**Dr. A. Nanan:** We have to ask what will be the outcome of this committee because we saw a joint select committee set up for the police reform bills and the committee was doing its work—it was having meetings in Chaguanas and Tobago and at the Parliament; there was the intention to call in the Commissioner of Police, the Chairman of the Police Service Commission and representatives of the First and Second Division of the Police Service Association.

The meetings were held under the former Attorney General, Glenda Morean, but when the new Attorney General, John Jeremie, came in, he held no further meetings. The joint select committee never reported to Parliament. The joint select committee still has work to do. If the joint select committee was given a chance, the report could have been debated. That is in reference to this particular special select committee. That is why I asked the question: “Would it suffer the same fate as those Bills?”

**2.15 p.m.**

Mr. Deputy Speaker, I am very disappointed this afternoon. We are given this very voluminous Bill, but I do not know if the Attorney General was misguided by the Ministry of Works and Transport. When I read this Bill, something is very evident. If you read it you will see. The Bill makes reference to Schedules. We have not been supplied with the Schedules for this Bill. I guess that is a great oversight on the part of the Government. The Government is too busy, using its PR campaign for the Police Reform Bills, to tell us of its legislative agenda and to bring forward proper legislation before the Parliament. The Government brings this large Bill. This Bill was brought before, by the UNC, with the Schedules. I listened to the Minister, I do not know if he was reading a script that they sent

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him. I want the Minister to know that I read this Bill. I congratulate the Parliament's website. This entire Bill, together with the 2001 Bill, which was laid by the UNC, is on the Parliament's website. I want to know if it is an oversight on behalf of the clerks, with respect to the typing of this particular piece of legislation. When I went to the parliamentary website, the Schedules were there on the 2001 Bill. The Schedules are not on the 2004 Bill, which was brought by this Government. The Bill is a voluminous piece of material. The Schedules are missing from the Bills, completely. The Schedules give you an idea of what is going to happen. The Minister made no reference to Schedules. Apparently, he is not aware that they are not in the Bill. He was not properly advised.

What we have here is a very important piece of legislation. I thought the Minister would have used the opportunity to explain to the population the difference between the territorial waters, the exclusive economic zone and the relevance of the various points in this particular piece of legislation. We are talking about territorial waters, 12 nautical miles from the lowest point of the lower water mark at the highest springtide in the country. That is what we are dealing with. We are dealing with an exclusive economic zone of 200 nautical miles. With respect to Barbados and Trinidad and Tobago, if you are less than 400 nautical miles, you must have an agreement. That is why there is a fishing dispute. There is no agreement between Barbados and Trinidad and Tobago on the exclusive economic zone. The Minister did not talk about that.

I want to make quick reference to the special area that the Minister mentioned. Antarctica is a special area. I want to give an example, because it is important to understand this particular situation, with respect to marine pollution. A poisonous chemical substance was found in the marine sediments in Antarctica. This substance is called tri-butyltin. It is a biocide. That particular compound is used in the anti-fouling paint: paint that is placed on the hulls of the icebreakers in Antarctica, to prevent barnacles attacking the ship. This particular chemical was found in the marine sediment deposits in Antarctica. Due to the abrasion, the paint strips off the hulls of those icebreaker ships. This is what we are dealing with. Marine pollution is an important area. I draw reference to Ross Sea in Antarctica because we see how the anti-fouling paint could interact.

The Minister did not tell us what is happening with the surface layer of the ocean. The surface layer of the ocean acts as a storage tank for chemicals. Fish larvae and eggs are on the surface of the ocean. *[Interruption]* I agree. I am dealing more in chemistry. That is why it affects the fishing industry, when the petrochemical carbons are on the surface of the water. Mr. Deputy Speaker, you



can see oil pollution, because it is visible on the surface of the water. What about methanol, ammonia and iron dust? I made reference to those chemicals: ammonia and methanol because, as you said, we are the largest exporter of methanol and ammonia. You cannot see that kind of pollution. The only time you see the effects of that pollution is when there is a fish kill in Point Lisas. Do we have the capability here to test the level of pollution of methanol and ammonia around these particular areas?

This brings me to the question of the capability of the Institute of Marine Affairs. When dealing with marine pollution, we must have the ability to detect these chemicals. If you are dealing with phosphorus and nitrogen compounds, it is very important. Organo-phosphorus compounds are found in insecticides. These compounds get into the sea and the phosphorus and high organic content affect the fish life. We must be able to use chromatography to find out how much phosphorus is in the water, as compared to nitrogen compounds. That is the importance of the Shipping (Marine Pollution) Bill.

We know the history. The Minister missed out an important part of the history. He missed out a treaty, SOLAS. I do not know if he had that in his notes. The issue here is trans-boundary water pollution. We are talking about the exclusive economic zone, territorial waters, internal waters and the special areas. In terms of the history of shipping, international shipping could be a good thing or a dangerous thing. That is why, as the Minister said, in the mid-19<sup>th</sup> Century, there were regulations, but not the coming together for international regulations. That is why the formation—I know the Member for Diego Martin Central will say I am wrong—of the United Nations was paramount. In the 1948 Treaty, the IMO was born. They met in 1959. That is why, in terms of international regulations, it is important that we understand what we have before the Parliament. This particular legislation has an effect locally, regionally and internationally. We must also understand the current situation, with respect to marine pollution.

I made reference to Antarctica because it shows quite clearly what is happening and why we can easily forget why these chemicals can damage the environment. I also want to point to Malmö, Sweden. I am sure the Minister is aware that the University of Malmö, Sweden is the maritime leader in education and training. The Director of Maritime Services, under the Minister of Works and Transport, has an important role to play in this Bill. The major part of this legislation is record keeping. I thought the Minister would have made a point of that. If a ship is entering the United States or Australia—there is ballast, which is seawater that is used to stabilize ships when there is no cargo on board—they

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have to empty their ballast before they get to those countries. That is how strict the regulations are. We must look at that. The micro-organisms in the ballast could be transmitted to these countries. When dealing with regulations, one must understand how other countries are taking it seriously. That is a major area: the transmission of micro-organisms. They have to empty before reaching the United States and Australia. They are going to empty in the high seas. These people must know the regulations, in term of how much and what part per million they can empty. The contents and parts per million are in this Bill.

I am going back to Malmö, Sweden because I want to appeal to the Government—if it is not doing it, or if it is surreptitiously being done—the scholarships coming out of Malmö, Sweden should be for the people's benefit. It should not be a nepotism type of approach, giving friends, family and supporters. We want to make sure that it is a fair system. I am aware that these universities give scholarships, especially in the maritime area.

Inspectors and surveyors are going to play a major role in this particular piece of legislation. The Minister must be aware that these inspectors are going to look at the record keeping. I made reference to the emptying of the ballast before they reach the United States and Australia. They have to keep a record of when and where it was done. That is how important record keeping is. The inspectors are going to utilize this record keeping. I am sure the Minister is aware that we have two boats, the NP Unity and the NP Enterprise, which transmit fuel between Sea Lots and Pointe-a-Pierre. I do not know if the Minister is aware, probably the Minister of Energy and Energy Industries is aware, that those two ships are registered in the Bahamas. They are under the Bahamian authority. When I make reference to that, it is in terms of the inspectors.

If you have a ship in a MARPOL state, you would have to utilize the registry. A ship can be built in any part of the world and registered in any country. A ship could be built in Trinidad and registered in France and be able to fly the French flag, but you must have a listing and there must be inspection to ensure that when this ship is on the high seas, it would not collapse. An old wreck could be coming here and end up in the Port of Spain Harbour. You do not want that. This Bill makes reference to dumping of aircraft and ships into the sea.

With respect to the harbour in Port of Spain, it is my understanding that Minister Sahadeo was the former representative for Melville Shipping. There is great danger. I want the Minister of Works and Transport to be aware. Apparently he is not aware of these large lines bypassing the Port of Port of Spain. It is our understanding that since March, the Port Authority has no board. There is a

General Manager (Acting). I do not know if it is the intention of the Government to privatize, as they are doing with the Police Reform Bills. Whatever the plan is, it is important to understand. The reason I brought that into this debate is because it is relevant to shipping. It is even further than that. If these large lines were going to bypass Trinidad, we would have to utilize smaller boats and ships to service the country. When that happens, the price of shipping would go up. Indirectly, our cost of living would rise and the price of goods will increase. I want to send a signal to the Government that they must sort it out. They intend to make the Port of Port of Spain a trans-shipment point. In order for that to be done, we cannot have these large lines threatening to pull out of Port of Spain.

I made reference earlier to the special areas. I also made reference to the inspectors. Apart from the registry, according to the Schedule that was not attached to the Bill, there are certain certificates that are required. A ship has to have proper insurance. We must have port state inspectors, who would look at the certificate of insurance, to make sure that a ship is complying with regulations. You also have to look at the actual structure of the boat. All these factors must be taken into consideration when these inspectors are part of the Division of Maritime Services in the Ministry of Works and Transport.

Training is very important. This is the opportunity, since we would have to train the inspectors. This Bill has a major link with the Environmental Management Authority (EMA). We have seen that the EMA is a non-performer, under the Government. It does not exist, as far as the general public is concerned. That is their opinion. There is an important link between the EMA and this particular piece of legislation, in terms of marine pollution. From time to time you would hear me harping about the water pollution rules and the fact that they are not brought to this House. The importance of water pollution in this debate is that marine pollution can take place from shipping, as well as land-based sources. This Bill deals with the internal waters: waters from the low water mark towards the land. Anytime there is a river going directly into the sea, that is the internal waters. That is why pollution from land-based sources is so important. I do not know if the Minister of Works and Transport is aware, but the Minister of Energy and Energy Industries must be aware, that the deposits of oil in these tanks are being pumped out. There is a facility, at the Pointe-a-Pierre Refinery, where there could be oil recovery but at what extent? What we are having now is the opening of the entire market.

I want to go to the situation in Chaguaramas, since this Bill deals with garbage. All the yachts coming into Chaguaramas must be fitted with a holding tank and they must be utilizing the holding tank. They cannot come to the

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Chaguaramas area and empty the effluent into the waters. A protocol must be followed, with respect to the yachts coming in the Chaguaramas area. There is a garbage collection and disposal organization. The Minister spoke about the various areas. This is an opportunity for us to reduce the marine pollution in the Chaguaramas area. We can introduce services. With respect to many of the yachts coming in, the sewage must be taken onto the land. They must pay for that. There must be a fee so that we can immediately get income from this particular Bill, in terms of garbage disposal.

Mr. Deputy Speaker, I want to draw reference to plastics because the disposal of plastics, as the Minister rightly said, is prohibited. It has a receptacle colour, red. Why? I am sure you are aware of the fiasco that took place. When you buy a package of beer or peardrax, there is the plastic with holes. The plastic would enter the ocean. Dolphins would have gotten trapped with the plastic around their necks. The dolphin population was being wiped out. That is why the population was advised that they should cut this particular plastic so that it would not act as a net to kill these dolphins. There are opportunities here for Trinidad and Tobago as a whole. We are dealing with an international convention. This is an opportunity to look within and examine the EMA to see what they are doing or not doing and how they should start to become proactive. Of course, they are not even reactive. This is an opportunity. The Minister of Works and Transport should speak to the Minister of Public Utilities and the Environment, who has the responsibility for the EMA to get them to start to follow the rules. They have been crying for rules for decades. The rules are on the books but they are not utilizing them. They harped about this legislation for years. I do not know what the gentleman is doing. The rules are there. They came to the House and asked for more money to design hazardous rules.

I do not know if the Minister's brief included the current situation. The current situation would deal with air pollution from ships. This is now an important area, in terms of controlling marine pollution. That is why air pollution in this country is so important. The Air Pollution Rules are not being brought forward. The Attorney General must be called to account. The Attorney General must be aware that the legislation is before him at the Legislative Review Committee. If he is not seeing the Ministry of the Environment representative, he should call upon the Prime Minister. We had a situation where the Minister of Works and Transport would not send a member to a committee and delayed the schools designs for a whole year. Is this the same thing happening in the Attorney General's office; where they are not getting representation from the Minister of the Environment to deal with the Water and Air Pollution Rules? We have to ask those questions.

They speak about cruise ships and the number of persons coming into the country. There is large volume of garbage coming in with the cruise ships. We must have our legislation to deal with the situation. There is a ready market, a cruise ship coming in, for garbage disposal. This is an excellent market to tap into with this Bill. It should be brought before the House. We now have an opportunity to charge the cruise ships for garbage disposal facilities. They cannot dump it anywhere. It is against the law.

I also want to remind you of a treaty called the Basil Convention. I do not know if you are aware of that. *[Interruption]* This is just information for the House. That particular treaty is for the trans-boundary movement of hazardous waste. When we are dealing with these conventions, we have to understand that we are a small island within our region, but international in our outlook. If we are projecting a 2020 vision, we must have a 2020 environmental plan. We cannot come here with a 2020 vision and have no environmental plan. The Minister brings legislation before the House with the Schedules missing. Forty-five pages of Schedules are missing and he says that he cares about the environment. *[Interruption]* Probably you have it, but no Member here has a copy of the Schedules. Do not blame the clerks, because the Schedules are missing from the 2004 Bill on the Parliament website. I was able to download it because of the Member for Diego Martin Central's agreement that we have laptops. I must congratulate the Member.

When I prepared for this Bill, I read the Bill to see if it was the same as the other Bill. It was the same, line for line and word for word. There is no change. I read the Shipping Act, the Continental Shelf Act, the Territorial Act and the Exclusive Economic Zone Act. I do not know if the Minister read all these Acts. They interact in all those areas. The archipelagic and exclusive economic zone has impacted on this particular piece of legislation. In terms of this particular nexus, it is important because there are specific areas. We have control. The Minister of Works and Transport has the control, through the Director of Maritime Services, who has been given all this power under this piece of legislation. The Minister has tremendous power under this piece of legislation. The Minister has the ability to make regulations for these areas in the Bill. This is given by order, not by affirmative resolution. The Minister is aware of that.

I looked at this particular piece of legislation with respect to the environment and the situation we are in. I also looked at it with respect to shipping and our growing industrial outlook, together with all the relevant Acts dealing with it. This cannot be dealt with alone; one must look at all the other areas. This impacted on

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the last debate we had on the Pesticides and Toxic Chemicals Act. That particular Bill dealt with the exportation of toxic chemicals. Toxic chemicals would be transhipped. Noxious chemicals would be transported, via ships.

To be honest, the reason I made reference to the Schedules is that one could read the entire Bill, but if the Schedules are not there, one would not understand what is happening. The Schedules give the certificates that are required. There is an enumeration with respect to this piece of legislation. There is also the design for ships such as two ballasts for balancing and the slop tank as a holding tank. This is an opportunity to tell the House about this particular Bill and how it will impact on the environment and the country as a whole. When I heard what the Minister said, he should have given the House information on marine pollution in today's society and the impact. This particular piece of legislation has been coming through the various states. It is a MARPOL draft. If you go to the United States you will see a similar situation. You have to amend your laws with this particular piece of legislation.

In the United States, there is a specific facility, trust fund, which indicates that there is a 5 per cent barrel oil fee. There is no agreement, in terms of the liability by the US. They have not set any figures. Congress has not agreed to the trust fund. There is still a lot of lobbying taking place. The Minister mentioned security. I think the certificates would be ready on July 01. Are you going to be really ready? This is not a simple situation. This is serious business. The Minister could come to the House and say that they would be ready on July 01. In terms of the US situation, the majority of oil is being shipped there. The Maritime Services Division must be au courant with the US legislation. If they are not ready—you could hold up the certificates and say we are complying—they would not be able to enter.

The Minister spoke about the size of ships. He did not make reference to the speed of ships. The Bill speaks to the speed of ships. You could discharge effluent, but the ship must be travelling at a certain speed. If the ship were stationary there would be a large amount of effluent coming out of the ship. If the ship is moving at a certain speed, you can slowly discharge your effluent. You would then have to calculate parts per million, in terms of the particular effluent leaving the ship.

Mr. Deputy Speaker, I want to discuss one matter. The Minister did not talk about this, but I think it is very important. Probably the Attorney General is aware of the Global Maritime Distress and Safety System of February 1997. You would recall—it should have been part of this debate—when you are dealing with

shipping, there is a decrease in the incidences of oil pollution, although the amount of oil being transhipped is increasing. Why is that so? It is because of this piece of legislation as well as others.

Traffic management is important. That is why I said the scholarships must be given for the people to Malmö, Sweden, in terms of traffic management for shipping. Pilots have to be properly trained. When the large ships are coming into the harbour in Port of Spain, we cannot afford any accidents. Your pilot must be superior. They must have the same capability, education and training as anywhere else in the world. We are not dealing with a small craft like the "Windward". We are dealing with large tankers coming in. Your pilot must have the capability, education and training background in maritime areas, so when the ships are coming there would be no incidents. That might be one of MARPOL'S request. Under the pilot law, which was amended here, your pilot must have certificates. These certificates must stand out. There are pilots in this country who cannot go to Spain to operate any ships. They must have a certain class. That is how strict they are. Minister of Works and Transport, if I am wrong say. There are certain levels when you are operating in different ports. That is why I made reference to that particular university. Training is important.

I was speaking of the Global Maritime Distress and Safety System. This is automatic transmission. You do not need to make any calls. If the ship is in distress and the crew cannot make a call for help via radio, there is an automatic transmission that tells that the ship is in distress. You do not have to rely on a radio anymore. That is the kind of sophistication that we must be aware of. I am sure the Minister is aware of satellite transmission. That is an advance in the MARPOL protocol. Traffic management is important in your own harbour. The piloting of ships is important. You do not want any accidents taking place within your territorial waters. Of course, you do not want any damage in your exclusive economic zone.

We are doing a lot of shipping of containers. We have to consider the safety of the containers. The Minister made reference to dunnage, which is floating material. He has to be more specific. It is packaging material such as broken pieces of wood, floating on the water. He needs to be more precise, in terms of his explanations. There will be situations where many containers are being shipped. When they are coming in, the ship has a certain level below the water. When they are removed, the water level will drop. We have to ensure when the water is being pumped into the ship to balance it, as it moves out, they are using seawater. When

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they come into your port there would be an exchange. Inspectors must be able to monitor. They must be properly trained and be able to look at all the records. We do not want any fly-by-night ships coming here with poor records and nothing is up to mark. Whatever you do within your own island is not secret. Your director has enough power to impound a ship. When an inspection is taking place and the director finds that the ship is not complying with MARPOL's regulation on the particular tanks—do you know in the US, in 2015 there will be double hull ships? That is the kind of movement we are seeing. In terms of the situation, although we may take action with respect to those ships within our own territorial waters, we have to report to MARPOL. A record will be kept.

Let us say there is a dispute between Barbados and Trinidad and Tobago there is a situation where there is an oil spill from a tanker that leaves Trinidad—we are already disputing the exclusive economic zone between the two countries—we would have to go to a tribunal. We would have to go to MARPOL for arbitration.

**Hon. Jeremie:** On a point of clarification. The dispute between Trinidad and Tobago and Barbados, is this in relation to the delimitation matter, the fisheries matter or both? [*Interruption*] I am asking because they are separate issues. In any event, both matters are before the permanent Court of Arbitration. [*Interruption*] I cannot and I did not.

**Dr. A. Nanan:** I was dealing with the exclusive economic zone. You might not be aware. The Member for Ortoire/Mayaro might be aware of the circles and the bearing points.

**Hon. Jeremie:** I am very aware.

**Dr. A. Nanan:** I do not know if you are aware of the dry reef situation. I would not deal with that.

**Mr. Deputy Speaker:** Speak to me, please.

**Dr. A. Nanan:** I think I have done what I intended to do in this debate: show the importance of our harbour, our region and other matters internationally. What is happening in Antarctica is very important. It is one of the special areas. We have to consider pollution from land-based sources.

I showed the linkage with the international conventions and this particular situation in our country. I showed the history of the legislation, which started in the mid-19<sup>th</sup> Century. They were not international regulations. They were regulations without agreement. With the coming of the United Nations, it is the platform for this particular piece of international law.



It is unfortunate that the Schedules were not given. I do not know if it is an oversight on the part of the Minister. I am sure they will be circulated later on. It is a quite voluminous document. If the Schedules were given to Members, I would not have had to read the entire Bill. You could follow the Schedules and see everything that is taking place. I do not know if it was an oversight by the Attorney General's office or the Ministry of Works and Transport. Be that as it may, the Bill was not properly laid before the House.

With respect to marine pollution, it is a very important area in the country. We call upon the Government—the Attorney General is quick to rise to his feet to defend certain issues that were raised—he should tell us about the Water and Air Pollution Rules and say when they would be coming before the House.

**Hon. Jeremie:** I am not defending. I am simply clarifying certain inaccuracies, which you made in your statement. I thought I was doing so for the benefit of the House.

**Dr. A. Nanan:** I do not want to clash with the Attorney General. When he spoke about inaccuracies I want him to get the *Hansard* and read it again. If he wants to clarify anything about the Water and Air Pollution Rules, it is lying in the Attorney General's office for more than two years. It has to come to Parliament. We want to see it as soon as possible.

I thank you, Mr. Deputy Speaker.

**The Minister of State in the Ministry of Community Development, Culture and Gender Affairs (Hon. Eudine Job-Davis):** Thank you, Mr. Deputy Speaker, for allowing me to make a brief intervention in support of what I consider a very critical piece of legislation; the Bill to provide for powers and jurisdiction in relation to pollution, dumping of waste at sea, prevention of pollution from ships, preparedness and response for oil pollution emergencies, liability and compensation for pollution damage and matters incidental thereto.

I would like to commend the Member for Tabaquite, on what I consider a tremendous research capability. If I have to give an award for the most improved Member, I think he will get it. That is a compliment.

Every time a tanker cleans its tank at sea or every time a factory channels toxic residues to coastal waters, or a city conveniently releases raw sewage into the sea, every time a service station changes the oil of an automobile and pours the waste oil into the sewer, the oceans become a little more polluted.

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**3.00 p.m.**

Mr. Deputy Speaker, this Bill is so important to small island developing states like ours, because of our extreme dependence on the ocean for our livelihood in terms of transport; in terms of the energy that is drawn from the ocean; in terms of tourism and in terms of fishery.

My brief intervention this afternoon is really to show that in Tobago, it is absolutely necessary for this Bill to be passed in this House, and for our honourable men and women on the other side to support it. I know they would support the Bill. We all understand that in looking after our own needs, we have to ensure that the needs of future generations would be taken care of.

Mr. Deputy Speaker, the island of Tobago has been blessed with natural resources including the reefs; wetlands ranging from mangrove swamps to freshwater marshes; and annual floodplains to freshwater ponds. It is common knowledge that the island of Tobago is very dependent on tourism. As a matter of fact, it is known that tourism is the second largest employer after the public service.

This Bill is important to Tobago because yachting tourism and cruise tourism have become prevalent on the island. Over the years, we have not seen any effort to put policies or legislation in place to deal with these yachts and cruise ships that demit their waste at sea.

Islands such as the Cayman Islands that are totally dependent on tourism has put legislation in place years ago. We have been lagging behind, and it is in that vein that I want to commend the Minister for bringing this legislation, at this time, even though it was long overdue.

Mr. Deputy Speaker, permit me to look at some of the issues in relation to pollution in some parts of Tobago, and to quote from the Buccoo Reef Trust, which talks of the impacts of land-based nutrient pollution on coral reefs of Tobago.

“Over the past two decades there has been increasing concern among scientists...public alike regarding the ecological impacts of localized runoff and nutrient pollution on Tobago’s coral reefs.

Increased turbidity and sedimentation from deforestation is well known to stress corals and can be fatal in some situations.

To address the status and extent of nutrient pollution on Tobago’s fringing reefs, a seasonal...study of water quality and benthic biota was undertaken at a variety of Tobago’s fringing coral reefs in 2001.”

These are some of the findings:

“Nutrient over-enrichment of Tobago’s fringing coral reefs, especially Buccoo Reef, from local nutrient sources has triggered ecological changes that have decreased living coral cover and biological diversity.

At Buccoo Reef, reduced coral cover correlated significantly with increased cover of macroalgae and the zoanthid *Palythoa* both of which are indicators of nutrient enrichment on Caribbean coral reefs.

Recent encroachment of the seagrasses *Thalassia testudinum*...and *Halodule wrightii*...into the sandy sediments of Nylon Pool are symptomatic of nutrient enrichment.”

Mr. Deputy Speaker, these are just some of the findings that are disturbing. In Tobago, we would welcome the implementation of the policy that follows this legislation. Like I said before, because of Tobago’s dependence on tourism, and because we are a sheltered area, throughout the year we have an upsurge in the number of yachts coming into the island.

I want to show exactly what happens at any given time in Tobago. For example, in September—and this goes back to 2000—2001. The collection of data is a bit tardy, so we have to use data that are actually dated. I could assure you that there has been an increase in the number of yachts from that time to now. I am talking here about Charlotteville and that is only one area in Tobago—2000 there were 338 yachts for that month; in October, 336 yachts; in November, 302 yachts; in December, 318 yachts; and in January, 293 yachts.

When these yachts moor in Charlotteville, there is nowhere the effluent could come off on land and, therefore, they have to go out about 12 miles from the shoreline to discharge their faecal and other waste substances in order to prevent or minimize pollution of the port.

**Mr. Ramnath:** Shame on London!

**Hon. E. Job-Davis:** This does not always happen. In 1995, the Planning Division of the Tobago House of Assembly also conducted a study on what transpired when these yachts came in, and the general problem was sporadic mooring and environmental degradation due to faecal discharges from the yachts. They made several recommendations, which have not yet been implemented.

When these yachts come to Tobago, they do not just moor at Charlotteville, but they go throughout the island. They moor at Mount Irvine, Pigeon Point, Charlotteville and some parts off Speyside. Monitoring these vessels for faecal

discharge within the water is very limited because we do not have the necessary facilities in place. I know in the Cayman Islands, they have a helicopter, which does an overhead survey to see if and when these yachts discharge waste substances, and if they do discharge waste substances, they would be fined.

The other issue has to do with the concerns expressed by people in Tobago. Clause 142 of this Bill is very important for us. This clause talks about the prevention of pollution from sewage, new and existing ships of less than 200 gross tonnage or which do not have a measured gross tonnage and so forth.

Clause 144 is also important to us and it says:

“The Minister shall make regulations prescribing requirements on board ships in respect of, *inter alia*,—

- (a) sewage treatment plants;
- (b) systems to comminute and disinfect sewage;
- (c) holding tanks;”

Some of the yachties that we have surveyed indicated that we do not have a policy on holding tanks. Therefore, it is welcoming to see that this is now going to be implemented. These yachties ought to be notified that we are, in fact, going to have these policies in place. [*Desk thumping*]

In the United States of America this is already law. When these yachts come to the Caribbean, they would normally turn their holding tanks into water tanks.

In clause 169 it says:

“The Minister shall make regulations prescribing criteria for determining the adequacy of garbage reception facilities at ports and terminals and measures to be adopted to ensure adequacy and accessibility without causing undue delay to ships.”

This is also important to us, and also the aspect of liability, which would certainly be followed by fines.

Mr. Deputy Speaker, not only do these yachts dispose of their effluents, but there is also that problem with cruise ships. The cruise ships also release their grey water into the ocean, and that has impacted on the life of the fishes in key areas, in particular, Man-of-war Bay in Charlotteville.

Our ports of entry in Tobago are: Scarborough, Charlotteville and Crown Point. Since we have these vessels coming to these ports, there are no on-land

facilities to accommodate them. The increase in the number of yachts is also causing great concerns, because of the effluents in the water and the impact on the fish life.

One other aspect of pollution that the Member mentioned, and which is of great concern to us, is the land-based pollution. I heard the Minister talk about the matter, and he said it was a concern raised by Members in the other place. The issue of deforestation, agriculture, urban run-off and sewage are all part of the larger problem facing the vital coastal waters in our region and, in particular, in Tobago.

In the United States of America there is the Clean Vessel Act. This is something that we could probably emulate, since it gives a federal grant for adding or improving pump-out facilities across Florida. I want to agree with the Member that there is an opportunity for employment and generating revenue. In our research conducted with these yachties, they said that they were willing to pay up to \$100 a day for facilities like water. Presently, they get everything free of charge. I think this is probably one of the few countries where they get water and all the other facilities at no cost. This is causing great concerns among the villagers of Charlotteville. They are saying to me that they pay taxes, and it is untenable that visitors could come and utilize our water and so forth free of charge, while they have to pay for it. On any given day, one could see at least 18 or 20 of these yachts mooring out there.

In the survey conducted by the Tobago House of Assembly Planning Division in 1995 they recommended certain things. One of the recommendations was a fine of \$4,000 for yachties who enter restricted areas and who also discharge their effluents in the ocean.

Mr. Deputy Speaker, I would like us to note that the Bill in itself would not be effective unless it is followed through by implementation. The implementing agency has the responsibility to ensure that all the aspects of the Bill that would assist us in maintaining sustainability would be adhered to.

We are also mindful that the information on the issue of this Bill has to be disseminated to the yachties and cruise lines and, therefore, in this regard, the Tobago House of Assembly would have to follow through with its own policies, following the passage of this Bill in this House.

Mr. Deputy Speaker, we spoke about sustainable development and Vision 2020, and if we are to adhere to any of these concepts, I believe that this Bill is timely. The hon. Members on the other side would also understand that it is for

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our own benefit to pass this Bill. In adhering to the concept of sustainability, we would also ensure that while we are taking care of ourselves, the generations to come would also have the wherewithal of seeing about their future.

Mr. Deputy Speaker, that really is my brief intervention; trying to indicate why we in Tobago welcome the Minister's effort in bringing this Bill to the Parliament.

Thank you. [*Desk thumping*]

**The Minister of Works and Transport (Hon. Franklin Khan):** Mr. Deputy Speaker, thank you very much. I just want to thank the Member for Tabaquite for his contribution and to indicate to him that he continue to revise his chemistry text from his A'level class way back when. I also want to thank my colleague, the Member for Tobago East, for her contribution. I know this matter is very dear to her heart, especially as it relates to the yachts, and the potential for damage if not properly regulated.

Mr. Deputy Speaker, it was obvious in the contribution of the Member for Tabaquite that there are no major issues that the Opposition have with the legislation. It is progressive legislation and, more importantly, legislation that is really driven by international convention—legislation that is bi-partisan by its very nature. [*Crosstalk*] This is the type of legislation that would modernize the whole legislative infrastructure of Trinidad and Tobago, as we proceed into a modern era of economic development and trade.

As a Government, we are mindful that there must be balanced development in the country. We must not run along the rail track of economic development at the expense of the environment. At the same time, we have to be particularly careful that the extremist in the environmental movement does not stymie and hamper balanced economic development and growth.

With regard to land-based pollution which was mentioned by the Member for Tabaquite, this legislation does not cover land-based pollution, it is purely under the ambit of the maritime regime. Land-based pollution issues are really covered in other legislation, more specifically, legislation that governs the Environmental Management Authority (EMA).

I apologize—I do not know on whose behalf—that the schedules were not there. My document at the Ministry of Works and Transport has the schedules. So, somewhere between this side and the Parliament staff, we would have erred. I guess that would be put right very shortly.

**Dr. Khan:** With respect to the facilities for the extraction of sewage from boats such as yachts, et cetera, is this Bill going to take into consideration the facilities of mariners for extraction of sewage from these yachts? Apparently, there is a serious complaint that there are no facilities available.

**Hon. F. Khan:** I would not be able to answer you off-the-cuff, but the Director of Maritime Services is here, and I would probably discuss it with her and then speak to you privately on this matter.

Mr. Deputy Speaker, just to refer two small points raised by the Member for Tabaquite, we are aware that record keeping is a major component of this legislation. The Maritime Services Division will be putting systems in place, even though it means recruiting of additional staff, and the procurement of additional hardware and software to facilitate comprehensive legislation as this.

While I cannot make a promise as it relates to national scholarships, and the Government's scholarship programme for further training for the Maritime Services Division, the recommendation of the Member for Tabaquite to use the University of Malmö, Sweden, which is one of the premium maritime institutes in the world—I know about the University of Malmö, and its capabilities—but we would try to put everything in place to see if we could get a few persons to be trained at such a prestigious institution.

Mr. Deputy Speaker, I beg to move that this Bill be referred to a special select committee of the House to consider and report on the Bill.

*Question put and agreed to.*

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley):** Mr. Deputy Speaker, I beg to move that the Members of this select committee be the Member for Ortoire Mayaro; the Member for Tobago East; the Member for Diego Martin East; the Member for Fyzabad; and the Member for Tabaquite. The select committee would, of course, choose its own chairman.

*Assent indicated.*

#### **FAMILY PROCEEDINGS (AMDT.) BILL**

*Order for second reading read.*

**The Attorney General (Sen. The Hon. John Jeremie):** Mr. Deputy Speaker, I beg to move,

That a Bill to amend the Family Proceedings Act, be now read a second time.

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Mr. Deputy Speaker, the Bill before this honourable House is an amendment to the Family Proceedings Act of 2004, which was piloted earlier this year through all its stages; both in the other place and in this House.

You would recall that the Family Proceedings Act of 2004 was formulated as a result of concerns expressed by the Judiciary and other stakeholders in proceedings relating to the family. One of the concerns of the stakeholders was that the Magistrates' Court had no power to refer parties to persons other than probation officers in the resolution of family disputes before those courts.

The Judiciary had indicated that the matrimonial judges do have an inherent jurisdiction to refer parties to professionals such as psychiatrists, psychologists, social workers, mediators and counsellors. This is not a statutory jurisdiction, and the Privy Council has recently discreetly cautioned us against the use of the inherent jurisdiction by High Court judges in certain matters. They have asked us to consider legislative amendments to give judges the powers to do things which they have hitherto, exercised in their inherent jurisdiction.

In the case of magistrates, the jurisdiction was limited under the various statutes to referrals to probation officers. We are mindful that this is a pilot project, and we are really learning as we go along. The underlying objective of the pilot Family Court project, which has been launched, is to promote the resolution of family disputes in a more conciliatory manner, and to enable parties to have quicker access to the services of the professionals that I have identified before. That is to say, not simply probation officers, but trained mediators, counsellors, psychiatrists, psychologists and so forth, who have not hitherto, been assigned a prominent role in the resolution of family disputes. This is in keeping with the approach of the court to resolve disputes by talking them out, rather than having the usual rules which apply in litigation proceedings to family matters.

Clause 5 of the Bill, as it was then before the Parliament, would have indeed invested the court with the power to refer parties to mediation without their consent. However, during the debate in the other place, certain Members expressed strong concerns about the power which clause 5 sought to give to the court. A view was vehemently expressed that parties should not be compelled to go to mediation, since the whole concept of mediation is based upon voluntary participation of parties.

At the time, we on this side were persuaded, reluctantly, but in an effort to achieve a compromise and in an effort to bring all Members on board, we agreed to amend the clause. That resulted in an amendment to clause 5—as it is now



drafted—which requires the agreement of the parties before they could be referred to mediation.

The Family Court has since been opened for business. The Government is resolute to ensure that the pilot project would be able to fully carry out its mandate to remove from the courts the present acrimonious disputes which exist in relation to the resolution of family matters, and to put in the purview of the Family Court, a jurisdiction to talk matters out, and to resolve matters by alternative means of dispute resolution.

The monitoring committee, which has been established to oversee the operations of the court, has now expressed very strong views on the matter, that is to say, the matter of the amendment of clause 5. They have since proposed that the Act of 2004 be amended, by deleting the words, “with the agreement of the parties”, and that is to say, to bring it back to what section 5 was in the original draft—to revert to the position which was proposed in the original Bill, brought by me, in the other place.

One of the arguments put forward by the monitoring committee is that the Family Court is intended to be “a one-stop shop” to resolve family disputes. Without the power of the court—in expressed terms, to refer parties without their consent to trained mediators and other social service professionals, rather than to the old probation officers, which were the purview of the magistrate—the whole purpose and spirit of the Family Court may not be attained.

Mr. Deputy Speaker, this is a pilot project and time is of the essence. I gave the committee and the Judiciary the assurance—

**Mrs. Persad-Bissessar:** Will you give way for a question?

**Sen. The Hon. J. Jeremie:** Sure.

**Mrs. Persad-Bissessar:** Thank you very much. Would you clarify when you say that the whole objective may not be obtained unless you get these words in or words out?

**Sen. The Hon. J. Jeremie:** Well, I thought all that I have said before would have explained that matter, but I would be happy to do so. The point is that the whole objective of the new arrangements in the Family Court is to bring in alternative dispute resolution as a means to resolving, in particular, acrimonious family disputes. One of the ways that the monitoring committee had identified to achieve that objective was to have trained mediators—persons who are trained in alternative dispute resolution—be available to the court to, at least, push the

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parties at an initial stage to have mediation. Whether or not they go through with the process is an entirely different question.

**Mrs. Persad-Bissessar:** Why is that so essential? Why do you want to force the parties into mediation? This is what your amendment is now going to do.

**Sen. The Hon. J. Jeremie:** No. If you would just hear me out, you would appreciate that I draw a distinction between forcing the parties to mediation, and forcing them to consider mediation, which is what the amendment seeks to do.

Mr. Deputy Speaker, as I was saying, I gave the assurance to the Judiciary and the monitoring committee that I would do all within my power to move with alacrity, to address difficulties as they may arise in the course of the experiences of the monitoring committee which was established to look at the ongoing work of the Family Court project. The request from the monitoring committee came to me on May 04, 2004, and I am here today, on June 23, 2004, to seek the amendment which was sought.

Now, if I could just treat with the Member's concern, the power of the courts to refer parties to mediators does not mean that parties would have the right to decline mediation. Being referred to mediation is quite distinct from mediation itself. Mediation under the Mediation Act is a process. That is made clear under the Act. Under the rules of the Supreme Court, the court has the power to make rules that would govern that mediation process.

If parties to a dispute were referred to mediation, the parties would have the right to agree, or not to agree to the process, after they have been made aware of the nature and benefits of the mediation process. That is all the amendment seeks to do. It is uncontroversial in nature. I have spoken with the person who objected vehemently, on your side, in the other place, and he has expressed to me that he is prepared to look at—he has not expressed to me that he is prepared to go along with the amendment—I want to be very careful on that matter—the recommendations made by the monitoring committee. We recognized that mediation is voluntary, and that a referral to mediation does not necessarily result in mediation. In this regard, the rights of the parties are unaffected.

I would also like to draw your attention to section 5(4) of the Act, under which the court may grant an adjournment to facilitate referral to mediation. Parties are not denied any right of access to the courts, since these matters would be—if the parties refused to go to mediation—referred to the court and the court may continue its hearing.

The proposed amendment simply seeks to empower the court in expressed terms to move away from the inherent powers of the High Court; to take possession and control of all matters within its purview; and to give to the magistrate a power which they did not have in respect of psychiatrists, psychologists and trained mediators.

As I have said, the High Court judges already exercised an inherent jurisdiction subject to the caveats, which have been mentioned in the recent Privy Council decision. The power contemplated by the amendment is merely intended to enable magistrates to refer parties to social service professionals other than probation officers. I think it is uncontroversial and it should achieve the unanimous consent of all Members here this afternoon. [*Desk thumping*]

*Question proposed.*

**Mrs. Kamla Persad-Bissessar** (*Siparia*): Mr. Deputy Speaker, thank you. Today is Wednesday, it is not a normal Parliament day but, of course, in our business as parliamentarians, any day could be a Parliament day. We are all gathered here, so many of us as Members of Parliament; I see several persons coming as ministerial staff; staff of the Chief Parliamentary Counsel; advisory staff; the reporters for the *Hansard*; there are countless police officers on the periphery and around this building; and there are members of the media upstairs.

I wonder if the Government appreciates the cost of convening this Parliament, by bringing out all these persons—including security personnel—here for a sitting of the Parliament? What were we all summoned to do today?

Mr. Deputy Speaker, I have before me, a one-clause Bill that seeks to remove six words from an Act that this Government passed—

**3.45 p.m.**

**Hon. Jeremie:** It is a one-clause Bill, but as I have sought to explain during the course of my limited presentation, because this matter has been debated at length, it is important for the work of the Family Court. The pilot project has a limited time and we are here doing the people's business.

**Mrs. K. Persad-Bissessar:** Mr. Deputy Speaker, a one-clause Bill that deals with removing six words from an Act that was fully debated in this House, as my colleague said, and in the other place. Just as recently as January 16, 2004, we were all gathered here, just like this, and after the debate we passed the Family Proceedings Bill, Act No. 2 of 2004. Here we are, five months later, to change exactly what they convinced us to pass on the last occasion. [*Interruption*]

**Hon. Jeremie:** Would you give way again?

**Mrs. K. Persad-Bissessar:** The hon. Attorney General has the right to reply to everything I say; I am sure he would take his allotted time. I do not have that privilege in this House.

**Hon. Jeremie:** I am just trying to clear up—

**Mrs. K. Persad-Bissessar:** Is this Government serious? This is similar to what has happened with the Police Bills. They were placed in the other place and the whole nation was told they would be debated on June 29, 2004, which is next week Tuesday; lo and behold, today, Wednesday, Parliament is summoned and these Bills are laid. Are you serious? Do you know what you are doing from one day to the next? Are they serious about governance of this country?

Mr. Deputy Speaker, we really have to ask that question, because in the last session of Parliament we talked about all the bills that were on the Order Paper, all the one-clause and two-clause bills. We were promised on each occasion by the former Attorney General and then, certainly, the new Attorney General who said that he was looking at all the legislation and any legislation coming to this Parliament would be legislation of substance. So we see this one-clause Bill, as we have seen others previous to it. *[Interruption]*

*[Hon. Jeremie stands]*

**Hon. Jeremie:** I have to intervene. *[Crosstalk]*

**Mrs. K. Persad-Bissessar:** Are you serious? At this time, in this country the Ministry of Education is like a house on fire; the schools are shutting down. The Trinidad and Tobago Unified Teachers' Association (TTUTA) and Oliver are leading the teachers. Who are leading the children? Where is the Minister of Education? Absent. TTUTA and the unions are out there mobilizing their supporters and the teachers. Where is the Minister of Labour and Small and Micro Enterprise Development? Absent. *[Crosstalk]* Where is the Minister of National Security, when we see crime just running away? Is this Government serious? Does it not know what it is doing from one day to the next?

I repeat what everybody in this country is saying, because what has happened with this Bill before us is another example of the total incompetence on the part of this Government. *[Desk thumping]* I repeat what town and everybody out there are saying, "Call the election now; you have collapsed; let the electorate decide whether you are fit to govern this country!" *[Laughter]* *[Crosstalk]*

**Dr. Rowley:** They are saying, "Call the police!" [*Crosstalk*]

**Mrs. K. Persad-Bissessar:** All of this is happening out there: education is in shambles; people are in fear for their life, limb, property, safety and security and we have come and brought out all these people to move five words from a Bill. As the hon. Attorney General explained, it refers to the operation of the PNM's pilot project for a family court. The Attorney General would tell us that the court opened its door on May 12, 2004 with much pomp and ceremony and many words of praise. Everybody was so happy that the court was ready for business on May 12 of this year. I was happy myself, just like any other attorney practising out there who knows what happens in the court with respect to family matters, that at last after 30 years there was a dedicated family court in this country.

We had been trying to set up this court since the 1970s. It was the then Justice Monica Barnes who drafted the very first Family Court Bill. So here, at last, everybody was most happy. This Parliament and, therefore, the people never had the opportunity to debate the issue of a pilot project. All this that we are doing now is to deal with this pilot project. I want to talk about it. The Attorney General mentioned in his opening, "This is a pilot project; we learn as we go along."

The question I want him to answer is, because I really expected different things to happen, coming out of what they have done with this pilot project: Why a pilot project in the first place? We never had the opportunity to debate that. When the first Bill was debated in this Parliament, nowhere within it was there any indication that we would be going with four courts. [*Crosstalk*] These are the four courts now operating in Port of Spain and environs in the district of St. George West for the people in that area. Why a pilot project, in the first place?

When they made the decision to bring a pilot project, they never came to this House to give their rationale. They have done this with several important policies and plans. They shut down Caroni, putting so many people on the breadline; they never came to this House. [*Crosstalk*] Up to today, you have not come to this House with your plan, your policy, for it to be debated in this Parliament. In the same way they have signed a memorandum of understanding to set up a smelter plant with Alcoa, again, nothing comes to the people through this Parliament.

It is the kind of disrespect and arrogance that the Government pays towards this Parliament; total disrespect. It is the same kind of disrespect and contempt for the Parliament that has been displayed by the Government and the Prime Minister. When a decision was taken in this House on Friday, September 05, 2003, this entire House agreed that all the work done by the Joint Select Committee of

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Parliament on the Police Reform Bills would be saved. Every Member voted and agreed that a new committee be set up to carry on the work. [*Crosstalk*] They agreed to that. The Joint Select Committee report was signed by their Members and they brought a motion to this House that the work continue and a new committee be appointed. The rest is history. It has never happened. They are in flagrant violation of that decision of this Parliament. That is the kind of contempt and disrespect this Government has been paying towards this Parliament.

Without a debate in the Parliament, they went ahead and set up the pilot project for the court. In my respectful view, this is really a pattern of behaviour on the part of the PNM. Mr. Deputy Speaker, you will recall, you were a Member of this House, when in 2001, after 30 years, a comprehensive Family Court Bill was laid in the Parliament. If you would permit me just to read for you the purpose of that Bill. It was not to be a pilot project, to take four courts up here in Port of Spain and leave out the rest of the country and Tobago.

“The main purpose of this Bill is to vest in a court to be called the Family Court for Trinidad and Tobago exclusive jurisdiction in all family law matters in order to—

- (a) reduce delay and inconvenience to the public in the resolution of family disputes;
- (b) provide for more efficient and economical use of social service resources in the resolution of family disputes;
- (c) develop a group of judges who are specialists in dealing with all kinds of family problems; and
- (d) ensure that there is a constant judicial philosophy and a common network of social service resources to bear in all family disputes.”

The Explanatory Note read:

“The Bill is based on the recognition of a need for the establishment of a Family Court to provide the opportunity for healing rifts and rescuing family units. The Bill would provide that the Family Court would consist of both an Upper and Lower Division. It will seek to provide procedural guidelines for potential litigants before proceedings have even been instituted giving them the option to utilize the services of the Advisory and Counselling Department of the court. This allows such persons to become informed of all the options available e.g. mediation, counselling or social assistance.”

This was the Family Court Bill of 2001.

In typical PNM fashion, this Government came into office and just threw that Bill away. It had been drafted taking into account all the reports and bills that had been drafted since the 1970s; a comprehensive Bill was put in place. But in typical PNM fashion they threw it away, as a kind of spite and malice, because it was drafted under the UNC. It is the same way like the Biche High School. They said that the school would collapse, that people would die; up to today the school is standing and nobody “ent” dead yet, even though they are living all around the periphery of the school, but not a child can go into that school, because it was built under the UNC.

They threw away that Family Court Bill, 2001 and came with the Family Proceedings Act, 2004, earlier this year and the hon. Attorney General has come to change those words, as I have said. I would have liked him to come here today to tell us that he was extending this pilot, because it is discriminatory and will not get him the results and information he said they want so desperately to take the court forward. The project caters only for people in the St. George West magisterial district.

Mr. Deputy Speaker, I am sure, for yourself, coming from the magisterial district of La Brea or for my friend coming from Tobago East that, at least, one of the courts should have been placed outside the urban area, outside of Port of Spain. Why is it concentrated there? You have put four magistrates’ courts to operate only in St. George West, only for the people of Port of Spain and environs. Then you say that you want to get representative data to inform how you should set up the rest of the courts after the pilot is done. I would have been very, very happy if the hon. Minister would have told us today, “We are now extending this pilot to include areas like La Brea, Tobago and Siparia, so that we would get data, not just from the urban areas, but also from the other rural areas and from all the people of Trinidad and Tobago.

I am not surprised, because the discrimination that they practise is clear in every sphere of life, so this is just another example that they have chosen for their pilot. They are discriminating against other areas of the country, including Tobago.

Let us talk about the building for this Family Court. It is housed at the Nipdec House. That was the home of the St. George West magisterial district, as you would recall, Mr. Speaker. I am sure you may have practised in those corridors. Between 1987 and December 1999, that building housed the St. George West Magistrates' Court. In 1999 the criminal Magistrates’ Court moved out and went

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back to its home on St. Vincent Street; that is where they are now, but the civil Magistrates' Court remained at the Nipdec building and they moved in September 2003.

In October 2003 a flurry of activities commenced after the civil courts moved out, a whole host of activities. The National Insurance Board and others were called upon to do substantial renovations to the building. My information is that a total of \$13 million was spent to house those four Magistrates' Courts. We have needed this court for a long time, I agree. I do not agree with the pilot, but I am willing to say, "I am happy that, at least, it is a step in the right direction; let us go with it," but \$13 million spent on this building for this Family Court.

I am advised that they spent \$3,000 for a quart of paint. I am not talking about a gallon, a quart of something called armour plate; it is not paint, it is a special kind of something and every wall in that building is armour plated. *[Interruption]* And not only the courtrooms; I am told also the bathrooms and corridors. Mr. Deputy Speaker, \$13 million and more spent on that building up there. Whilst I am happy for those up there, surely some of that money could have been spent on the other Magistrates' Courts in this country. *[Crosstalk]* The Judiciary does not own the building; the Government does not own the building, but \$13 million or more spent on it to renovate it.

Do you know what happened after it was renovated? Moneys spent from taxpayers' dollars, the rent of that building increased. When the Magistrates' Courts were there, I am advised that the rent was \$76,000 a month. The rent has now gone to \$130,000 a month; almost a 100 per cent increase for the rental. After you fixed the building, a building you did not own, you are paying the people more money now to rent the place. Why is that? You fixed it for them.

Mr. Deputy Speaker, I do not know when last you were at the San Fernando Magistrates' Court; I feel you might have been there recently; you practise in those courts. I was there recently. Last year the then Attorney General visited those courts and made all kinds of promises because of the dilapidated state of those buildings and the conditions under which the magistrates work, and litigants were going there. The San Fernando Magistrates' Court buildings are in a terrible condition. *[Crosstalk]* Promises were made.

Do you know that two new buildings in San Fernando were rented to move the San Fernando Magistrates' Court? Everybody was happy. The Member for Princes Town would tell you that he was happy that they were going to move it. But do you know what has happened? Since May last year, they have been paying



a rent of \$40,000 a month for one building; so we are looking at \$1 million in rent paid for one of those buildings. The second building is also being rented for about \$30,000 a month, since September last year; we are looking at about \$300,000. Up to today, no one has moved into those buildings. Why are we paying this money? Why did you spend \$1 million to rent those buildings? [*Crosstalk*]

They do not like it. Anytime they get noisy, it is because the truth hurts. [*Crosstalk*] I will ask you please, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** The hon. Member is asking for protection, would you please allow her to continue.

**Mrs. K. Persad-Bissessar:** You are very sweet and kind; I thank you.

One million dollars spent on rental for a building from last year to now and that building is still unoccupied and in the Magistrates' Court in San Fernando the situation continues to be horrendous. Why are you doing that? You want to tell us about improving the administration of justice, all of this is about doing that and the very basic structure, the building itself, cannot be dealt with. The condition is the same throughout the Magistrates' Courts.

The Magistrates' Courts handle the bulk of matters. Just to take the last report of the *Judiciary of the Republic of Trinidad and Tobago*. If we look at the kind of workload that goes on in the Magistrates' Courts, you would understand what I am saying when you take these four courts and spend \$13 million. The Judiciary tells us in their report that only \$500,000 was given for developmental works, but you spend \$13 million on these four courts, while nothing is being done about all the other courts in the country.

The total number of new cases filed in the Magistrates' Courts during the period January 01, 2003 to July 31, 2003 was 29,829; I am not talking about the pending ones. Prior to that, the total from August 01, 2002 up to July 31, 2003, was 74,027 cases. How are the magistrates to function with that kind of caseload? This is for a normal day in the Magistrates' Court, as you would know, Mr. Deputy Speaker. Listen to the average day's caseload for magisterial districts—I am doing this for a reason that is related to what is happening with this pilot project: In the First Court in Arima, 60 to 110 matters listed before one magistrate. In the Second Court, 25 to 40 matters and in the Third Court, 60 to 135 matters. We are talking about over 250 matters per day, listed in the Arima Magistrates' Court alone.

When you come to St. George West, which is Port of Spain and environs, the situation is the same. If you look at Chaguanas, Chaguaramas, Couva, Mayaro,

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Point Fortin, Princes Town, Rio Claro, Siparia, Tobago and Tunapuna, all the magisterial districts, there is one magistrate sitting with a caseload of 60 to 100 matters on the list every morning. Can there be any justice in this country when that is happening? You are talking about getting better justice by doing this pilot project for family disputes and family matters, do you know how many family matters are filed in the Magistrates' Courts? Let us look at those, because we are talking about family matters with these Bills.

You have set up a pilot project with four courts only in St. George West. Listen to what is happening in the rest of the country. New cases filed from August 01—December 31, 2002, family matters, 5,856 in the Magistrates' Courts throughout the country, but you have four courts dealing with less than 200 matters; four courts on which you spent \$13 million. Four courts in which, I am advised, you have audio digital recorders, but the rest of the Magistrates' Courts throughout the country, except for that before the Chief Magistrate, have none. How is a magistrate to deal with 60 cases?

They have note-takers who would write everything down laboriously. By the time you call those cases, all that happens is that the matters are adjourned. Justice delayed is justice denied. The Magistrates' Courts is the bread and butter, the first course of redress, the first port of call in the justice system of the country. [*Desk thumping*] But you are talking about spending \$500 million for a Caribbean Court of Justice. To deal with what? Original jurisdiction or appellate jurisdiction, because you are not getting appellate jurisdiction here so you are going to only deal with treaty matters. Whereas thousands of people, the ordinary people of this country, the place they go is the Magistrates' Court.

As I said, family matters, 5,856; domestic violence matters, 3,707. You are looking at approximately 9,000 family matters being filed each year in the Magistrates' Court. But what do you do? You take \$13 million and staff this special court that you have set up. It has become like an ivory tower. I understand that everything there is up to mark and up to scratch, no problem, so what is happening to the rest of them? All you are dealing with there is less than 200 matters, while for the 9,000 other family matters in the rest of the Magistrates' Courts nothing is being done. [*Crosstalk*] I just mentioned the family cases. Remember before I gave you the total of 29,929 matters. What are you doing with these Magistrates' Courts?

I am advised that the furniture in this Family Court will make even the Chief Justice blush. I understand there is only mahogany in there, when in other Magistrates' Courts you cannot get a proper bench or chair to sit on. You should

see where the Acting Deputy Chief Magistrate in San Fernando sits in those courts. You should even see where they sit up here in Port of Spain; the furniture is like 50 or 60 years old. Yet you are spending for mahogany furniture all over four Magistrates' Courts in Port of Spain.

I am told that the hearing rooms are fitted with real nice oval tables and so on. They are not like courtrooms and that was, perhaps, you wanted to get out of the adversarial and get into the other ways of dispute resolution. There is no space, however, for attorneys-at-law and they are expected to go into these courtrooms and assist their clients. There is no space in this small courtroom, the six by two by two and a half, or whatever it is, very small rooms; no attorneys can go in.

In a family matter a wife or a child may go in there to deal with matters, you would take someone with you, another family member, friend, or someone who would counsel you or hold your hand; no space for them either. So \$13 million later, mahogany furniture later, there is no space there for anyone to go in.

I am advised that the hearing rooms all have computers; again, great for them. I already mentioned what happens at the other 40 or 50 courts in the country. The hearing rooms all have computers so you could get extracts done very quickly. The hearings, I am advised, are done by appointments only; matters are scheduled on a half hourly basis and there is supposed to be police officers on the compounds or in the hearing rooms. There is one magistrate who insists that anytime she is sitting in court, one police officer must be present. Litigants, family members in disputes become intimidated at the presence of the police officer. Here you are trying to mediate, to sort things out, not in an adversarial manner, but there is this policeman that the magistrate insists must stand within this little room where that is taking place.

On the other hand the other magistrates do not have a police officer standing inside with them, so you win one way and you lose the other way. When things get very, very hot—and the disputes are sometimes heated; they do tend to overspill, emotions flow, the magistrate has to run from the courtroom. What happens? No officer there, so it comes to blows. I am advised that the only Magistrates' Court in the country that has a library is, again, the PNM pilot court; wonderful library, online connections. I am glad; that is good news, but no other Magistrates' Court has a library; not one other, not even where the Chief Magistrate sits, not even where the Acting Deputy Chief Magistrate sits; [*Crosstalk*] no library, there is nothing; not even one book, not even the basic laws. I understand they do not even have a shelf to put a book upon. So we have a full-scale library for four Magistrates' Courts, when 40 other courts, that deal

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every day with the small people, have no library. Where is the administration of justice?

I am also told that there is a proposal to use something called “the Blue Bed Quarters Building”, which is across the road from the Port of Spain Magistrates' Court on Duke Street, to get a library for the St. Vincent Street magistrates. Some of them say that it is good news, but it means that the magistrate now has to rush out of the Magistrates' Court on St. Vincent Street, walk along the street, pass the prison vans, cross the road and enter the library. How many magistrates are safe doing that trek? For example, you are sitting in court and you need one of those law books like those behind the Speaker's Chair; you have to cross the road, pass the police vans, pass the prisoners' transport, go up to the next building and collect it. They might as well just continue to do what they have been doing, which is to get it out of the Hall of Justice right there. Why are you going to put this library across the street and have the magistrates trekking up and down the place?

In the 2002/2003 annual report, the Judiciary stated that funding for the financial year 2003 was increased from \$1.1 million to \$1.2 million. They had requested the sum of \$4 plus million; that is despite the fact that over the years they have never got the requested finances available. In their report they talk about upgrading the court libraries, the judges' chambers and expanding the collection in magisterial districts. On page 84 in the annual report, they list what is to be done and what they propose to do with respect to libraries, but there is no funding to do it.

There have been no library facilities given to any Magistrates' Court. So that was before the report, and after the report, up to today, none. They have given the library to this pilot project Family Court with only 200 matters for four magistrates to deal with. Mr. Deputy Speaker, 200 matters divided by four magistrates is 50 matters, not per day, but these are the matters, in total, with which they are dealing. Compare it with 60 to 100 cases per day on the list for other Magistrates' Court in the country. What is going on? What is happening with this?

So we have a situation where this pilot project is now becoming a shining project, where money is being pumped into this fancy court they have set up. Each time those from that administration, within that court, even sneeze, they have the hon. Attorney General running here to move five words in a Bill. We really have to ask why. Why when the Bill was originally piloted and passed it was so important to have those five words included and now it is so important not to have them?

Mr. Deputy Speaker, you practise in the courts and you may be well aware of what is going on with the vault at St. Vincent Street Magistrates' Courts, same St.

George West. What is happening with the vault there, hon. Attorney General? I would ask you to look into that. The vault keeps the records for the cases that are in the courts. We have had the experience where rats have eaten up the files, files disappeared and so on. There are three vaults, but one of them has not been functioning for years and nothing has been done to deal with it. Do you know what happens? The archives, the records for this district where the St. Vincent Street courts are, are sent to El Socorro. Why can we not fix that vault? Why can that vault not be taken care of?

Recently we read in the newspapers that a courtroom was shut down because there were fleas. I understand this year roaches are coming out of that vault and they are all over the courtroom. This Government passed the Occupational Health and Safety Act, which the UNC government had introduced. They had better deal with these courtrooms and courthouses, because they are going to face litigation every single day under that Act. You cannot have flea-infested conditions and now roach-infested courthouses and have people work there, and you are feeling quite happy about it. Do something about the vault at St. Vincent Street and clean up the place.

Mr. Deputy Speaker, why would the hon. Attorney General not tell us that he has come to change his mind, because he had changed it initially. So in the Senate when the matter was debated, he explained to us that he had changed his mind, that the Bill had these six words. They were taken out—I cannot even recall what he had said about these six words, but he said that he had changed his mind in the Senate with respect to the six words, that his initial draft did not have them, but he was convinced by arguments raised in the other place, so he put in the six words. Today he has come to delete them.

I would ask him whether he would consider changing his mind about the jurisdiction of this court. The hon. Attorney General spoke most vociferously about rejecting domestic violence matters from the jurisdiction of these pilot courts they have set up; no domestic violence matters, but I read for you, Mr. Deputy Speaker, the thousands of domestic violence matters that are filed each year. When the Bill was piloted and passed, and now Act No. 2 of 2004, we were told in this House and in the other place—despite our objections, we insisted that you put in Domestic Violence Act proceedings—the hon. Attorney General got up in the other place and said, “No, this is not to cover domestic violence proceedings.” He spoke in the Senate and was very clear, “We will not include domestic violence proceedings for this new Family Court to adjudicate upon.”

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In Act No. 2 of 2004, the matters to be dealt with by those courts are all creatures of the statute, created by statute. They list the Acts in the Schedule, the matters that would be dealt with by that Family Court. Not one of these statutes listed in the Schedule is the Domestic Violence Act, but I am informed and reliably advised that right now that PNM pilot project Family Court, which has no jurisdiction in law, is dealing with selective domestic violence matters. They are dealing with the very same thing.

The hon. Attorney General told us, “We will not have domestic violence matters in that court,” which we felt was nonsense, because you are dealing with family disputes. And the Attorney General said today, “It is a one-stop for all resolution of family disputes.” Yet, if you have a domestic violence matter in a family dispute and you have custody and maintenance, you have to go to two different courts. So what is the one-stop shop? The law did not allow for that; the AG told us that he did not want that; the committee did not want domestic violence matters. We were against that, yet they said no domestic violence matters. Today, my advice is, and I repeat, that the court is illegally handling selective domestic violence matters.

How could you tell us that the court has no jurisdiction for domestic violence matters? I call upon you to amend the Schedule. In the same way you are going to take out these five words in section 4 of the Act, why do you not amend the Schedule and include domestic violence matters, so that you can give jurisdiction to the court, which is illegally handling domestic violence matters? No, no, no justification in law. The only matters are the ones created under the statute. The proceedings taking place there are creatures of the statute. You need to either stop them from doing it, if you really do not want them to do it, or change the Schedule. I would strongly urge that you change the Schedule.

For example, there is a family dispute, husband and wife in dispute; they separate, the wife wants a restraining order, because she is being battered and so on, but at the same time she has the children and she has to get maintenance payments for herself and the children. You are telling her, “Go to this pilot project court and deal with the maintenance, custody and so on; you will get quick justice.” You said that you wanted greater access, fast, quick; “Come here and we will give you access, custody, maintenance,” or whatever it may be, but, “Yuh see when yuh husband beating yuh, I cannot give you a restraining order here; I cannot deal with domestic violence matters here; you have to go to a next court.” What madness is that?

Mr. Deputy Speaker, how can you boast of a one-stop shop, but when you are dealing with the resolution of family matters you want the family members to go to two different sets of courts? One set is the pilot project courts that are already set up way above the rest in every way and the next one, which is the one you may really need, because you are getting blows and you are not sure to come out safe with your life, that is the one where you have to line up with the next 10,000 persons in the other Magistrates' Courts. What is the sense of that? Amend the Schedule to include domestic violence matters.

The staffing of this court is also in issue. I am advised that the officers who are running those pilot courts are all on contract. The only persons who are established officers are the magistrates, the judges, the Deputy Marshalls, the Clerks of the Peace, cashiers and accounting assistants. It is noteworthy that there are four magistrates now doing the work that was formally done by one magistrate. Each magistrate has a secretary and a judicial support officer. There are seven in all, two of whom do nothing, because there are no judicial officers to support. Judicial support officer is another name for note-taker. In addition there is an usher who does exactly what is done in the other courts for the high court judges.

The magistrates throughout this country have no secretaries, no ushers and no judicial support officers. The judicial support officers are the ones who do the audio digital recording. There are areas of the Family Court that are completely overstaffed, while the rest of the Magistrates' Courts are suffering. I am further advised that the salaries of the contract officers in this special project Family Court are higher than that of a judge. They get paid a salary per month that is higher than that of a judge. The differences in the salaries of the officers in the Magistrates' Court and the High Court are alarming. There are tremendous differences in salaries.

When the advertisement was put out for the judicial support officers, it was stated that if a note-taker was chosen he or she would be on contract. Many of the persons chosen have not even passed the para legal examination that was a criterion for the Judicial Support Unit at the High Court. Those persons who were temporary were told that they would have to resign to be assigned to the Family Court. Once a temporary worker was assigned to the Family Court, negotiations were entered into with the Chief Personnel Officer for the retention of these temporary persons and the giving of higher salaries to the judicial support officers.

Mr. Deputy Speaker, there are positions of case management officers. They are all permanent officers in the Magistrates' Court and in the High Court, now they are on contract. They were paid for their holidays. They have been on

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contract since December 2003 at higher rates of pay, with the courts only coming on board since May of this year.

Custody, maintenance, access, variations and attachments, children applications beyond control, no parent or guardian, all those types of matters are forwarded to the case management officer who takes the particulars. The Clerk of the Peace is now called upon to sign the application and to summons. The Clerks' job is the job of the case management officer in all Magistrates' Courts. Actually, this seems to be the only reason the positions of Clerks of the Peace have been retained; all they do is sign summonses. These persons are Justices of the Peace. Their functions are dictated under the Summary Courts Act, Chap. 4:20. If this were not so, contract officers also may have filled those positions. The only reason they did not move them out as well and bring in contract persons is because of that statutory function under the Summary Courts Act.

The two Clerks of the Peace there do nothing else but sign complaints and summonses. What is so special about these four courts? Why are only these four courts enjoying all these benefits? What is so special? There are other permanent members of staff; they include two cashiers and two accounting assistants. The major district of St. George West, with about eight or ten courts, does not yet have two cashiers or two accounting assistants, and they are dealing with thousands of cases per day. The cashier's cage has long been outstanding and the court executive has been discussing it for years. When a second cashier was found for the jurisdiction, she was sent to the defunct Chaguaramas Magistrates' Court. This was a court below a rum shop; it is now closed. All we could say is that the Regiment is now running a rum shop where that court was.

When we look at security, again, this is a special court. Men in black all over four magistrates. There are four persons functioning there, whereas in the St. George West Magistrates' district—I come back to it again, eight to ten courts, and the rest of the courts do not even have this. I do not know how many they have at night, but certainly they have four men in black at the special Family Court.

The former Senior Superintendent, Mr. Bernard, boasts of the biggest staff, more than 50 security officers, men in black. The Judiciary has its own MTS security office, more than 200. A court like San Fernando has only two men in black; Port of Spain has only one. It used to have two, but one was sent to the Family Court with three others. So this Family Court, with four courts and only 200 matters, has four men in black, but you are talking about the rest of the thousands of matters at St. Vincent Street and San Fernando; they have nothing like that.



I am told that everybody there has a cell phone; from the driver to the top, as we say, "From chief cook to bottle washer." A driver with a new seven-seater Space Wagon; the Court Manager, the men in black, every member of the administration all have cell phones. Up to today, not a single magistrate in this country has a cell phone. How is it that all these persons on this staff, from the driver right up, have cell phones?

**Mr. Deputy Speaker:** Hon. Member, the sitting of this House is suspended until 5.05 p.m.

**4.30 p.m.:** *Sitting suspended.*

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

**Mr. Deputy Speaker:** The speaking time of the hon. Member has expired.

*Motion made,* That the hon. Member's speaking time be extended by 30 minutes. [*Mr. G. Singh*]

*Question put and agreed to.*

**Mrs. K. Persad-Bissessar:** Mr. Deputy Speaker, just before we took the break I was pointing out that every person employed in that court has a cell phone that is paid for with taxpayers' dollars. I was also pointing out further that not a magistrate in this country has a paid cell phone. But here it is they have set up this fancy court with salaries higher than everybody else's, with armour plating all over the walls, with men in black all over the corridors and, in addition to that, up to the driver has a cell phone. They also have a person called an area court manager. They have a court executive administrator and an area court manager. They are two different posts. Judges and magistrates in the system do not get that kind of consideration. There are senior magistrates and administrative heads of their districts and they do not get that kind of consideration. Not even the senior magistrate has a secretary. That magistrate runs 13 courts; he has management of two buildings, but he has no secretary and, of course, no area court manager. Yet still this special pilot project of the PNM not only has a court executive administrator to deal with 200 matters, but they also have an area court manager.

I do not understand what is the function of this area court manager. You are working in one area; there are just these four courts in that one building with a restricted number of matters. Yet, for the entire Magistracy, there is no such consideration or assistance given to one of the busiest districts, right here in St. George West. Far from having even somebody called a family court manager, an area court manager, the senior magistrate in St. George West with 13 courts, does not even have a secretary.

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What is going on at this court? I would like the hon. Attorney General to tell us. Why is all this emphasis being given to this very special project to the detriment of the rest of the Magistrates' Courts? I have no difficulty with resources being given to the courts. Let it not be said that I am against resources being given to the Family Court. I want to make it very clear that I am very happy for resources there, but the question is: Why the inequity? Why this discrimination? Why are you not giving consideration to all the magistrates throughout the country who deal with bread and butter issues, who deal with the ordinary man off the street on a daily basis by the thousand?

You talk about improvements to the administration of justice in a country. We read recently of the case of a gentleman by the name of Hoi Pong. He spent over 20 years waiting for justice. In the Magistrates' Courts the note-takers have been taking notes for 50 years, every single word, one at a time by hand. Where is the audio digital equipment that was promised? The only ones you have supplied have gone, again, to this very special project Family Court.

The entire Mediation Unit is comprised of contract officers: the head of the unit and five full time in-house mediators. There was a five-day training session for the mediators and there was a roster, almost nine months ago. To date, the roster has not been prepared. Why? The roster has not been determined, because there is no mediation board. The very Act was passed in January of this year to set up a mediation board. The Bill was debated together with this Family Proceedings Bill, to set up a mediation board in order to set up these mediators before the court. The court has begun functioning and up to today you have not rostered a panel of mediators. And you come to tell us now that you want to tell people that you must be able to refer them for mediation, whether they consent or not. To date, you have not set up a mediation board.

You interviewed these people nine months ago, but you have not prepared a roster. We hope, hon. Attorney General, that when you finally constitute the Mediation Board you would take especial care to ensure that there is no conflict of interest in the persons selected to be on the panel of mediators. This amendment to say that the court can refer the disputes and the parties to mediation, whether the parties consent or not, without the agreement of the parties, if that is not forcing people to mediation, then I do not know what is.

When I asked the hon. Attorney General he said that it was not to force them to mediation, but to force them to consider mediation. When I read the section now with those words being deleted, you are saying that you are taking out "with the agreement of the parties". The court can refer the dispute to mediators. I would

really feel very comfortable if the hon. Attorney General can assure this House that the purpose of that amendment is not a way of trying to get money for the family and friends of those working in this Family Court. Because my information is that the husband of the court administrator is one of those persons who was interviewed to be rostered.

Do you know what is happening in there? The parties do not want to go to mediation. So those “fellas and dem” who got interviewed have to make dollars. What do you do? You say that you must go to mediation; the matters must be referred to a mediator, so that they would be able to pick up jobs. You are making it mandatory; that is what you are doing. I would like to be assured that there would be no conflict of interest when that roster of mediators is being set up, that we will not see the husband of the court administrator. This is the same monitoring committee and court administrator that have sent you back to Parliament to make sure that you put this clause in, to make sure that mediation is mandatory. [*Crosstalk*] [*Interruption*]

[*Hon. Jeremie stands*]

In your winding up, hon. Attorney General; you have the right of reply, Sir. You have a lot of things to answer. [*Crosstalk*] You would have a full hour and more for your right of reply. Give us the assurance that there will be no conflict of interest, because that is the information we have. This piece of legislation would ensure that the matters go to mediation and the “fellas” who lined up to get the job as mediators will be guaranteed. Right now persons are not planning to go to mediation.

As I close, let me get to the mediation itself. The founder of modern mediation, John Hayes, has written so many books on mediation. He is considered the father of modern mediation. From his writings we can come up with all the good things about mediation and what we know for ourselves. It is something essential and important in the family jurisdiction and, indeed, outside of that jurisdiction as well. In many jurisdictions in the United States there have been pilot projects in mediation and in some places they do have a mandatory system of mediation, so it is not that it is not done anywhere else. In fact, in Dade County in Florida, there is mediation involving mediators on the panel that is paid for by the client.

In Trinidad and Tobago, this court is going to pay for those mediators on the panel, not the in-house mediators. They are going to be paid some \$1,200 to \$1,500 per session and there must be seen to be equity in the way that it is

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rostered, in terms of those persons who serve. It must not look as though the Family Court is going to function as an employer of mediators, to provide this \$1,200 and \$1,500. I do not know if you know, but there are so many people running right now to the University of the West Indies to do this mediation course, because they are looking for this \$1,200 and \$1,500, but the Family Court is not there to provide employment and salaries to mediators. It is there for the benefit, justice and resolution of disputes for the families. I would ask the hon. Attorney General again to ensure that does not take place.

He has told us and we know that mediation is faster and less expensive and we find answers that could be durable. But why is there the feeling that you must have mandatory mediation, which is what this amendment is going to get us to do? The whole essence, crux, beginning and end of mediation is a voluntary process. You cannot force people to mediate. In the Act, as it stands, the Attorney General said that he would refer to mediation with the consent of the parties. Where they agreed that they would want to go to mediation, they would be sent and so you could expect something fruitful at that end of the process. When you say that you want to refer them now, with their consent or not, then you are starting to fail.

You are providing a mediation process; you are sending them. They did not want it, but you are sending them, so you are spending \$1,200 and \$1,500 to create jobs. They did not want to go in the first place. What is mediation? Mediation is to sit and talk and have a mediator as a third person to mediate and whatever decisions you come up with, come voluntarily from the two parties. The mediator sits in the middle as a channel for that discussion to go through. So if you are not willing to go to mediation, why are you sending me? Why are you sending the parties to mediation? You are setting yourself up to fail. You are wasting a lot of time to put the mediation process first, with nothing in the end, and money, this \$1,200 to \$1,500 per session.

Mr. Deputy Speaker, why do they want to do this? One possible reason is to provide guaranteed jobs for their boys and girls. At the moment, my information is that not many of the parties are seeking to go to mediation. But if you believe mediation is a good thing, then the way to go is not to force people. The way to go is in a different manner. Are you just doing this to look for statistics at the end of it to say, "We sent 500 people through to mediation; what a great thing that was." If you are not looking to make money and create jobs, are you just looking at the end of the pilot to get statistics so you can come here and drop them on the table and shout at us about them?

If you want to rationalize the amount of money: the \$13 million spent; all those cell phones; the \$3,000 armour plating; the increased rent and so on, are you coming to rationalize and justify that kind of expenditure? I am sure the Attorney General should know this: if you want to encourage people to mediate, the way to go is not to force them, but to encourage them. How can you do that? By an education process, so that you can let people know, generally, about mediation. What you should really do is amend the Mediation Act that you brought and reintroduce the community mediation centres we had throughout the country. You shut down every one.

That is what you should be doing; open them back throughout the country. Do not just sit in your pilot project in Port of Spain in four little rooms, but have it throughout the country so that mediation would be something accessible to all the people of Trinidad and Tobago. What is the rationale?

**5.20 p.m.**

You shut down all those centres when you need to encourage people to use mediation to resolve community problems as well, not just when they reach the Family Court to refer the matters to the mediators. Open up the mediation centres. The public needs to be educated about the benefits of mediation. Less money is spent on mediation than on going to court, mediation is faster, we know all of that but you shut down what was opened and available in the communities.

Mr. Deputy Speaker, all this is linked to the administration of justice and if I may, I would like to point out to the Attorney General that when all the issues are looked at, firstly, this Family Court is totally top heavy and overstaffed, taxpayers' dollars are being spent for people there to sign a form. There is nothing to do.

Secondly, in contrast and in comparison, there is under-staffing in all the other Magistrates' Courts in the country. Take some of that money and do something about that. There are no libraries in the Magistrates' Court, yet these four courts with 200 matters, have fancy library. There is not enough security in all the other Magistrates' Courts in the country, yet again, top heavy here in this special pilot project.

The Family Court, with a mere 200 matters has audio digital recording, they work only by appointment, but none of the other courts—except for that of the Chief Magistrate—has audio digital recording.

The Chief Justice, in his opening remarks of the law term and in the Judiciary Report spoke about the audio digital recording. Where is it one year later? Is everything to go to this very special pilot project you set up?

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Mr. Deputy Speaker, I am advised that from driver up are enjoying cell phones in the new wing, whilst the St. George West Court had no proper telephone system up to May this year, and the Family Court which had not opened had direct lines all over. What is it about this court?

I understand there is a tremendous battle going on between the Attorney General's staff and that of the Ministry of Social Development and Gender Affairs. The staff from the Ministry of Social Development and Gender Affairs, with all the social workers and probation officers and so on—

**Hon. Jeremie:** Mr. Deputy Speaker, may I—

**Mrs. K. Persad-Bissessar:** No, you will have your turn, why are you so hurry? You will have your time. Do not rush.

There is a tremendous battle for turf and space, and family matters are caught in the middle of that dispute as to who is really running this Family Court. The Court Administrator is the beginning and the end of all and she is calling the shots, but the persons in the social services ministry; the probation officers and the social workers are the ones who are needed in that court, but they do not want them. Instead they have had incompetent persons strutting up and down and collecting higher salaries than those on the establishment in the service. That is what is going on at that Family Court.

Mr. Deputy Speaker, we have two magistrates on radio advertising all the nice things about Family Court, but how do you explain to a woman who is in fear of her life from her husband and comes to this special, fancy, pilot project court to get a restraining order and you tell her you do not want her there. How do you explain that to her? But you are advertising on the radio that it is a one-stop-shop where everything would be dealt with. I want to repeat that point that I ask the Attorney General to amend the Schedule and put in the domestic violence matters.

Hon. Attorney General, they are doing them now, but they are not doing all of them, they are picking and choosing which ones they are doing, and they have no jurisdiction to do so. It allows them to choose the litigants they want before them and the rest of the masses have to stay out.

On Tuesday, December 02, 2003 the hon. Attorney General said:

“I wish to point out that the Family Proceedings (No.2) Bill is intended to introduce a pilot project... We would learn valuable lessons from the panel of experts. It may be in the long run when we have final legislation, that domestic violence would be a key part of that family law legislation which is

envisaged to be produced at the end of the pilot project. I do not wish us to lose sight of the fact that the Family Proceedings (No. 2) Bill is limited in ambition and intended to introduce a pilot project. At this stage the committee felt that the imbalance which is present in domestic violence situations—when I speak of imbalance I speak in terms of inequality and the power relationships which are characteristic of domestic violence situations—ought best for the time being to be outside of the context of this Bill.”

Attorney General, you said it, and when we raised the issue about putting domestic violence within the jurisdiction of this court the hon. Attorney General told us no, he did not want to put it there, but they are doing domestic violence matters without jurisdiction. Why?

Mr. Deputy Speaker, I know you understand when there are family disputes and problems they are so closely interlinked. You practise and you know that there are persons in the family setting when the dispute arises—

**Mr. Deputy Speaker:** You are beating that a little too much now.

**Mrs. K. Persad-Bissessar:** It is because I feel very strongly about it. It is danger to life and limb. The woman would be dead before she gets a court order, or access to the court.

Finally, I want to know why the Attorney General spent \$13 million on these courts, why he spent \$3,000 for this special plate-armour paint, or whatever it is called to put all over the bathrooms and so on? Why are the San Fernando magistrates still sitting in that dilapidated, decrepit building whilst you have paid over \$1 million for two other buildings? Why do you not put them in those buildings and get the work going?

Mr. Deputy Speaker, with these words I thank you and my colleague will continue.

**Mr. Subhas Panday (Princes Town):** Mr. Deputy Speaker, when I hear that drivers and messengers have cell phones at that family unit I am shocked, because magistrates in other parts of the country do not even have toilet paper. No toilet paper for magistrates and they are the people—of whom the Member for Siparia spoke—having the heavy workload. It would appear to me that the court administration is a little family group of friends and family that have hijacked the administration of the system.

Mr. Deputy Speaker, this is a pilot project and after two years it is said that it would be reviewed. From what the Member for Siparia has indicated, it seems to me that they are feeding themselves so much that if at the end of the day there is

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no need to continue it, all the pigs would have been already fattened. I cannot see a pilot project like this where Madam Clerk Administrator sits in the Hall of Justice in her air-conditioned office and controls the spending of the money. She is also giving judges pressure too—that court administration department.

**Mr. Deputy Speaker:** Hon. Member—

**Mr. S. Panday:** “Ah batting for the judges.”

**Mr. Deputy Speaker:** No, no. Let me explain. The court administrator is not around to defend herself, and she is receiving a lot of licks from here. Do you not think you could—

**Mr. S. Panday:** The Court Administration Department, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** All right.

**Mr. S. Panday:** The Court Administration Department is a scandal, having regard to the kind of moneys they are spending for four courts, while in San Fernando where there are six and seven courts there is not even a water cooler for anybody to drink water, there is no urinal, and in a project pilot court they are spending that kind of money.

I ask the question: Do they anticipate when they spend so much money that the Judiciary would be demanding of the society the same amount of money to put up other courts elsewhere?

Mr. Deputy Speaker, it is indeed frightening what is taking place in that court administration and we, as the representatives of the people, are calling for accountability. When the former Attorney General was calling upon him to account, the PNM said that the UNC is fighting with the Judiciary. What they wanted was accountability. Now we have softened up to them, they have taken over and made the Attorney General a messenger boy. That is what they have done to him, and he is too good a man for them to do that.

**Hon. Jeremie:** I seek your protection, Mr. Deputy Speaker.

**Mr. S. Panday:** I will withdraw that. He is too nice to be treated like a puppet. They should not have done him that.

**Hon. Jeremie:** This is even worse. I object to this, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** I hear you.

**Mr. S. Panday:** Withdrawn, Mr. Deputy Speaker, withdrawn.

**Mr. Deputy Speaker:** It is withdrawn.



**Mr. S. Panday:** But they have treated him with less than human dignity and he does not deserve it. Everybody seems to be fooling him and I am surprised to hear his explanation today.

When one looks at the Family Proceedings (No. 2) Bill, clause 5 says:

“Where in the opinion of the court the interest of the parties to any family proceedings may be better served if the matter or any aspect thereof is referred to mediation or to the unit responsible for social services in the court or to some other professional, the court may with the agreement of the parties, make the appropriate referral.”

He came to this Parliament in October, and went to the other place on November 26.

**Hon. Jeremie:** On a point of clarification. I was not here in October, my predecessor was in office then.

**Mr. S. Panday:** Fair enough, I apologize to you.

**Hon. Jeremie:** There is no need for an apology; I am a guest in your place.

**Mr. S. Panday:** When did you come, November 26?

**Hon. Jeremie:** Sometime around there.

**Mr. S. Panday:** Then you will plead ignorance. The arguments to this Bill were that since mediation is about compromise that clause should be inserted. The hon. Attorney General indicated that he wanted to have the Bill adjourned so that all the relevant comments which were made, would be taken on board. He said that on November 26, 2003.

After considerate and deliberate consideration the issue of mediation came in the other place and Sen. Dr. McKenzie said if we are asking parties to go for mediation they must consent to it and there was a debate with the hon. Attorney General and other Independent and Opposition Senators.

After one Senator said: If you force me to go to mediation, what I will do—

**Mr. Deputy Speaker:** Are you quoting?

**Mr. S. Panday:** No, I am not quoting, I am paraphrasing, Mr. Deputy Speaker. I am using my literary skills.

The Senator said, if you force me to go to mediation it would frustrate the purpose and the spirit of the Bill. The spirit of the Bill then was to move you away from an adversarial system—I am not reading.

**Hon. Jeremie:** What Bill is that?

**Mr. S. Panday:** The Family Proceedings (No. 2) Bill. Another Senator said if there is to be a settlement by agreement and you force me to go to mediation, since you are saying you want to move away from acrimony and you want to expedite the process, if you force me to go there, I would frustrate the process and, therefore, the objective, which you attempted to achieve, would be nullified.

That was the basis of the argument and they held serious discussions, and at the end of the day the hon. Attorney General, using his draftsman skill came up with a number of different scenarios on how to get the amendment in. Eventually, the Attorney General proposed the amendment, which is now found in Act 12 of 2004, on December 02, 2003. Subsequent to that, the Bill was passed with the amendments in the other place and I must admit there was a lot of discussion on it.

They had from December to January, so if they wanted it changed, then why did they not come here and debate it? Why do they have to wait until now—I am not casting any aspersions on you, Hon. Attorney General. That is why I feel that the committee, to which you give that undertaking, whatever they say to do you will do expeditiously. It was given to you in May, and without thinking, you ran to the Parliament in June.

Mr. Deputy Speaker, I feel that there is some undercurrent taking place and this hon. Attorney General does not know and that is why I say that he has been used. He has been used in such a way that the arguments, which they should have given to him to pilot this six-word amendment, do not hold water.

The hon. Attorney General said this is not to force you to go to mediation, the judge will weigh the pros and cons as to whether you should go to mediation but if you do not want to go, you do not have to. But when one looks at Act No. 12 of 2004, clause 5(1) says:

“Where in the opinion of the court the interest of the parties to any family proceedings may be better served if the matter or any aspect thereof is referred to mediation or to the unit responsible for social services in the court or to some other professional, the court may with the agreement of the parties, make the appropriate referral.”

Mr. Deputy Speaker, you know how they operate. If the parties want to sell a property and they cannot agree on price: one is saying you buy me out and I would pay you; the next one will say no, you bid and I will make the offer. The judge, seeing that they are getting nowhere, would advise that they get a valuator

and be bound by the agreement. The argument continues until they come to an agreement. So this is where the judges come into play.

The Explanatory Note says:

“The purpose of the Bill is to amend section 5 of the Act to empower the superior and inferior courts of record to refer parties to any family proceedings,...”

If the court with its trained judges can influence one to go to mediation, that is the best way, but it must not be blamed on the Privy Council. You want to put this in legislation giving the courts the power to force you because it says:

“...to empower the superior and inferior courts of record to refer parties to any family proceedings, to mediation or to the unit responsible for social services in the court or to some other professional, without the consent of the parties.”

The only interpretation one can get from that is whether you want or do not want to go, you have to go and that is what the Member for Siparia was saying. Somebody is creating work for somebody.

The Act which was tabled reads as follows:

“Where in the opinion of the court the interest of the parties to any family proceedings may be better served if the matter or any aspect thereof is referred to mediation or to the unit responsible for social services in the court or to some other professional, the court may make the appropriate referral.”

And this shows it does not have to be the whole matter, it could be any aspect of the matter. That is indeed the court being able to push mediation down the throats of the litigants and that should not be, and we cannot support that.

So Mr. Attorney General, before you complete these proceedings, as a politician and a Member of Parliament, you have no responsibility to those persons, you have responsibility to both Houses and to the nation. If anything goes wrong, you are innocent, but you would be carrying blame which you ought not to carry. That is why I say, I feel sorry for you. You should check this out.

Mr. Deputy Speaker, the Family Court started in May and we ask if the Attorney General has had reports of the judges wanting mediation and people do not. Give us the statistics of how many people were advised to go and did not want to? What was the effect of such decision? Have their refusal to go to mediation in any way affect the outcome of the proceedings? Has the State suffered any loss in terms of

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compensation by not creating jobs for people in these proceedings? Hon. Attorney General, you are new, you are innocent, and I believe that you are a good man.

They should have let it run for sometime, let us see how it is working, and if it is not working come back with data and statistics, but merely for them to tell you it should be changed because of some Privy Council decision is wrong. We have found ways to go around many things and to have you come here, a learned Attorney General, to say that all this legislation means is to show you the pros and cons and if you do not want to go you do not go. That is wrong.

We are living in a small community, there are only four courts and everybody knows everybody. You can never know what would take place. So we are humbly asking you to do investigations and keep on monitoring it. The Judiciary is asking for the vote, it is saying do not interfere, it is independent of the legislative, and I am saying that at the end of the day they must be accountable to the people.

I humbly submit, hon. Attorney General, that the arguments which you have advanced for this amendment are not convincing and furthermore, when this Bill was debated, all the advisors together with a senior attorney from de la Bastide and Jacelon Company, a prominent attorney in family law—

**Mr. Deputy Speaker:** The point is, we are in Parliament, the persons who are not here to—

**Mr. S. Panday:** I withdraw, Mr. Deputy Speaker, I withdraw. I want to save time. The way you conduct this Parliament it is like in mediation and I do want to move on. I withdraw, Mr. Deputy Speaker, in deference and respect to you in the Chair, and leave those in New Zealand to stay with the Kiwis and polish shoes.

The point I really want to make is that there were technical people accompanying the Attorney General and they knew when it happened, but it seems to me that it was an afterthought to put it back and that is why I am suspicious.

**5.50 p.m.**

So I do not want to be hard on the Attorney General. As a matter of fact, I want to be helpful to him and I hope the hon. Attorney General take it in that light.

The other aspect which my learned friend spoke about was the issue of domestic violence. I believe domestic violence should be added but at the same time the structure of the court has to be adjusted, in that if one looks at the Domestic Violence Act and if one looks at what are domestic violence offences, it includes: “emotional, psychological, financial.” It is almost like property settlement; it is almost like maintenance. As a matter of fact, they make these orders in the domestic violence court.

What we are saying is, the only time that the criminal aspect comes into domestic violence is that after the order has been made and served upon the respondent and the respondent breaches the order, then the police could investigate, and if the police believes that the order has been breached, then the police would step in. So it is either we amend the Domestic Violence Act or bring it under the schedule and reconstruct the court in such a way that this small piece of the criminal proceedings could be accommodated.

I have been robbed of my time by many people and, in those circumstances, I thank you, Mr. Deputy Speaker. [*Desk thumping*]

**The Attorney General (Sen. The Hon. John Jeremie):** Mr. Deputy Speaker, I thank the Members for Siparia and Princes Town for their contribution and I would treat primarily with the contribution made by the Member for Siparia, because I think that there was substantial overlap between her contribution and that of the Member for Princes Town.

I should like to begin with the last point which was made and that is: Why the exclusion of domestic violence from the purview of the legislation. That is a matter which excited a great deal of debate in the committee which led to the drafting of the rules to establish the pilot project. At the time, the considered view of the committee was that in a pilot project it was not possible for us to do the number of things which were necessary in order to treat properly with the question of domestic violence. The Government views that as a great evil and the Government has dedicated resources to alleviating the difficulties which exist within the law to treat with domestic violence. We have already commissioned a separate study on domestic violence and legislation is coming. I had said so on the last occasion and if it is one criticism, as a visitor—I am reminded that I am a visitor in this place by colleagues on this side—I wish to make, it is that many of the questions which were raised today have been raised in the course of the substantive debate.

**Mrs. Persad-Bissessar:** It is a different point. They are saying they are doing it without jurisdiction.

**Sen. The Hon. J. Jeremie:** All that is before us is a simple—[*Interruption*] Mr. Deputy Speaker, protect me, please.

**Mr. Deputy Speaker:** The Member for Siparia and the Member for Diego Martin East, would you please allow the hon. Attorney General to continue?

**Sen. The Hon. J. Jeremie:** Mr. Deputy Speaker, many of the discussions and the comments made reflect, really, explanations given in the course of the principal debate.

If I could deal with the domestic violence point again, the reason that I had advanced for not including it in the pilot project—and I will come in short order to deal with why a pilot project—was that domestic violence really speaks to criminal matters. Now, criminal matters are different from civil matters because there is a whole matrix of factors which we cannot deal with in the course of civil matters. For example, as my friends, who are qualified and experienced attorneys, are well aware, criminal matters do not involve two parties. There is no man who is aggrieved or woman who is aggrieved. You have three parties of necessity and the third party is the State. The State is a necessary party to all criminal matters and the Director of Public Prosecutions, in the appropriate case, is a necessary party.

We considered domestic violence and we thought that the support mechanisms which were required to introduce domestic violence, at this stage, just were not ready. For example, I speak here in particular of victim support services, offender family services, family group conferencing, peace circles, victim offender mediation and parole reintegration of victims into the community. We say that all of those things are necessary in order to deal with domestic violence properly and in a holistic fashion, and that is precisely what we propose to do, perhaps at the very end of what is—and I must remind my friends on the other side—a pilot project.

If I can move on from that, what I wish to speak to—and these are the substantive matters raised, in my view, by the Members for Siparia and Princes Town—is the reason the 2001 draft Family Court Bill was not pursued at this time. This is a point that was raised by my colleague, the Member for Siparia, and which, I think, is worthy of some reply. In other words, the question was: Why a pilot project? The answer to that is that the Family Court Bill which is before us, does not replace the draft bill which we had sought to look at before drafting the provisions of the Family Court Bill, but the committee which we established, before jumping head first into this, recommended that that Bill not be proceeded with at this time until the appropriate administrative procedures involved in this pilot project are adequately monitored and assessed for its suitability in Trinidad and Tobago.

Now, we had identified a number of problems in that draft bill. It was found to be unclear as to many of the elements needed to determine the structure which was required to support the court. The bill was not clear as to whether the family court was intended to be part of the Judiciary of Trinidad and Tobago. At that time there was a great deal of discontent between the Executive and the judicial arms of the State and little collaboration had gone into the drafting of the bill.

Clause 6 of that bill sought to have the Chief Justice assign judges who are appointed under the Supreme Court of Judicature Act and are part of the limited establishment of the High Court, to sit in the Family Court, but no mention was made of the Supreme Court of Judicature Act. We felt that the bill was done without proper consultation with the Judiciary, so that we brought the Judiciary in at a very early stage in terms of the deliberations of the committee which produced the work which resulted in the pilot Family Court project.

That is the reason the 2001 draft Family Court Bill was not pursued at this time and it is the reason that we have a pilot project. The pilot project is there for us to learn lessons and it is a joint project between the Judiciary and the Executive and I must say that the Judiciary and the Executive have collaborated fully on this project.

The third matter that I should like to speak to is the allegation that the court is a PNM court, and certain other remarks which were made. [*Interruption*] If we check the *Hansard* I am sure, because I took it word for word from the contribution of the Member of Siparia. The allegation which spun from that related to the armour coat and so on. The point is that this administration has attempted to learn from our recent history and we have sought to balance the tension which exists between the judicial arm of the State and the Executive arm of the State.

Now we have, as a first step, allocated to the Judiciary, principal responsibility with respect to the renovation of court buildings. So that I am not in a position to answer this afternoon as to why a quart of paint cost \$3,000. I would have to enquire gently of my colleagues in the Judiciary to determine that. But the broad answer and the answer of principle is that with respect to the renovations of buildings, that is a matter which is, really, for the Judiciary. I have said this on many occasions in this House, where I know that I am a guest.

With respect to the Caribbean Court of Justice and the allegation that we were about to spend \$500 million, I do not know where that figure came from, but that is really stretching it. As I understand it, \$300 million—\$500 million, there is very little difference between the two figures, as far as I am concerned. My means are quite minuscule in relation to those figures. But in any event, the point is that there is a trust fund which was set up by the Heads of Government and that is the entire trust fund for the Caricom region as a whole, including Suriname, Haiti, the Bahamas, and all these other places. That trust fund amounts to some US \$100 million, which is TT \$600 million.

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There is no way that this Government is going to spend \$300 million on seating the court or on court arrangements with respect to the Caribbean Court of Justice. There is a set proportion and the Member for Siparia ought to know this because she sat on the legal affairs committee which dealt with many of the deliberations leading to the establishment of the Caribbean Court of Justice. There is a set percentage of what we contribute—

**Mrs. Persad-Bissessar:** Ramesh never wanted me to sit on those committees.

**Sen. The Hon. J. Jeremie:** That is your own internal business. I have other information, but I stand corrected.

The point is that there is no way that this Government has committed or would ever commit the people of Trinidad and Tobago to that kind of expenditure for that court. The expenditure for seating the court is a fraction of it. In any event, the court is a regional exercise. As I say, the total amount which is put in by the Caribbean Development Bank, as I am aware, into this project which is made available to all of the members of Caricom, is US \$100 million.

What I do not propose to deal with is, why we are here this evening. That is a point which the Member for Siparia has made. I think the lateness of the hour validates that without my going further on that. The second point is who benefits in terms of jobs for boys and girls. I refuse to deal with that matter as well.

If I can just reply to one other point which the Member for Princes Town had raised, which my friend, the Member for Siparia did not, and that is, why wait until now if the court was inaugurated in January or thereabouts, to bring this—

**Mr. S. Panday:** May 14.

**Sen. The Hon. J. Jeremie:** Well, the argument falls on itself. If you say that the court was inaugurated on May 14, we are in June, so what you should be congratulating me on is being prompt and efficient in bringing the concerns of the court to us this afternoon in less than a month. [*Interruption*] This is what they have done. They were not working between January and May; they started work in May and I am here in June.

So that with these few words and aware of the fact that I am a guest in your House and that I am not permitted any latitude, I beg to move.

*Question put and agreed to.*

*Bill accordingly read a second time.*

*Bill committed to a committee of the whole House.*



*House in committee.*

*Clauses 1 to 3 ordered to stand part of the Bill.*

*Question put and agreed to, That the Bill be reported to the House.*

*House resumed.*

*Bill reported, without amendment, read the third time and passed.*

#### ADJOURNMENT

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley):** Mr. Deputy Speaker, I beg to move that this House be adjourned to Friday, June 25, 2004, at 1.30 p.m. and to inform the House that on that day it is Private Members' Day and I am sure the Opposition Chief Whip would want to inform this House of the business he intends to conduct on that day.

**Mr. Singh:** Mr. Deputy Speaker, I am very happy that the hon. Leader of Government Business has recognized that the fourth Friday of every month is Private Member's Day and we would continue the debate on the Motion dealing with discrimination and the lack of equal opportunity in the country.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 6.12 p.m.*

#### WRITTEN ANSWERS TO QUESTIONS

*The following question was asked by Mr. Winston Dookeran (St. Augustine):*

#### **Relocated Residents (Oropune Village, Piarco)**

- 65.** Would the hon. Minister of Finance state:
- (i) the reasons for the delay in settling compensation packages for relocated residents of Oropune Village Piarco;
  - (ii) the names of residents of Oropune Village, Piarco, who are on the list for compensation;
  - (iii) the amount of monies allocated to each relocated resident of Oropune Village, Piarco;
  - (iv) the date anticipated for payment to the relocated residents of Oropune Village, Piarco?

*The following reply was circulated to Members of the House:*

**The Prime Minister and Minister of Finance (Hon. Patrick Manning):**  
With respect to part (i), the reasons for the delay in settling compensation packages for relocated residents of Oropune Village, Piarco

The issue of compensation packages relating to the relocation of residents of Oropune Village, Piarco, has engaged the attention of the Government of the Republic of Trinidad and Tobago since its decision to re-develop the Piarco International Airport in the forties. A status report on settlers in the Oropune area in 1981 showed one squatter.

A comprehensive Land and Building Use Survey of Oropune Village was conducted in 1991. This provided a detailed account, inter alia, of the population of the village; land tenure; the number of buildings by use, tenancy, number of households, number of occupants; and the economic activity of the population. The Survey revealed that there were not more than 104 households and 101 dwelling units at that time, and interestingly enough there was no incidence of squatting.

The response to the publication of a Notice on February 21, 1994 to all persons with claims to lands at Oropune inviting such persons to substantiate their claims with supporting documents, highlighted, inter alia, that the squatter population had increased from the zero position of 1991 to eleven (11) in 1994. By 2000, the number of squatters exceeded thirty-five (35).

The issue of compensation packages for relocated residents has been addressed by four political administrations. A number of Ministries and Agencies, including the Ministry of Works and Transport, the Ministry of Housing and Settlements and its agencies, the NHA and the Land Settlement Agency, the Ministry of Public Administration, the Airports Authority and UDeCOTT, have been involved in various aspects of the exercise.

Over time the different measures employed to verify claims for compensation included checking the bona fides of claimants against the revised lists of the Election and Boundaries Commission in 1991, 1994 and 2000. Records of the Water and Sewerage Authority (WASA) and the Trinidad and Tobago Electricity Commission (T&TEC) were also used.

These political changes and the administrative arrangements, in addition to the effluxion of time have contributed to the following problematic issues that have delayed the settlement of compensation packages to the relocated residents of Oropune.

### Contributors to Delay

Instances of multiple compensation to individually displaced villagers.

In this regard, the documents collected to date have revealed that residents of the area and other persons have been compensated via the following instruments:

- a. Monetary compensation (some payment vouchers and cancelled cheques are available as evidence);
- b. Monetary payment plus relocation to a Government housing estate;
- c. A house in Oropune and the possibility of an additional monetary payment.

The records indicate that persons were offered compensation ranging from money and, or lots and housing within Government housing areas, in the 1990's. Re-settlement was done by the NHA.

Some of the persons compensated and relocated in 1994 sold their structures in old Oropune, returned and were again compensated with a house in new Oropune, and are awaiting additional money (a second remuneration) for the old property.

The available documents show that sixteen (16) individuals have benefited from all of (a), (b) and (c) above.

These persons are shown at Table I.

**Table I**  
**Persons who Received Multiple Compensation**

Name	Compensation	Relocated Lot #	Villagers Agreeable/Expected Settlement	Remarks
Michael Cadan Camille Cadan (Daughter)	Monetary & Malabar	Two (2) lots 81 & 53	\$176,000.00	Received prior compensation in 1990s
Dudnath Ramdass	Monetary & Caroni	27	\$ 25,000.00	Received prior compensation in 1990s
Francis Lobai	Monetary & Caroni	96	\$ 25,000.00	Received prior compensation in 1990s

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<b>Name</b>	<b>Compensation</b>	<b>Relocated Lot #</b>	<b>Villagers Agreeable/Expected Settlement</b>	<b>Remarks</b>
Devanand Kangal	Monetary & Caroni	11	\$130,000.00	Received prior Compensation in 1990s
Hematee Rampersad	Monetary & Caroni	11	\$130,000.00	Received prior compensation in 1990s
Anjuth Subrath	Monetary & Caroni	146	\$126,500.00	Received prior compensation in 1990s
Indar Rajkumar	Monetary & Caroni	140	\$ 60,000.00	Received prior Compensation in 1990s
William Rajkumar	Monetary & Caroni	139	\$ 66,000.00	Received prior Compensation in 1990s
Bhagwandeem Khadan	Monetary & Caroni	47	\$329,700.00	Received prior compensation in 1990s
Sookdaye Baan	Monetary & Piarco Gardens	127	\$ 85,000.00	Received prior compensation in 1990s
Phillip Ramsaran	Monetary & Caroni	124	\$220,000.00	Received prior compensation in 1990s
Roy Ramoutar	Monetary & Malabar	131	\$140,000.00	Received prior compensation in 1990s
Sookram Ramgoolam - Squatter after 1981	Monetary & Malabar	23	\$ 50,000.00	Received prior Compensation in 1990s
Valarie Scott — Squatter pre 1981	Monetary & Relocation	116	\$ 30,000.00	Siblings all allocated houses and Received prior compensation in 1990s

Name	Compensation	Relocated Lot #	Villagers Agreeable/Expected Settlement	Remarks
Sholan Dhanpat –Squatter pre 1981	Monetary & Piarco Gardens	92	\$ 70,000.00	Received prior Compensation in 1990s
Sahadeo Maharaj	Rice Mill	82	\$ 25,000.00	Received prior compensation in 1990s
Parbatie Sookdeo	Monetary & Caroni	NIL	\$250,000.00	Received prior Compensation in 1990s

## (ii) Compensation of Persons Other than Bona Fide Villagers:

Persons other than bona fide villagers have advanced claims for compensation, and have been compensated during the various administrations that have dealt with this issue. These persons include squatters, tenants, persons who never resided in Oropune, multiple individuals from a single house, family and friends of persons who apparently exercised influence in the distribution of houses and lots.

In respect of tenants, the Chief State Solicitor had advised the Ministry of Public Administration and Information (Property and Management Unit) by memorandum dated February 28, 1997, on the matter of Relocation of Oropune Villagers –“Negotiations with Mr. Ramoutar Dhanpat and Mr. Lalu Seepersad”:

“Please be advised that compensation should be paid to Mr. Ramoutar Dhanpat only for his interest in the land. It should be left to Mr. Dhanpat and Mr. Lallo Seepersad to come to an arrangement as to how the compensation should be shared between them since Mr. Seepersad is a tenant of Mr. Dhanpat.”

Specific mention must be made of the most remarkable case involving the issue of multiple compensation by the former UNC Government to an individual (a tenant) compounded by compensation to the family and friends of the said individual, persons with no bona fides in Oropune Village.

In respect of Mr. Lalu Seepersad, a tenant, (whose name has also appeared as Lallo Seepersad and Lalu Seepersad), he and the following persons which the Ministry of Planning and Development has been advised are his relatives and friends, secured the undermentioned:

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- Mr. Lalu Seepersad, two plots of land Lots 1 and 2, and an expected level of monetary compensation at \$300,000.00 and among the highest to residents of Oropune.
- His wife, Bhagwandaye Seepersad, one plot, Lot #3.
- His sister-in-law, Parbatee Satram, non-resident, one plot, Lot #15.
- His sister-in-law, Kusmee Sinanan, non-resident, one plot, Lot #18.
- His daughter, Doolin Seepersad-Balgobin, non-resident, one plot, Lot #19, and expected monetary compensation of \$25,000.00
- His son-in-law, Deoraj Balgobin, non-resident, one plot, Lot #72.
- His niece, Nicole Seepersad, non-resident, one plot, Lot #73.
- His brother, Hemraj Seepersad, non-resident, one plot, Lot #90.
- His relative, Ramoutar Chineebas, non-resident, one plot, Lot #6.
- His friend, Frank Williams, non-resident, one plot, Lot #80.
- His friend, Jankie Kennedy, non-resident, one plot, Lot #10.

Table II shows the information provided on the above and the multiplicity of compensation to persons other than bona fide individuals.

Name	Status	Compensation		Remarks
		Lot #	Villagers Agreeable/Settlement Expected	
Patrick Ramlochan	Squatter—after 1981	132	\$ 25,000.00	Built annex to father's house. Nanlal Ramlochan on 1991 list.
Geeta Gopies	Squatter—after 1981	59	\$ 25,000.00	-
Sumintra Maharaj	Not on— UDeCOTT's list & EBC's list	NIL	\$ 85,000.00	-
Ranjit Suchit	Squatter—after 1981	57	\$ 25,000.00	-

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Name	Status	Compensation		Remarks
		Lot #	Villagers Agreeable/Settlement Expected	
Moonilal Khadan—Brother of Bhagwandeem	Not on UDeCOTT's list —Registered with EBC	NIL	\$390,000.00	-
Kurijan Mahadeo	Not on—UDeCOTT's list Registered with EBC	NIL	\$ 25,000.00	-
Ashlen Sookdeo	Squatter—after 1981 Not on EBC list	107	\$ 30,000.00	-
Sookdeo Sieunarine	Squatter—after 1981 Not on EBC list	106	\$200,000.00	Never resided at residence.
Moonilal Choutie	Squatter—after 1981	89	\$ 25,000.00	-
Doodnauth Rajkumar	Squatter—after 1981	95	\$ 25,000.00	-
Harry Ramsaran	Squatter—after 1981	54	\$ 25,000.00	-
Ramdial Rajkumar/ Kath Ann Scott	Squatter—after 1981	63	\$ 25,000.00	
Estate of Shaira Mohammed	Tenant	48		Prior Monetary Compensation.
John Charles	Tenant	8	\$ 25,000.00	-
Rudal Katwaroo	Tenant Not on UDeCOTT list	-	\$ 83,000.00	-
Orphans Ramesar Singh	Squatter – after 1981	108	\$ 25,000.00	-

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Name	Status	Compensation		Remarks
		Lot #	Villagers Agreeable/Settlement Expected	
Nawarlal Dwarika	Squatter-after 1981 Not on EBC list '94; 2000	78	\$ 25,000.00	-
Dave Chaitra	Squatter-after 1981	119	\$ 25,000.00	-
Alan de Ganges	Squatter-after 1981	38	\$ 25,000.00	-
Ivan Kissoon	Squatter-after 1981	65	\$ 25,000.00	Evicted from Tractor Road, moved to Oropune.
Paul Kissoon	Squatter-after 1981	112	\$ 25,000.00	-
Sookram Ramgoolam	Squatter-after 1981	23	\$ 50,000.00	Received prior compensation in 1990's.
Ramesh Boodan	Squatter-after 1981	68	\$ 25,000.00	-
Ramnath Ramoutar	Squatter-after 1981	55	\$ 50,000.00	
Sonia/Yasim Ramsook	Squatter-after 1981	37	\$ 45,000.00	-
Boysie Ramoutar	Squatter-after 1981	116	\$ 30,000.00	
Valarie Scott	Squatter-pre 1981 Not on EBC's list '94	116	\$ 30,000.00	- Siblings all allotted houses - Received prior compensation in 1990's - Sold old premises to Ramsaran - Sold to Saigal Singh & J. Batan



Name	Status	Compensation		Remarks
		Lot #	Villagers Agreeable/Settlement Expected	
Sholan Dhanpat	Squatter-pre 1981	92	\$ 70,000.00	Received prior compensation in 1990's.
Khemraj Rampersad	Squatter-pre 1981 Not on EBC's lists '94; 2000	44	\$ 25,000.00	Resided at St. Helena Village.
Saigal Singh	After 1981-Not on EBC's lists '94; 2000	42	\$ 35,000.00	Purchased from Valarie Scott.
Badaye Rajkumar	Squatter-after 1981 Not on EBC lists '94; 2000	67	\$ 30,000.00	-
Omar dath Joseph	Squatter -after 1981 Not on EBC's lists '94; 2000	87	\$ 30,000.00	Bought old house from Polly Mahabir.
Soogrim Ramlogan	Squatter-after 1981	101	\$ 25,000.00	-
Sanmatee Rajkumar	Squatter-after 1981	71	\$ 25,000.00	-
Ganesh Ramlogan	Squatter-after 1981 Not on EBC's lists '94; 2000	7	\$ 25,000.00	-
Trevor Peters	Squatter-pre 1981	121	\$ 60,000.00	-
Rasheeda Laltoo	Squatter-after 1981	35	\$ 25,000.00	
Garfield Lall	Squatter-after 1981	103	\$ 25,000.00	-

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Name	Status	Compensation		Remarks
		Lot #	Villagers Agreeable/Settlement Expected	
Outham Kanhai	Squatter-after 1981	74	\$ 25,000.00	-
Honath Ramsaran	Squatter-after 1981	74	\$ 25,000.00	-
Boodram Ramsumair	Squatter-after 1981	117	\$ 25,000.00	-
Kumar Ram	Squatter after 1981 Not on EBC's list '94, 2000	99	\$ 25,000.00	-
Arjoon Rampaul	Squatter-pre 1981	36	-	-
Samaroo Rambally	Squatter-pre 1981	56	-	-
Kenneth Jaggan	Squatter-pre 1981	114	-	-
Bisnath Siewsandar	Squatter-pre 1981	115	-	-
Allan De Ganees	Squatter-pre 1981	38	-	Relocated w.e.f. 1983.
Ramesar Singh	Squatter-pre 1981	108	-	-
Karen Mangru	Illegal Occupant	4	-	Never resided at Oropune.
Pauline James	Illegal Occupant	16	-	Never resided at Oropune.
Deonarine Baldeo	Illegal Occupant	21	-	Not a resident of Oropune.
Jagdesb Mulkraj	Illegal Occupant	26	-	Never resided at Oropune.
Sandra Ramrattan	Illegal Occupant	32	-	Never resided at Oropune.

Name	Status	Compensation		Remarks
		Lot #	Villagers Agreeable/Settlement Expected	
Junior Beharry	Illegal Occupant	52	-	Never resided at Oropune.
Sahadeo Lutchman	Illegal Occupant	70	-	Never resided at Oropune.
Ramkaran Radhael	Illegal Occupant	77	-	Never resided at Oropune.
Camille Cedan	Illegal Occupant	53	-	Never resided at Oropune.
Shalini Charles Subrath	Illegal Occupant	84	-	A divorcee from the village 3 years previously. No longer resides in Oropune.
George Rampersad	Illegal Occupant	126	-	Never resided in Oropune.
Charles Smith	Illegal Occupant	152	-	Never resided in Oropune.
Lalu Seepersad	Tenant	2 lots 1 & 2	\$300,000.00	Not eligible Legal advice of Chief State Solicitor.
Bhangwandaye Seepersad	Tenant	3	-	Wife of Lalu Seepersad.
Parbateee Sutram	Tenant	15	-	Sister-in-law of Lalu Seepersad, born in Oropune, married and left approx. 12 years ago and returned 2 years ago.
Kusmee Sinanan	Tenant	18	-	Sister-in-law of Lalu Seepersad. Resident of Las Lomas for the past 12 years.

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Name	Status	Compensation		Remarks
		Lot #	Villagers Agreeable/Settlement Expected	
Dookin Seepersad-Balgobin	Tenant	19	\$ 25,000.00	Daughter of Lalu Seepersad. Married and resident elsewhere since 1990.
Deoraj Balgobin	Tenant	72	-	Son-in-law of Lalu Seepersad, husband of Dookin Seepersad-Balgobin (Lot. #19 above). Resident elsewhere.
Nicole Seepersad	Tenant	73	-	Niece of Lalu Seepersad. Resident of Endeavour.
Hemraj Seepersad	Tenant	90	-	Brother of Lalu Seepersad. Resident of Chaguanas.
Ramoutar Chineebas	Tenant	6	-	Relative of Lalu Seepersad. Resident of Todd's Road, Chaguanas.
Frank Williams	Illegal Occupant	80	-	Friend of Lalu Seepersad, Home owner in Piarco Village.
Jankie Kennedy	Illegal Occupant	10	-	Friend of Lalu Seepersad. Resident of Tacarigua.

## (iii) Increased claims from residents of Oropune Village:

Attorneys for several residents who received compensation in 1997 via relocation to Rice Mill Road have filed for additional compensation. This claim is based on the fact that persons who received compensation along with them in the 1990's were again rewarded with a house in Oropune Village and the possibility of additional monetary payment.

## (iv) Legal issues from residents to be resolved:

The following legal issues are still to be resolved:

- The matter of Mr. Lalu Seepersad who, according to the Chief State Solicitor's Advice, was deemed not to have a claim for compensation but who as a result of the action of the former UNC Government is to date in receipt of two (2) houses in Oropune Village, has an expectation of monetary compensation of \$300,000.00 and was effectively responsible for the distribution of ten (10) other houses to persons whom the Ministry of Planning and Development has been informed are his immediate family and friends.
- There are outstanding issues of persons awaiting Letters of Administration of some estates.
- H.C.A. #86 of 2003 and High Court Action #1483 of 2002 – Oropune Village Multi-purpose Co-operative Society Ltd -v- Oropune Development Limited, Urban Development Corporation of Trinidad and Tobago Ltd and the Minister of Integrated Planning and Development.

The Applicant, Oropune Village Multi-purpose Co-operative Society Limited, was granted leave in the Court of Appeal to pursue its appeal against the decision of the Honourable Justice Smith in the High Court, which dismissed the Motion, by Oropune Multi-purpose Co-operative Society Ltd with costs.

- There is need for the resolution of the issue of illegal occupants. The names provided by the Oropune Village Multi-purpose Co-operative Society of persons assigned units in Oropune do not correspond with persons actually occupying units and also reflect some thirty-seven (37) persons who have no prior links to Oropune having been assigned units.

Furthermore, there are other persons who have advanced claims to the Airports Authority of Trinidad and Tobago or UDeCOTT for compensation in respect of Oropune.

These persons are listed at Table III.

**Table III**  
**Other Persons Advancing Claims for Compensation from**  
**AATT or UDeCOTT**

Name	Status	Lot #	Expected Settlement	Remarks
Radhika Subrath	Not on EBC list 2000	Nil	Nil	-
Hardayer Samaroo	-	Nil	\$200,000.00	-
Rudal Katwaroo	Tenant	Nil	\$83,000.00	-
Ramdial Boodram	-	Nil	\$25,000.00	-
Estate of Rajwantiah Ramharack	Not on EBC list 2000			-
LPR Soomaria Ramharack		Nil	\$100,000.00	Received prior compensation.
Babulal Ramsammy	-	Nil	Nil	-
Glenn Aldwyn Lal (Deomatie Sookdeo)	-	Nil	Nil	-
Radhica Persad	-	Nil	Nil	Relocated six (6) years ago.
Ramjit Ram	-	Nil	Nil	-
Roopchand Singh	-	Nil	Nil	Relocated in 1983.
Baby Rampersad	-	Nil	Nil	-
Mahadeo Maraj	-	Nil	Nil	One (1) year resident.

- (ii) The names of residents of Oropune Village, Piarco, who are on the list for compensation:

The names of residents of Oropune Village, Piarco, who are on the list for compensation have been further complicated by the groups of persons more recently involved in administering this process, that it is difficult at this time to state conclusively who should be the beneficiaries of compensation. In particular, and as stated above, as a result of the action of the former UNC Government, some thirty-seven (37) persons have been assigned units who have no prior links with Oropune and are in illegal occupation.

It will be recalled that these and a number of irregularities were detected and difficulties arose as a consequence of the mechanism established by the previous administration for the allocation and distribution of the completed houses at Oropune.

Consequently, Cabinet in the decision dated April 11, 2002, agreed that with immediate effect, the allocation and distribution of the completed houses at the new Oropune Village Project be no longer managed by the Oropune Multi-purpose Co-operative Society Ltd in conjunction with the UDeCOTT and that UDeCOTT only be assigned responsibility for the allocation and distribution of houses at the project.

- (iii) The amount of monies allocated to each relocated resident of Oropune Village, Piarco

The complex issues identified at (i) and (ii) above have not facilitated the exercise of allocation of monies to each relocated resident of Oropune Village, Piarco.

- (iv) The date anticipated for payment of the relocated residents:

The date for the payment of monies allocated to each relocated resident of Oropune Village, Piarco, has not been finalized at this time. Priority attention is being given to ascertaining the prior compensation of land/houses on Government housing estates given to displaced villagers, and the issue of multiple compensation. The exercise is expected to be completed by the end of the third quarter, 2004. On the basis of this information, a decision will be made on the sums to be allocated to each bona fide relocated resident. A determination of the date for payment will be made as soon as the sums for allocation are ascertained.

On the conclusion of the exercise of determining the eligible persons, the ascription of monetary values to the legitimate claimants and its acceptance by the authorities, payment would be effected immediately.

The matter has been referred to police for investigation.

*The following questions were asked by Mrs. Kamla Persad-Bissessar (Siparia):*

### **Appointment of School Boards**

- 70.** A. Would the hon. Minister of Education list:
- (i) the steps and the date/s of each step taken, since January 2002 to implement the law relating to the appointment of school boards in the nation's schools;

- (ii) the number of schools in which school boards have been appointed and the date of appointment of same;
- (iii) the number in which no school boards have been appointed;
- B. Would the Minister state:
  - (i) the reasons why there is a breach of the provisions of the law in the failure to appoint school boards to each school;
  - (ii) whether school boards have been provided with terms of reference and a manual for their proper functioning and if so, the nature of same?

*The following reply was circulated to Members of the House:*

**The Minister of Education (Sen. The Hon. Hazel Manning):** The Ministry of Education has taken the following steps to implement school boards in the nation's schools:

- Ministry of Education Local School Board Committee established and held first meeting—May 22, 2002
- Retreat of MOELSB at Pier I—June 12
- Train the Trainers in 2002
- School Supervisors Training Programme
- Local School Board Training—May to June, 2002

The Ministry of Education Local School Board Committee held a total of seven (7) meetings in 2002. The inaugural meeting was held on Wednesday, May 22, 2002 with follow-up meetings on June 5, July 10, August 14, October 23, November 20, and December 19, 2002. In 2003 a total of five (5) meetings have been held to date. The meetings were held on January 7, January 16, February 6, February 18 and May 8, 2003.

To date ten (10) school boards have been implemented in the following schools:

Blanchisseuse High School	October 2, 2002
Mt. Hope Junior Secondary	October 4, 2002
Pleasantville Senior Comprehensive	October 1, 2002
Queen's Royal College	May 10, 2002
San Fernando Government Secondary	October 1, 2002



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Success/Laventille Composite	September 20, 2002
Tunapuna Government Secondary	October 1, 2002
Diego Martin Secondary	April 3, 2003
Waterloo High School	April 8, 2003
Cedros Composite	April 10, 2003.

School Boards have not been inaugurated in any other secondary school.

There has been no breach of the provisions of the law relating to school boards. The process of appointing school boards was temporarily halted since the Local School Board Regulations (2000) had several elements, which need to be ratified to match the Education Act. Amended Regulations are to be submitted for finalization by Chief Parliamentary Counsel.

Boards have been provided with:

- The Local School Board Regulations
- A Local School Board Manual developed by the Ministry of Education Local School Board Committee
- Standards for Local School Boards.

A Local School Board project unit has been established in the Ministry of Education and plans are in place for the introduction of twenty-five (25) more Local School Boards in September, 2004.

#### **Secondary and Primary Schools (Filling of Teacher Vacancies)**

**74.** Would the hon. Minister of Education list:

- (i) the steps and the date/s of each step taken, since January 2002 to fill teacher vacancies in the nation's schools;
- (ii) the names of the secondary and primary schools in which there are teacher vacancies, whether permanent or temporary vacancies or otherwise;
- (iii) the number of vacancies per school and the subject area together with the dates these positions became vacant;
- (iv) the steps and the date/s of each step being taken to fill the vacant positions and the expected date for the filling of each vacancy?

*The following reply was circulated to Members:*

**The Minister of Education (Sen. The Hon. Hazel Manning):** The steps and the date/s of each step taken since January 2002 to fill teacher vacancies in the nation's schools are detailed below:

DATE	STEPS TAKEN
January—February 2002	<p><b>Assessment of the staffing needs of all secondary schools</b></p> <p>Information on the staffing needs of primary and secondary schools was collated with the input of the Divisions of School Supervision and Curriculum taking into consideration existing vacancies as well as requests for additional teaching positions.</p>
February—March 2002	<p><b>Assessment of Supply of Teachers</b></p> <p>An assessment of supply of teachers was undertaken using the following:</p> <ul style="list-style-type: none"> <li>(i) the number of available persons who had already been successful in their interviews with the Director of Personnel Administration (Teaching Service Commission) and the Ministry of Education's Primary Recruitment Committee and approved by the Teaching Service Commission.</li> <li>(ii) The number of applications received/processed and forwarded to the Director of Personnel Administration (Teaching Service Commission) to arrange interviews for teaching at the level of secondary school.</li> <li>(iii) The number of applications received by the Primary Section to arrange interviews for teaching at the level of the primary school.</li> </ul>
March 2002	<p><b>Advertising of teaching positions to ensure the availability of qualified teachers</b></p> <ul style="list-style-type: none"> <li>(i) An advertisement was issued in the media for teachers in the secondary schools and the deadline date for the receipt of applications was given as March 2002.</li> </ul>

DATE	STEPS TAKEN
	(ii) In the case of the primary schools there was no need for an advertisement since there were already an adequate number of applications on file.
April – May, 2002	Applications received in response for teaching at the secondary school were forwarded to the Division of Curriculum Development for assessment of teacher qualifications; and then forwarded to the Director of Personnel Administration for interviews to be arranged with the Teaching Service Commission.

- (ii) the names of the secondary and primary schools in which there are teacher vacancies, whether permanent or temporary vacancies or otherwise.

The List of Vacancies in Primary Schools and the dates on which these positions became vacant is as follows:

No.	Name of School	No. of Vacancies	Date Vacancy Occurred
1.	Longdenville Government Primary	1	August 28, 2003
2.	Iacos Government Primary	1	January 12, 2004
3.	Iere Government Primary	1	December 03, 2003
4.	Mafeking Government Primary	1	September 02, 2003
5.	Diego Martin Girls' RC	1	January 05, 2004
	<b>TOTAL</b>	<b>5</b>	

With respect to the vacancies in Secondary Schools, the following table provides the information requested in part (ii) and (iii) of the question.

No.	Name of School	No. of Vacancies	Subject Area of Vacancy	Date when Vacancy Occurred
1.	Diego Martin Government Secondary School	1	Music	May 12, 2003 to May 11, 2004
2.	La Romain High School	1	Music	August 28, 2003
3.	Toco Composite School	1	Music	September 01, 2002
4.	Moruga Composite School	2	Music Art and Craft	September 02, 2002 September 02, 2003

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No.	Name of School	No. of Vacancies	Subject of Vacancy	Date when Vacancy Occurred
5.	Barrackpore Secondary School	1	Theatre Arts	September 01, 2002
6.	Penal Junior Secondary School	2	Music	September 01, 2003
			Woodwork	September 01, 2003
7.	Gasparillo Composite School	1	Music	2002
8.	Debe High School	3	Physical Education	Septemebr 01, 2000
			POA/POB/MOB	May 01, 2004 to July 31, 2004
			Geography	March 31, 2004
9.	Rio Claro College	4	Physical Education	February 16, 2000
			Physics	May 29, 2002
			Typing	April 19, 2004 to July 18, 2004
			Spanish	May 29, 2003
10.	Tabaquite Composite School	1	Physical Education	September 02, 2002
11.	North Eastern College	1	Physical Education	December 2002
12.	Williamsville Junior Secondary School	1	Physical Education	March 22, 2002
13.	Preysal High School	1	Dance/Drama	August 28, 2003
14.	Malabar Composite School	1	Dance/Drama	September 01, 2002
15.	Mount Hope Junior Secondary School	1	Art and Craft	March 08, 2004 to June 07, 2004
	<b>TOTAL</b>	<b>22</b>		

- (i) the steps and the date/s of each step being taken to fill the vacant positions and expected date for the filling of each vacancy

Date	Step Taken
October 2003	Assessment of Supply of teachers for vacant positions.
November 2003	Advertising of teaching positions (on contract) in subject areas of demand to ensure the availability of qualified teachers.
December 2003 – February 2004	<p>Processing of Applications received</p> <p>Applications for teaching positions (on contract) at the secondary level were submitted to the Division of Curriculum Development for assessment and then the Ministry of Education scheduled interviews for those who met the criteria.</p> <p>Filling of Vacancies identified in secondary schools is completed based on the success of candidates at the interview.</p>

**School Intervention Strategies Committees  
(Establishment of)**

- 80.** Would the hon. Minister of Education state:
- (i) as at January 2002, what were the existing School Intervention Strategies (SIS) Committees which had been established to address school violence and indiscipline;
  - (ii) the composition and role/functions of each committee as at January 2002;
  - (iii) whether there are any changes in relation to (a) and (b) above since January 2002 and could she state the date/s of each change;
  - (iv) the dates of and attendance record for each committee meeting since January 2002;
  - (v) the specific work actually done by each committee and the record of implementation of each of their recommendations;

- (vi) the actual cost of implementation of each recommendation from January 2002 to date?

*The following reply was circulated to Members of the House:*

**The Minister of Education (Sen. The Hon. Hazel Manning):** The School Intervention Strategies Programme of the Ministry of Education has focused, since its inception, on mitigating the levels of student indiscipline and violence in our nation's schools.

As at January 2002, the following committees were established to address school violence and indiscipline

1. Assessment Committee
2. School Security Committee
3. Community Outreach Committee
4. Research and Planning Committee
5. School Projects Committee
6. Monitoring and Evaluation Committee

The Assessment Committee was chaired by a Senior Human Resource Officer in the Ministry of Education and the Committee collaborated with schools to identify and prioritize issues and challenges and the approaches to resolving the issues raised.

The School Security Committee, which was chaired by the Manager, Rudranath Capildeo Learning Resource Centre (RCLRC) was responsible for the identification of those schools in need of special attention and also recommended appropriate security measures, which should be adopted.

The Community Outreach Committee was chaired by the Director of Educational Services. This Committee worked closely with community groups and other relevant agencies to provide support for the schools in their respective communities.

The Research and Planning Committee was headed by the Chief Education Officer: its role was to examine existing reports and to determine then current recommendations.

The School Projects Committee co-ordinated the introduction and implementation of projects targeting the school community on a short-, medium and long term basis. This Committee's chairperson was a School Supervisor III.

The Monitoring and Evaluation Committee reviewed the proposals and recommendations of the five (5) above-mentioned committees and approved projects for submission to the Minister of Education. This Committee also monitored project implementation. The Permanent Secretary, Ministry of Education chaired this Committee.

A change in the management of the School Intervention Strategies programme was effected in July, 2002, when a Programme Co-ordinator was appointed and a School Intervention Strategies Unit was established. A new management structure which incorporated all the Chairpersons of the previous Committees was developed and changes were made to the number of committees as well as to the terms of reference of the Committees.

In March 2003 a new programme designated “Project Peace” was launched. Project Peace’s long-term goal is the creation of a Culture of Peace in our nation’s schools. Under the new management structure, the terms of reference of the Committees were re-defined and their number reduced from six (6) to five (5) to facilitate greater efficiency in implementing the many projects.

The configuration of the Committees under Project Peace is as follows:

- **School Issues and Student Support Services Committee** is responsible for identifying, prioritizing and resolving issues. Additionally, the Committee identifies student support services needed to reduce violence and indiscipline in schools and makes proposals for the provision of these services and monitors their implementation. The Committee is co-chaired by the Director of School Supervision and the Director of Student Support Services.
- The **School Security Committee** is chaired by the Project Unit Manager and the Educational Facilities Management Division identifies schools with specific physical security needs, recommends security measures and monitors their implementation
- The **Community Outreach Committee** under the chairmanship of the Director of Educational Services works closely with community groups and other relevant bodies to provide support for the school in the community. It proposes activities and monitors their implementation.
- The **Research, Monitoring and Evaluation Committee** conducts research, co-ordinates the introduction and monitors the implementation of projects. It is responsible for the evaluation of all SIS projects as well as for collaborating with project managers in the development and

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- implementation of evaluation mechanisms for individual projects. The joint chairpersons of this Committee are the Director of Education Research and Evaluation and the Programme Co-ordinator, School Intervention Strategies Unit.
- The **Curriculum Development Committee**, chaired by the Director of Curriculum Development, ensures the infusion of relevant new material into the curriculum and co-ordinates curriculum reconstruction with related curricula development exercises under the ambit of Moral and Values Education and Health and Family Life Education.

At present there are two (2) Committees—the Community Outreach Committee and the School Security Committee—which are responsible for the greater number of sub-projects in Project Peace. Both these Committees meet monthly.

The other committees perform advisory functions. Chairpersons of these committees meet as a School Intervention Strategies Management Committee once per month.

Following upon the reconfiguration and reconstitution of the management structure and committees to undertake and monitor the implementation of School Intervention Strategies projects, the following new initiatives have been effected.

- (a) **School Issues and Student Support Services Committee:** this takes place within a school environment where the student/s are allowed, while on “suspension”, to participate in a series or take part in reflective and rehabilitative educational activities designed to assist in making more appropriate choices of behaviour under the guided direction of a Guidance Counsellor and/or School Social Worker.
- (b) The **Student Time Out Programme (STOP):** this programme is carried out in two centres – one in Port of Spain and the other in South Trinidad with the intent and rationale of having students continue their learning and engage in “meaningful” activity during a period of suspension from school.
- (c) **Pre-Carnival Preparation Programme:** this initiative prepared students to make positive choices in their pre-carnival and carnival activities so as to reduce the incidence of negative and harmful behaviour associated with the carnival celebrations.
- (d) **Holiday Discovery Camps:** These were designed as special holiday camps (held during the month of August) and arranged by the Central Guidance Unit to provide rehabilitative education for selected students.



**B. School Security Committee**

This is a comprehensive programme to improve security in schools designated as “high risk” in the first instance and eventually in all schools in the education system. A phased approach will be taken. The overall aim of this programme which was recommended by the Committee and its implementation monitored was to install and fortify the physical security of the schools to make them a safe and secure environment for learning and teaching.

- (i) perimeter walls built in the five (5) secondary schools of the schools designated at greatest risk;
- (ii) fencing and lighting in an additional twelve (12) high risk secondary schools
- (iii) installation of burglar proofing, fences, gates, constructed in eighty four (84) primary schools.

**C. Community Outreach Committee**

Since, January 2002, the following activities have been co-ordinated and managed by this sub-committee

- (i) **Together We Light The Way:** Completion of the Respect Pillar to build resiliency and responsibility in students and promote community involvement in all secondary schools and the first phase in primary schools.
- (ii) **Mock Trials:** Training sessions have been conducted to acquaint students with the consequences of undesirable behaviour and “the long arm” of the law.
- (iii) **Parent Education:** Programmes are being carried out to impart parenting skills to families, educate them in their responsibilities as parents and for co-operating with schools in the education of their children.
- (iv) **Home Work Centres:** With the assistance of the Soroptimist Club funded by Fernandes Foundation and the National Parent Teachers Association (NPTA) facilities have been provided for students to receive assistance in the completion of home work assignments especially for those who live in adverse situations.
- (v) **Peace Love and Understanding (PLUS):** Workshops are being conducted in high risk secondary schools for the personal and professional development of teachers especially in understanding and managing anger and stress; conflict resolution for the social and emotional learning of students and

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classroom management. This programme is to be extended to primary school teachers in 2004.

- (vi) **Student Councils:** Student Councils have been established with guidelines drawn up for their efficient functioning and to guarantee the effective participation of students in the administration of schools.
- (vii) **Code of Conduct for Students:** A Code of Conduct is being drawn up where none exists especially to ensure the involvement of the Student Council in formation of the Code. A Code of Conduct has been drawn up by the Trinidad and Tobago Unified Teachers Association (TTUTA) and has been accepted by the Ministry of Education.
- (viii) **System of Substitute Teachers:** This consultancy has been implemented to make available substitute teachers for immediate replacement for teachers and ensure a constant presence of teachers in classes and for other activities with the aid of a computerized database on personnel interested in “substituting” for absent teachers at the district and school levels.
- (ix) **Positive Reward System:** Development of a draft document of a system of rewards in schools which emphasizes and accentuates the positive aspects of actions and behaviour. It will allow for the reward of good, outstanding and exemplary behaviour and performance among students and teachers.
- (x) **Reclaiming the Classroom:** Workshops are being conducted to empower teachers to reclaim the classroom by providing them with an understanding of the particular cultural, psycho-social and gender nature of youth behaviour and learning; thus enabling them to be more creative in finding solutions to problems in the classroom. **\*\* List Workshops to date or give number of workshops held to date and those planned**
- (xi) **Peer Mediation:** A programme carried out in collaboration with the Ministry of Social Development to establish the practice of Peer Mediation throughout the education system by training at least one (1) teacher and two (2) students and orienting the school population on peer mediation in twenty-four (24) schools initially.
- (xii) **Changing the Culture of the Classroom:** An innovative teacher training programme conducted to foster peaceable schools and classrooms and integrating conflict resolution into the curriculum so as to change the culture of the classroom and reduce violence and indiscipline.

#### **D. Research Monitoring and Evaluation Committee**

The joint Chairpersons of this Committee consulted with School Supervisors, Principals and other stakeholders as to which matters were in urgent need of research. The managers of all the sub-projects were assisted in devising evaluations of the implementation of the various sub-projects. Research projects were carried out to assess the impact of the total programme in the schools. Chairpersons consulted with Professor Ramesh Deosaran in the design and conduct of a study on Violence and Indiscipline in schools. In addition, under the purview of this Committee, evaluations were performed on individual projects and sub-projects; e.g. a system wide assessment by questionnaire on the impact of Project Peace on the education system was conducted among secondary school principals. Professor Ramesh Deosaran also conducted a study on ten (10) selected secondary schools and produced a report entitled "Benchmarking Violence and Delinquency in the Secondary School: Towards a Culture of Peace and Civility" which has been submitted to Cabinet for its noting.

#### **Curriculum Development Committee**

The chairperson of this Committee also consulted with School supervisors, Principals and other stakeholders to inform a curriculum reform strategy for the education system and advise on the new content and methodology with the aim of modernizing and making curricula more relevant to the needs of society and developing appropriate teacher education programmes. In particular, the curricula in Morals and Values and Health and Family Life Education were pivotal as their significance to reducing violence and indiscipline in schools could not be refuted.

The following Table provides details of expenditure on various aspects of the School Interventions Strategies Programme for the period January 2002 to date: -

#### **COST OF IMPLEMENTATION OF RECOMMENDATIONS**

<b>Implementation of Recommendations</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Committee – School Issues and Student Support Services</b>			
Student Time Out Programme (STOP)	Nil	Nil	
In-house Suspension	Nil	Nil	
Pre-Carnival Preparation	--	\$69,000.00	
Holiday Discovery Camps	--	--	
		Sponsored	

Written Answers to Questions  
[SEN. THE HON. H. MANNING]

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<b>Implementation of Recommendations</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Committee – School Security</b>	<b>\$7,582,949.31</b>	<b>\$3,482,381.73</b>	
Security fencing and gates			
Perimeter walls		\$11,685,130.76	
Burglar proofing			
Security lighting			
<b>Community – Community Outreach</b>			
Together We Light The Way	\$181,025.29	\$71,327.43	
Mock Trials	Nil	Nil	
Parent Education	Nil	Nil	
Home Work Centres	N/A	(Sponsored by Fernandes)	
Peace, Love and Understanding	\$37,710.40	\$24,000.00	
Student Councils	Nil	Nil	
Code of Conduct for Teachers	Nil	Nil	
Code of Conduct for Students	Nil	Nil	
Substitute Teacher	--	Consultancy	
Positive Teacher System	--	Nil	
<b>Committee – Research, Monitoring, Evaluation</b>			
Deosaran Study	\$45,000.00	--	\$150,000.00
Communication	--	\$12,567.78	
<b>Committee – Curriculum Development</b>			
Morals and Values	--	Nil	
Teacher Training – Reclaiming the Classroom: Alternatives to Corporal Punishment	--	\$10,000.00	

**SEMP Secondary Schools  
(Second Batch)**

- 82.** A. Would the hon. Minister of Education state:
- (i) the estimated costs of construction, furnishing, and equipping of each of the second batch of SEMP secondary schools?
  - (ii) the names of the persons/companies contracted, the names of the directors of each company and the contracted cost of construction, furnishing and equipping of each?
  - (iii) the start up and completion dates of construction, furnishing and equipping of each school?
  - (iv) in the case of completed schools the actual cost of construction, furnishing and equipping of each?
- B. Would the Minister also state:
- (i) whether tenders were invited for the contracts awarded and if so, the bids made by each tenderer for construction, furnishing and equipping of each of the schools?
  - (ii) the procedure and criteria used to award each contract?

*The following answer was circulated to the Members of the House:*

- (i) the estimated costs of construction, furnishing and equipping of each of the second batch of SEMP secondary schools are as follows:-

No.	Name of School	Estimated Construction Cost	Estimated Cost of Furnishing and Equipping
1.	Preysal High School	\$26,600,896.58	\$3,700,000.00
2.	Rio Claro High School	15,761,399.88	2,900,000.00
3.	Goodwood High School	19,953,081.94	4,000,000.00
4.	Bon Air High School	26,600,896.15	2,900,000.00
5.	La Romain High School	27,449,465.18	3,700,000.00
6.	Guayaguayare High School	12,510,031.58	2,500,000.00
7.	Palo Seco Secondary School	27,622,371.01	3,700,000.00
8.	Vessigny High School	27,755,375.49	3,700,000.00
9.	Speyside High School	16,785,551.26	3,400,000.00

No.	Name of School	Estimated Construction Cost	Estimated Cost of Furnishing and Equipping
10.	Parvati Girls' High School	15,761,400.00	2,900,000.00
11.	Shiva Boys' High School	15,761,400.00	2,900,000.00
12.	Diego Martin High School	26,600,897.00	3,700,000.00

**(N.B. Not all schools have been constructed.)**

The Minister of Education advises that tenders were invited for all works and for the supply of all equipment, furniture and supplies in accordance with the IDB's procedures. The IDB gave its no objection at all stages in the procurement process.

**1. BON AIR HIGH SCHOOL**

Tenders were received as follows:

No.	Name of Contractor	Tender Price (VAT Exclusive)
1.	Lange Ballast Contractors Limited	\$26,945,543.70
2.	Envirotec Limited	\$27,644,121.60
3.	RK Plummer & Associates Limited	\$28,387,290.66
4.	Kee Chanona Limited	\$29,305,210.00
5.	N.H. International (Caribbean) Limited.	\$30,618,825.64

The contract was awarded to Lange Ballast Contractors Limited.

**2. LA ROMAIN HIGH SCHOOL**

No.	Name of Contractor	Tender Price (VAT Exclusive)
1.	Envirotec Limited	\$27,688,909.85
2.	Lange Ballast Contractors Limited	\$30,390,484.25
3.	Kee Chanona Limited	\$31,344,931.60
4.	N. H. International (Caribbean) Limited	\$32,726,716.17
5.	RK Plummer and Associated Limited	\$32,901,942.71
6.	Raghunauth Singh and Company Limited	\$33,818,809.67

**3. PREYSAL HIGH SCHOOL**

<b>No.</b>	<b>Name of Contractor</b>	<b>Tender Price (VAT Exclusive)</b>
1.	Envirotec Limited	\$24,196,928.90
2.	Hookmali ali Limited	\$25,077,542.50
3.	Construction Systems Limited	\$26,594,457.60
4.	H. Lewis Construction Limited	\$29,001,292.92
5.	Kee Chanona Limited	\$29,570,746.36
6.	Trinidad Contractors Limited	\$30,776,845.63
7.	Raghunath Singh and Company Limited	\$30,797,062.00
8.	DOC's Engineering and Works (1992) Limited	\$31,625,385.00
9.	ASTA Engineering Limited	\$31,879,734.80

The contracts were awarded to Envirotec Limited for La Romain and Preysal High Schools.

**4. GOODWOOD HIGH SCHOOL**

<b>No.</b>	<b>Name of Contractor</b>	<b>Tender Price (VAT Exclusive)</b>
1.	NH International (Caribbean) Ltd.	\$19,815,758.79
2.	RK Plummer and Associates Limited	\$21,344,111.11
3.	Construction Systems Limited	\$22,447,008.10
4.	H. Lewis Construction Limited	\$22,489,131.49
5.	Kee Chanona Limited	\$24,257,384.94
6.	Raghunath Singh Company Limited	\$29,330,544.00

Contract awarded to NH International (Caribbean) Limited.

**5. VESSIGNY HIGH SCHOOL**

<b>No.</b>	<b>Name of Contractor</b>	<b>Tender Price (VAT Exclusive)</b>
1.	Hookmally Ali Limited	\$25,464,876.25
2.	Lange Ballast Contractors Limited	\$28,858,601.75
3.	Envirotec Limited	\$30,741,333.45

No.	Name of Contractor	Tender Price (VAT Exclusive)
4.	N. H. International (Caribbean) Limited	\$32,783,943.90
5.	Raghunath Singh and Company Limited	\$33,917,025.00

Contract awarded to Hookmally Ali Limited.

#### 6. RIO CLARO HIGH SCHOOL

No.	Name of Contractor	Tender Price (VAT Exclusive)
1.	Hookmally Ali Limited ( <b>DECLINED</b> )	\$16,800,863.25
2.	Kee Chanona Limited	\$20,502,885.00
3.	RK Plummer and Associates Limited	\$21,325,951.70
4.	N. H. International (Caribbean) Limited	\$30,618,825.64

This contract was awarded to Kee Chanona Limited. Hookmally Ali Limited withdrew its bid and its bid bond was forfeited.

#### 7. GUAYAGUAYARE HIGH SCHOOL

No.	Name of Contractor	Tender Price (VAT Exclusive)
1.	R K Plummer And Associates Ltd.	\$17,782,229.57
2.	ASTA Engineering Limited	\$19,508,733.90
3.	Trinidad Contractors Limited	\$19,629,331.16
4.	Kee Chanona Limited	\$20,125,227.49

Contract awarded to RK Plummer and Associates Limited.

#### 8. SPEYSIDE HIGH SCHOOL

No.	Name of Contractor	Tender Price (VAT Exclusive)
1.	H. Lewis Construction Limited	\$16,000,000.00
2.	Raghunath Singh Company Limited	\$16,949,262.50
3.	Trinidad Contractors Limited	\$18,570,967.30
4.	NH International (Caribbean) Limited	\$18,570,967.30
5.	R K Plummer and Associates Limited	\$19,158,265.92
6.	Kee Chanona Limited	\$20,200,100.00
7.	ASTA Engineering Limited	\$21,084,555.80



Contract awarded to H. Lewis Construction Limited.

With respect to the names of the Directors of each company, this is a matter of public record which is available at the Registrar of Companies.

#### FURNISHING AND EQUIPPING

With respect to the second batch of schools under the Secondary Education Modernisation Programme, the information related to the tenders for the supply, delivery and installation of equipment and supplies is presented below. The following is the Key

- Lot No. 1 - Furniture and Supplies
- Lot No. 2 - Stationery
- Lot No. 3 - Computer

<b>Lot No.</b>	<b>Contract awarded/Firm</b>	<b>Revised Contract Sum TT\$ (VAT Inclusive)</b>
1.	Mc Enearney Business Machines Metal Designs & Concepts Ltd. (MDC-UM)	\$566,462.00 \$465,761.40
	Caribbean Steel and Tubular Ltd (CASAT) CMR & Co. Ltd. Western Scientific	\$721,637.00 \$810,353.25 \$1,112,019.57
2.	Trinpad Ltd Diamond Systems and Supplies  Mc Enearney Business Machines Media Sales Ltd. Business Office Supplies CMR & Co. Ltd.	\$43,360.53 \$1,224.90  \$4,177.96 \$11,040.00 \$36,966.80 \$46,402.92
3.	Memory Bank Ltd. Illuminat Ltd. Diamond Systems and Supplies	\$5,004,760.20 \$199,326.42 \$484,020.00
Special Request	Cushionflor Limited	\$19,475.20
	<b>SUB-TOTAL (a) Contract Awards</b>	<b>\$13,507,512.95</b>

(iii) The details of the start and completion dates for the schools are outlined below:

<b>Name of School</b>	<b>Location</b>	<b>Design and Supervisory Consultant</b>	<b>Contractor</b>	<b>Start Date</b>	<b>Contract Completion Date</b>	<b>Date of Practical Completion</b>	<b>Date of Handover to MOE</b>
Preysal	Couva Main Road Preysal, Couva	Vikab Engineering Consultants Limited	Envirotec Ltd.	January 14, 2002	October 28, 2002	June 06, 2003	August 27, 2003.
Rio Claro	Cor. Clearwater & Naparima-Mayaro Roads Rio Claro	APR Associates Ltd.	Kee Chanona Ltd.	January 14, 2002	November 30, 2002	April 25, 2003	June 26, 2003.
Goodwood	1 1/2 Mile Mark Windward Road Goodwood Tobago	Bynoe, Rowe, Wiltshire Partnership	NH International (Caribbean) Ltd.	January 18, 2002	January 02. 2003	April 24, 2003	August 15, 2003.
Bon Air	Cor. Priority Bus Route and Bon Air Gardens Gardens Road Arouca	Lee Young and Partners	Lange Ballast Construction Ltd.	January 14, 2002	October 14, 2002	June 25, 2003	August 18, 2003.
La Romain	Church Street La Romain	Lee Young and Partners	Environtec Ltd.	January 14, 2002	October 14, 2002	July 15, 2002	August 29, 2003.
Vessigny	Vessigny Village La Brea	Trintoplan Consultants Ltd	Hookmally Ali Ltd.	January 14, 2002	November 29, 2002	December 20, 2003	March 26, 2003.

Name of School	Location	Design and Supervisory Consultant	Contractor	Start Date	Contract Completion Date	Date of Practical Completion	Date of Handover to MOE
Palo Seco	37km Mark SS Erin Road Rancho Quemado Palo Seco  <b>Site selection still under review</b>	Gillespie and Steel Ltd.					
Guayaguayare	Warwick Street Guayaguayare	Trintoplan Consultants Ltd.	R K Plummer & Associates Ltd	June 03, 2003	May 26, 2002		To be completed shortly.
Speyside	24 Mile Mark Windward Road Speyside Tobago	Bynoe, Rowe, Wiltshire Partnership	H. Lewis Construction Ltd.	December 09, 2002	September 09, 2003		To be completed shortly.

At the present time, the consultants and contractors for the schools are in the process of completing the final accounts for construction works. The final figures are not yet available.

With respect to the furnishing and equipping of the schools, these processes are themselves not yet complete so that actual costs are not available.

The National Maintenance, Training and Security Company Limited was the company which provided project management services to the award of contracts for the construction of schools. The information outlines the procedures which were followed in the award of contracts for the construction of schools.

1. Contractors were pre-qualified using the Inter-American Development Bank's (IDBs) guidelines.
2. The IDB gave its no-objection to the pre-qualification documents and the evaluation team.
3. The evaluation team was chaired by a representative of the Ministry of Education.

Other members of the team included representatives of the Project Management Unit of the Ministry of Finance and the National Maintenance Training and Security Company Limited.

4. The evaluation report was sent to the IDB for its no-objection and this was received.
5. The following is the list of pre-qualified contractors:
  - (i) ASTA Engineers
  - (ii) CARILLION Caribbean Limited
  - (iii) Construction Systems Limited
  - (iv) DOC'S Engineering Works (1992) Limited
  - (v) Envirotec Limited
  - (vi) Hookmally Ali Limited
  - (vii) Kee Chanona Limited
  - (viii) Lange Ballast Contractors Limited
  - (ix) H. Lewis Construction
  - (x) N. H. International Caribbean Limited
  - (xi) R. K. Plummer and Associates Limited

- (xii) Raghunath Singh and Company Limited
  - (xiii) Trinidad Contractors Limited
6. Pre-qualified contractors were invited to tender for the construction works as per IDB requirements.
  7. The bids were opened publicly.
  8. The bids were evaluated by the respective consultants who made recommendations to the Tenders Committee of the NMTS.
  9. Tenders were awarded by NMTS as per the recommendations of the consultants; if the consultants did not withdraw their offers. This occurred in the case of the Rio Claro High School and Hookmally Ali Limited. The contractor's bid bond was forfeited.
  10. The IDB gave its no-objection for the award of contracts.

**Primary and Secondary Schools  
(Statistics of)**

- 87.** Would the hon. Minister of Education state:
- (i) the number of students in each primary and secondary school;
  - (ii) the total number of teachers actually employed and the number of teachers on the establishment in each school;
  - (iii) the schools in which there are librarians;
  - (iv) the estimated date/s of construction of a library in each school?

*The following reply was circulated to Members of the House:*

The number of students enrolled at public, primary and secondary schools for the school year 2002-2003 were one hundred and thirty-six thousand, seven hundred and ninety-nine (136,799) for the primary sector and one hundred and six thousand, six hundred and thirty-seven (106,637) students for the secondary sector respectively. It is to be noted that included in these totals are seven thousand, seven hundred and sixty-six (7,766) students for which the Ministry of Education has purchased places at private secondary schools. Listed at Appendix I(a) and (b) is the breakdown of these totals by individual school as was requested.

At Appendices II (a) and (b) are lists of public schools with the total number of teachers on the establishment of each of the schools named.

Appendix III provides a listing as requested of all the public schools in which there are Librarians.

The Ministry, at this time, has no plans for the construction of a Library in each school as a single, separate project. However, in secondary schools, multi-media centres will be incorporating libraries as part of the support structures for the new curriculum. These multi-media centres are being provided under the technical upgrade programme for secondary schools. Under Phase I of this programme, a total of forty-seven (47) secondary schools are listed for technical upgrade (see list attached). As the Ministry continues to implement its 2003—2006 Schools Construction Programme, all secondary schools will be upgraded as part of the modernization programme of the secondary school sector.

In respect of primary schools, those primary schools, which are being rebuilt under the 2003—2006 Schools Construction Programme will have libraries built as part of the new designs. There are fifteen (15) such schools being rebuilt and the estimated date of completion is August 2005 (see list attached). It is planned that another fifteen (15) schools will be rebuilt in the following year 2006.

As far as existing Primary Schools are concerned, many schools have used allocations provided to them under the School Improvement Plan grants (SIPS) to upgrade their school libraries.

In the academic year 2004/2005, with the implementation of the CETT programmes—Centres of Excellence for Teacher Training—thirty (30) schools will be equipped with a reading library and the services of a librarian.

**APPENDIX I(a)**

## PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS

SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Agostini Settlement K.P.A. Primary School	177	153	330
Anstey Memorial Girls' A.C. Primary School	0	394	394
Aranguez Government Primary School	123	104	227
Aranguez Hindu Primary School	112	91	203
Aranguez T.I.A. Primary School	136	124	260
Arima Hindu Primary School	99	106	205
Arima Boys' Government Primary School	662	0	662
Arima Boys' R.C. Primary School	734	0	734
Arima Centenary Government Primary School	348	334	682
Arima Girls' Government Primary School	0	625	625
Arima Girls' R.C. Primary School	0	833	833
Arima New Government Primary School	362	296	658

*Written Answers to Questions**Wednesday, June 23, 2004*

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Arima Presbyterian Primary School	214	198	412
Arima West Government Primary School	292	279	571
Aripo R.C. Primary School	21	26	47
Arouca A.C. Primary School	272	235	507
Arouca Government Primary School	325	332	657
Ascension A.C. Primary School	137	97	234
Avocat Vedic Primary School	220	202	422
Balmain Presbyterian Primary School	176	137	313
Bamboo Grove Presbyterian Primary School	90	86	176
Bamboo Settlement Government Primary School	65	74	139
Barataria A.C. Primary School	383	410	793
Barataria Boys' R.C. Primary School	209	95	304
Barrackpore ASJA Primary School	97	97	194
Barrackpore Vedic Primary School	29	23	52
Basseterre R.C. Primary School	126	105	231



PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Belle Garden A.C. Primary School	161	163	324
Belmont Boys' R.C. Primary School	412	0	412
Belmont Girls' R.C. Primary School	0	535	535
Belmont Government Primary School	243	163	406
Bethesda Government Primary School	95	93	188
Bethlehem Boys' R.C. Primary School	132	0	132
Bethlehem Girls' R.C. Primary School	0	136	136
Biche Presbyterian Primary School	54	46	100
Biche R.C. Primary School	153	154	307
Bien Venue Presbyterian Primary School	148	138	286
Black Rock Government Primary School	47	49	96
Blanchisseuse Government Primary School	56	59	115
Boissiere Village R.C. Primary School	119	83	202
Bon Accord Government Primary School	229	175	404
Bon Air Government Primary School	129	90	219

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Bonne Aventure Presbyterian Primary School	129	131	260
Bourg Mulatresse R.C. Primary School	115	127	242
Brasso R.C. Primary School	18	17	35
Brasso Seco R.C. Primary School	26	28	54
Brasso Venado Government Primary School	21	15	36
Brazil R.C. Primary School	159	144	303
Brighton A.C. Primary School	130	117	247
Brothers Road Presbyterian Primary School	216	186	402
Buccoo Government Primary School	50	55	105
Buenos Ayres Government Primary School	35	27	62
Caigual R.C. Primary School	24	13	37
California Government Primary School	108	97	205
Canaan Presbyterian Primary School	191	159	350
Caparo R.C. Primary School	131	119	250
Cap-de-ville Government Primary School	178	164	342

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PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Carapichaima A.C. Primary School	47	31	78
Carapichaima R.C. Primary School	399	403	802
Carapichaima A.S.J.A. Primary School	267	252	519
Carapo R.C. Primary School	165	148	313
Caratal R.C. Primary School	39	33	72
Carenage Boys' Government Primary School (formerly St. Pierre Composite)	244	0	244
Carenage Girls Government Primary School	0	178	178
Caroni Hindu Primary School	174	172	346
Caroni Presbyterian Primary School	42	42	84
Castara Government Primary School	39	38	77
Cedros A.C. Primary School	29	28	57
Cedros Government Primary School	80	72	152
Chaguanas R.C. Primary School	287	251	538
Chaguanas Government Primary School	458	426	884

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PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Chandernagore Presbyterian Primary School	118	97	215
Charlieville A.S.J.A. Primary School	214	200	414
Charlieville Presbyterian Primary School	102	82	184
Charlotteville Methodist Primary School	67	64	131
Chatham Government Primary School	59	45	104
Chickland R.C. Primary School	21	10	31
Chinapoo Government Primary School	161	149	310
Christian Primary Academy	24	20	44
Cipero R.C. Primary School	31	23	54
Clarke Road Hindu Primary School	103	89	192
Clarke Rochard Government Primary School	342	324	666
Claxton Bay Junior A.C. Primary School	144	112	256
Claxton Bay Senior A.C. Primary School	137	139	276
Cocorite Government Primary School	81	76	157
Cocoyea Government Primary School	92	64	156

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Coffee Street Boys' A.C. Primary School	190	0	190
Coryal R.C. Primary School	55	37	92
Couva A.C. Primary School	204	184	388
Couva South Government Primary School	99	87	186
Crystal Stream Government Primary School	138	85	223
Cumaca R.C. Primary School	8	9	17
Cumana A.C. Primary School	57	44	101
Cumana R.C. Primary School	32	29	61
Cumana S.D.A. Primary School	65	60	125
Cumuto Presbyterian Primary School	30	26	56
Cunapo (St. Francis) R.C. Primary School	402	350	752
Cunaripo Presbyterian Primary School	122	105	227
Cunjaj Government Primary School	28	24	52
Cunupia Government Primary School	192	195	387
Curepe Presbyterian Primary School	348	365	713

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Curepe (Fatima) R.C. Primary School	169	168	337
Curepe A.C. Primary School	286	277	563
Curepe Vedic Primary School	41	39	80
Cushe Government Primary School	32	37	69
D'Abadie Government Primary School	241	189	430
Dayanand Memorial Vedic Primary School	262	236	498
Debe Hindu Primary School	141	130	271
Debe Presbyterian Primary School	63	55	118
Delaford A.C. Primary School	57	38	95
Delaford R.C. Primary School	51	45	96
Delhi Hindu Primary School	51	38	89
Des Vignes Road Government Primary School	17	24	41
Diamond Vale Government Primary School	289	269	558
Diego Martin Boys' R.C. Primary School	486	0	486
Diego Martin Girls' R.C. Primary School	0	459	459

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PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Diego Martin Government Primary School	270	198	468
Dinsley/Trincity Government Primary School	364	315	679
Don Miguel Hindu Primary School	169	162	331
Dow Village Government Primary School	173	170	343
Durham Village Hindu Primary School	61	56	117
Eastern Boys' Government Primary School	494	0	494
Eastern Girls' Government Primary School	0	345	345
Ebenezer Methodist Primary School	32	25	57
Eccleville Presbyterian Primary School	84	61	145
Eckel Village A.C. Primary School	82	82	164
Edinburgh Government Primary School	245	226	471
Egypt Village Government Primary School	155	153	308
El Dorado North Hindu Primary School	210	203	413
El Dorado South Hindu Primary School	228	217	445
El Socorro Central Government Primary School	41	36	77

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
El Socorro Hindu Primary School	115	117	232
El Socorro North Government Primary School	180	145	325
El Socorro South Government Primary School	27	23	50
El Socorro T.I.A. Primary School	173	130	303
Elswick Presbyterian Primary School	58	63	121
Endeavour Hindu Primary School	144	125	269
Enterprise Government Primary School	248	194	442
Erin R.C. Primary School	65	51	116
Erin Road Presbyterian Primary School	176	140	316
Escallier A.C. Primary School	73	60	133
Esperanza Presbyterian Primary School	97	89	186
Excel Composite (Primary/Secondary)	168	120	288
Exchange R.C. Primary School	257	221	478
Exchange Presbyterian Primary School	301	317	618
Fanny Village Government Primary School	183	182	365



*Written Answers to Questions**Wednesday, June 23, 2004*

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Febeau Government Primary School	247	188	435
Felicity Hindu Primary School	290	312	602
Felicity Presbyterian Primary School	67	61	128
Fifth Company (St. Gregory's) A.C. Primary School	97	80	177
Fifth Company Baptist Primary School	256	229	485
Fishing Pond Presbyterian Primary School	76	72	148
Five Rivers Hindu Primary School	119	84	203
Five Rivers T.I.A. Primary School	72	38	110
Flanagin R.C. Primary School	40	24	64
Forest Reserve A.C. Primary School	24	33	57
Four Roads Government Primary School	93	81	174
Freeport Presbyterian Primary School	221	219	440
Freeport Hindu Primary School	183	183	366
Fyzabad Presbyterian Primary School	233	186	419
Gaines Normal A.M.E. (African Methodist Episcopal) Primary School	92	53	145

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PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Gasparillo Government Primary School	286	240	526
Gasparillo Hindu Primary School	188	177	365
Ghandi Memorial Vedic Primary School	203	205	408
Glosterlodge Moravian Primary School	210	164	374
Golden Lane Government Primary School	83	64	147
Goodwood Methodist Primary School	53	42	95
Gran Couva R.C. Primary School	65	66	131
Grande Riviere A.C. Primary School	24	15	39
Grant Memorial Presbyterian Primary School	597	609	1206
Granville R.C. Primary School	60	47	107
Grosvenor Presbyterian Primary School	128	92	220
Guaico Government Primary School	157	121	278
Guaico Presbyterian Primary School	432	428	860
Guapo Government Primary School	104	86	190
Guaracara Hindu Primary School	39	32	71

*Written Answers to Questions**Wednesday, June 23, 2004*

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Guayaguayare R.C. Primary School	224	192	416
Happy Hill Hindu Primary School	60	63	123
Hardbargain Government Primary School	17	25	42
Hardbargain R.C. Primary School	68	69	137
Harmony Hall Presbyterian Primary School	140	118	258
Hermitage Presbyterian Primary School	61	53	114
Hockett Baptist Primary School	115	89	204
Hope A.C. Primary School	79	81	160
Icacos Government Primary School	40	30	70
Iere Government Primary School	144	160	304
Indian Walk Government Primary School	92	62	154
Inverness Presbyterian Primary School	136	106	242
Jerningham Government Primary School	159	164	323
Jordan Hill Presbyterian Primary School	375	323	698
Jubilee Presbyterian Primary School	89	92	181

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Kanhai Presbyterian Primary School	88	104	192
Kubairsingh (Penal Rock) Hindu Primary School	82	64	146
La Brea R.C. Primary School	189	186	375
La Fillette R.C. Primary School	41	43	84
La Horquetta North Government Primary School	247	200	447
La Horquetta South Government Primary School	357	376	733
La Lune R.C. Primary School	43	34	77
La Pastora Government Primary School	165	175	340
La Puerta Government Primary School	233	196	429
La Romain Government Primary School	64	61	125
La Romaine R.C. Primary School	178	121	299
La Seiva R.C. Primary School	83	62	145
La Veronica R.C. Primary School	55	50	105
Lambeau A.C. Primary School	77	71	148
L'Anse Fourmi Methodist Primary School	23	24	47

*Written Answers to Questions**Wednesday, June 23, 2004*

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
L'Anse Noire Moravian Primary School	29	27	56
Las Cuevas Government Primary School	52	55	107
Las Lomas R.C. Primary School	157	178	335
Las Lomas Government Primary School	109	113	222
Laventille Boys' Government Primary School	226	0	226
Laventille Girls' Government Primary School	0	201	201
Lendore Village Hindu Primary School	237	213	450
Lengua Presbyterian Primary School	59	53	112
Lengua T.I.A. Primary School	184	176	360
Liberville T.M.L. Primary School	64	53	117
Lochmaben R.C. Primary School	80	61	141
Longdenville Government Primary School	285	254	539
Longdenville Presbyterian Primary School	136	110	246
Lower Cumuto No.1 Government Primary School	159	125	284
Lower Morvant Government Primary School	187	164	351

*Written Answers to Questions**Wednesday, June 23, 2004*

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Macaulay Government Primary School	123	120	243
Madras Government Primary School	117	75	192
Mafeking Government Primary School	86	105	191
Malabar Government Primary School	251	200	451
Malabar R.C. Primary School	263	245	508
Malick Girls' R.C. Primary School	0	308	308
Maloney Government Primary School	385	409	794
Mamoral R.C. Primary School	43	32	75
Manzanilla Government Primary School	109	93	202
Marabella Government Primary School	114	81	195
Marabella Boys' A.C. Primary School	277	0	277
Marabella Girls' A.C. Primary School	0	209	209
Marac Baptist Primary School	38	41	79
Maracas Presbyterian Primary School	74	52	126
Maracas R.C. Primary School	110	130	240

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Maracas S.D.A. Primary School	146	146	292
Maraval R.C. Primary School	292	226	518
Maryland R.C. Primary School	90	69	159
Mason Hall Government Primary School	133	88	221
Matelot Community R.C. Primary School	47	35	82
Matura Government Primary School	100	97	197
Mayaro (St. Thomas) R.C. Primary School	201	188	389
Mayaro Government Primary School	231	212	443
Mayaro/Gauyaguayare Community School	26	30	56
Mayo R.C. Primary School	120	129	249
Mc Bean Hindu Primary School	141	148	289
Mc Bean Presbyterian Primary School	52	68	120
Melville Memorial Girls' A.C. Primary School	0	337	337
Milton Presbyterian Primary School	48	38	86
Mohess Road Hindu Primary School	96	87	183

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Mon Repos R.C. Primary School	214	156	370
Monkey Town Government Primary School	115	116	231
Monte Video Government Primary School	13	12	25
Montgomery Government Primary School	70	53	123
Montrose Government Primary School	150	404	554
Montrose Vedic Primary School	354	363	717
Moriah Government Primary School	87	70	157
Morne Diablo R.C. Primary	96	126	222
Moruga (Holy Trinity) A.C. Primary School	103	67	170
Moruga R.C. Primary School	68	48	116
Morvant A.C. Primary School	288	292	580
Morvant North Government Primary School	167	123	290
Moulton Hall Methodist Primary School	183	127	310
Mt. Dor Government Primary School	121	128	249
Mt. Lambert R.C. Primary School	190	172	362



PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Mt. Pleasant Government Primary School	95	92	187
Mt. St. George Methodist Primary School	73	39	112
Mucurapo Boys' R.C. Primary School	290	0	290
Mucurapo Girls' R.C. Primary School	0	777	777
Mundo Nuevo R.C. Primary School	26	22	48
Munroe Road Government Primary School	101	97	198
Munroe Road Hindu Primary School	170	177	347
Nariva Government Primary School	11	4	15
Navet Presbyterian Primary School	79	54	133
Nelson Street Boys' R.C. Primary School	281	0	281
Nelson Street Girls' R.C. Primary School	0	428	428
New Grant Government Primary School	129	91	220
New Grant A.C. Primary School	143	110	253
Newtown Boys' R.C. Primary School	694	0	694
Newtown Girls' R.C. Primary School	0	631	631

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Nipal Presbyterian Primary School	22	14	36
North East SDA Primary	3	8	11
North Manzanilla Government Primary School	12	13	25
North Oropouche Government Primary School	69	72	141
North Oropouche R.C. Primary School	127	93	220
North Regional SDA	62	66	128
North Trace Government Primary School	52	43	95
Orange Field Hindu Primary School	196	196	392
Orange Valley Government Primary School	170	143	313
Ortoire R.C. Primary School	80	95	175
Our Lady of Upper Lav. R.C. Primary School	122	70	192
Palmiste Government Primary School	85	77	162
Palmyra Hindu Primary School	38	34	72
Palo Seco Government Primary School	174	151	325
Paramin R.C. Primary School	87	60	147

*Written Answers to Questions**Wednesday, June 23, 2004*

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Parlatuvier A.C. Primary School	23	13	36
Patience Hill Government Primary School	69	50	119
Patna/River Estate Government Primary School	320	259	579
Pembroke A.C. Primary School	74	61	135
Penal Government Primary School	252	208	460
Penal Presbyterian Primary School	269	282	551
Penal Rock Presbyterian Primary School	153	122	275
Penal Rock R.C. Primary School	62	55	117
Penal/Quinam Government Primary School	46	44	90
Pepper Village Government Primary School	206	208	414
Petit Valley Boys' R.C. Primary School	189	0	189
Petit Valley Girls' R.C. Primary School	0	135	135
Phoenix Park Government Primary School	144	123	267
Picadilly Government Primary School	224	159	383
Picton Presbyterian Primary School	112	103	215

*Written Answers to Questions**Wednesday, June 23, 2004*

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Piparo Presbyterian Primary School	74	55	129
Pleasantville Government Primary School	150	91	241
Plum Mitan Presbyterian Primary School	69	39	108
Plum Road Presbyterian Primary School	33	39	72
Plymouth A.C. Primary School	40	36	76
Point Cumana R.C. Primary School	99	79	178
Point Cumana Government Primary School	87	69	156
Point Fortin A.C. Primary School	225	210	435
Point Fortin A.S.J.A. Primary School	147	153	300
Point Fortin R.C. Primary School	305	273	578
Pointe-a-Pierre Government Primary School	21	10	31
Poole R.C. Primary School	32	26	58
Poole River Presbyterian Primary School	31	27	58
Preysal Government Primary School	233	195	428
Princes Town Methodist Primary School	87	103	190

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Princes Town A.S.J.A Primary School	196	215	411
Princes Town No.2 Presbyterian Primary School	139	137	276
Princes Town Presbyterian No.1 Primary School	335	295	630
Princes Town R.C. Primary School	175	167	342
Raghunanan Road Government Primary School	237	215	452
Ramai Trace Hindu Primary School	73	68	141
Rampanalgas R.C. Primary School	44	41	85
Rancho Quemado Government Primary School	109	83	192
Reform Hindu Primary School	41	39	80
Reform Presbyterian Primary School	133	127	260
Richmond Street Boys' A.C. Primary School	418	0	418
Rio Claro A.S.J.A. Primary School	142	153	295
Rio Claro Hindu Primary School	325	334	659
Rio Claro Presbyterian Primary School	220	191	411
Rio Claro Vedic Primary School	42	34	76

*Written Answers to Questions**Wednesday, June 23, 2004*

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Riversdale Presbyterian Primary School	52	43	95
Riverside Hindu Primary School	72	60	132
Robert Village Hindu Primary School	246	249	495
Rochard Douglas Presbyterian Primary School	186	192	378
Rock River R.C. Primary School	69	73	142
Rosary Boys' R.C. Primary School	933	0	933
Rose Hill R.C. Primary School	98	56	154
Rosec Primary School	50	31	81
Rousillac Hindu Primary School	113	119	232
Rousillac Presbyterian Primary School	211	191	402
Roxborough A.C. Primary School	104	92	196
Sacred Heart Boys' R.C. Primary School	418	0	418
Sacred Heart Girls' R.C. Primary School	0	943	943
Salazar Trace Government Primary School	64	61	125
Salybia Government Primary School	30	29	59

*Written Answers to Questions**Wednesday, June 23, 2004*

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
San Fernando Methodist Primary School	54	26	80
San Fernando A.S.J.A Primary School	214	211	425
San Fernando Boys' Government Primary School	452	0	452
San Fernando Boys' R.C. Primary School	1050	0	1050
San Fernando Girls' Government Primary School	0	516	516
San Fernando Girls' A.C. Primary School	0	623	623
San Fernando SDA Primary School	203	158	361
San Fernando T.M.L. Primary School	271	259	530
San Francique Hindu Primary School	63	43	106
San Francique Presbyterian Primary School	105	82	187
San Juan Boys' R.C. Primary School	271	0	271
San Juan Boys' Government Primary School	310	0	310
San Juan Girls' R.C. Primary School	0	271	271
San Juan Girls' Government Primary School	0	212	212
San Juan Presbyterian Primary School	310	315	625

*Written Answers to Questions**Wednesday, June 23, 2004*

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
San Juan S.D.A. Primary School	212	163	375
San Rafael R.C. Primary School	59	53	112
San Souci R.C. Primary School	27	22	49
Sangre Chiquito Presbyterian Primary School	165	161	326
Sangre Grande Government Primary School	302	290	592
Sangre Grande Hindu Primary School	433	418	851
Sangre Grande R.C. Primary School	75	85	160
Sangre Grande S.D.A. Primary School	239	221	460
Santa Cruz Presbyterian Primary School	88	76	164
Santa Cruz R.C. Primary School	177	127	304
Santa Flora A.C. Primary School	54	42	96
Santa Flora Government Primary School	133	79	212
Santa Maria R.C. Primary School	23	27	50
Santa Rita R.C. Primary School	80	64	144
Santa Rosa Government Primary School	245	221	466



PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Scarborough Methodist Primary School	215	206	421
Scarborough R.C. Primary School	278	313	591
Seereeram Memorial Primary School	73	55	128
Signal Hill Government Primary School	138	119	257
Simbhoonath Capildeo Tunapuna Primary School	322	350	672
Siparia Boys' R.C. Primary School	403	0	403
Siparia Hindu Primary School	134	112	246
Siparia Road K.P.A. Primary School	124	122	246
Siparia Road Presbyterian Primary School	49	36	85
Siparia SDA Primary School	64	73	137
Siparia Union Presbyterian Primary School	234	244	478
Sister's Road A.C. Primary School	54	45	99
Sixth Company A.C. Primary School	53	37	90
South Oropouche Government Primary School	100	87	187
South Oropouche R.C. Primary School	180	133	313

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Southern Central A.C. Primary School	54	56	110
Speyside A.C. Primary School	41	35	76
Spring Vale Hindu Primary School	78	88	166
Spring Village Hindu Primary School	83	91	174
St. Agnes A.C. Primary School	248	191	439
St. Andrews A.C. Primary School	253	282	535
St. Ann's R.C. Primary School	57	46	103
St. Augustine South Government Primary School	87	79	166
St. Barb's Government Primary School	173	126	299
St. Benedict's R.C. Primary School	55	64	119
St. Brigid's Girls' R.C. Primary School	0	472	472
St. Catherine's Girls' A.C. Primary School	0	328	328
St. Christopher A.C. Primary School	167	168	335
St. Clement's Vedic Primary School	115	92	207
St. Crispin's A.C. Primary School	160	138	298

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
St. David's R.C. Primary School	136	83	219
St. Dominic's R.C. Primary School	210	193	403
St. Dominic's (Penal R.C.) Primary School	169	153	322
St. Finbar's Girls' R.C. Primary School	0	352	352
St. Gabriel's Girls' R.C. Primary School	0	958	958
St. Helena Hindu Primary School	188	224	412
St. Helena Presbyterian Primary School	43	35	78
St. Hilda's Government Primary School	0	93	93
St. John's A.C. Primary School	118	85	203
St. Joseph Government Primary School	174	141	315
St. Joseph T.M.L. Primary School	298	240	538
St. Joseph's Boys' R.C. Primary School	534	0	534
St. Joseph's Girls' R.C. Primary School	0	667	667
St. Julien Presbyterian Primary School	52	42	94
St. Margaret's Government Primary School	58	57	115

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
St. Margaret's Boys' A.C. Primary School	420	0	420
St. Martin's R.C. Primary School	66	41	107
St. Mary's Government Primary School	225	192	417
St. Mary's A.C. Primary School	145	137	282
St. Mary's Children Home A.C. Primary School	77	36	113
St. Michael's A.C. Primary School	199	207	406
St. Michael's School for Boys A.C. Primary School	82	0	82
St. Patrick's A.C. Primary School	64	59	123
St. Paul's A.C. Primary School	401	175	576
St. Phillip's Government Primary School	93	50	143
St. Pius Boys' R.C. Primary School	303	0	303
St. Rose's Girls' R.C. Primary School	0	420	420
St. Stephen's A.C. Primary School	158	147	305
St. Theresa's Girls' R.C. Primary School	0	423	423
St. Therese R.C. Primary School	127	94	221

*Written Answers to Questions**Wednesday, June 23, 2004*

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
St. Ursula's A.C. Primary School	0	395	395
Ste Madeleine Government Primary School	54	55	109
Success R.C. Primary School	228	157	385
Suchit Trace Hindu Primary School	75	65	140
Tabaquite R.C. Primary School	164	142	306
Tabaquite Presbyterian Primary School	65	56	121
Tableland A.C. Primary School	12	9	21
Tablepiece Government Primary School	51	35	86
Tacarigua Presbyterian Primary School	388	369	757
Talparo R.C. Primary School	120	107	227
Tamana Hindu Primary School	15	20	35
Tamana R.C. Primary School	66	57	123
The University School	111	119	230
Toco A.C Primary School	74	77	151
Toco R.C. Primary School	11	19	30

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Todd's Road R.C. Primary School	161	112	273
Torrib Trace Presbyterian Primary School	121	99	220
Tortuga Government Primary School	54	49	103
Tranquillity Government Primary School	338	229	567
Tulsa Trace Hindu Primary School	100	88	188
Tunapuna Presbyterian Primary School	193	138	331
Tunapuna A.C. Primary School	135	136	271
Tunapuna Boys' R.C. Primary School	384	0	384
Tunapuna Girls' R.C. Primary School	0	543	543
Tunapuna Government Primary School	67	44	111
Union Presbyterian Primary School	160	160	320
Upper Carapichaima Presbyterian Primary School	85	109	194
Upper Cumuto No.2 Government Primary School	51	53	104
Upper Guaico R.C. Primary School	64	67	131
Valencia R.C./Gov't Primary School	266	254	520

*Written Answers to Questions**Wednesday, June 23, 2004*

PRIMARY SCHOOLS STUDENT/ TEACHER STATISTICS  
SCHOOL YEAR 2002—2003

SCHOOL NAME	Male Students	Female Students	Total Male/Female
Valencia South Government Primary School	237	259	496
Vance River R.C. Primary School	224	248	472
Vistabella Presbyterian Primary School	295	226	521
Vos Government Primary School	290	256	546
Warrenville Presbyterian Primary School	284	248	532
Warrenville T.I.A. Primary School	100	72	172
Waterloo Hindu Primary School	43	38	81
Waterloo Presbyterian Primary School	108	65	173
Whim A.C. Primary School	58	64	122
William Webb Memorial Baptist Primary School	68	57	125
Woodbrook Presbyterian Primary School	154	61	215
Woodland Hindu Primary School	70	58	128
TOTAL	70205	66594	136799

<b>SECONDARY SCHOOL STUDENT STATISTICS – SCHOOL YEAR 2002—2003</b>			
	MALE	FEMALE	TOTAL
St. George West	15,003	14,467	29,470
St. George East	6,816	8,495	15,311
St. Andrew/St. David	2,666	3,185	5,851
Caroni	6,784	6,729	13,513
Nariva/Mayaro	1,210	1,283	2,493
Victoria	12,378	13,422	25,800
St. Patrick	5,506	5,966	11,472
Tobago	1,240	1,487	2,727
<b>TOTAL ALL DISTRICTS</b>	<b>51,603</b>	<b>55,034</b>	<b>106,637</b>